

DATED:

24<sup>th</sup>. February

2015

**BOROUGH OF TORBAY,  
(VARIOUS STREETS, PAIGNTON)  
(STREET PARKING PLACES {PAY & DISPLAY})  
ORDER 2015**

**STEVE PARROCK  
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Torquay  
TQ1 3DR**

**On Street Order.**

**BOROUGH OF TORBAY,  
(VARIOUS STREETS, PAIGNTON)  
(STREET PARKING PLACES {PAY & DISPLAY})  
ORDER 2015**

Torbay Council (hereinafter referred to as 'the Council') in exercise of their powers under Sections 1 (1), 2(1) – (3), 4(2), 45, 46, 46C, 49, 53 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act") and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the hereby make the following Order:-

**Part I**

1. This Order shall come into operation on the *25<sup>th</sup> March 2015* and may be cited as "Borough of Torbay (Various Streets, Paignton) (Street Parking Places {Pay & Display}) Order 2015".

2. (1) In this Order, except where the context otherwise requires the following expressions have the meanings hereby respectively assigned to them:-

"civil enforcement officer" means a person authorised by or on behalf of the Council to supervise any parking place;

"cycle" has the same meaning as in Section 196 of the Road Traffic Act 1972;

"disabled person's vehicle" has the same meaning as in the Local Authorities Traffic Orders (Exemptions for Disabled Persons)(England) Regulations 2000;

"disabled person's badge" has the same meaning as in the Disabled Persons(Badges for Motor Vehicles)(England) Regulations 2000;

"e-permit" means an electronic parking permit purchased via the mobile telephone parking system;

"goods" includes postal packets of any descriptions; and delivering and collection in relation to any goods including checking the goods for the purpose of their delivery or collection;

"goods vehicle" means a motor vehicle which is constructed or permanently adapted for the use of the carriage of goods or burden of any description, and unless it is an articulated vehicle within the meaning of S138(3) of the Act, is not drawing a trailer;

"mobile telephone parking" means the purchase of a period of parking via a mobile telephone to facilitate a cashless and ticketless parking transaction;

"motor cycle" and "invalid carriage" have the same meaning respectively as in Section 136 of the Act;

"parking bay" means a space in a parking place which is provided for the leaving of a vehicle;

“parking disc” means a disc, issued by a Local Authority, 125 millimetres square coloured blue and capable of showing the quarter hour period during which a period of waiting begins;

“parking permit” shall mean any season ticket issued for a period not exceeding one year and expiring at any time;

“parking place” means an area of Highway designated as a parking place by Article 3 of this Order;

“parking meter” means an apparatus of a type and design approved by the Secretary of State for Transport for the purpose of this Order being apparatus designed to indicate the time by a clock and to issue numbered tickets indicating the payment of a charge, the period in respect of which it has been paid and the day and time at which the charge was paid, or the expiry time of the period paid for;

“passenger vehicle” means a motor vehicle (other than a motor cycle or invalid carriage) constructed solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the driver, and not drawing a trailer;

“permitted hours” means the hours specified for charging purposes in the Schedules to this Order in respect of any parking place and are the hours during which a parking charge shall be paid for the leaving of a vehicle in that parking place;

“relevant position” is as defined in Regulation 4 of the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons)(England) Regulations 2000;

“telecommunication apparatus” has the same meaning as defined in Section 4(3) of the Telecommunications Act 1984;

“traffic sign” means a sign or road marking of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under, Section 64 of the Act.

(2) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

(3) Without prejudice to anything done before or to any liability incurred before the coming into force of this Order, the Order specified in Schedule 9 are hereby revoked.

## **Part 2**

### **Designation of Parking Places**

3. Each area on a highway in Paignton which is described as a designated parking place in Schedules 1 - 8 of this Order is designated as a parking place.

### **Marking on the Carriageway of Parking Places and Parking Bays**

4. The limits of each parking place and the limits of any parking bay shall be indicated by the Council on the carriageway by appropriate traffic signs.

### **Vehicles for which Parking Places are Designated**

5. Each parking place may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles as are passenger vehicles, goods vehicles, motor cycles or disabled persons vehicles.

### **Amount and Method of Payment of Initial Charge at Parking Places and Display of Tickets**

6. (1) The initial charge for a vehicle left in a parking place during the permitted hours specified in Schedules 1, 2, 3 and 5 during the period 2<sup>nd</sup> May to 31<sup>st</sup> October inclusive each year shall subject as hereinafter provided, be either:

- (a) 70p for an initial period of not more than 30 minutes;
- (b) £1.30 for an initial period of not more than 1 hour;
- (c) £2 for an initial period of not more than 1.5 hours;
- (d) £2.50 for an initial period of not more than 2 hours;
- (e) £3.50 for an initial period of not more than 3 hours;
- (f) £4.50 for an initial period of not more than 4 hours;
- (g) £10.00 for all day parking;

- (2) The initial charge for a vehicle left in a parking place during the permitted hours specified in Schedule 4 during the period 2<sup>nd</sup> May to 31<sup>st</sup> October inclusive each year shall subject as hereinafter provided, be either:

- (a) £1.00 for an initial period of not more than 30 minutes;
- (b) £1.50 for an initial period of not more than 1 hour;
- (c) £2.20 for an initial period of not more than 1.5 hours;
- (d) £3.00 for an initial period of not more than 2 hours;
- (e) £4.00 for an initial period of not more than 3 hours;
- (f) £5.00 for an initial period of not more than 4 hours;
- (g) £10.00 for all day parking;

- (3) The initial charge for a vehicle left in a parking place during the permitted hours specified in Schedules 7 and 8 during the period 2<sup>nd</sup> May to 31<sup>st</sup> October inclusive each year shall subject as hereinafter provided, be either:

- (a) £1.00 for an initial period of not more than 30 minutes;
- (b) £1.50 for an initial period of not more than 1 hour;
- (c) £2.20 for an initial period of not more than 1.5 hours;
- (d) £3.00 for an initial period of not more than 2 hours;
- (e) £4.00 for an initial period of not more than 3 hours;
- (f) £5.00 for an initial period of not more than 4 hours;
- (g) £10.00 for all day parking;
- (h) £2.50 overnight fixed charge available between 6pm and 8am each day;

(4) The initial charge for a vehicle left in a parking place during the permitted hours specified in Schedule 6 shall subject as hereinafter provided, be either:

- (a) £1.00 for an initial period of not more than 4 hours;
- (b) £2.00 for an initial period of not more than 24 hours;

(5) The initial charge for a vehicle left in a parking place during the permitted hours specified in Schedules 1, 2, 3 and 5 during the period 1<sup>st</sup> November and 1<sup>st</sup> May inclusive each year shall subject as hereinafter provided, be either:

- (a) 50p for an initial period of not more than 30 minutes;
- (b) £1.00 for an initial period of not more than 1 hour;
- (c) £1.50 for an initial period of not more than 1.5 hours;
- (d) £2.00 for an initial period of not more than 2 hours;
- (e) £3.00 for an initial period of not more than 3 hours;
- (f) £4.00 for an initial period of not more than 4 hours;
- (g) £10.00 for all day parking;

(6) The initial charge for a vehicle left in a parking place during the permitted hours specified in Schedule 4 during the period 1<sup>st</sup> November and 1<sup>st</sup> May inclusive each year shall subject as hereinafter provided, be either:

- (a) 20p for an initial period of not more than 30 minutes;
- (b) 50p for an initial period of not more than 1 hour;
- (c) £1.00 for an initial period of not more than 1.5 hours;
- (d) £1.50 for an initial period of not more than 2 hours;
- (e) £2.00 for an initial period of not more than 3 hours;
- (f) £2.50 for an initial period of not more than 4 hours;
- (g) £10.00 for all day parking;

(7) The initial charge for a vehicle left in a parking place during the permitted hours specified in Schedules 7 and 8 during the period 1<sup>st</sup> November and 1<sup>st</sup> May inclusive each year shall subject as hereinafter provided, be either:

- (a) 20p for an initial period of not more than 30 minutes;
- (b) 50p for an initial period of not more than 1 hour;
- (c) £1.00 for an initial period of not more than 1.5 hours;
- (d) £1.50 for an initial period of not more than 2 hours;
- (e) £2.00 for an initial period of not more than 3 hours;
- (f) £2.50 for an initial period of not more than 4 hours;
- (g) £10.00 for all day parking;
- (h) £1.50 overnight fixed charge available between 6pm and 8am each day;

(8) The initial charge shall be payable on the leaving of the vehicle in a parking place by the insertion in a parking meter relating to the parking bay in which the vehicle is left coins of denominations between 5p and £2 to the correct amount.

(9) Upon payment of the initial charge for the vehicle the driver thereof shall exhibit on the vehicle, in accordance with provisions of paragraphs (10) of this Article, a ticket issued by a parking meter relating to the parking space in which the vehicle is left.

(10) The ticket referred to in paragraph (9) of this Article shall be exhibited on the vehicle-

- (1) at all times during which the vehicle is left in a parking place during the permitted hours so that all the particulars on that side of the ticket which bears the indication that a parking charge has been paid and the day and time by which the parking period started, are readily visible from the front or near side of the vehicle to a person standing on the near side of the vehicle;
- (2) where the vehicle is not fitted with a front glass windscreen, on the near side of the vehicle facing towards the near side of the road and not less than 35 centimetres and not more than two metres above the carriageway in the immediate vicinity;
- (3) if a vehicle is left in a parking place outside the charging hours, and is allowed to remain in the parking place during the charging hours, the driver shall purchase a ticket in accordance with this Article before removing the vehicle from the parking place;
- (4) all vehicles shall be parked wholly within a marked parking space in a parking place and parked with its longitudinal axis parallel to the kerb;

(11) If a vehicle is left in a parking place otherwise than in accordance with the conditions of this Article then a penalty charge shall be payable in accordance with Article 8 of this Order.

### **Parking Permits**

7. (1) A vehicle shall be exempt from paying the parking charges specified in Article 6 (1) to (7) when a valid parking permit specified in paragraphs (1)(a) to (1)(c) of this Article is displayed in the vehicle in accordance with paragraph (2) of this Article -
- (a) an 'annual on street permit' purchased at the cost specified in Schedule 9 may be used from the valid from date noted on the face of the permit and shall remain valid for a period of 12 months until the expiry date noted on the face of the permit, and shall be valid for use in up to four vehicle registration numbers notified to Parking Services in writing. The permit may be in the form of a parking permit or an e-permit, and the permit shall be valid for use in the parking places specified in Schedules 1 – 8 of this Order;
  - (b) a 'monthly on street permit' purchased at the cost specified in Schedule 9 may be used for a period of one calendar month and shall be valid for use in one vehicle, the registration number of which must be notified to Parking Services in writing. The permit may be in the form of a parking permit or an e-permit, and the permit shall be valid for use in the parking places specified in Schedules 1 – 8 of this Order;
  - (c) a 'commuter on street permit' purchased at the cost specified in Schedule 9 may be used for a period of one calendar month and shall be valid for use in one vehicle, the registration number of which must be notified to Parking Services in writing. The permit may be in the form of a parking permit or an e-permit, and the permit shall only be

valid for use in the parking places specified in Schedule 6 of this Order;

(2) The parking permits referred to in this Article shall be exhibited in the vehicles front windscreen at all times during which the vehicle is left in a parking place during the permitted hours so that all the particulars on that side of the permit which bears the valid from date, expiry date, serial number, hologram (where applicable) and valid location are readily visible from the front or near side of the vehicle to a person standing on the near side of the vehicle. This does not apply to e-permits purchased via a mobile telephone parking.

(3) If a Permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the Permit has become altered by fading or otherwise the permit shall become invalid and the Permit Holder shall be required to surrender it to the Council and apply for the issue to him of a duplicate Permit. The cost of issuing a replacement permit shall be £20 payable by the permit holder. If a permit has been obtained or defaced in an attempt to defraud the Council then the individual will not be entitled to apply for another permit.

(4) If a Permit is lost or destroyed, the Permit Holder may apply to the Council for the issue to him of a duplicate Permit and the Council, upon being satisfied as to such loss or destruction, shall issue a duplicate Permit and upon such issue the Permit that has been replaced shall become invalid. The cost of issuing a replacement permit shall be £20 payable by the permit holder.

(5) Parking permits may not be copied under any circumstances. If the Council has reason to believe that a permit has been copied or falsified then the Council may at its absolute discretion by serving notice in writing on the permit holder at the address provided by that person on their application for the permit, or at any other address believed to be that persons place of abode, withdraw the permit and the permit holder shall surrender the permit to the Council within 48 hours of the receipt of the aforementioned notice.

(6) An administration fee of £20 shall apply if an applicant requests changes be made to the vehicle registration numbers recorded against their parking permit or e-permit.

(7) No refunds can be given under any circumstances for parking permits or e-permits purchased from the Council.

(8) A parking permit or e-permit specified in Article 7 (1) (a) to (c) will only be issued once the relevant charges have been paid in full to Torbay Council in the method specified by the Council.

(9) Parking permits provided by Torbay Council shall not be valid for use in any off street pay and display parking facilities within Torbay.

(10) All vehicles displaying a valid parking permit shall be parked wholly within a relevant marked bay.

(11) A discount of 10% shall apply on purchases of all car park permits specified in Article 7(1)(a) to (c) for vehicles in Car Tax bands A, B and C.

### **Contravention In a Parking Place**

8. If a vehicle is left in a parking place during the charging hours without complying with the provisions of this Order, then a contravention shall be deemed to have occurred and a penalty charge shall be payable. A penalty charge notice showing the information required by the Traffic Management Act 2004 may then be issued by a civil enforcement officer in accordance with the requirements of that Act.
9. (1) When a penalty charge notice has been issued in respect of a vehicle in accordance with the provisions of Article 8 of this Order, no person not being the driver of the vehicle, a civil enforcement officer or a person duly authorised by the Council shall remove the notice from the vehicle.  
  
(2) When a ticket or permit has been exhibited on a vehicle in accordance with the provisions of Articles 6 & 7 of this Order no person shall remove the ticket or permit from the vehicle until the vehicle has been removed from the parking place.

### **Manner of Payment of the Penalty Charge**

10. (1) The Penalty charge notice shall be paid to the Council in accordance with the instructions indicated on the penalty charge notice, either –
  - (a) by cheque or postal order, which shall be delivered or sent by post to the address indicated in the penalty charge notice; or
  - (b) by any other acceptable means which is agreed by the Council or authorised agent and the person or persons paying the penalty charge.
- (2) The penalty charge must be paid to the Council before the end of twenty-eight days beginning with the date of the penalty charge notice.
- (3) If the penalty charge is paid to the Council before the end of a period of fourteen days beginning with the date of the penalty charge notice, the amount of the penalty charge shall be reduced in accordance with the provisions of the Traffic Management Act 2004.
- (4) For the purposes of this Article the penalty charge shall be taken to be paid when it is received at the office at the address indicated on the penalty charge notice and if the end of the period of twenty-eight days specified in paragraph(2) of this Article or the end of the period of fourteen days specified in paragraph(3) of this Article falls upon a day the said office is closed, the period within which the payment of the penalty charge shall be made shall be extended until the time at which the said office closes on the next full day on which that office is open.

### **Parking Meters to be Installed at Parking Places**

11. There shall be one or more parking meter in the vicinity of each parking place.

### **Indications by Parking Meters Tickets**

12. (1) Payment of the initial charge for a vehicle left in a parking place shall be indicated on a numbered ticket indicating that the charge has been paid for in



respect of the parking place in which the vehicle has been left parked and the day and time of payment of the charge or expiry time of the period paid for and by exhibition of that ticket on the vehicle in the manner specified in Article 6, in any parking place specified in Schedules 1 to 8.

- (2) The expiry of the initial period for which the initial charge has been paid shall be indicated where there is exhibited on the vehicle a ticket issued by a parking meter relating to the parking bay in which the vehicle is left showing the day and either the time of payment of the charge and the time shown on the clock on the said parking meter is more than 30 minutes, or 1, 1.5, 2, 3 or 4 hours later (as appropriate to the initial time paid for) or an expiry time which has elapsed.

### **Indications By Parking Meters & Tickets as Evidence**

13. (1) If at any time while a vehicle is left in a parking place during the permitted hours no ticket is exhibited on that vehicle in accordance with the provisions of paragraph (1) of the last preceding Article it shall be presumed unless the contrary is proved that the initial charge has not been duly paid;
- (2) If at any time while a vehicle is left in a parking place during the permitted hours the clock on the parking meter from which the ticket was obtained relating to the parking bay in which the vehicle is left and the ticket exhibited on the vehicle give one of the indications mentioned in paragraph (2) of the preceding Article, it shall be presumed unless the contrary is proved that the initial charge has been duly paid and that the initial period for which payment was made by the initial charge has already expired.

### **No Additional Coins to Be inserted after Payment of Initial Charge**

14. No person shall insert in a parking meter relating to the parking bay in which a vehicle is left any coins additional to those inserted by way of payment of the initial charge in respect of that vehicle.

### **Manner of Standing In Parking Places**

15. Every vehicle left in a parking place in respect of which a charge has been incurred shall so stand –
  - (a) parallel and adjacent to kerb, unless in the case of a parking place to which special provisions as to the manner of standing of vehicles in that parking place are specified in Column 3 of Schedules 1 - 6 to this Order
  - (b) in the case of any parking place that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 50 centimetres and
  - (c) that every part of the vehicle is within the limits of a parking bay which shall be the appropriate bay in relation to the parking meter in which has been or should have been inserted any coin for the purpose of payment of the initial charge. Provided that, in the case of any parking place referred to in paragraph (b) of this Article –

- (i) where the length of any vehicle, being a passenger vehicle, precludes it from standing wholly within the limits of a parking bay, being the appropriate bay as provided in paragraph(c) of this Article, such vehicle may so stand in that parking place that, and shall be deemed for the purposes of Articles 15(b) and 21(3) of this Order to be wholly within the limits of a parking bay if:-
- (ii) the extreme front portion of the extreme rear portion, as the case may be, of the vehicle is within 50 centimetres of the limits of that parking bay, which are indicated on the carriageway in the manner provided in Article 4 of this Order; and
- (iii) no part of the vehicle is within the limits of any other parking bay.

### **Alteration of Position of Vehicles in Parking Places**

16. Where any vehicle is standing in a parking place in contravention of the provisions of the preceding Article or of the provisions of Article 21(3) of this Order a civil enforcement officer may alter or cause to be altered the position of the vehicle in Order that its position shall comply with those provisions.

### **Removal of Vehicle from Parking Places**

17. Where a civil enforcement officer is of the opinion that any of the provisions contained in this Order have been contravened or not complied with in respect of a vehicle left in a parking place, he/she may remove or cause to be removed the vehicle from the parking place and, where it is removed, shall provide for the safe custody of the vehicle.

### **Movement of Vehicles in Parking Places In Emergencies**

18. Any person duly authorised by the Council, or a police constable in uniform may move or cause to be moved, in case of emergency, to any place he thinks fit, any vehicle left in a parking place.

### **Power to Suspend Use of Parking Places**

19. (1) Any person duly authorised by the Council may suspend the use of a parking place or any part thereof whenever he/she considers such suspension reasonably necessary:-
- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
  - (b) for the purpose of any building operation, demolition or excavation in or adjacent to the parking place or the maintenance, improvement or the laying, erection, alteration, removal or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line, traffic sign or parking meter;
  - (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;
  - (d) on any occasion on which it is likely by reason of some special event that any street may be thronged or obstructed; or

- (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings and funerals, or on other special occasions.
- (2) A Police Constable in uniform may suspend for not longer than twenty-four hours the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (3) At the discretion of the Chief Officer of police a parking place or any part thereof shall be suspended whenever he/she considers such suspension reasonably necessary to enable the Police to discharge their duties.
- (4) Any person suspending the use of a parking place or any part thereof in accordance with paragraphs(1) or (2) above shall thereupon:-
- (a) in the case of a parking place within which the use of all parking bays relating to one parking meter has been suspended, place or cause to be placed over the parking meter relating to those parking bays a cover indicating that the use of the bays is suspended, also traffic signs adjacent to the bays, both actions indicating that waiting by vehicles is prohibited, and ;
  - (b) in the case of a parking place the use of any part or parts of which, whether including a parking bay or not, has been suspended, place or cause to be placed in or adjacent to that part or those parts a traffic sign or traffic signs indicating that waiting is prohibited.
- (5) On any suspension of the use of a parking place or part of a parking place in accordance with the provisions of paragraph (1) above, if the use of all the bays relating to one parking meter has been suspended, any person duly authorised by the Council may temporarily remove that parking meter and any post, bracket or other support on which such parking meter is fitted.
- (6) No person shall cause or permit a vehicle to be left in any part of a parking place during such period there is in or adjacent to that part of the parking place a traffic sign placed in pursuance of paragraph (4)(a) and (b) above

Provided that nothing in this paragraph shall render it unlawful to cause or permit any vehicle being used for fire brigade, ambulance or Police purposes or any vehicle being used for any purpose specified in Article 21(1)(b), (d) or (e) of this Order to be left in that part of the parking place during such period to in this paragraph, or to any other vehicle so left if that vehicle is left without the permission (i)of the person suspending the use of the parking place or part thereof in pursuance of (1) above, or (ii) of a Police constable in uniform.

### **Restriction of Use of Vehicles at Parking Places**

20. No person shall use any vehicle, while it is in a parking place during the permitted hours, in connection with the sale of any article to any person in or near the parking place or in connection with the selling or offering for sale their skill in handicraft or their services in any other capacity

Provided that nothing in this Article shall prevent the sale of goods from a vehicle-

- (a) if the vehicle is one which may be left in a parking place in accordance with Article 6 of this Order and the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected;

### **Restrictions of Waiting of Vehicles In Parking Places**

21. (1) Without prejudice to the foregoing provisions of this Order with respect to vehicles which are left in a parking place in accordance with those provisions, any vehicle may wait during the permitted hours anywhere on the carriageway in a parking place, other than a parking place or part of a parking place the use of which has been suspended, if –
- (a) the vehicle is waiting only for so long as may be necessary to enable a person to board or alight from the vehicle;
  - (b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his/her control or to such waiting being necessary to avoid an accident;
  - (c) the vehicle is a vehicle used for fire brigade purposes or an ambulance, or a vehicle (other than a passenger vehicle) in the service of a police force in either case being in pursuance of statutory powers or duties;
  - (d) the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;
  - (e) the vehicle is in the service of or employed by the Post Office and is waiting whilst postal packets addressed to premises adjacent to the parking place in which the vehicle is waiting are being unloaded from the vehicle, or, having been unloaded there from, are being delivered or while postal packets are being collected from premises or posting boxes adjacent to the parking place in which the vehicle is waiting, or is in use in connection with the servicing of telephone kiosks adjacent to the parking place;
  - (f) the vehicle not being a passenger vehicle is in actual use in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;
  - (g) the vehicle is waiting otherwise than in a parking bay if goods are being sold or offered for sale from the vehicle by a person who is licensed by the Council to sell goods from a stationary pitch situated in or adjacent to the parking place;
- (2) No charge specified in the foregoing provisions of this Order shall be payable in respect of any vehicle waiting in a parking place in accordance with the foregoing provisions of this Article
- (3) Except as provided in the foregoing provisions of this Article, the driver of a vehicle shall not cause or permit the vehicle to wait in a parking place during the permitted hours
- (4) Nothing in the foregoing provisions of this Article shall be taken as authorising anything which would be a contravention of any regulations made or having effect as if made under Section 25 of the Act

### **Manner of Waiting In Parking Places**

22. A person causing or permitting a vehicle to wait in a parking place by virtue of the provisions of sub-paragraph (e), (f) or (g) in paragraph (1) of the last preceding Article shall take all such steps as are necessary to ensure:-
- (a) in the case of a parking place in relation to which special provisions as to the manner of standing of vehicles in that place are specified in Column 3 of Schedules 1 - 6 to this Order that the vehicle shall so stand –
    - (i) unless the length of the vehicle precludes compliance with this sub-paragraph, as to be in accordance with those provisions and so that every part of the vehicle is within the limits of the parking place, or
    - (ii) if the length of the vehicle does preclude compliance with the last preceding sub-paragraph that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and the distance between the said edge and the nearest wheel of the vehicle is not more than thirty centimetres; and
  - (b) in the case of any other parking place, that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and the distance between the said edge and the nearest wheel of the vehicle is not more than thirty centimetres.

### **Exemptions from Charges**

23. (1) If at the time when a vehicle is left during the permitted hours in a parking bay there is on every parking meter relating to that bay or in or adjacent to that bay notices placed by any person duly authorised by the Council, or a civil enforcement officer, indicating that the meters relating to that bay are out of order that vehicle shall be exempt from the initial charge provided that it is removed within two hours after the said meters are rectified; if it is not removed within that period the initial charge shall be treated as having been incurred and paid at the time when the vehicle was left in the parking bay and all the provisions of this Part of this Order shall apply accordingly.
- (2) The following vehicles left in parking bays during the permitted hours shall be exempt from the payment of any charge or compliance with any limitation of time during which a vehicle may be left in a parking place specified in the foregoing provisions of this Order –
- (i) an invalid carriage;
  - (ii) a vehicle issued to a disabled person by the Department of Health & Social Security in lieu of an invalid carriage;
  - (iii) a disabled persons vehicle which displays in the relevant position a disabled persons badge.
  - (iv) a vehicle displaying a valid parking permit as specified in Article 7 of this Order;
  - (v) a vehicle that has a valid e-permit registered against it as specified in Article 7;
- (3) Without prejudice to the generality of this Article, a vehicle to which this Article applies shall stand in the parking bay in accordance with the provisions of Article 15(a) AND (b) of this Order and wholly within the limits of that bay.

### **Installation of Parking Meters etc**

24. The Council may install in such positions on or in the vicinity of a parking place as they may think fit such parking meters as are required by this Order for the purposes of that parking place, and carry out such other work as is authorised by this Order or is reasonably required for the purposes of the satisfactory operation of a parking place.

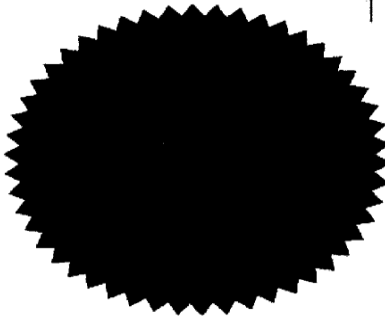
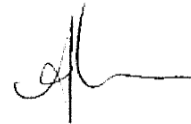
**Derogation**

25. The restrictions imposed by this Order shall be in addition to and not in derogation of any restrictions or requirements imposed by any other made or having effect as if made under the Act or by or under any other enactment.

26. The powers conferred by this Order on a civil enforcement officer may be exercised by a police constable in uniform.

DATED the 24<sup>th</sup> day of February 2015.

THE COMMON SEAL of )  
The Council of )  
The Borough of Torbay was )  
Hereunto affixed in the presence of:



Proper Authorised Signatory.

The Council of The  
Borough of Torbay S / No: 5777

**Index.**

Schedule 1	Pay & Display Parking 8am to 6pm (Town Centre Sites)
Schedule 2	Pa & Display Parking 9am to 6pm
Schedule 3	Pay & Display Parking 10am to 6pm
Schedule 4	Pay & Display Parking 8am to 6pm (Prime Sites)
Schedule 5	Pay & Display Parking 9am to 6pm Monday to Saturday (inclusive)
Schedule 6	Pay & Display Parking 8am to 6pm (Commuter Sites)
Schedule 7	Pay & Display Parking At Any Time During the Period 15 <sup>th</sup> September to the Wednesday preceding the late Spring Bank Holiday (both dates inclusive)
Schedule 8	Pay & Display Parking At Any Time During the Period 8 <sup>th</sup> September to 20 <sup>th</sup> July (both dates inclusive)
Schedule 8	Parking Permits
Schedule 9	Revocations

**Schedule 1: Pay & Display Parking 8am to 6pm (Town Centre Sites)**

Location	Description	Special manner of standing of vehicles in Parking Place
Dendy Road	North side from the eastern wall of No.14 to the western wall of No.16	Adjacent to kerb
Dendy Road	North side from the eastern wall of No.10 west for a distance of 11 metres	Adjacent to kerb
Dendy Road	North Side from the eastern wall of No.2 west for a distance of 12 metres	Adjacent to kerb
Dendy Road	North side from a point 15.5 metres west of the junction with Hyde Road west for a distance of 23 metres	Adjacent to kerb
Dendy Road	South side from the boundary wall of Nos. 13/15 west to the boundary of Nos.19/21	Adjacent to kerb
Dendy Road	South side from a point 33.5 metres west of the junction with Hyde Road west for a distance of 28 metres	Adjacent to kerb
Dendy Road	South side from a point 18 metres west of its junction with Hyde Road in a westerly direction for a distance of 6 metres	Adjacent to kerb
Hyde Road	North east from the north west wall of No.59 south east for a distance of 15 metres	Adjacent to kerb
Hyde Road	North east from the north west wall of No.39 south east for a distance of 71 metres	Adjacent to kerb
Hyde Road	North east side from a point 0.5 metres north west of the boundary wall of Nos. 31/33 south east for a distance of 21 metres	Adjacent to kerb
Queens Road	East side from a point 14.5 metres south of the junction with Torbay Road south for a distance of 48.5 metres	Adjacent to kerb
Queens Road	East side from a point 72.5 metres south of the junction with Torbay Road south for a distance of 54 metres	Adjacent to kerb



Queens Road	West side from a point 8.5 metres south of the junction with Queen's Park Road south for a distance of 45 metres	Adjacent to kerb
Queens Road	West side from a point 64 metres south of the junction with Queen's Park Road south for a distance of 24 metres	Adjacent to kerb
Torquay Road	From a point opposite the north boundary of No.52 south to a point 92 metres north of the junction with Victoria Street	Adjacent to kerb

**Schedule 2: Pay & Display Parking 9am to 6pm**

<b>Location</b>	<b>Description</b>	<b>Special manner of standing of vehicles in Parking Place</b>
Torbay Road	North side from a point 16.5 metres east of the junction with Parkside Road east for a distance of 34.5 metres	Adjacent to kerb
Torbay Road	North side from a point 61metres east of the junction with Parkside Road east for a distance of 40 metres	Adjacent to kerb
Torbay Road	North side from a point 15 metres east of the junction with Garfield Road east for a distance of 45 metres	Adjacent to kerb
Torbay Road	North side from a point 68 metres east of the junction with Garfield Road east for a distance of 14 metres	Adjacent to kerb
Torbay Road	South side from a point 7 metres east of the link road to Queens Park Road east for a distance of 37 metres	Adjacent to kerb
Torbay Road	South side from a point 50 metres east of the junction with Garfield Road east for a distance of 12 metres	Adjacent to kerb

**Schedule 3: Pay & Display Parking 10am to 6pm**

<b>Location</b>	<b>Description</b>	<b>Special manner of standing of vehicles in Parking Place</b>
Torbay Road	South side from a point 16 metres east of the junction with Garfield Road east for a distance of 35 metres.	Adjacent to kerb

**Schedule 4: Pay & Display Parking 8am to 6pm (Prime Sites)**

<b>Location</b>	<b>Description</b>	<b>Special manner of standing of vehicles in Parking Place</b>
Adelphi Road	South side from a point 10 metres west of its junction with Esplanade Road in a westerly direction for a distance of 18 metres	Adjacent to kerb
Adelphi Road	South side from a point 34 metres west of its junction with Esplanade Road in a westerly direction for a distance of 33 metres	Adjacent to kerb
Adelphi Road	South side from a point 67.5 metres west of its junction with Esplanade Road in a westerly direction for a distance of 44.5 metres	Adjacent to kerb
Adelphi Road	South side from its junction with Queens Road in an easterly direction for a distance of 22 metres	Adjacent to kerb

**Schedule 5: Pay & Display Parking 9am to 6pm Monday to Saturday (inclusive)**

<b>Location</b>	<b>Description</b>	<b>Special manner of standing of vehicles in Parking Place</b>
Palace Avenue	North side from a point 4 metres east of the junction of Coverdale Road east for a distance of 45 metres	Adjacent to kerb
Palace Avenue	North side from a point 23.5 metres east of the junction with Crown & Anchor Way to a point 16 metres west of the junction of Coverdale Road	Adjacent to kerb
Palace Avenue	North side from the boundary of Nos.61/59 to a point 12 metres west of its junction with Crown & Anchor Way	Adjacent to kerb
Palace Avenue	South side northern most east to west arm from a point 1 metre opposite the boundary wall of No.39 and the Methodist Church west for a distance of 36 metres	Adjacent to kerb
Palace Avenue	South side northern most east to west arm from a point 3 metre east of the boundary wall of Nos.25/27 west for a distance of 48 metres	Adjacent to kerb
Palace Avenue	South side southern most east to west arm from a point 3.5 metres west opposite the boundary wall of Nos.36/38 west for a distance of 47 metres	Adjacent to kerb
Palace Avenue	South side southern most east to west arm from a point opposite the boundary wall of Nos.18/20 west for a distance of 46 metres	Adjacent to kerb
Palace Avenue	South side from a point 10 metres west of its junction with Coverdale Road south west for a distance of 68 metres	Adjacent to kerb
Palace Avenue	South side from the boundary wall of Nos.2/4 south west for a distance of 35.5 metres	Adjacent to kerb
Palace Avenue	South side from a point 14 metres west of the side road adjacent to No.42 to the boundary wall of Nos.48/50	Adjacent to kerb

**Schedule 6: Pay & Display Parking 8am to 6pm (Commuter Sites)**

<b>Location</b>	<b>Description</b>	<b>Special manner of standing of vehicles in Parking Place</b>
Sands Road	North side from a point 2.5 metres west of the western boundary of No.11 (Sandgate Lodge) in a westerly direction for a distance of 38 metres	Adjacent to kerb
Sands Road	South side from a point 40 metres east of the boundary of Nos. 16/18 in an easterly direction for a distance of 38 metres	Adjacent to kerb
Sands Road	South side from a point 7.5 metres east of the boundary of Nos. 16/18 in an easterly direction for a distance of 15.5 metres	Adjacent to kerb
Stearfield Road	South side from a point 6 metres west of its junction with Esplanade Road in a westerly direction for a distance of 35 metres	Adjacent to kerb
Stearfield Road	South side from a point 89 metres west of its junction with Esplanade Road in a westerly direction for a distance of 37 metres	Adjacent to kerb

**Schedule 7: Pay & Display Parking At Any Time During the Period 15<sup>th</sup> September to the Wednesday preceding the late Spring Bank Holiday (both dates inclusive)**

<b>Location</b>	<b>Description</b>	<b>Special manner of standing of vehicles in Parking Place</b>
Eastern Esplanade	The east side from a point 23 metres south of its junction with the unnamed lane opposite the Pier connecting Eastern Esplanade with Esplanade Road (Pier Approach) south for a distance of 223 metres	Echelon parking facing east
Eastern Esplanade	The east side from a point 262 metres south of its junction with the unnamed lane opposite the Pier connecting Eastern Esplanade with Esplanade Road (Pier Approach) south for a distance of 236 metres	Echelon parking facing east

**Schedule 8: Pay & Display Parking At Any Time During the Period 8<sup>th</sup> September to 20<sup>th</sup> July (both dates inclusive)**

<b>Location</b>	<b>Description</b>	<b>Special manner of standing of vehicles in Parking Place</b>
Eastern Esplanade	The east side from a point 29.5 metres north of its junction with the unnamed lane opposite the Pier connecting Eastern Esplanade with Esplanade Road (Pier Approach) north for a distance of 256 metres	Echelon parking facing east



**Schedule 9: Parking Permits**

<u>Permit Type</u>	<u>Charge</u>
Annual On Street Permit	£850.00
Monthly On Street Permit	£80.00
Monthly Commuter Permit	£38.00

**Schedule 10: Revocations**

“Borough of Torbay (Various Streets, Paignton) (Street Parking Places {Pay & Display}) Order 2013”

“Borough of Torbay (Various Streets, Paignton) Experimental Regulation of Traffic Order 2013”

“Borough of Torbay (Eastern Esplanade, Paignton) Experimental Regulation of Traffic Order No.2 2013”

“Borough of Torbay (Various Streets, Paignton) (Street Parking Places {Pay & Display}) Variation Order No.1 2013”