DATED 16 May 2018

WREXHAM COUNTY BOROUGH COUNCIL
(OFF-STREET PARKING PLACES)(TŶ PAWB) ORDER 2018

Sioned Wyn Davies
Head of Corporate and Customer Services
The Guildhall
Wrexham
LL11 1AY

Ref:

LEGALDOC/ORDER-OFF STREET PARKING PLACES-CONSOLIDATION

WREXHAM COUNTY BOROUGH COUNCIL (OFF-STREET PARKING PLACES)(TŶ PAWB) ORDER 2018

Wrexham County Borough Council (hereinafter referred to as "the Council") in exercise of their powers under Section 35(1) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (hereinafter referred to as "the Act of 1984") and of all other enabling powers and after consultation with the Chief Officer for Police in accordance with Part III of Schedule 9 to the Act of 1984 hereby makes the following Order

GENERAL

1. (1) This Order shall come into operation on the 21st day of May 2018 and may be cited as the Wrexham County Borough Council (Off-Street Parking Places) (TŶ PAWB) Order 2018

(2) Any reference in this Order to a numbered Article is a reference to Schedule 1 hereto which is incorporated within this Order.

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

"driver" in relation to a vehicle waiting in a parking place means the person driving the vehicle at the time it was left in the parking place;

"owner" in relation to a vehicle means the person by whom such vehicle is kept and used;

"parking place" means the areas of land specified by name and description in column 1 of the Schedules provided by the Council under Section 32(1) of the Act of 1984 for use as a parking place;

"parking bay" means any area of the parking place which is provided for the leaving of a vehicle and indicated by markings on the surface of the parking place;

"days and charging hours" means the days and any period specified in columns 4 and 5 of the Schedule in respect of which a charge is specified in column 6 of the Schedule;

(4) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament and as if for the purposes of Section 21 of that Act this Order were an Act of Parliament.

USE OF PARKING PLACES

2. (1) The areas of land specified by name in column 1 of Schedule 1 may be used subject to the provisions of this Order as a parking place for such classes of vehicles in such positions and on such days and during such hours as may be specified in relation to that area in the said Schedule

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3.

(2) Only the following classes of vehicles are to be left in the parking bay designated for such vehicles as described in this Article during the days and hours of operation, namely:

(a) an invalid carriage;

(b) a vehicle issued to a disabled person by the Department of Health and Social Security in lieu of an invalid carriage;

(c) a disabled person's vehicle, or a vehicle belonging to another person, in which a disabled person is a passenger, which displays in the relevant position a disabled person's badge issued by any local authority in accordance with the provisions of the Disabled Persons (Badges for Motor Vehicles) (Wales) Regulations 2000 or any re-enactment thereof or a badge having effect under those Regulations as if it were a disabled person's badge; and for the purpose of this sub-paragraph a badge shall be in the relevant position if:-

(i) in the case of a vehicle fitted with a front windscreen the badge is exhibited thereon with the obverse side facing forwards on the near side of and immediately behind the windscreen; and

(ii) in the case of a vehicle not fitted with a front windscreen the badge is exhibited in a conspicuous position on the vehicle

(3) Where in columns 2 and 3 of Schedule 1 and the provisions of this Order the parking place is described as available for a vehicle, the driver shall not permit it to wait in that parking place

(a) in a position other than specified; and

(b) unless it is of the specified class

(4) When a vehicle has left the parking place after waiting therein the driver thereof shall not within two hours after its leaving permit it to wait again in that parking place

CHARGES AT PARKING PLACES

3. (1) Insofar as a vehicle is left in a parking place during the charging hours the driver thereof shall on leaving the vehicle pay the appropriate charge for that parking place as specified in column 6 of Schedule 1 provided that no charge shall be payable by the driver of a vehicle left in the parking place which has displayed on it in a conspicuous position a valid season ticket or permit issued in respect of that vehicle in accordance with the provisions of Paragraph (4) and (5) of this Article

(2) The charge referred to in the last preceding paragraph shall be payable by the insertion of an appropriate coin, coins, credit or debit cards or parking device into the apparatus provided. Alternatively by any other method of payment including electronic that the Council deems appropriate for the payment of the charge.

(3) Any ticket issued on payment of the charge referred to in paragraph (2) of this Article shall be attached in a conspicuous position to the vehicle i.e. the front windscreen in respect of which it was issued

(4) The owner of a vehicle may on application to the Council purchase a season ticket in respect of that vehicle for such charge as shall be specified from time to time by the Council and that season ticket shall be valid in such parking places as are specified thereon, on the conditions subject to which it is issued and during the period for which it is issued.

(5) The Council may issue a permit to an owner of a vehicle and that permit shall be valid in such parking places as are specified thereon or in the conditions subject to which it is issued, and during the period for which it is issued.

RESTRICTION ON REMOVAL OF NOTICES

4. When a Notice has been attached to a vehicle in respect of a contravention of this Order, no person not being the driver of the vehicle or a person authorised by the Council shall remove the Notice from the vehicle unless authorised to do so by the driver.

OTHER PROVISIONS

5. (1) The driver of a motor vehicle using the parking place shall stop the engine as soon as the vehicle is in position in the parking place and shall not start the engine except when about to change the position of the vehicle or to depart from the parking place.

(2) No person shall use a vehicle while it is in the parking place in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his skill or services

(3) Subject to the proviso hereto when a vehicle is left in the parking place in contravention of any of the provisions of Article 2(2) or (3), Article 3(2), or Article 5(4), a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place and the costs to the Council of removing any vehicle from the parking place pursuant hereto and thereafter of making such arrangements as may be reasonably necessary for the safe custody thereof in accordance with Article 5(15) shall be rechargeable to the driver and shall be recoverable from him as a debt;

Provided that when a vehicle is waiting in the parking place in contravention of the provisions of Article 2(3)(a) a person authorised in that behalf by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision

(4) The driver of a vehicle shall not permit that vehicle to wait in the parking place unless the vehicle is licensed in accordance with the provisions of Section 1 of the Vehicles (Excise) Act 1971 and unless there is in relation to the use of the vehicle by the driver such a policy of insurance as complies with the requirements of Part VI of the Road Traffic Act 1988

(5) The driver of a motor vehicle using the parking place shall not sound any horn or other similar instrument except when about to change the position of the vehicle in or to depart from the parking place

(6) No person shall, except with the permission of any person duly authorised by the Council, drive any vehicle in the parking place other than for the purpose of leaving that vehicle in the parking place in accordance with the provisions of this Order or for the purpose of departing from the parking place

(7) No person shall in the parking place wantonly shout or otherwise make any loud noise to the disturbance or annoyance of users of the parking place or residents of premises in the neighbourhood

(8) No person shall in the parking place use any threatening, abusive or insulting language, gesture or conduct with intent to put any person in fear or so as to occasion a breach of the peace or whereby a breach is likely to be occasioned

(9) No person shall use any part of the parking place or any vehicle left in the parking place:-

(a) for sleeping or camping purposes;

(b) for cooking purposes; or

(c) for the purpose of servicing or washing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from the parking place

(10) No person shall use the parking place as a means of passage proceeding from one road to another road

(11) Where in the parking place signs are erected or surface markings are laid for the purpose of:-

(a) indicating the entrance to or exit from the parking place; or

(b) indicating that a vehicle using the parking place shall proceed in a specified direction within the parking place,

no person shall drive or cause or permit to be driven any vehicle (i) so that it enters the parking place otherwise than by an entrance or leaves the parking place otherwise than by an exit, so indicated or (ii) in a direction other than that specified as the case may be

(12) The following vehicles left in the parking place shall be exempt from the payment of any charge specified in the Schedule, namely:-

(a) A vehicle which has displayed on it in a conspicuous position a valid season ticket or permit issued by the Council in respect of that vehicle and for that parking place provided that the conditions subject to which it is issued have been complied with.

(13) In a parking place no person shall:-

(a) erect or cause or permit to be erected any tent, booth, stand, building or other structure without the written consent of the Council; or

(b) light or cause or permit to be lit any fire

(14) Any person removing or altering the position of a vehicle by virtue of Article 5(3) may do so by towing or driving the vehicle in such manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position as the case may be

(15) When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from the parking place by virtue of Article 5(3) he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle

CLOSURE OF PARKING PLACE AND SUSPENSION OF OPERATION OF ORDER

6. (1) Nothing in Article 2(1) of this Order shall restrict the power of the Council to close the parking place or any part thereof

(2) Without prejudice to the provisions of Article 6(1) the Council shall be entitled to suspend any or all of the provisions of this Order on such occasions and for such periods as they shall think fit

7. The following Orders are hereby revoked:-

Name of Order	**Date of Order**
Wrexham County Borough (Off Street Parking Places) (Ty Pawb) Order 2017	**1 January 2017**

SCHEDULE 1

GIVEN UNDER the COMMON SEAL of WREXHAM COUNTY BOROUGH COUNCIL this 16th day of May 2018 in the presence of:-

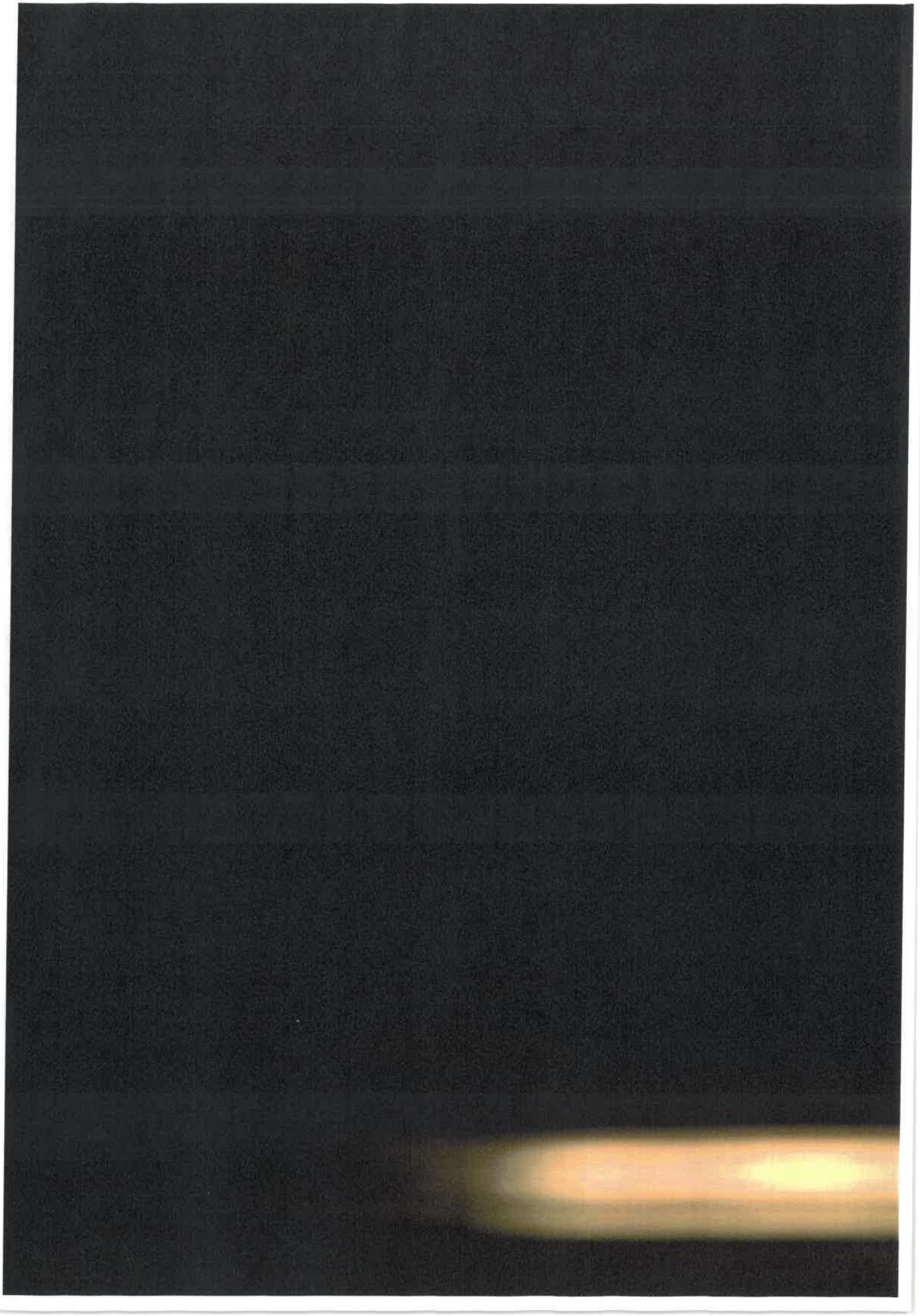
Swyn Davies

Head of Corporate and Customer Services

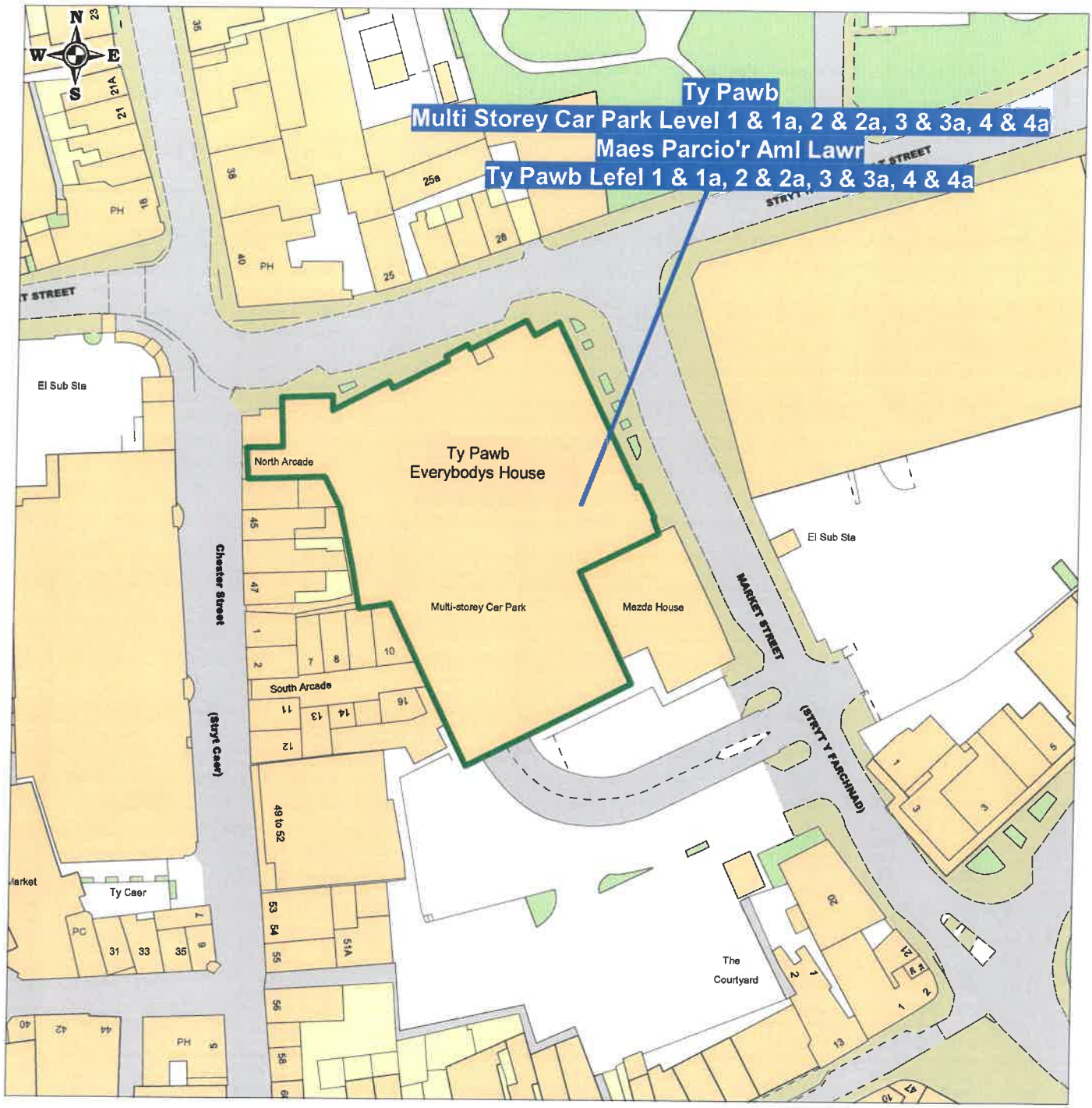
154/18

SCHEDULE 1

1 Name of Parking Place	2 Position in which vehicle may wait	3 Class of Vehicle	4 Days of Operation of Parking Place	5 Hours of Operation of Parking Place	6 Scale of Charges
Tŷ Pawb (part) as shown edged in green and labelled as such on plan 1 annexed hereto (levels 1 and 1a, 2 and 2a, 3 and 3a and levels 4 and 4a only)	Wholly within a parking bay or as directed by an authorised Officer	Motor Car as defined in Section 136(2) (a), motor-cycle as defined in Section 136(4) and invalid carriage as defined in Section 136(5) of the Act 1984 and motor vehicles not exceeding 30 cwts unladen weight constructed or adapted solely for the purpose of carrying goods and those classes of vehicles as described in Article 2(2) herein	Monday to Sunday inclusive	8.00 am to 18.00 pm	For a period not in excess of 1 hour the sum of £1.00. For a period in excess of 1 hour but not in excess of 3 hours the sum of £1.80. For a period in excess of 3 hours but limited to the day of operation of the parking place the sum of £2.50
			Monday to Sunday inclusive	18.00pm to 24.00pm	The sum of £1.00
			Monday to Sunday inclusive	0.01 am to 8.00 am	No charge.



PLAN 1
CYNLLUN 1



Wrexham County Borough Council (Off-Street Parking Places) (Ty Pawb) Order 2018
Gorchymyn Atgyfnerthu (Lleodd Parcio Oddi ar y Stryd) Cyngor Bwrdeistref Sirol Wrecsam 2018

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Car Park Area
Ardal Maes Parcio

Scale: 1:1000
Graddfa: 1:1000

Environment and Planning
Abbey Road South,
Wrexham Industrial Estate
Wrexham
LL13 9PW

Amgylchedd a Chynllunio
De Ffordd yr Abaty,
Ystad Ddiwydiannol Wrecsam,
Wrecsam
LL13 9PW