

Telford & Wrekin Council (Parking Articles, Borough of Telford & Wrekin) (Mapped Parking Prohibitions, Restrictions and Provisions for Highway Network) Traffic Regulation Order 2024

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Telford & Wrekin Council (hereinafter referred to as "the Council") in exercise of powers conferred by Sections 1, 2, 4, 5, 32, 35, 35A, 45, 46, 47(1), 49 and Part IV of Schedule 9 and having regard to Section 122 of the Road Traffic Regulation Act 1984 ("the 1984 Act") as amended 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 1984 Act, hereby make the following Order:

PART I - PRELIMINARY

Citation and commencement

1. This Order shall come into operation for all purposes on ## day of ##### 2024 and may be cited as Telford & Wrekin Council (Parking Articles, Borough of Telford & Wrekin) (Mapped Parking Prohibitions, Restrictions and Provisions for Highway Network) Traffic Regulation Order 2024.
2. Map Tiles including the Map Key (the "Map Schedule") are incorporated into this Order.

Interpretation

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

"As Specified in the Map Schedule" means the Waiting, Loading and Stopping prohibitions and restrictions, or the parking provisions being Parking Places (specified classes of vehicle), Loading Places and Parking Areas designated by this Order and identified in the Map Tiles listed at Schedule 2, which in conjunction with the Map Key, identifies each particular type of prohibition, restriction, parking provisions and any of its governing provisions;

"Agent" means any person or company appointed by the Council for the purpose of collecting payments due under a payment parking places or a Penalty Charge Notice;

"At any time" or "At all times" means all hours on all days;

"Ambulance" has the same meaning as in Schedule 2 of the Vehicle Excise and Registration Act (VERA) 1994;

"Authorised Officer" means a person acting on the authority of the Council, or a police officer in uniform or a Civil Enforcement Officer;

"Bus" has the meaning ascribed to it by Regulation 2 and Schedule 1 of the Traffic Signs Regulations;

"Bus Stop" means an area of Carriageway bounded by the broken yellow lines comprising the Road Marking shown by the diagram within the Traffic Signs Regulations on which is marked the words "bus stop";

"Bus Stand" means an area of Carriageway bounded by the broken yellow lines comprising the Road Marking shown by the diagram within the Traffic Signs Regulations and on which is marked the words "bus stand";

"Business" means a Business whose registered office or main place of Business is at premises the postal address of which is in any Road as Specified in the Map Schedule in Schedule 2 which is liable for payment of business rates on that premises;

"Business Permit" means a Permit or Virtual Permit issued to a Business under the provisions of Article 32;

"Carer" means a person who attends the domestic property of a Resident for the purpose of providing medical or social care to the Resident;

"Car" means a Motor Vehicle, not being a Motor Cycle or invalid carriage, which is constructed to carry a load or passengers and whose maximum unladen weight does not exceed 3 tonnes;

"Carriageway" has the same meaning as in the Highway Act 1980;

"Civil Enforcement Officer" means a person employed in accordance with Section 76 of the 2004 Act to enforce the prohibitions, restrictions, regulations and provisions imposed by this Order;

"Clearway" means any Road or any part of the width of the Road As Specified in the Map Schedule (where Motor Vehicles are prohibited from stopping unless otherwise specified in this Order) and as delineated by Road Markings and/or Traffic Signs, this shall not include the footway, lay-bys or marked parking places;

"Coach" has the same meaning as a Bus;

"Controlled Parking Zone" ("CPZ") has the same meaning as in Part 2, Schedule 1 of the Traffic Sign Regulations;

"Daily Charge" means the charge imposed by the Council for parking in a Designated Parking Place on any one day and for a specified period of time as is identified in the scale of charges specified by notice at or close to each Designated Parking Place;

"Delivering" and "Collecting" in relation to any Goods includes checking the Goods for the purpose of their delivery or collection;

"Designated Parking Places" means any part of a road where on-street Parking Place, Space, Bay or Area provided by the Council under Section 45 of the Act, as the case may be, and known as payment bay(s) As Specified in the Map Schedule to this Order;

"Director" means the Council's Director of Neighbourhood & Enforcement Services;

"Disabled Person's Badge" has the meaning ascribed to it by the Disabled Person's Exemption Regulations;

"Disabled Person's Vehicle" means a Motor Vehicle displaying a valid Disabled Person's Badge;

“Dispensation Permit” means a temporary permit issued on behalf of the Council under the provisions of Article 49 of this Order permitting a specified Vehicle to Wait in specified circumstances in a Parking Place, where the Waiting of that Vehicle would otherwise be restricted or prohibited;

"Driver" in relation to a Vehicle Waiting, Loading, Stopping or Parking, means the person driving the Vehicle at the time it was left to Wait, Load, Stop or Park;

"Electric Vehicle" means a motor vehicle which is propelled by electric energy (battery-only powered vehicle) from rechargeable batteries. The batteries provide the power to propel the vehicle and to power the lights and all accessories within the vehicle. A plug in hybrid vehicle which requires charging is also included in this category;

"Electric Vehicle Charging Place" means a Parking Place designated for the sole use by an Electric Vehicle for continuous charging time, subject to any maximum period of stay;

"Electric Vehicle Charging Point" means a purpose-built unit designed specifically for Electric Vehicle charging;

"Entrance Clearway" – means an area of Carriageway adjacent to a school or other educational institution, Police, Fire or Ambulance Station in which stopping is prohibited;

"Enactment" means any enactment, whether public, general or local, and includes any order, byelaw rule, regulation scheme or other instrument having effect by virtue of an enactment;

"Excluded Area from Restrictions" means an area of public highway being either a verge or Footway that is excluded from the parking prohibitions or restrictions that are located adjacent to the verge or Footway, As Specified in the Map Schedule;

"Footway" has the meaning given by Section 329 of the Highways Act 1980;

"Footway Loading Area" means any length of Footway intended for loading or unloading purposes;

"Footway Parking Place" means a Designated Parking Place or Parking Place located within a Footway;

"Goods" means articles and property of any description, including postal packets of any kind that have been purchased and are ready for collection, provided that it would be unreasonable for an individual to carry such goods, further than a reasonable distance for the purpose of loading them into a Vehicle;

"Goods Vehicle" has the meaning ascribed to it by section 192(1) of the 1988 Act;

“Hackney Carriage Vehicle” (also known as a Taxi) means a vehicle licensed and being lawfully used as a hackney carriage under the provisions of the 1847 Act and the 1976 Act;

“Hackney Carriage Stand” (also known as Taxi Rank) means a stand duly appointed under the 1976 Act;

“Highway” means land over which the public have a right to pass and repass;

“Hand-Held Device” means any device providing communications and access to the Council’s Permit System or Telephone or Electronic Payment System to enable verification of Parking Permits or Parking Charges;

“Household” means a house or flat which has its own postal address. In the case of sub-divided properties, the establishment of an individual address is subject to any appropriate planning consent having been obtained for the sub-division of the property and the paying of separate Council Tax;

“Junction” means:-

in relation to measurement only, the point where the prolongation of two kerb lines intersects and where measurements are taken along the line of kerb for the said length of Road unless otherwise stated;

in relation to its location, the point at which two or more highways intersect.

“Lay-By” means any area of Carriageway lying at the side of the main Carriageway for the Parking, Loading or Waiting of Vehicles;

“Light Goods Vehicle” means a motor vehicle under 3500kg in weight which is constructed or adapted for use for the carriage of Goods or burden of any description the overall height of which does not exceed 2.3 metres and the overall length of which does not exceed 5.25 metres and is not drawing a trailer;

“Loading” and “Loaded” means the loading or unloading of Goods to or from a Vehicle and includes the checking of those Goods;

“Loading Bay”, “Loading Place” or “Loading Area” means any of the sides or lengths of roads As Specified in the Map Schedule as being for Loading of specified classes of Vehicles at specified periods, subject to the provisions of this Order;

“Loading Vehicle” means a Motor Vehicle which is at that time being used to enable Goods to be loaded, PROVIDED THAT when the aforementioned activity has been completed the Motor Vehicle is no longer a Loading Vehicle;

“Local Authority” has the meaning ascribed to it by section 23 of the 2003 Act;

"Main Carriageway" means any Carriageway used primarily by through traffic, including any Carriageway of a slip road, but excluding any Lay-By, Footway Designated Parking Places, Parking Place or Footway Loading Area;

"Manner of Standing" means the position a Vehicle shall stand when left in a Designated Parking Place or Parking Place during the Permitted Hours in accordance with the provisions of this Order and is: -

(a) in the case of an authorised Parking Area for which special provisions as to the positioning of a Vehicle in that place are indicated by Traffic Signs, so that the manner of standing shall be in accordance with such signing;

(b) so that every part of a Vehicle is within the limits of an authorised Parking Area;

(c) so that the Vehicle is not Parked in contravention of Section 85 or Section 86 of the 2004 Act.

"Map Schedule" means the Map Tile along with a Map Key shown in Schedule 2, which depicts the parking Prohibitions, Restrictions, Designated Parking Places, Parking Places, loading places or Parking Areas designated by this Order, and contains a Map Key which identifies the type of each particular prohibition, restriction or provision and, if appropriate, certain of its governing provisions;

(Provided that the Council does not accept responsibility for inaccuracies contained in the Ordnance Survey data relied upon to create the Map Schedule and where a Prohibition, Restriction, Designated Parking Place, Parking Place, Loading Place or Parking Area is depicted on the Map Schedule, that provision continues to apply irrespective of any subsequent changes that have been made to the underlying Ordnance Survey data);

"Map Tile" means an individual section of OS Map for the Borough of Telford & Wrekin with a specific Map Tile reference, being part of the Map Schedule as shown in Schedule 2 to this Order;

"Map Key", Means a Key shown on a Map Schedule and identifies Waiting, Loading or Stopping prohibitions or restrictions or a Designated Parking Place, Parking Place, Loading Place or Parking Area, using a coloured code letter of the alphabet as a label on the Map Tile which is linked and indicates the type of Prohibitions, Restrictions and Provisions in the Map Key and, if appropriate indicating the Prescribed Hours, Parking Charges, exemptions and Permit Identifiers or other certain governing conditions;

"Motorcycle" has the same meaning as in Section 136 of the 1984 Act;

"Motor Vehicle" means a mechanically propelled Vehicle, intended or adapted for use on the Road;

"No Loading Hours" means in relation to any No Loading Road the hours during which Loading is prohibited or restricted as specified in the Map Schedule;

"No Loading Road" means any of the sides or lengths of roads As Specified in the Map Schedule where Loading is prohibited or restricted and is supported by either a Prohibited Road or a Restricted Road provided that the expression "No Loading Road" shall not include any Designated Parking Place or Parking Place when it is in operation;

"No Stopping Hours" means in relation to any No Stopping Road the hours during which Stopping is restricted or prohibited As Specified in the Map Schedule;

"No Stopping Road" means any of the sides or lengths of roads (including clearways) As Specified in the Map Schedule where stopping is prohibited or restricted provided that the expression "No Stopping Road" shall not include any Designated Parking Place, Parking Place when in operation;

"One-Way Street" means a highway in which the driving of Vehicles otherwise than in one direction is prohibited;

"Operational User" means a person who in the course of carrying out day to day responsibilities has a need to Park in a Residents Parking Area;

"Operational Permit" means either a Dispensation Permit or Carers Permit;

"Owner" in relation to a Vehicle, means the person by whom such Vehicle is kept and used. In determining who was the Owner at any time it shall be presumed that the Owner was the person named in the vehicle registration document as the registered keeper of the Vehicle or the person who has the use of such Vehicle in the course of his / her employment and who is entitled to use such Vehicle as though he / she were the registered keeper thereof;

"Park" and "Parked" refer to the stopping of a Vehicle and it remaining at rest for some time whether or not the Driver is still in the Vehicle and a Vehicle shall be deemed to be Parked for any period in the same Designated Parking Place, Parking Place or Parking Bay or Parking Space (as the case may be) if any part of it is below the Vehicle or the Vehicle's load (if any) whether or not the Vehicle is moved during that period, and "Wait" and "Waiting" shall have the same meaning;

"Parking Charge" means the amount payable to the Council, or their agent, as specified in Schedule 3 to this Order in relation to paying the amount specified for Permits or Parking Tickets or for Virtual Permits or Virtual Parking Tickets, as the case may be;

"Parking Contravention" means an offence under paragraph 4 of Schedule 7 of the 2004 Act;

"Parking Disc" has the same meaning as in the Disabled Person's Exemption Regulations which is capable of showing the quarter hour period during which a period of Parking has begun;

"Parking Place" or "Parking Area" means an area of highway provided by the Council under Section 32 of the 1984 Act and has been made by this Order for the parking of

Vehicles of a specific classes (under Section 35) and forming part of a general scheme of traffic control As Specified in the Map Schedule;

"Parking Space", or "Bay" means an area of highway for the parking of a single Vehicle of a specific class and comes under a Parking Places or Parking Area As Specified in the Map Schedule;

"Parking Period" means the period for which a Parking Charge has been paid;

"Passenger Vehicle" means a motor vehicle (other than a Motor-Cycle or invalid carriage) constructed or adapted solely for the carriage of not more than eight passengers (exclusive of the Driver) and their effects and not drawing a trailer;

"Pay by Phone" means the payment of the Relevant Parking Charge by Phone, App or Text for parking being made via the electronic purchase of a Virtual Parking Ticket, Virtual Parking Card or Virtual Permit to the Council or its agent;

"Pedal Cycle" has the meaning ascribed to it by section 192 of the 1988 Act;

"Permit" means any permit being a Residents Permit, Business Permit, Carers Permit, Disabled Permit, Doctors Permit, Dispensation Permit, Students Permit or Visitor Permit issued under the provisions of this Order by the Council to allow the authorised use of a Permit Parking Place or Permit Parking Area;

"Permit Charge" means the charge payable on application to the Council or their agent for a Permit as specified. The cost of a permit may be varied from time to time by the Council;

"Permit Fee" shall be a fee payable to the Council by an applicant for a Permit the level of which shall be set by the Council;

"Permit Holder" means a person to whom a Permit has been issued under the provisions of this Order;

"Permit Identifier" is an alpha and or alpha/numeric identifier specified in column 1 of Schedule 3 applicable to the Permit Parking Places or areas specified in column 2 and named in column 3 of that Schedule and used on Permits to identify the Permit Parking Places or areas for which they are valid and on signs at Relevant Parking Places or areas and As Specified in the Map Schedule to indicate the Permits valid for those relevant Parking Places or areas;

"Permit Parking Area" (also expressed in this Order as "area") has the same meaning as in the Traffic Sign Regulations;

"Permit Parking Place" means a road, or any length of road As Specified in the Map Schedule, which is provided by the Council for the leaving of a Vehicle under the provisions of this Order, and is indicated by the prescribed Traffic Signs;

"Permit System" is the system operated by the Council, or its agent, to record the creation of a Permit and that is accessible by a Hand-Held Device to determine the

existence of that Permit, Designated Parking Place(s), Parking Place(s) or Parking Area(s) within which it is valid, the Vehicle to which it relates, if appropriate, and its expiry date;

"Permitted Hours", means the hours during which a Vehicle may wait in a Designated Parking Place, Parking Place, Parking Area, or Loading a Vehicle in a Loading Bay, whilst complying with the relevant provisions of this Order and that are as specified on a Traffic Sign in the vicinity of that Designated Parking Place, Parking Place, Parking Area or Loading Place, and shown within the Map Key As Specified in the Map Schedule;

"Police Vehicle" means a Vehicle being used for police purposes or operating under the instructions of the Chief Constable for West Mercia Police;

"Prohibited Hours", in relation to: -

any Prohibited Road, Pedestrian Zone or Restricted Parking Zone, being the hours during which a Vehicle may not Wait whilst complying with the relevant provisions of this Order, means the hours shown by or on a Traffic Sign in the vicinity of or at the entrance to such parking controls and the hours As Specified in the Map Schedule in relation to such controls;

an Entrance Markings, means the no stopping of a vehicle at the time indicated on a Traffic Sign placed in conjunction with one of the following road marking; School Keep Clear, Police Keep Clear, Fire Keep Clear, Ambulance Keep Clear or Hospital Keep Clear Entrance Markings and As Specified in the Map Schedule, in relation to that Keep Clear Entrance Markings as defined in the Traffic Signs Regulations;

a Taxi Rank, Ambulance Bay or Coach bay means the Waiting or the Stopping at the time indicated on a Traffic Sign placed in the vicinity of that Taxi Rank, Ambulance Bay or Coach bay and As Specified in the Map Schedule, in relation to that Taxi Rank, Ambulance bay or Coach bay, as the case may be.

"Prohibited Road" means any of the sides or lengths of roads As Specified in the Map Schedule as having a prohibition of Waiting, or a prohibition of Waiting and Loading, or a Restricted Footway, Restricted Footway Zone, Controlled Parking Zone or Restricted Parking Zone, during the Prohibited Hours, provided that the expression "Prohibited Road" shall not include any Designated Parking Place or Parking Place when operational;

"Public Holidays" means Christmas Day, Boxing Day, Good Friday, Easter Monday and any Bank Holiday;

"Public Service Vehicle" has the meaning given in Section 1 of the Passenger Vehicles Act 1981;

"Qualifying Individual" is any person who qualifies to hold a specific type of Permit as provided for under the provisions of this Order;

"Qualifying Resident" and "Resident" means a person whose usual place of abode is at premises the postal address of which is in any street, or part of a street, included in Schedule 3 and is subject to the Council's terms and conditions for permit issue;

"Red Route" including 'Red Route Clearway' means a No Stopping Road comprising the whole width of Highway (for the avoidance of doubt, including the Footway and/or Verge) from its building line or edge of the Highway to the centre of the Carriageway where the Stopping of a Vehicle is prohibited during the No Stopping Hours As Specified in the Map Schedule;

"Relevant National Authority" means the Secretary of State for Transport in respect to England;

"Relevant Parking Charge" means the applicable Charge for Parking for the appropriate Tariff within a Tariff Zone as specified in Appendix A (added to this Order) for the location, day of week, time and duration of the parking As Specified in the Map Schedule;

"Relevant Parking Place" means any Designated Parking Place or Parking Place where a Vehicle is Parked which requires the Owner of the Vehicle to either display a valid Permit or to whom a valid Virtual Parking Ticket or Virtual Permit has been granted for such Vehicle;

"Relevant Position" in respect of: -

a Disabled Person's Badge and Parking Disc has the same meaning as in the Disabled Person's Exemption Regulations; and

a Permit means exhibited on the windscreen, dashboard or fascia of the Vehicle or, where the Vehicle does not have a windscreen, dashboard or fascia, in a conspicuous position on the Vehicle so that the whole of the information on the face of the Permit is clearly legible from outside the Vehicle.

"Resident" means a person whose usual place of abode is premises the postal address of which is in any Road in a Permit Parking Area or Zone As Specified in the Map Schedule;

"Residents Parking Area" mean any length(s) of road(s) where there are Parking Places (either marked or unmarked bays) signed for Resident Permit holders;

"Resident Permit", "Resident Visitor's Permit" (also referred to as a "Scratch Card Voucher" or "Voucher" in this Order), "Operational Permit", "Business Permit" and "Dispensation" means a specified type of permit issued in accordance with the provisions of this Order;

"Restricted Hours" means in relation to a Restricted Road the hours during which Waiting is restricted As Specified in the Map Schedule;

"Restricted Parking Zone" has the same meaning as in Part 2, Schedule 1 of the Traffic Sign Regulations;

"Restricted Road" means any of the sides or lengths of roads As Specified in the Map Schedule as having a restriction of Waiting, or a Waiting and Loading restriction, Restricted Footway, Restricted Verge, Controlled Parking Zone or Restricted Parking Zone during the Restricted Hours so specified, provided that the expression "Restricted Road" shall not include any Designated Parking Place or Parking Place when it is operational;

"Restricted Footway" means a length of Footway to which the prohibition of Waiting applies, As Specified in the Map Schedule;

"Restricted Footway Zone" means an area consisting of one or more Restricted Footways;

"Restricted Verge" means a verge to which restricts or prohibits Waiting or Stopping, As Specified in the Map Schedule;

"Road" means the area between two highway boundaries excluding any defined Footway Loading Area, Footway Parking Place or Lay-By and includes any length of Road;

"Road Marking" means a Traffic Sign consisting of a line or mark or legend on a Road in accordance with the Traffic Signs Regulations;

"Royal Mail" means the national postal service of the United Kingdom so named;

"School Holidays" means any day on which a school which is adjacent to an Entrance Clearway is closed to the daily admission of pupils;

"Service Provider" or "agent" means the contractor authorised by the Council to accept payment of the Parking Charge, either for a Parking Ticket, or a Permit or both, on its behalf and to keep a record of that Parking Charge and the Vehicle, Designated Parking Place or area and the Parking Period in respect of which payment has been made using the Telephone or Electronic Payment System;

"Solo Motor Cycle" means a Motor Cycle without a sidecar and having two wheels;

"Statutory Undertaker" has the meaning ascribed to "undertaker" by section 48(4) of the NRSWA;

"Stop" and "Stopping" means, in relation to this Order, causing a Vehicle to be stationary or bringing a Vehicle to a standstill on a road or any part of a road;

"the Council" means Telford and Wrekin Council and includes any parking services or Agent appointed by or acting on behalf of the Council for the purposes of any function under the provisions of this Order;

"Tariff" means a range of applicable Parking Charges set by the Council under Section 46 of the 1984 Act and may be amended from time to time by a notice of variation under Section 46A of the 1984 Act;

"Tariff Zone" means a geographical area in which a common Tariff is payable;

"Taxi" means a hackney carriage as defined under section 38 of the Town Police Clauses Act 1847 which is: -

licensed by the Council; and

attended by the Driver and available for hire.

"Taxi Stand" or "Taxi Rank" means an area of Carriageway reserved for use by Taxis waiting to pick up passengers;

"Telephone or Electronic Payment System" means a Pay by Phone electronic system, using a telephone connection or electronic application set up and maintained by the Service Provider whereby: -

the Driver of a Vehicle, or some other person authorised by that driver on their behalf, uses a telephone or electronic device to communicate with the Service Provider and make payment of the Parking Charge in respect of a Vehicle and Designated Parking Place in which the Vehicle is left and for a specified Parking Period by use of a credit/debit card or pre-arranged payment account; and

the Service Provider, on behalf of the Council, accepts payment of the Relevant Parking Charge by the method referred to in paragraph (a) of this definition and records such payment together with the Parking Period for which payment has been made, the Parking Place in which the Vehicle is left and the registration mark of the Vehicle in respect of which payment has been made.

"Traffic Manager" shall have the meaning ascribed to it by section 17(2) of the 2004 Act in relation to that officer so named for the Council;

"Traffic Sign" means a sign in line with Section 64 or authorised under Section 65 of the 1984 Act this includes road markings;

"Universal Service Provider" has the same meaning as in Section 4(3) and (4) of the Postal Services Act 2000;

"Valid Period" means the period during Permitted Hours when a valid Parking Permit or virtual records of either, may be used to permit a Vehicle to wait in a Permit or Designated Parking Place, Parking Place or area;

"Valid Permit" means any Permit issued under the provisions of this Order that is required to be displayed in a Vehicle left in any Parking Place or Parking Area where that Permit complies with the provisions of this Order and the Council's terms and conditions for the issue and operation of Permits;

"Vehicle" means either (i) a Motor Vehicle or (ii) a Pedal Cycle in actual use for the purpose of cycling;

"Verge" means any part of a road which has not been made up and is not a Carriageway or a Footway;

"Virtual Parking Ticket" means an electronic record of payment of the Parking Charge for parking which:-

is issued by the Council on payment having been made electronically via the use of a mobile device in the manner described on information signs located at or near the Designated Parking Place;

on which is displayed the expiry time of the paid for parking;

on which the Tariff Zone and the Parking Area corresponds with that specified on signs in the location of the relevant Parking Area in which the Motor Vehicle is parked.

"Virtual Parking Card" means an electronic record of a Parking Card and operates as a season ticket for Designated Parking Places: -

which is issued by the Council in accordance with Council procedures;

entitles the holder of the Parking Card to park in the relevant Designated Parking Place;

(c) must be registered on an account in an electronic database approved by the Council.

"Virtual Permit" means an electronic record of a Permit which: -

is issued by the Council in accordance with Council procedures;

entitles a Permit Holder to park in the relevant Parking Place or Permit Parking Area;

must be registered on an account in an electronic database approved by the Council;

contains the same factual information as at Article 35 in relation to a Permit.

"Visitor Permit" or "Visitor Voucher" means a type of Permit for the benefit of bona fide visitors to Qualifying Residents issued in accordance with the provisions of this Order;

"Wait" and "Waiting" refer to the stopping of a Vehicle and it remaining at rest for some time whether or not the Driver is still in the Vehicle;

"Zone" means the street(s) and part(s) of street(s) containing Permit Parking Places As Specified in the Map Schedule, where the Zone Identifier for such Parking Places or Permit Parking Area indicates the Zone to which those Parking Places belong, and the relevant details required by Article 35, and the eligibility of residents to obtain Parking Permit for use in that Zone and no other as set out in Schedule 3; and

"Zone Identifier" means any symbol, logo, letter, numeral or name (or any combination of such), which indicates or identifies an area or location in which restrictions on the parking of Vehicles apply by reference to that area or location.

Statutory References

The following statutory references shall have the meanings ascribed to them as specified:

"1847 Act" means the Town Police Clauses Act 1847

"1976 Act" means the Local Government (Miscellaneous Provisions) Act 1976

"1980 Act" means the Highways Act 1980

"1984 Act" means the Road Traffic Regulation Act 1984

"1988 Act" means the Road Traffic Act 1988

"Telecommunications Act" means the Telecommunications Act 1984

"NRWSA" means the New Roads and Street Works Act 1991

"Water Industry Act" means the Water Industry Act 1991

"Postal Services Act" means the Postal Services Act 2000

"2000 Act" means the Transport Act 2000

"2003 Act" means the Local Government Act 2003

“2004 Act” means the Traffic Management Act 2004

“Disabled Person’s Exemption Regulations” means the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 (SI No. 683)

“Traffic Contraventions Regulations” means The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 (SI No. 71)

“Representations and Appeals Regulations” means The Civil Enforcement of Traffic Contraventions (Representations and Appeals) (England) Regulations 2022

“Traffic Signs Regulations” means the Traffic Signs Regulations and General Directions 2016 (SI No.362)

“Vehicles Regulations” means the Removal and Disposal of Vehicles (Amendments) (England) Regulations 2007 (SI No. 34842367)

General

5 In interpreting this Order the following shall apply: -

(a) All lengths of Road specified in this Order are lengths of Road in the Borough of Telford and Wrekin;

(b) The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made or having effect as if made under any enactment;

(c) Unless otherwise provided, any reference in this Order to any legislation shall be construed to include any amendment replacement or re-enactment thereof for the time being in force and to include any delegation legislation, orders, notices and directions made thereunder;

(d) In this Order where the context requires, the masculine includes the feminine and the neuter and vice versa, the singular includes the plural and vice versa;

(e) In this Order headings are included for ease of reference only and shall not affect the interpretation or construction of the Order;

(f) Reference to an Article, Schedule or Revocation Schedule is a reference to an article, schedule or revocation schedule contained in this Order;

(g) In the Schedules all times and days are inclusive;

(h) In this Order where any action or decision is to be taken by the Council or any officer of the Council it may be taken by the Council's agent acting on behalf of the Council;

Reference to any statutory or other body or to the Director shall include reference to its successor in function;

(j) The Interpretation Act 1978 shall apply to 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 and the Orders revoked by this Order were Acts of Parliament thereby repealed.

6. Any reference in this Order to a numbered Article or Schedule shall, unless the context requires otherwise, be construed as a reference to the Article or Schedule bearing that number in this Order and any reference to the Map Schedule is a reference to the Map Tiles and Map Key incorporated into this Order as the Map Schedule.

PART II

Prohibition or Restriction of Waiting Loading and Stopping

Prohibition of Waiting

7. Save as provided in Article 12 to 21, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any Vehicle to Wait at any time on a Prohibited Road As Specified in the Map Schedule, when a prohibition on Waiting or Waiting on a Footway or Verge is in effect. For the avoidance of doubt, where the prohibition on Waiting is shown by a road marking (1018.1 – S7-4-1) it shall not include the limits of a lay-by or parking place, unless the road marking is painted within the limits of the lay-by or parking place.

Restriction on Waiting

8. Save as provided in Article 12 to 21, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any Vehicle to Wait on any Restricted Road during the Restricted Hours As Specified in the Map Schedule, when a restriction on Waiting or Waiting on a Footway or Verge is in effect. For the avoidance of doubt, where the restriction on Waiting is shown by a road marking (1017 – S7-4-2) it shall not include the limits of a lay-by or parking place, unless the road marking is painted within the limits of the lay-by or parking place.

Restriction on Loading

9. Save as provided in Articles 12, 13, 18 and 21 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any Vehicle to Wait for the

purposes of enabling Goods to be Loaded to or from the Vehicle on any No Loading Road during the No Loading Hours As Specified in the Map Schedule.

Prohibition of Stopping

10. Save as provided in Articles 12, 13 (with the exception of 13(d)), 17 and 21, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any Vehicle to Stop on any road or length of road where Stopping on a clearway is prohibited on the days and or during the hours As Specified in the Map Schedule.

Prohibition of Stopping on a Red Route

11. Save as provided in Articles 12, 13 (with the exception of 13(d)), 17, 18(c) and 21, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any Vehicle to Stop on any road or length of road where Stopping on a Red Route is prohibited on the days and or during the hours As Specified in the Map Schedule.

Emergency vehicles

12. Nothing in Articles 7 to 11 shall render it unlawful to cause or permit any Vehicle to Wait in any of the roads, lengths of road or on the sides of road, or any Loading Bays or Loading Areas specified therein for so long as may be necessary to enable the Vehicle to be used in an emergency or on operational duties for the fire and rescue, ambulance or police purposes.

General Exemptions

13. Nothing in Articles 7 to 11 shall render it unlawful to cause or permit any Vehicle to Wait in any of the roads, lengths of road or on the sides of roads or in Loading Bays or areas specified therein for so long as may be necessary to enable: -

the Vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in connection with any of the following operations: -

building, excavating, demolition work or shop fitting whilst lawfully and actively engaged on those works;

(ii) the removal of any obstruction to traffic;

(iii) the maintenance, improvement or reconstruction of the road, any length of road or side of road comprising the Carriageway, Verge or Footway;

(iv) the laying, erection, inspection, maintenance, alteration, repair or cleaning in or on land adjacent to the said lengths or sides of road of any sewer, main pipe, conduit, wire, cable or other apparatus for the supply of gas, water, electricity or of any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1991, or subsequent legislation;

the Driver of a Taxi on a Red Route or Red Route Clearway may stop only for as long as necessary to board or alight a person from the Vehicle, this exemption does not include a bus cage to road marking (1025.1 – S7-4-9) where the clearway 200mm line is painted red.

the Vehicle, not being a Passenger Vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in the service of a local authority or its contractors in pursuance of that authority's statutory powers or duties;

the Vehicle is Waiting while any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged is opened or closed, if it is not reasonably practicable for the Vehicle to wait otherwise;

for as long as may be necessary to enable a person to board or alight from a Vehicle;

the vehicle of the Royal Mail or other Universal Service Provider;

in any case where the person in control of the Vehicle: -

is required to stop by law;

is obliged to stop so as to prevent an accident;

is Waiting owing to the Driver being prevented from proceeding by circumstances beyond his control; or

is so directed, or given the permission, of a police officer in uniform;

is Waiting or Parked in an Excluded Area from Restriction As Specified in the Map Schedule .

Loading and Unloading

14. Nothing in Articles 7 and 8 shall render it unlawful to cause or permit any Vehicle to Wait in any of the roads, lengths of roads, on the sides of road for so long as may be necessary to enable Goods or merchandise to be delivered or collected and to be Loaded to a Vehicle or a property.

Funerals and weddings

15. Nothing in Articles 7 and 8 shall render it unlawful to cause or permit any Vehicle to Wait, if it cannot safely and conveniently do so elsewhere, in any of the roads, lengths of road or on the sides of road specified therein if it is an official vehicle being used for funerals or weddings.

Removal of furniture

16. Nothing in Articles 7 and 8 shall render it unlawful for a Vehicle, if it is not practicable to be used for such purpose in any other road, to be Loaded while it 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.

Waiting by a Vehicle displaying a Dispensation

17. Nothing in Articles 7 to 11 shall render it unlawful to cause or permit any Vehicle to wait in any Prohibited Road, Restricted Road, prohibition of stopping or a prohibition of stopping on

a Red Route, if the Vehicle has a valid Dispensation issued by the Council or its Agent on payment of the Permit Charge and the Vehicle is waiting or stopped in accordance with the terms and conditions of the said Dispensation.

Waiting by a Vehicle displaying a Disabled Person's Badge

18. (a) Nothing in Article 7 shall render it unlawful to cause or permit a Vehicle which displays in the Relevant Position a Disabled Person's Badge and a Parking Disc, on which the Driver or the person in charge of the Vehicle has marked the time at which the period of waiting began, to park in a Prohibited Road for a period not exceeding 3 hours, not being a period separated by an interval of less than any period as specified in the Map Schedule from a previous period of waiting by the same Vehicle in the same road on the same day; and

(b) Nothing in Article 8 shall render it unlawful to cause or permit a Vehicle which displays in the Relevant Position a Disabled Person's Badge and a Parking Disc, on which the Driver or the person in charge of the Vehicle has marked the time at which the period of waiting began, to wait in a Restricted Road;

Nothing in Article 11 shall render it unlawful to cause or permit a Vehicle which displays in the Relevant Position a Disabled Person's Badge to stop on a Red Route or Red Route Clearway As Specified on the Map Schedule for the sole purpose and for as long as necessary to board or alight a person from the Vehicle. This provision does not include a bus cage to road marking (1025.1 – S7-4-9) where the clearway 200mm line is painted red;

Provided that the provisions of (a) and (b) above apply to a Vehicle that immediately before or after the act of parking has been or is about to be driven or used by the person to whom the Disabled Person's Badge has been issued or, as the case may be, used for the carrying of a disabled person(s) as a passenger(s).

Designated Parking Places and Parking Place (specified class of Vehicle)

19. Nothing in Articles 7 to 11 shall render it unlawful to cause or permit a Vehicle to Wait or Park in a Designated Parking Places after payment of the Relevant Parking Charge during its period of operation, As Specified in the Map Schedule.

Parking Places

20. Nothing in Articles 7 to 11 shall render it unlawful to cause or permit a Vehicle of a specified class to Wait or Park in a Parking Place as long it is the same class of vehicle for that type of Parking Place, Bay, Space or Parking Area during its period of operation, As Specified in the Map Schedule.

Taxi Ranks or Stands

21. Nothing in Articles 7 or 11 shall render it unlawful for a Taxi to Wait in any duly authorised Taxi Rank or Taxi Stand during its period of operation As Specified in the Map Schedule.

22. No person shall cause or permit any Vehicle other than a Taxi in pursuit of trade to stop on a Taxi Rank, or to Wait on a Taxi Stand, during the period of operation, as indicated on signing in the vicinity of the Taxi Rank or Taxi Stand, as the case may be, and As Specified in the Map Schedule.

Pedestrian crossings

23. Nothing in the provisions of this Order shall be taken as authorising anything which would be a contravention of Regulations made or having effect as if made under Section 25 of the 1984 Act.

Signing of restrictions

24. The Council shall cause the limits of the prohibition or restriction of Waiting, Loading or Stopping to be indicated on the Carriageway, Verge or Footway by placing and maintaining thereof Traffic Signs of any size, colour or type prescribed or authorised under the Traffic Signs Regulations, or subsequent amendments.

PART III

On-street parking

Designation of Designated Parking Places and Parking Places (specified class of vehicle)

25. The parts of roads As Specified in the Map Schedule as Parking Places, Parking Bays or Parking Areas and marked out and signed for the use therein of specified classes of Vehicles are hereby designated to be used subject to the following provisions of this Order as Parking Places, Parking Bays or Parking Areas on such days and during such hours and subject to any other provisions governing their use As Specified in the Map Schedule. Vehicles shall park wholly within the limits of the bay markings.

26. Unless otherwise so identified, a Designated Parking Place shall be bounded on one side of its length by the edge of the Carriageway and be an area marked out to a road marking and/or depicted by a Traffic Sign, either in accordance with the Traffic Signs Regulations or, if applicable, by virtue of any special authorisation given by the Department for Transport Vehicles for which Parking Places are designated. Vehicles shall park wholly within the limit of the bay markings.

27. Subject to the provisions of this Order, each type of designated Parking Place As Specified in the Map Schedule, may be used during the Permitted Hours for the parking of Passenger Vehicles, Light Goods Vehicles, Motor Cycles and Vehicles displaying a Disabled Person's Badge, or the class of Vehicles otherwise stated in the specific provisions related to each type of Parking Place, Parking Area or Loading Bay as follows: -

a Permit Parking Place or Permit Parking Area for the leaving during the Permitted Hours of such Vehicles of a class as described in this Article which display in the manner specified in Article 30 a valid Permit, or in respect of which there has been granted a valid Virtual Permit as specified in Article 31;

a resident Parking Place or resident Parking Area for the leaving during the Permitted Hours of such Vehicles of a class as are described in this Article which display in the manner specified in Article 30 a valid Permit, or in respect of which there has been granted a valid Virtual Permit as specified in Article 31;

a shared-use (permit and free limited waiting) Parking Place may be used by such Vehicles of a class described in this Article for the leaving during the Permitted Hours of: -

such Vehicles as display in the manner specified in Article 30 a valid Permit, or in respect of which there has been granted a valid Virtual Permit, without limit to the period of Waiting; or

such Vehicles that Wait no longer than the limited period of Waiting within the Permitted Hours As Specified in the Map Schedule in relation to such shared-use Parking Places or Parking Areas.

a free limited waiting Parking Place or Parking Area may be used by such Vehicles of a class as described in this Article that Wait no longer than the maximum period of Waiting within the Permitted Hours As Specified in the Map Schedule in relation to such limited Waiting Parking Places or Parking Areas;

where parking partially or fully on the Footway or Verge is As Specified in the Map Schedule, nothing shall render it unlawful for any person to cause or permit a Vehicle of a class as described in this Article to park in a limited waiting Parking Place partially or fully on the Verge or Footway;

a business Parking Place or business parking area for the leaving during the Permitted Hours of such Vehicles of a class as described in this Article, which display in the manner specified in Article 30 a valid business permit, or in respect of which there has been granted a valid virtual business permit as specified in Article 31;

a disabled persons Parking Place for the leaving during the Permitted Hours without any limitation on time, except where signs indicate otherwise, of such Vehicles as display a Disabled Person's Badge and Parking Disc in the Relevant Position at all times during which the Vehicle is left in the Parking Place;

a motorcycle parking place may be used for the leaving during the Permitted Hours of such Vehicles as are Motorcycles;

an ambulance bay may be used for the leaving during the Permitted Hours of such Vehicles as are Ambulances;

a coach bay may be used for the leaving during the Permitted Hours of such Vehicles as are Coaches;

a Designated Parking Place or shared-use Designated Parking Place in which a parking payment Tariff applies As Specified in the Map Schedule, at a level as specified in Appendix A, may be used, subject to the provisions of this Order, for the leaving during the Permitted Hours of such Vehicles of a class as are described in this Article after arranging for the appropriate Parking Charge to be paid;

have a record accessible by a Hand-Held Device of the purchase of a valid Virtual Parking Ticket or Virtual Parking Card;

a Loading/unloading bay may be used by Vehicles to enable Goods to be loaded or unloaded from the Vehicle in connection with adjoining trade or business premises during the Permitted Hours subject to any limitation on class of Vehicle or maximum period of waiting As Specified in the Map Schedule. Loading has to be continuous while the Vehicle is parked and includes taking Goods into premises, waiting for them to be checked and documents signed. Once the delivery process has been completed the Vehicle must be moved;

an Electric Vehicle Charging Bay may be used by Electric Vehicles to Wait within the Permitted Hours provided the Vehicle is an Electric Vehicle parked for the purpose of charging at an Electric Vehicle Charging Point and that charging does not exceed any maximum period of

continuous charging time As Specified in the Map Schedule. Any Parking Charge payable for Waiting/Parking at an Electric Vehicle Charging Bay must be paid in addition to any charge applicable to the supply of electricity.

Maximum period of Waiting

28. No person shall cause or permit any Vehicle to Wait in any Designated Parking Place, Parking Place or Parking Area during the Permitted Hours for a period in excess of: -

the time for which a Parking Charge has been paid, in a Designated Parking Place or Parking area, or in a shared use Designated Parking Place or area in which payment parking is permitted; or

the maximum period of Waiting As Specified in the Map Schedule in relation to a Disabled Person's Parking Place where the Driver upon parking the Vehicle in the Parking Place shall display in the relevant position a Disabled Person's Badge and a Parking Disc, on which has been marked the time at which the period of parking began and shall remove that Vehicle from the said Parking Place within the maximum time specified; or

the maximum period of Waiting As Specified in the Map Schedule in relation to that Designated Parking Place, Parking Place or Parking Area.

No return to Wait

29. Where a period within which a Vehicle must not Wait again in a Designated Parking Place, Parking Place or Parking Area is As Specified in the Map Schedule, no person shall cause or permit a Vehicle to Wait again in that Designated Parking Place, Parking Place or Parking Area until the expiry of that specified no return period.

Permits to be displayed on Vehicles

30. At all times during which a Vehicle is Parked in a permit holder only Parking Place or Parking Area, or a shared use Parking Place or area in which permit holder parking is permitted, the Driver thereof shall cause to be displayed in the Relevant Position a valid Permit issued in respect of that Vehicle (where appropriate) relating to that Parking Place or Parking Area within which the Vehicle is Parked.

31. In the case of a Virtual Permit that has been recorded on the Council's Permit System and that is accessible using a Hand-Held Device, the requirement to display the Permit, as specified in Article 30, will not apply.

Valid Permits

32. A Qualifying Individual may on application to the Council purchase or obtain a Permit or a Virtual Permit in respect of a Vehicle of the class specified in Article 27, a charge for the issue of a permit under Section 45(2) of the 1984 Act and is set by the council and may be amended from time to time. Qualifying Individuals will be: -

in the case of Residents Permits and Resident Visitor Permit, those eligible to apply will be Residents that are able to supply the required proofs for the specified Zone or street as set out in Schedule 3, together with proof of ownership/keepership of the Vehicle at the same address,

the council may use its discretion related to the issuing a Permit to a person whose property is not located on a street listed in Schedule 3; or

in the case of a Resident Carers Permit, those eligible to apply will be residents that require help, as specified in a supplied currently dated doctors letter submitted with their application and that live within a specified Zone or street as set out in Schedule 3;

in the case of Business Permit, those eligible to apply will be businesses that are able to supply the required proofs for the specified Zone or street as set out in Schedule 3, together with proof of ownership/keepership of the Vehicle at the same address and that the Vehicle for which the Permit is required is essential for the efficient operation of the business;

in the case of operational permits, those eligible to apply will be Operational Users who in the course of carrying out day to day operations have a need to Park within any Permit Parking Places or areas.

33. A Permit is valid only for the Parking Place/Parking Area or specific Parking Places/Parking Areas in respect of which it was applied for, on specific days or at specific times As Specified in the Map Schedule, if applicable, and only up to the date of expiry shown on, or recorded electronically, in relation to that Permit.

34. A Permit, whether issued or recorded, must be used in accordance with the Council's terms and conditions of use applicable to the Permit applied for. A permit holder shall abide by the terms and conditions stipulated by the Council from time to time for the use of the Permit for the Permit to remain a valid permit.

35. A Permit remains the property of the Council and must be surrendered on request. In such instances where a refund of the charge made for the Permit is deemed appropriate by the Council, this will be provided in accordance with the Council's policies and an administration charge may apply.

36. The Council shall be entitled at its absolute discretion to restrict the number of Permits which it will sell or issue at any one time or over any particular period of time.

Dishonouring of payment made for a parking Permit.

37. Where a Permit is issued to any person, or a record of a Virtual Permit is made in relation to any person, upon receipt of a payment made by cheque, debit or credit card and that payment is subsequently dishonoured that Permit or Virtual Permit, as the case may be, shall cease to be of any effect, and the Council may by notice in writing sent by ordinary first class post, or by email communication, to the address/email address stated on the application for the Permit concerned, notify the holder that the Permit is cancelled. The Permit Holder in the case of an issued Permit shall be required to immediately surrender it to the Council.

Exceptions

38. Nothing in the provisions of this Order shall render it unlawful to cause or permit a disabled person's Vehicle, which displays a valid and legible Disabled Persons Badge and a Parking Disc, to Park in a Designated Parking Place or Parking Place.

39. Notwithstanding the provisions of this Order any Vehicle may Wait during the Permitted Hours in any Designated Parking Place or Parking Place (other than a Designated Parking Place

or Parking Place the use of which has been suspended) for so long as may be reasonably necessary if: -

directed to do so with the permission of a police constable in uniform;

the Vehicle is Waiting to enable a person to board or alight from the Vehicle;

the Vehicle is Waiting to enable goods to be loaded or unloaded from the Vehicle;

the Vehicle is Waiting owing to the Driver being prevented from proceeding by circumstances beyond their control or in order to avoid an accident;

the Vehicle is Waiting owing to the Driver being required by law to stop;

the Vehicle is being used for police, fire brigade or Ambulance purposes, or a Vehicle (other than a Passenger Vehicle) in the service of a local authority, or a Vehicle being used in connection with providing medical attention to any person in the neighbouring area (evidence of such a purpose may be required by The Council), or a statutory undertaker, if it cannot conveniently be used for such purposes in any other road and is being used in pursuance of statutory powers or duties;

the Vehicle is in the service of or employed by a postal or parcel delivery business and is being used in conjunction with the delivery of Goods;

the Vehicle is a recovery vehicle and is waiting to enable it to be used in connection with the removal of a traffic obstruction or a Vehicle which has broken down;

the Vehicle is in actual use as a removal vehicle in connection with the removal or delivery of furniture to or from an office or dwelling house in the neighbouring area;

the Vehicle is being used for the purpose of any building operation, demolition or excavation in or adjacent to the Designated Parking Place, Parking Place or Parking Area, or the laying, erection, alteration, removal or repair in or adjacent to the Designated Parking Place, Parking Place or Parking Area of any sewer service, conductor or apparatus and cannot conveniently be used for that purpose in any other neighbouring road;

the Vehicle is Waiting only for so long as it is necessary to enable it to be used in connection with posting or removing of advertising material in the form of posters on or from street furniture, walls, bus shelters and for cleaning windows or chimneys, in premises adjacent to the Designated Parking Place, Parking Place or Parking Area.

Part IV

General Provisions.

Suspensions and Dispensations Relating to Designated Parking Places, Parking Places or Parking Areas

Power to suspend the use of a Designated Parking Place, Parking Place or Parking Area

40. Any person authorised by The Council may suspend on the grounds of safety or on payment of the charge as set from time to time by the Council (in addition to any fee for a temporary Traffic Regulation Order/Notice that may be required), the use of a Designated

Parking Place, Parking Place or Parking Area or any part thereof if the suspension is reasonably necessary: -

for the purpose of facilitating the movement of traffic or promoting its safety;

in the event of flooding or a risk of flooding along a road;

for the purpose of any building operation, demolition or excavation in or adjacent to the Permit Parking Place or in the maintenance, improvement or reconstruction of the Permit Parking Place or laying, erection, alteration, removal or repair in or adjacent to the Permit Parking Place any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line or Traffic Sign;

on the occasion of any public procession, rejoicing or illumination or when streets are thronged or liable to be obstructed;

in such circumstances or on such other special occasions as may from time to time be considered necessary;

for the convenience of occupiers of premises adjacent to the Designated Parking Place and/or Parking Place at times of weddings or funerals or on other special occasions; or

in such other circumstances as the Traffic manager shall determine.

41. A police constable in uniform may suspend the use of a Designated Parking Place, Parking Place or Parking Area for a period not exceeding 24 hours if he or she considers it reasonably necessary.

42. Any person may apply to the Council to have the use of a Designated Parking Place, Parking Place or Parking Area, or a section thereof suspended on payment of the charge as set from time to time by the Council (in addition to any temporary Traffic Regulation Order/Notice charge that may be required) and such application to be made on the current standard form issued by and obtainable from the Council.

43. Any person suspending the use of a Designated Parking Place, Parking Place or Parking Area in accordance with the provisions of this Order shall place or caused to be placed at the suspended part of the Designated Parking Place, Parking Place or Parking Area a sign indicating that Waiting, Loading or Stopping by Vehicles is prohibited.

44. No person shall cause or permit a Vehicle to be left in a Designated Parking Place, Parking Place or, Parking Area or part of a Designated Parking Place, Parking Place or Parking Area during such period as there is in or adjacent to that Designated Parking Place, Parking Place or Parking Area or part thereof a sign placed in pursuance of Article 45 of this Order.

Dispensation of Designated Parking Place, Parking Place or Parking Area

45. Any person authorised by the Council may on payment of the charge specified in Schedule 4 of this Order issue a Dispensation in respect of the use of a Designated Parking Place, Parking Place or Parking Area or any part thereof if it is considered such Dispensation is reasonably necessary: -

for the purpose of any building operation, demolition, internal or external repair or decoration of a property adjacent to the Designated Parking Place, Parking Place or Parking Area;

for the convenience of occupiers of premises adjacent to the Designated Parking Place, Parking Place or Parking Area 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;

for the convenience of occupiers of premises adjacent to the Designated Parking Place, Parking Place or Parking Area at times of weddings, funerals or on other occasions;

in such circumstances or on such occasions as may from time to time be considered by the Council necessary.

46. At all times during which a Vehicle is left in a Designated Parking Place, Parking Place or Parking Area during the Permitted Hours there shall be continuously displayed in the Relevant Position a valid Dispensation issued in respect of that Vehicle and which includes information to enable the Driver to be contacted in an emergency and that the Vehicle is moved if the Driver is requested to do so by a police officer in uniform or Civil Enforcement Officer.

General Provisions

47. No person shall use a Vehicle in a Designated Parking Place, Parking Place or Parking Area in connection with the sale of any article to any person in or near the Designated Parking Place, Parking Place or Parking Area or in connection with the selling or offering for hire of his or her skill or services.

48. The Driver of a Vehicle using a Designated Parking Place, Parking Place or Parking Area shall stop the engine as soon as the Vehicle is in position in the Designated Parking Place, Parking Place or Parking Area; and shall not start the engine except when about to change the position of the Vehicle or to depart from the Designated Parking Place, Parking Place or Parking Area.

49. No person shall without the consent of the Council cause or permit a trailer to Wait in a Designated Parking Place, Parking Place or Parking Area during the Permitted Hours.

50. No person shall use any part of a Designated Parking Place, Parking Place or, Parking Area for sleeping, camping or cooking.

51. No person shall use any part of a Designated Parking Place, Parking Place or Parking Area for the purpose of servicing any Vehicle or any part thereof other than is reasonably necessary to enable that Vehicle to depart from the Designated Parking Place, Parking Place or Parking Area.

52. No person shall use a Designated Parking Place, Parking Place or Parking Area so as to prevent access to any premises adjoining the road, or the use of a Designated Parking Place, Parking Place or Parking Area so as to be a nuisance.

53. No person shall place, erect or cause to be erected, any skip, tent, booth, stand, building or other structure or store any materials in a Designated Parking Place, Parking Place or Parking Area without the written consent of the Council.

54. No person shall use a Designated Parking Place, Parking Place or Parking Area or any part thereof if the Council has restricted or prohibited its use temporarily under Section 14 of the 1984 Act or the Road Traffic Regulation (Special Events) Act 1984; and exhibited Notice and traffic signs that parking is suspended and prohibited on or near the Designated Parking Place, Parking Place or Parking Area.

55. The Council shall: -

cause the limits of a Designated Parking Place, Parking Place or Parking Area to be indicated on the Carriageway by placing and maintaining thereon Traffic Signs of any size, colour and type prescribed or authorised under the Traffic Signs Regulations, or subsequent amendments;

place and maintain on or in the vicinity of the Designated Parking Place, Parking Place or Parking Area Traffic Signs of any size, colour and type prescribed or authorised under the Traffic Signs Regulations, or subsequent amendments indicating that such Parking Place or Parking Area may be used during the Permitted Hours and days As Specified in the Map Schedule for the leaving only of the class of Vehicle indicated therein; and

carry out such other work as is reasonably required for the purposes of the satisfactory operation of the Designated Parking Place, Parking Place or Parking Area.

56. No person shall drive or permit to be driven any Vehicle in a Designated Parking Place, Parking Place or Parking Area for any purpose other than the purpose of leaving that Vehicle in the Designated Parking Place, Parking Place or Parking Area in accordance with the provisions of this Order or for the purpose of departing from the Designated Parking Place, Parking Place or Parking Area.

Manner of Standing and Removal

57. Every Vehicle, other than a Motorcycle or a pedal cycle, left in a Designated Parking Place, Parking Place, Parking Area or Loading Bay in accordance with the foregoing provisions of this Order shall stand so: -

in the case of a Designated Parking Place, Parking Place, Parking Area or Loading Bay in relation to which a special manner of standing of a Vehicle in that Designated Parking Place, Parking Place, Parking Area or Loading Bay is identified on the highway by means of appropriate road markings and/or the placing of an appropriate sign nearby, as to be in accordance with that identification and/or sign;

in the case of any other Designated Parking Place, Parking place, Parking Area or Loading Bay:
-

if the Designated Parking Place, Parking Place, Parking Area or Loading Bay is not in a One-Way Street, that the left or near side of the Vehicle is adjacent to the left-hand edge of the Carriageway; and

that the Vehicle is parked in compliance with Section 85 of the 2004 Act.

that every part of the Vehicle shall be positioned so that it is within the limits of a Designated Parking Place, Parking Place, Parking Area or Loading Bay, as the case may be;

that no part of the Vehicle obstructs any vehicular means of ingress to or egress from any premises adjacent to the side of the road on which the Vehicle is Waiting.

58. Every Motorcycle left in a Designated Parking Place, Parking Place or Parking Area in accordance with the foregoing provisions of this Order shall stand so that every part of the Vehicle is within the limits of that Designated Parking Place, Parking Place or Parking Area and that no part of the Vehicle obstructs any vehicular means of ingress or egress from any premises adjacent to the side of the road on which the Vehicle is Waiting.

59. If a Vehicle is left in a Designated Parking Place, Parking Place or Parking Area in a position other than in accordance with the provisions of this Order a person authorised by the Council may alter or cause to be altered the position of the Vehicle so that its position is in accordance with the said provisions.

60. If a Vehicle (or any other thing) is left in a Designated Parking Place, Parking Place or Parking Area in contravention of this Order a person authorised by the Council may remove, or arrange for the removal of, the Vehicle (or any other thing) from the Designated Parking Place, Parking Place or Parking Area.

61. For the purpose of meeting the requirements of an emergency, an Authorised Officer may alter or cause to be altered the position of a Vehicle in a Designated Parking Place, Parking Place or Parking Area or remove or arrange for the removal of a Vehicle from a Designated Parking Place, Parking Place or Parking Area.

62. Any person altering or causing the alteration of the position of the Vehicle under the provisions of this Order or removing or causing the removal of a Vehicle under the provisions of this Order may do so by towing or driving the Vehicle or in such other manner as is reasonably necessary to enable the position of the Vehicle to be altered or for the Vehicle to be removed.

63. Any person removing or arranging for the removal of a Vehicle under the provisions of this Order shall make such arrangements as are reasonably necessary for the safety of the Vehicle in the place to which it is removed and shall use all reasonable means to notify the Owner of the place to which it has been removed. Neither such person nor the Council shall be responsible for any loss or damage to the Vehicle or other thing or to anything contained therein or thereon arising from or in consequence of the exercise of these powers other than such loss or damage occasioned by the negligence of such person or of the Council.

64. Where a Vehicle (or any other thing) has been removed from a Designated Parking Place, Parking Place or Parking Area in accordance with this Order, the Driver, or Owner of the Vehicle (or any other thing) or person authorised by the Owner in writing in that behalf shall be required to pay the Council up to the maximum sum set out in the relevant legislation applicable at that time and furnish satisfactory proof of identity.

65. Following payment of the sum mentioned in Article 64 and upon production of satisfactory proof of identity the Council shall issue a receipt, together with details of the place where the Vehicle (or any other thing) has been impounded.

66. Upon production of the receipt given in accordance with Article 65 to an authorised person at the place of impound the Vehicle (or other thing) shall be released to the person producing the receipt.

67. Any Vehicle (or any other thing) removed from the Designated Parking Place, Parking Place or Parking Area in accordance with this Order, which appears to the Council to be

abandoned shall be disposed of in accordance with the provisions of the Refuse Disposal (Amenity) Act 1978 and its related Regulations.

68. Notwithstanding the foregoing provisions of this Order, the Council may at its discretion issue a temporary Dispensation allowing a specific Vehicle to Wait for a specified purpose in a road or a Designated Parking Place, Parking Place or Parking Area during the hours of operation of any restriction or prohibition to the contrary, or a temporary suspension notice temporarily suspending any restriction imposed by this Order. The Council shall set a charge for the issue of such notices as it considers appropriate.

PART V

Contravention of Order

69. If a Vehicle is Parked without complying with any of the requirements of this Order, then a contravention will have occurred, and a Penalty Charge shall be payable. If after the issue of a Penalty Charge a Vehicle continues to be Parked in contravention of this Order, it may be issued with a Penalty Charge on each day after the day on which that contravention was first observed.

70. If a contravention has occurred, a Penalty Charge showing the information required by the 2004 Act may then be issued by a Civil Enforcement Officer or on the evidence from an approved device.

71. The notification of a Penalty Charge to be given in respect of a stationary Vehicle shall be: -

by a Penalty Charge Notice affixed to the Vehicle; or

a by a Penalty Charge Notice given to the person appearing to be in charge of the Vehicle; or

where a Civil Enforcement Officer attempted to serve a Penalty Charge Notice but was prevented from doing so by some person then the Council shall serve the Penalty Charge Notice by post in accordance with the 2004 Act;

where a Civil Enforcement Officer has begun to prepare a Penalty Charge Notice for service, but the vehicle concerned was driven away from the place it was stationary before the Civil Enforcement Officer has finished preparing the Penalty Charge Notice then the Council shall serve the Penalty Charge Notice by post in accordance with the 2004 Act;

Where a recording of a contravention captured by an approved device a Penalty Charge Notice may be served by post to the Owner of the Vehicle.

72. The Penalty Charge shall be payable in accordance with the instructions contained on the Penalty Charge Notice and the provisions for payment set out in the Traffic Contravention Regulations.

73. The Penalty Charge shall be paid to The Council or to the address detailed on the Penalty Charge Notice in accordance with the instructions contained on the Penalty Charge Notice.

PART VI

Resolution of Conflicts

74. Save as provided in Article 2 of this Order the restrictions imposed by this Order shall in addition to and not in derogation of any restriction or requirement imposed by any regulations made or having effect as if made under the 1984 Act or by or under any other Enactment, but in so far as any provision of this Order conflicts with any provision of any other Order relating to the waiting of Vehicles, the provision of this Order shall prevail.

PART VII

Revocations

75. Without prejudice to the validity of anything done, or to any liability incurred in respect of any act or omission before the coming into effect of this Order, the Orders specified in Schedule 1 and any Amendment Orders to those Orders are hereby revoked.

THE COMMON SEAL of the)
LEICESTER CITY COUNCIL)
was hereunto affixed)
this ## day of ### 2023)
in the presence of: -)

Authorised Signatory

SCHEDULE 1

Revocation of Orders

All traffic Orders related to waiting, loading, stopping and designated parking places, parking places (specified class of vehicles) up to the date of the making of this Order will hereby be revoked in their entirety.