

# Telford & Wrekin Council (Off Street Parking Places) (Addenbrooke House & Darby House Car Parks) Consolidation Order 2024

Borough of Telford & Wrekin ("the Council") in exercise of its powers under sections 32, 33, and 35 of the Road Traffic Regulation Act 1984 ("the Act") and Part III of Schedule 9 to the Act and Regulation 9 of the Local Authorities Traffic Orders (Procedure) England and Wales) Regulations 1996 and of all other enabling powers hereby makes the following Consolidation Order:-

## **Commencement Citation and Revocation**

1. This Order shall come into operation on the 13<sup>th</sup> May 2024 and may be cited as the **Telford & Wrekin Council, (Off Street Parking Places) (Addenbrooke House & Darby House Car Parks) Consolidation Order 2024**. This order is to consolidate the previous Off Street Car Park Order in order to update the relevant definitions in line with changes in legislation and the demolition of Euston House Car Park.
2. The Telford & Wrekin Council Off Street Parking Places Order 2016 – Addenbrooke House, Darby House & Euston House Car Parks order shall be revoked.
3. This Order shall:-
  - i. Revoke and re-introduce arrangements for use of the Parking Places that are the subject of this Order.
  - ii. Revoke and re-introduce parking Permits for use of the Parking Places that are the subject of this Order.
  - iii. Revoke and re-introduce Excess Charges for contravention of this Order.

## **Interpretation**

4. In this Order:-

"**The Act**" refers to the Road Traffic Regulation Act 1984

"**Caravan**" has the same meaning as in the **Caravan Sites and Control of Development Act 1960**

"**Coach or Bus Parking Area**" means a **Parking Bay** for which there is a sign or surface marking indicating it is only available for the parking of a Public Service Vehicle

"**The Council**" means The Borough of Telford & Wrekin Council;

"**Disabled Parking Bay**" means a **Parking Bay** for which there is a sign or surface marking indicating it is available only for the parking of a Disabled Person's Vehicle

"**Disabled Person's Badge**" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000

"**Disabled Persons Vehicle**" has the same meaning as in the Act

"**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** and where a separate person acts as steersman of a **Vehicle**, includes that person as well as any other people engaged in the driving of the **Vehicle**, and "**Drive**" shall be construed accordingly

"**Electric Vehicle Charging Bay**" means a **Parking Bay** in which there is a sign or surface marking indicating it is available only for the parking and charging of an electric vehicle

"**Emergency Vehicles**" means ambulances, fire service vehicles and police vehicles being used in the course of their duties

"**Enforcement Officer**" means any of the Councils authorised **Enforcement Officer** and includes any other officer or servant of the Council employed to control and manage any of the Parking Places provided by the Council

"**Excess**" means the sum of £60 (such sum to be reduced to £30 if paid within 14 days of the contravention), unless the offence is in relation to parking in a **Disabled Parking Bay** without displaying in the relevant position a **Disabled Person's Badge** where no discount is offered

"**Maximum Permitted Period**" means the maximum waiting period for which a Vehicle can remain

"**Motor Cycle**" has the same meaning as in the Act

“**No Return**” means that no Vehicle is permitted to return to a **Parking Place** where it has previously parked for a minimum period as specified in this Order commencing when the Vehicle first departed the **Parking Place**

“**Parking Bay**” means any area of a **Parking Place** which is provided for the leaving of a Vehicle and indicated for this purpose by the markings on the surface of the **Parking Place**

“**Parking Places**” means any of the off-street parking places identified in the Schedule to this Order

“**Permit**” means a permit (either physical or electronic) issued and displayed where necessary in accordance with the 'Telford & Wrekin Council Addenbrooke House, Darby House - Terms & Conditions of Use' or such other replacement document as the Council may produce from time to time)

“**Public Service Vehicle**” has the same meaning as in the Public Passenger Vehicles Act 1981

“**Trailer**” has the same meaning as in the Act

“**Vehicle**” means any Motor Vehicle (as defined in the Act) the weight of which does not exceed 3 tonnes unladen and the height of which does not exceed 2.5 metres, an Electric Vehicle, a Public Service Vehicle, a Motor Cycle and a Disabled Person's Vehicle

“**Visitors Parking Bay**” means a Parking Bay for which there is a sign or surface marking indicating it is available only for the parking of a Vehicle belonging to a Visitor to the Council

5. For the purpose of this Order a Vehicle shall be regarded as displaying:-
  - (a) A **Disabled Person's Badge** in the relevant position, when:-
    - (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 front or near side of the vehicle.
6. The **Parking Places** may only be used in accordance with the provisions of this Order and shall only be used in such positions and on such days and during such hours as are specified in this Order.
7. Nothing in this Order shall prevent the Council from:-
  - a) Closing the **Parking Place** or any part thereof for any period or,
  - b) From setting aside any part of the **Parking Place** on all days or on certain days or for certain parts on certain days for the sole use of particular **Vehicles**
8. Where in the Schedule to this Order a **Parking Place** is described, the **Driver** of a **Vehicle** shall not permit it to wait in that **Parking Place**:-
  - a) Unless it is a **Vehicle**
  - b) In a position other than wholly within a **Parking Bay** or other than in a position as directed by a **Car Park Enforcement Officer**
  - c) At any time where the **Parking Place** or part thereof has been closed under article 7 (a) of this Order.
  - d) In any part of the **Parking Place** at a time when that part has been set aside for use in accordance with article 7 (b) of this Order unless the **Vehicle** is so authorised.
  - e) In a **Disabled Parking Bay** unless displaying in the relevant position a **Disabled Person's Badge**
  - f) In an **Electric Vehicle Charging Bay** unless connected to the charging point for the purposes of charging the vehicle
  - g) for longer than the **Maximum Permitted Period** for waiting specified on signs within the **parking place**
  - h) without displaying a valid **Permit unless it is parked in a designated Visitors Parking Bay**
  - i) for longer than the **Maximum Permitted Period** of three hours when it is parked in a designated **Visitor Parking Bay**
  - j) for longer than the **Maximum Permitted Period** of 40 minutes when it is displaying a valid **Permit** that is registered to a current employee of Telford & Wrekin Council whilst it is parked in a designated **Visitor Parking Bay**.
9. The **Driver** of a **Vehicle**, whilst it is in a **Parking Place**, shall comply with any instructions given to him by an **Enforcement Officer** as to the manner of parking of the **Vehicle** and shall remove the **Vehicle** from the **Parking Place** on being required by the **Enforcement Officer** so to do.

10. The **Excess Charge** shall be payable by the **Driver** of that **Vehicle** if it is left in **Parking Place** on any day:-
  - a) In contravention of article 8 (a) of this Order (specified class); or
  - b) In contravention of article 8 (b) of this Order (otherwise than wholly within a **Parking Bay**); or
  - c) In contravention of article 8 (c) of this Order (closing part of the whole of the **Parking Place**); or
  - d) In contravention or article 8 (d) of this Order (in a bay set aside for specially authorised **vehicles**); or
  - e) In contravention of article 8 (e) of this Order (in a bay set aside for **Disabled Persons Vehicles**); or
  - f) In contravention of article 8 (f) of this Order (in a bay set aside for charging of **Electric Vehicles**); or
  - g) In contravention of article 8 (g) of this Order (exceeding the **Maximum Permitted Period**); or
  - h) In contravention of article 8 (h) of this Order (in a bay without displaying a valid **Permit**)
11. When a Notice has been attached to a **Vehicle** in accordance with any of the foregoing provisions of this Order no person other than a person authorised by the Council in that behalf or the **Driver** or a person authorised by the **Driver** in that behalf shall remove the notice from the **Vehicle**.
12. The **Excess Charge** (whether the full sum or the discounted amount in accordance with this order) shall be paid to the Council either by cheque, bankers draft, money order or postal order which shall be delivered or sent by post to reach the office address for this purpose indicated on the **Excess Charge** Notice not later than 4.00pm on the twenty-eighth day following the issue of the **Excess Charge** Notice, or alternatively in cash in person or card payment at the said office address, by telephone or by internet payment not later than the aforesaid twenty-eight day period provided that, if the said twenty-eighth day falls upon the day on which the said office address is closed, the period within which payment of the said charge will be made shall be extended until 4.00pm on the next full day on which the said office address is open.
13. The **Driver** of a **Vehicle** using a **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** in or to depart from the **Parking Place**.
14. No person shall use a **Vehicle**, while it is in a **Parking Place**, in connection with the sale of any article in or near the **Parking Place** or in connection with the selling or offering for hire of skill or services.
15.
  - a) When a **Vehicle** is left in a **Parking Place** in contravention of this Order, a person authorised by the Council may remove the **Vehicle** or arrange for it to be removed from the **Parking Place** or cause the position of the **Vehicle** to be altered in order that its position shall comply with that provision.
  - b) For the purpose of meeting the requirements of an emergency, a person authorised by the Council or a Police Constable in uniform may remove the **Vehicle** or arrange for it to be removed from the **Parking Place** or cause the position of the **Vehicle** to be altered in order that its position shall comply with that provision.
  - c) Any person altering or causing the alteration of the position of a **Vehicle**, or removing or causing the removal of a **Vehicle** may do so by towing or driving the **Vehicle** or in such other manner reasonably necessary.
  - d) Any person removing or arranging for the removal of a **Vehicle** shall make such arrangements as reasonably necessary for the safety of the **Vehicle** in the place to which it is removed.
16. The **Driver** of a **Vehicle** using a **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** and then only when use of the horn is necessary to alert the attention of other **Drivers** or pedestrians.
17. No person shall: -
  - a) Except with the permission of any person duly authorised by the Council, drive any **Vehicles** in a **Parking Place** other than for the purpose of leaving that **Vehicle** in that **Parking Place** in accordance with this Order or for the purpose of departing from the **Parking Place**;
  - b) Drive recklessly or at excessive speed or in a manner which is dangerous to other users of that **Parking Place**, or without due care and attention or without reasonable consideration for other users of that **Parking Place**.
18. No person shall use any part of a **Parking Place**: -
  - a) For sleeping or camping purposes;
  - b) For eating or cooking purposes;
  - 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 that **Parking Place**; and
19. No person shall place or permit to be placed on the vehicle not being a **Motor Cycle**, any cover of the type normally used to protect the exterior of a **Vehicle** from the weather during storage in the open air

20. Where in a **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; or
- c) Indicating that **Vehicles** of a specified type may be parked within a designated area

no person shall drive or cause to 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, or
- (iii) parking in an undesignated area

21. The **Driver** of a Vehicle shall not take or attempt to take a **Vehicle** into a **Parking Place** if either a sign indicates or a **Car Park Enforcement Officer** states that it is full.

22. No person shall wilfully or recklessly damage or interfere in any way with the fabric or structure or equipment of the **Parking Place** which for the absence of doubt shall include any apparatus or device situated thereon.

23. No person shall bring any Trailer or **Caravan** into the **Parking Place** except with the written consent of the Council.

24. No person shall except with the written consent of the Council, drive any **Vehicle** other than as defined in article 4 of this Order in a **Parking Place**.

25. No provision of this Order will have the effect of prohibiting or restricting access to any Parking Place for **Emergency Vehicles** or imposing any charge on such **Vehicles** for use of **Parking Place**.

THE COMMON SEAL of the )  
 BOROUGH OF TELFORD & WREKIN )  
 was hereunto affixed on )  
 this 9<sup>th</sup> day of May 2024 )  
 in the presence of:- )



EMMA HARVEY  
 LEAD LAWYER:  
 PROPERTY & COMMERCIAL

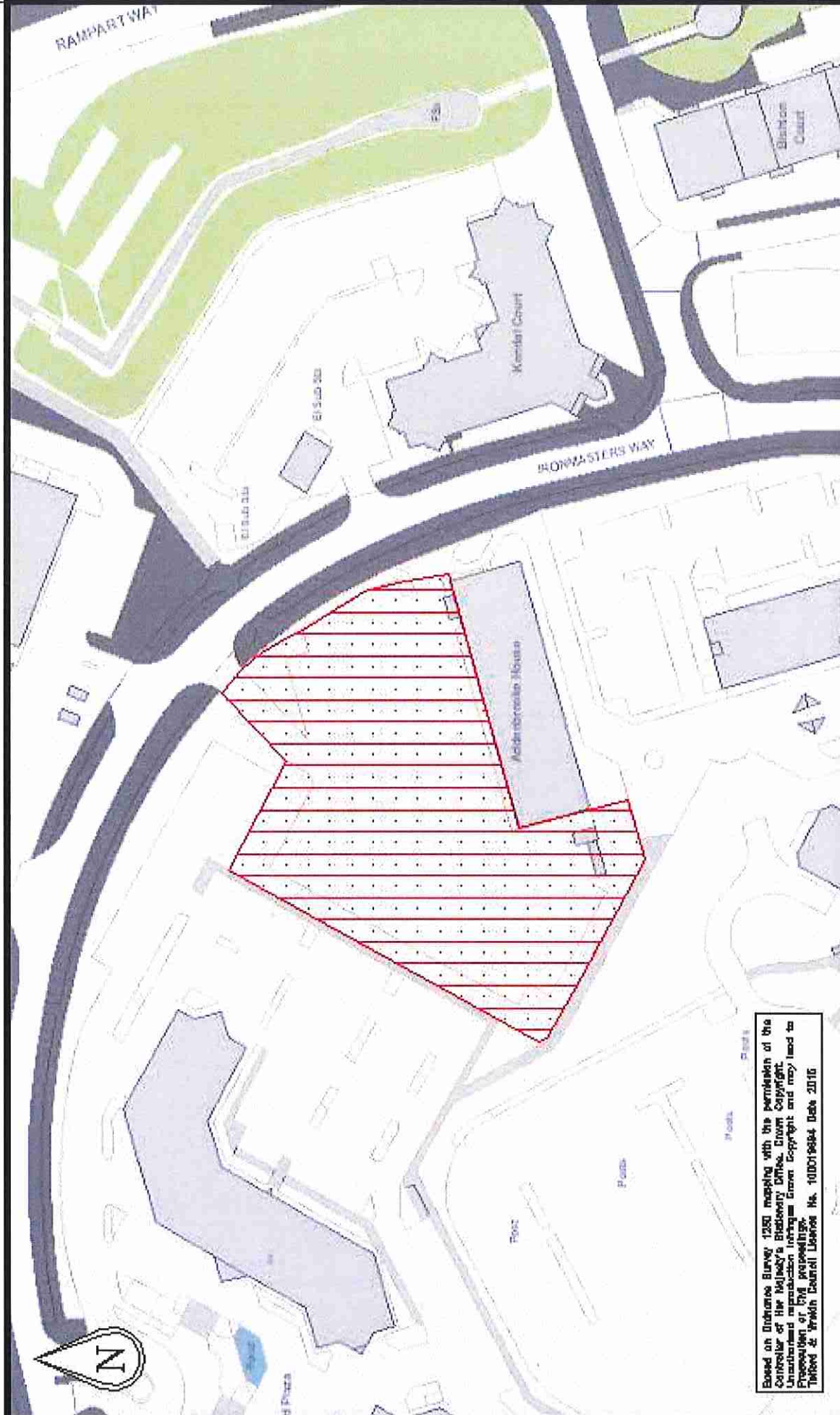


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## SCHEDULE

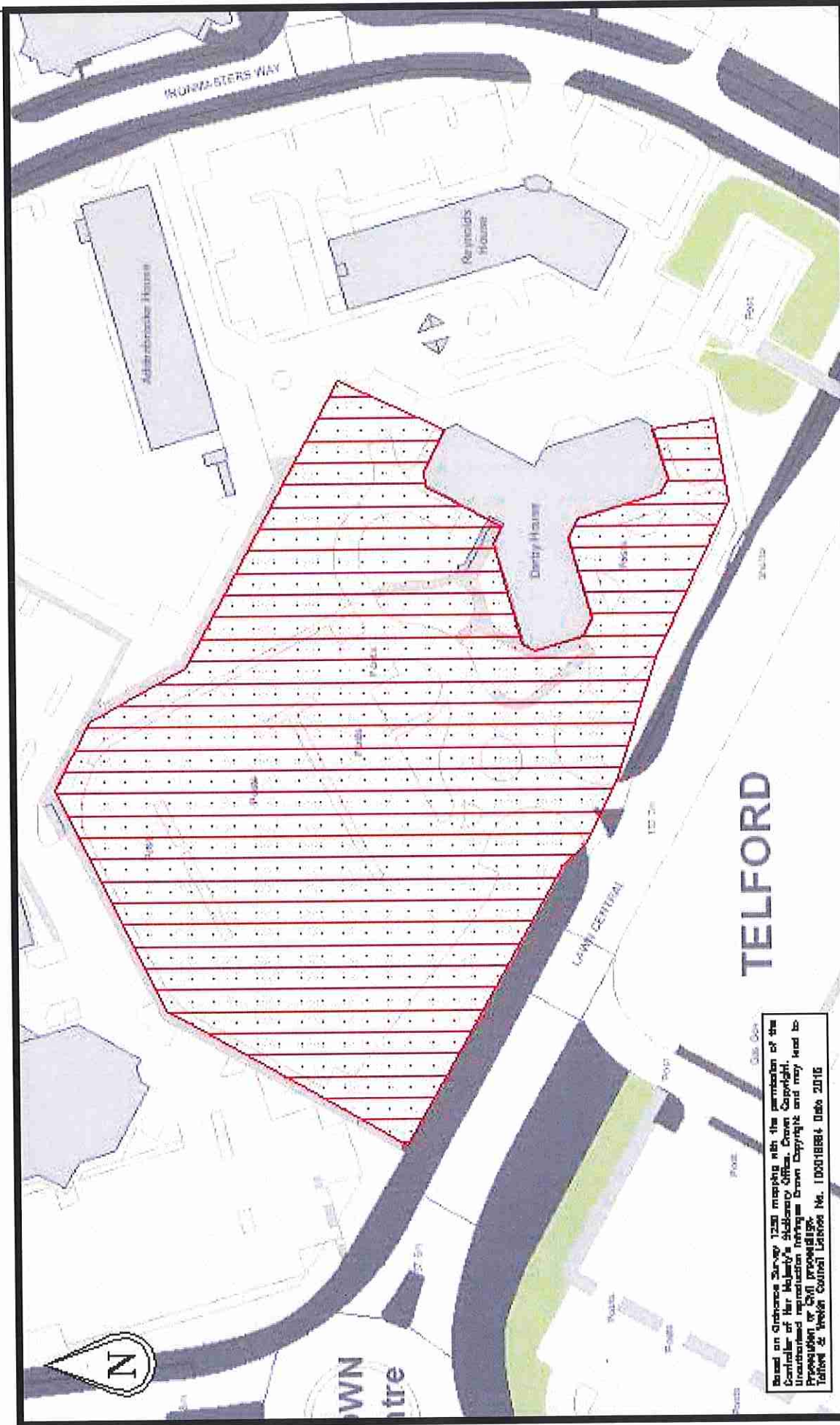







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 <b>Telford &amp; Wrekin</b> <b>COUNCIL</b>	<b>COUNCIL OWNED CAR PARKS</b>		Scale N.T.S.	Date A4	Drawing MSP
	Drawing title <b>ADDENBROOKE HOUSE</b>		Drawing number <b>CAR PARKS/TC/AH</b>		Ref. <b>0</b>



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 <b>Telford &amp; Wrekin</b> <b>COUNCIL</b>	<b>PROJECT</b> COUNCIL OWNED CAR PARKS		<b>Scale</b> N.T.S	<b>Date</b> 27/08/2015	<b>Drawing No</b> A4	<b>Drawn by</b> MSP
	<b>Drawing title</b> DARBY HOUSE		<b>Drawing number</b> CAR PARKS/TC/DH		<b>Rev</b> 0	