

The Babergh District Council

(Off Street Parking Places) Order 2022

The Babergh District Council of Endeavour House, Russell Road, Ipswich ("the Council") in exercise of its powers under Sections 32 and 35 of the Road Traffic Regulation Act 1984 (as amended) and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, the Traffic Management Act 2004 and all Regulations and Orders made in exercise of the powers conferred under the Traffic Management Act 2004 and of all other enabling powers, and with the consent of the Suffolk County Council given under Section 39(3) of the Road Traffic Regulation Act 1984 and after consultation with the Chief Officer of Police in accordance with Paragraph 20 of Schedule 9 of the Road Traffic Regulation Act 1984, hereby makes the following Order:-

1. GENERAL

Commencement Citation and Revocation

1.1. This Order shall come into operation on 13 December 2022 and may be cited as The Babergh District Council (Off Street Parking Places) Order 2022

1.2. The following Orders are hereby revoked:

(a) The Babergh District Council (Off Street Parking Places) Consolidation Order 2020

Interpretation

1.3. Any reference in this Order to a numbered Article is a reference to the Article bearing that number in this Order and any reference in this Order to "the Schedule" is a reference to the Schedule to this Order

Definitions

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

"The 1984 Act" means the Road Traffic Regulation Act 1984 (as amended);

"The 2004 Act" means The Traffic Management Act 2004 (as amended);

"charging hours" means any period specified in Column 7 of the Schedule in respect of which a charge is specified in Article 4

"Civil Enforcement Officer" means any officer of the Council who is authorised to supervise and control vehicles in the parking places and appointed to enforce the provisions of this

Order pursuant to section 63A of the 1984 Act and has the same meaning as in Section 76 of the 2004 Act;

"disabled person's badge" means any badge issued, or having effect as if issued, under any regulations for the time being in force under section 21 of the Chronically Sick and Disabled Persons Act 1970;

"disabled person's vehicle" means any *vehicle* lawfully displaying a *disabled person's badge* and has the same meaning as in Section 142 of the 1984 Act;

"driver" in relation to a vehicle waiting in a *parking place*, means the person who was driving the *vehicle* at the time it was left in the *parking place* and in relation to a vehicle leaving a *parking place* means the person who was driving the vehicle at the time it leaves the *parking place*

"enforcement authority" has the same meaning as in Paragraph 8 of Part 2 of Schedule 8 of the 2004 Act and is The Babergh District Council in the case of this Order;

"EV" and **"PHEV"** mean electric vehicle and plug-in hybrid electric vehicle respectively.

"EV/PHEV allocated bay" means a bay for use only by electric or plug-in hybrid electric vehicle that are purchasing power from the Electric Charging Point.

"fee" means the amount payable (as applicable) for a ticket or a parking permit.

"heavy goods vehicle" has the same meaning as a "heavy commercial vehicle" in Section 138 of the 1984 Act;

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

"light van" means a light commercial motor vehicle constructed or adapted solely for the purpose of carrying goods unladen weight not exceeding 1.5t

"motor car" and **"motorcycle"** have the same meanings as in Section 136 of the 1984 Act;

"maximum waiting period" means the number of hours specified in the Schedule to this Order for which a vehicle may be left in a parking place

"owner" has the same meaning as in Section 92 of the 2004 Act;

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

"parking charge" means the charge paid by drivers to leave a vehicle in a parking place;

"parking contravention" has the same meaning as in Part 1 of Schedule 7 of the 2004 Act;

"parking device" has the meaning given in section 35(3B) of the 1984 Act;

"parking permit" which means any current parking permit issued by the Council the Vehicle bearing it and described on the face of it as a parking permit.

"parking place" means any area of land specified by name in Column 1 of the Schedule provided by the Council under Section 32 (1) of the 1984 Act for use as a parking place;

"parking ticket" means a ticket issued by a ticket machine pursuant to this Order;

“penalty charge” has the same meaning as in Section 92 of the 2004 Act and set at a level in accordance with Band 2 in the regulations for the time being in force under Section 77 and Schedule 9 of the 2004 Act as published from time to time and is an additional amount payable regardless of the period for which a vehicle is left;

“penalty charge notice” means a notice described in Section 78 of the 2004 Act having effect as if issued or served by a Civil Enforcement Officer or posted by the enforcement authority under any regulations for the time being in force under Section 78 of the 2004 Act;

“public service vehicle” has the same meaning as in the Public Passenger Vehicles Act 1981;

“permit (‘season ticket’) means a pre-paid permit issued to a person pursuant to paragraph 4.5 for the parking of a specified vehicle in a specified parking place or places for a specified date or dates without the requirement to make a payment or obtain a parking ticket during the time for which the Permit (‘season ticket’) is valid improper use of which will render the same void;

“trailer” means a trailer within the meaning of section 136(1) of the 1984 Act and shall include a caravan and a boat;

“vehicle” means a mechanically propelled vehicle intended or adapted for use on roads and shall include a motorcycle;

“virtual permit” means a ticket issued electronically on account in an electronic database approved by the Council pursuant to this order

2. USE OF PUBLIC OFF-STREET PARKING PLACES

Designation

2.1. Each area of land specified by name in column 1 of the Schedule may be used, subject to the following provisions of this Order, as a parking place for such classes of vehicles, in such positions on such days and during such hours as are specified in relation to that area in the Schedule.

Restriction on parking places when closed

2.2. Notwithstanding paragraph 2.1, the Council shall have the power to close any parking place or any part thereof for the staging of a public exhibition, special event or other non-parking related activity.

Class and position of vehicles

2.3. Where in the Schedule a parking place is described as available for vehicles of a specified class or in a specified position, the driver of a vehicle shall not permit it to wait in that parking place unless: –

- (a) it is of the specified class
- (b) in the position other than specified

Indications by Signs and Markings

2.4. Where, within a parking place, there is a sign or surface marking which indicates that a parking bay is available for vehicles or drivers of a specified class the driver of a vehicle shall not permit it to wait in that parking bay unless the vehicle or driver is of the class so specified.

2.5. Wherever parking bays are provided vehicles shall be positioned wholly within the markings of a parking bay.

Maximum Period

2.6. When a vehicle has left a parking place, any person shall not within four hours after leaving be permitted to wait again in that parking place.

2.7. When a ticket has been obtained in a parking place, and the maximum waiting period for that ticket has expired, a further ticket for that parking place may not be obtained within four hours of expiry of the earlier ticket and any ticket displayed in breach of this article shall be invalid.

Expiry of parking period

2.8. Subject to paragraph 4.5, the expiry time is the time exhibited on the parking ticket displayed on a vehicle. The period will have expired when the time indicated on the clock of the ticket machine that issued the parking ticket is later than the time indicated on the parking ticket, or in the case of a virtual ticket that the time indicated on an electronic device carried by a Civil Enforcement Officer is later than the time indicated on the virtual ticket, any vehicle displaying such a ticket shall be deemed to be in contravention of this Order.

Disabled person's bays

2.9. Where within a parking place there is a sign or surface marking which indicates that a parking bay is available only for a disabled person's vehicle, no person shall permit it to wait in that parking bay unless it is a disabled person's vehicle.

Disabled person's badge

2.10. For the purpose of this Order a vehicle shall be regarded as displaying a disabled person's badge in the relevant position when:

- (i) the badge is exhibited on the dashboard or fascia of the vehicle; or

- (ii) where the vehicle is not fitted with a dashboard or fascia, the badge is exhibited in a conspicuous position on the vehicle;

so that the front of the badge is clearly legible from the outside of the vehicle.

2.11. A disabled person's vehicle displaying a disabled person's badge in the relevant position shall be exempt from any limitation on time specified in column 5 of the Schedule (other than the 24-hour limitation), provided that the vehicle is waiting in the parking place for the purpose of conveying to or from that parking place the holder of the disabled person's badge displayed.

2.12. If a vehicle is left in a parking place:

- (a) in a disabled person's parking bay as described in paragraph 2.9 without displaying in the relevant position a disabled person's badge;

it shall be deemed to be in contravention of this Order.

3. SUSPENSION OF PARKING PLACE

Restriction on parking places when closed

3.1. Notwithstanding paragraph 2.1, the Council shall have the power to close any parking place or any part thereof for the staging of a public exhibition, special event or other non-parking related activity SAVE THAT nothing in this Article shall restrict the power of the Council to suspend on a temporary basis the use of a place or part thereof from use by indication on site where such suspension is considered reasonably necessary

Power to suspend parking places

3.2. Nothing in paragraph 2.1 shall restrict the power of the Council to suspend the use of a parking place or any part thereof when such suspension is reasonably necessary: -

- (i) for the purposes of facilitating the movement of vehicles or promoting their safety;
- (ii) for the purpose of any building, demolition or excavation operation in or adjacent to the parking place;
- (iii) for the purpose of maintenance, improvement or reconstruction of the parking place;
- (iv) for operations by or on behalf of any statutory undertaker, the Post Office, a water authority or any utility company for the laying, erection, inspection, maintenance, alteration, repair, renewal or removal of any main, pipe, conduit, wire, cable or other apparatus for the supply of gas, water or electricity or of any telecommunications system

as defined in the Telecommunications Act 1984, or any sewer under, in, on, over, along or across the parking place or any land adjacent to the parking place; or

(v) for the convenience of occupiers of premises adjoining the parking place.

Signing of suspension

3.3. Any person suspending the use of a parking place or any part thereof in accordance with paragraph 3.2 of this Article shall thereupon place or cause to be placed in or adjacent to that parking place a traffic sign indicating that waiting by vehicles is prohibited.

No parking on suspended bays

3.4. No person shall cause or permit a vehicle to be left in any parking place or part of a parking place during such period as there is in or adjacent to that parking place, or part thereof, a traffic sign indicating that waiting by vehicles is prohibited, unless the vehicle is so left with the permission of the person suspending the use of the car park or the part thereof in accordance with the provisions of this Article.

3.5. Where the use of a specific parking space or any part thereof is suspended, nothing in paragraph 2.1 of this Order shall restrict the power of the Council to permit the temporary use of another parking place by classes of vehicle other than those stipulated in column 3 of the Schedule for a period equivalent to that of the period of suspension.

EV/PHEV bays

3.6. Where, within a parking place, there is a sign or surface marking which indicates that a parking bay is available only for an EV/PHEV. No person shall cause or permit a vehicle to wait in that bay unless it is an EV/ PHEV and, at the time the vehicle was initially parked, it was connected to an electric vehicle charging point in such a manner so as to ensure that the supply of electric was taking place from the electric vehicle charging point to the same electric vehicle (including where required paying any fee for the use of the electric vehicle charging point and any electric supplied)

4. AMOUNT OF CHARGE AT PARKING PLACES

Amount and Payment of Fees or where a Ticket is Required

4.1. Provisions of this Article shall only apply to parking places in the Schedule.

4.2. Insofar as a vehicle is left in a parking place where :-

- (a) the payment of a parking charge is required during the charging hours the driver thereof shall pay such charges as are specified in the following provisions of this Order.
- (b) a 3-hour display ticket is required for nil charge during the prescribed hours of operation as specified in column 7 of the Schedule, the driver thereof must obtain a ticket or make such arrangements allowed for in paragraph 4.5.

Method of payment

- 4.3. Any person causing or permitting a vehicle to be left in a parking place shall upon the leaving of a vehicle in that parking place pay the appropriate charge, or acquire a ticket where nil charge is required, in accordance with the scale of charges specified in columns 6 and 7 of the Schedule.
- 4.4. The charges referred to in paragraph 4.3 (and not a parking permit) of this Article shall be payable by the insertion of an appropriate coin or coins into the apparatus or device provided, being an apparatus or device approved in accordance with Section 35(3) of the Act and the provisions of Section 47(5) of the Act shall apply in respect of such apparatus.

Display of ticket, season ticket or parking permit

- 4.5. The methods of payment or the acquisition of a parking ticket where nil charge is required given in Article 4 are extended to enable payment of parking charges or the acquisition of a ticket by any other methods that the Council makes available. This may include a virtual permit (including as an alternative to a parking ticket from a parking machine) and to be valid any virtual permit must be registered with the correct vehicle registration number and correct car park location by the driver on account in an electronic database approved by the council with the agreement of the driver to make payment by electronic means of an amount or for a period specified being completed by the driver. Once completed the driver will not be required to display a parking ticket in the relevant position. Failure to register the vehicle or correctly input the correct car park location will invalidate the parking session. If a vehicle is left in such a manner, without these requirements being met, then it shall be deemed to be in contravention of this order.
- 4.6. Any ticket or permit issued in accordance with Article 4 shall be attached in a conspicuous position to the vehicle in respect of which it was used so that it may be read from outside the vehicle, save that this may not apply with a payment made in accordance with paragraph 4.5.

4.7. When a parking permit has been displayed on a vehicle in accordance with the provisions of Article 4.28 of this Order, no person shall remove the parking permit from the vehicle unless authorised to do so by the driver of the vehicle.

4.8. A vehicle shall not be left in a parking place if it displays an out of date and/or out of time ticket.

4.9. The date of purchase, charge paid and the time of expiry as stated on the ticket shall be conclusive evidence of those facts for the purposes of this Order and any proceedings taken thereunder.

Non-transferable

4.10. A ticket purchased from a ticket machine under paragraph 4.4 is not transferable between vehicles or between different parking places.

Expiry of parking period

4.11. If a vehicle is left in a parking place:

- (a) during the charging hours for longer than the initial period for which payment was made; or
- (b) for a period longer than the maximum permitted for waiting by this Order and referred to in column 5 of the Schedule

it shall be deemed to be in contravention of this Order.

Season tickets and parking permits

4.12. Any person who is the owner of a vehicle of a class specified in Column 3 of the Schedule (as amended) may on application to the Council purchase a season ticket for parking places specified in the Schedule, in respect of that vehicle, for a charge determined by the Council, taking into account the charges specified in column 6 and 7 of the Schedule, and that season ticket shall be valid in such parking places and on such days as are specified thereon during the period for which it is issued.

4.13. Any person who is the owner of a vehicle of a class specified in Column 3 of the Schedule (as amended) may apply to the Council for the issue of a parking permit for the vehicle in a single identified parking place during the periods of operation specified in Columns 4 to 6 in the Schedule in relation to the said parking place and any such application shall be made in a form prescribed by the Council and shall include the particulars and information required by such form to be supplied.

4.14. The Council may require an applicant for a parking permit or permit holder to produce such evidence in respect of the application they may reasonably require to view any particulars of information given to them.

4.15. The Council upon being satisfied that an applicant is the owner of a vehicle of a class specified in the Schedule as being of a class of vehicle permitted in the identified parking place and on receipt of the appropriate fee as specified for that parking permit in Column 7 of the Schedule of this Order or as subsequently specified from time to time in public notices made by the Council pursuant to the 1984 Act, may issue to that applicant a parking permit, valid for a period specified in the Schedule for the leaving of that vehicle on the days and at the times specified in the Schedule in the parking place identified for that parking permit, by the owner or by any person using such vehicle with the consent of the driver (other than a person to whom such vehicle has been let for hire or reward).

4.16. The Council reserves the right to reject an application and its decision shall be final.

Refund

4.17. After payment has been made for a parking permit no refunds shall be given.

Surrender of a parking permit

4.18. The Council, may, by notice in writing served on the permit holder at the address shown by that person on the application for the parking permit or at any other address which the Council believes to be that person's residence, withdraw a parking permit if it appears to the Council that any of the events set out in Article 4.19 of this Order has occurred, and the permit holder shall surrender the parking permit to the Council within 48 hours of the receipt of the said notice.

4.19. The events referred to in Article 4.18 of this Order are:-

- (a) the permit holder ceases to be the owner of a vehicle of the class in respect of which a parking permit was issued;
- (b) the permit holder ceases to be the owner of the vehicle in respect of which a parking permit was issued;
- (c) the vehicle in respect of which such parking permit was issued being adapted or used in such a manner that it is not a vehicle of a class specified as permitted in Column 3 of the Schedule in relation to the identified parking place;

- (d) the issue of a duplicate parking permit by the Council under the provisions of Article 4.21 of this Order;
- (e) the issue of a replacement parking permit by the Council under the provisions of Article 4.23 of this Order;
- (f) the expiry of the period for which the parking permit was issued.
- (g) a breach of any condition which may from time to time be determined by the Council and is specified on the parking permit and/or application form and/or terms and conditions issued with the parking permit
- (h) repeated failure by the permit holder to display the parking permit in accordance with Article 4.28.

4.20. A parking permit shall cease to be valid on the occurrence of any of the events set out in Article 4.19 of this Order.

4.21. If a parking permit is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the parking Permit has become altered by fading or otherwise, the permit holder shall surrender it to the Council and may then apply to the Council for the issue of a duplicate permit.

4.22. If a parking permit is lost or destroyed, the permit holder may apply to the Council for issue of a duplicate permit.

4.23. If a permit holder changes their vehicle, then on surrender of their existing parking permit to the Council, the permit holder may apply to the Council for the issue of a replacement permit

4.24. The provisions of this Order shall apply to a duplicate or replacement parking permit and an application for such a parking permit as if it were a parking permit or, as the case may be. an application for a parking permit.

4.25. Any parking permit issued by virtue of the provisions of Articles 4.21, 4.22 or 4.23 of this Order shall be marked as a duplicate or a replacement as the case may be, and upon the issue of duplicate or replacement parking permit the parking permit which it duplicates or replaces shall become invalid

4.26. The issue of a duplicate or replacement parking permit shall be subject to the payment of an administration fee by the applicant as set from time to time by the Council and the number

of duplicate parking permits to be issued to a vehicle or the number of replacement parking permits to be issued to a permit holder shall be limited to one per calendar year.

Format of parking permits

4.27. A parking permit shall include the following particulars:-

- a) the registration mark of the vehicle in respect of which the parking permit has been issued;
- b) the parking place in respect of which the parking permit is valid;
- c) the period during which, subject to the provisions of Article 4.20 of this Order, the parking permit shall remain valid; and
- d) an authentication that the permit has been issued by, or on behalf of, the Council, to include the unique reference number of the parking permit.

Display parking permit

4.28. Whenever a vehicle has been left in a parking place during any part of the ticketing hours in that parking place there shall be displayed in a conspicuous position on the vehicle a parking permit valid in respect of that vehicle so that all the particulars referred to in Article 2.1 of this Order are readily visible from outside the vehicle save that any virtual permit issued by the Council need not be displayed in the vehicle.

4.29. When a parking permit has been displayed on a vehicle in accordance with the provisions of Article 4.28 of this Order, no person shall remove the parking permit from the vehicle unless authorised to do so by the driver of the vehicle.

5. CONTRAVENTION AND PENALTY CHARGE

Contravention and non-compliance

5.1.(1) For the avoidance of doubt, and in addition to other paragraphs of this Order, a contravention of this Order shall be deemed to have occurred by a vehicle –

- (a) Being parked in a loading area during restricted hours without reasonable excuse;
- (b) Being parked without payment of the parking charge (as provided for in paragraph 4.2);
- (c) Being used in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited (as provided for in paragraph 6.3);
- (d) Being parked for longer than the maximum period permitted (as provided for in paragraph 2.7 and 4.9);

- (e) Being parked in a restricted area in a car park (as provided for in paragraph 2.2);
 - (f) Being parked after the expiry of paid for time (as provided for in paragraph 2.8);
 - (g) Being parked in a car park without clearly displaying a valid pay & display ticket (as provided for in paragraph 4.6);
 - (h) Being parked with additional payment made to extend the stay beyond time first purchased (as provided for in paragraph 2.7);
 - (i) Being parked in a permit bay without clearly displaying a valid permit (as provided for in paragraph 4.6);
 - (j) Being parked beyond the bay markings (as provided for in paragraph 2.55);
 - (k) Being parked in a disabled person's parking space without clearly displaying a valid disabled person's badge (as provided for in paragraph 2.49);
 - (l) If the vehicle parked exceeds maximum weight and/or height and/or length permitted in the area (as provided for in paragraph 2.33);
 - (m) Being re-parked within a specified time of leaving a bay or space in a car park (as provided for in paragraph 2.66);
 - (n) Being parked in a car park or area not designated for that class of vehicle (as provided for in paragraph 2.33);
 - (o) Being parked causing an obstruction (as provided for in paragraph 2.33);
 - (p) Being parked in car park when closed (as provided for in paragraph 3.1);
 - (q) Being parked in a pay & display car park without clearly displaying two valid pay and display tickets when required;
 - (r) Being parked in a parking place for a purpose other than the designated purpose for the parking place (as provided for in paragraphs 6.1, 6.2, 6.3, 6.4, 6.12, 6.14 or 6.15);
 - (s) Being parked with engine running where prohibited (as provided for in paragraph 6.2);
 - (t) Being parked in an electric vehicles' charging place during restricted hours without charging (as provided for in paragraph 3.6).
- (2) If a vehicle is left in a parking place in contravention of any paragraph of this Order where a penalty charge notice may be served or issued by a Civil Enforcement Officer or sent by post by the enforcement authority by virtue of the provisions of the 2004 Act or any Regulations made thereunder then a penalty charge in accordance with Band 2 of the aforesaid Regulations shall be payable and/or the vehicle may be removed from that location or parking place.
- (3) If a person (who may or may not be an individual but is conclusively presumed to be the registered keeper of any vehicle involved unless that person can prove otherwise) does not comply with any paragraph of this Order other than that covered by 5.1 then the person

responsible shall be guilty of an offence under Section 35 of the 1984 Act and/or any vehicle involved may be removed from that location or parking place.

Penalty charge notice

5.2. In the case of a vehicle in respect of which the penalty charge may have been incurred, it shall be the duty of a Civil Enforcement Officer to attach to the vehicle in a conspicuous position or serve or the enforcement authority send by post a notice in accordance with the provisions contained in the 2004 Act or any Regulations made thereunder.

Manner of payment of Penalty charge

5.3. The penalty charge shall be paid to the Council either by cheque, banker's draft, money order or postal order or other such electronic payment means as may be approved by the Council or by payment in cash in person in accordance with the instructions contained on the penalty charge notice;

Indications as evidence

5.4. The particulars given in the penalty charge notice attached to a vehicle or served by a Civil Enforcement Officer or sent by the enforcement authority in accordance with this part shall be treated as evidence in any proceedings relating to failure to pay such penalty charge.

Restriction on removal of a penalty charge notice

5.5. Where a penalty charge notice has been attached to a vehicle in accordance with any of the foregoing provisions of this Order, no person, not being the owner or person in charge of the vehicle, a person authorised by the driver of the vehicle, a Civil Enforcement Officer or some other person duly authorised by the Council shall remove the penalty charge notice from the vehicle unless authorised to do so by the owner or person in charge of the vehicle.

6. OTHER PROVISIONS

Tax and Insurance

6.1. The driver of a vehicle shall not permit that vehicle to wait in a parking place in the Schedule unless the vehicle is licensed in pursuance of the provisions of the Vehicle Excise and Registration Act 1994 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.

Stop engine

6.2. The driver of a motor 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.

Use of vehicle

6.3. Except with the written permission of the Council:

- (a) no person shall use a vehicle, while it is in a 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 their skill or services.
- (b) no person shall use any part of a parking place or any vehicle left in a parking place:
 - (i) for sleeping or camping or cooking; or
 - (ii) 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.

Not sound horn

6.4. 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.

Movement or removal of vehicle

6.5. If a vehicle is left in a parking place in a position other than in accordance with the provisions of Article 2, a person authorised by the Council in that behalf may alter or cause to be altered the position of the vehicle so that its position is in accordance with the said provisions.

6.6. If a vehicle is left in a parking place in contravention of any of the foregoing provisions of this Order a person authorised by the Council in that behalf may remove the vehicle from that parking place or arrange for such removal.

Emergency

6.7. For the purpose of meeting the requirements of an emergency, a person authorised in that behalf by the Council or a police constable in uniform may alter or cause to be altered the position of a vehicle in a parking place or remove or arrange for the removal of a vehicle from a parking place.

Method of movement or removal

6.8. Any person altering; or causing the alteration of, the position of a vehicle by virtue of paragraph 3 or 6.6 or removing, or causing the removal of, a vehicle by virtue of paragraphs 3 or 6.6, may do so by towing or driving the vehicle or in such other manner as he may think reasonably necessary to enable the position of the vehicle to be altered or the vehicle to be removed.

Safe keeping

6.9. Any person removing or arranging for the removal of a vehicle by virtue of paragraphs 3 or 6.6 shall make such arrangements as he considers to be reasonably necessary for the safety of the vehicle in the place to which it is removed. The Council shall be entitled to recover its reasonable expenses in accordance with the relevant legislation in the removal, storage and disposal of the vehicle from the keeper thereof.

Indications by Signs and Markings

6.10. 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

no person shall drive or permit to be driven any vehicle

- (i) so that it enters the parking place otherwise than by an entrance, or
- (ii) leaves the parking place otherwise than by an exit, so indicated, or
- (iii) in a direction other than so specified, or
- (iv) at a speed greater than that indicated, or
- (v) parks in a prohibited area delineated by lines, signs or cones.

6.11. The driver of a vehicle shall comply with any instruction given by a sign or surface marking authorised to be placed by the Council except that any person duly authorised by the Council may authorise or require the driver of any vehicle to take any action other than that specified.

Parking uses only

6.12. No person shall, except with the permission of a person authorised by the Council in that behalf, drive or permit to be driven any vehicle in a parking place for any purpose other than

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.

6.13. No person shall use a parking place as a means of passage proceeding from one road to another road except as may be permitted under Licence by this Order.

Operating Centre

6.14. No person shall use any part of a parking place as an "operating centre" within the meaning of section 7 of the Goods Vehicles (Licensing of Operators) Act 1995 (or any statutory modification or re-enactment thereof) under a goods vehicle operator license.

Further provisions

6.15. In a parking place, no person shall –

- (a) erect or cause or permit to be erected any tent, booth, stand, building or other structure, machine or device without the written consent of the Council; or
- (b) light or cause or permit to be lit any fire; or
- (c) deposit or otherwise leave any caravan, trailer, boat, or other object which is not attached to a vehicle, or
- (d) dispose of litter other than in any receptacle which may be provided by the Council for that purpose.
- (e) charge or replenish a fuel tank in any parking place;
- (f) drain any fuel or effluent tank either onto a parking place or into the drainage system or watercourse therein;
- (g) misuse or interfere with the use or enjoyment by others of any parking place nor obstruct any part of the structure, signage, stairways doors or walkways of any parking place;
- (h) smoke.

Nuisance

6.16. No person shall in a parking place play any game or do anything which is or may be a nuisance disturbance or annoyance to users of the parking place or residents of premises in the neighbourhood.

Advertising Leaflets, Etc

6.17. No person shall use any part of a parking place or any vehicle left in a parking place without the consent of the Council for the purposes of depositing or causing to be deposited

any advertisement handbills leaflets or circulars, or affix any advertising material to the fabric structure or equipment of any parking place nor any vehicle parked therein;

7. EXEMPTIONS

7.1. Nothing in this Order shall make it unlawful for:

(a) any vehicle used:

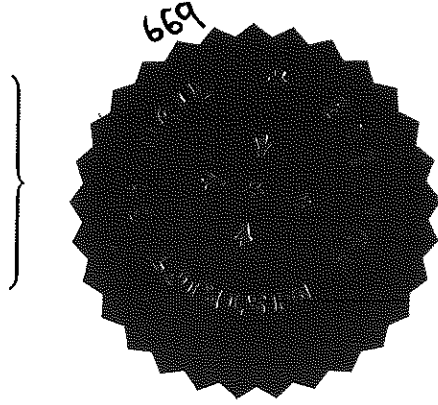
- (i) in connection with the patrol, repair and maintenance of parking places;
- (ii) in connection with any building, demolition or excavation operation in, or on land adjacent to, any the parking place;
- (iii) in connection with any emergency for police, ambulance and fire brigade or recovery purposes; or
- (iv) on behalf of or by a statutory undertaker, the Post Office, a water authority or any utility company and engaged upon the laying, erection, inspection, maintenance, alteration, repair, renewal or removal of any main, pipe, conduit, wire, cable or other apparatus for the supply of gas, water or electricity or of any telecommunications system, as defined in the Telecommunications Act 1984, or any sewer under, in, on, over, along or across a parking place;

to enter such parking places described in column 1 of the Schedule, and such vehicles left in a parking place for the aforesaid purposes shall be exempt from any limitation on waiting and from the payment of any charge specified in the Schedule.

- (b) any vehicle to enter any of the parking places described in column 1 of the Schedule for the purposes of gaining access to or egress from premises adjoining any such parking places; or
- (c) any vehicle to enter any parking place, on which the Council has placed a depositary for recyclable waste materials, for the purposes of delivering or collecting such materials; and provided that such a vehicle is not left in a parking bay and is not causing an obstruction it shall be exempt from any payment of any charge specified in the Schedule.

Given under the Common Seal of
Babergh District Council this
13th December 2022.

The COMMON SEAL of
BABERGH DISTRICT COUNCIL



was hereunto affixed in the presence of:

Member of Council

Authorised Officer

1. Areas of land authorised to be used as an off-street parking place	2. Position in which vehicles may wait	3. Classes of vehicle	4. Days of operation of parking place Hours of operation of parking place	5. Maximum period for which vehicles may wait	6. Charging days and charging hours	7. Scale of charges (except motor cycles)
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Car Parks in the East of the District

Chelmondiston Pin Mill Car Park Surface car park	Wholly within a parking bay	Motor cycle; Motor car; Invalid carriage; Light Van.	a. All days b. All hours	24 hours	Monday - Sunday 9 a.m. - 5 p.m. (inc Public Holidays)	Per hour (or part thereof) 30p
Hadleigh Railway Walk – North Surface car park	Wholly within a parking bay	Motor cycle; Motor car; Invalid carriage; Light Van.	a. All days b. All hours	24 hours	All days	
Hadleigh High Street Car Park Surface car park	Wholly within a parking bay	Motor cycle; Motor car; Invalid carriage; Light Van.	a. All days b. All hours	3 hours (no return within 4 hours)	Monday – Friday 8 a.m. – 5 p.m. Saturday 8 a.m. – 12 noon	Up to 3 hours or part thereof (must obtain ticket from machine) no charge Ticket not required on Sundays or Public Holidays
Hadleigh Magdalen Road Long Term Car Park Surface car park	Wholly within a parking bay	Motor cycle; Motor car; Invalid carriage; Light Van.	a. All days b. All hours	3 hours (no return within 4 hours)	Monday – Friday 8 a.m. – 5 p.m. Saturday 8 a.m. – 12 noon	Up to 3 hours or part thereof (must obtain ticket from machine) no charge Ticket not required on Sundays or Public Holidays
				72 hours	Monday – Friday 8 a.m. – 5 p.m. Saturday 8 a.m. – 12 noon	3-24 hours (day rate) £3.00 24-48 hours £6.00 48-72 hours £9.00
				24 hours inclusive	All days At all other times	No charge Ticket not required on Sundays or Public Holidays
				72 hours	All days at all times	Permit ('season ticket') Monthly £25.00 Quarterly £70.00 Annually £250.00
	Within an EV/PHEV bay	EV or PHEV	a. All days b. All hours	4 hours (no return)	Monday – Friday	Up to 3 hours or part thereof (must obtain ticket)

<p>Hadleigh Magdalen Road Short Term Car Park Surface car park</p>	<p>Wholly within a parking bay</p>	<p>Motor cycle; Motor car; Invalid carriage; Light Van.</p>	<p>a. All days b. All hours</p>	<p>within 4 hours)</p>	<p>8 a.m. – 5 p.m. Saturday 8 a.m. – 12 noon</p> <p>from machine) no charge, changes for parking applies from the 4th hour Ticket not required on Sundays or Public Holidays</p> <p>Note: Users of the charge point will be expected to pay for power at the rate set by the provider.</p>
<p>Hadleigh Maiden Way Car Park Surface car park</p>	<p>Wholly within a parking bay</p>	<p>Motor cycle; Motor car; Invalid carriage; Light Van.</p>	<p>a. All days b. All hours</p>	<p>3 hours (no return within 4 hours)</p>	<p>Monday – Friday 8 a.m. – 5 p.m. Saturday 8 a.m. – 12 noon</p> <p>Up to 3 hours or part thereof (must obtain ticket from machine) no charge Ticket not required on Sundays or Public Holidays</p> <p>No charge Ticket not required on Sundays or Public Holidays</p>
<p>Hadleigh Maiden Way Car Park Surface car park</p>	<p>Within an EV/PHEV bay</p>	<p>EV or PHEV</p>	<p>a. All days b. All hours</p>	<p>4 hours (no return within 4 hours)</p>	<p>Monday – Friday 8 a.m. – 5 p.m. Saturday 8 a.m. – 12 noon</p> <p>Up to 3 hours or part thereof (must obtain ticket from machine) no charge, charges for parking applies from the 4th hour Ticket not required on Sundays or Public Holidays</p> <p>Note: Users of the charge point will be expected to pay for power at the rate set by the provider.</p>
<p>Hadleigh Stonehouse Road Car Park Surface car park</p>	<p>Wholly within a parking bay</p>	<p>Motor cycle; Motor car; Invalid carriage; Light Van.</p>	<p>a. All days b. All hours</p>	<p>3 hours (no return within 4 hours)</p>	<p>Monday – Friday 8 a.m. – 5 p.m. Saturday 8 a.m. – 12 noon</p> <p>Up to 3 hours or part thereof (must obtain ticket from machine) no charge Ticket not required on Sundays or Public Holidays</p> <p>No charge Ticket not required on Sundays or Public Holidays</p>
<p>Hadleigh Stonehouse Road Car Park Surface car park</p>	<p>Within an EV/PHEV bay</p>	<p>EV or PHEV</p>	<p>a. All days b. All hours</p>	<p>24 hours</p>	<p>All days At all other times</p> <p>No charge Ticket not required on Sundays or Public Holidays</p>
<p>Hadleigh Stonehouse Road Car Park Surface car park</p>	<p>Wholly within a parking bay</p>	<p>Motor cycle; Motor car; Invalid carriage; Light Van.</p>	<p>a. All days b. All hours</p>	<p>24 hours</p>	<p>Monday – Saturday At all times</p> <p>Up to 3 hours or part thereof (must obtain ticket from machine) no charge Ticket not required on Sundays or Public Holidays</p> <p>Note: Users of the charge point will be expected to pay for power at the rate set by the provider.</p> <p>No charge</p>

Hadleigh Toppesfield Hall Car Park Surface car park	Wholly within a parking bay	Motor cycle; Motor car; Invalid carriage; Light Van.	a. All days; 24 hours b. 24 hours	3 hours (no return within 4 hours)	Monday – Friday 8 a.m. – 5 p.m. Saturday 8 a.m. – 12 noon	Up to 3 hours or part thereof (must obtain ticket from machine) no charge Ticket not required on Sundays or Public Holidays	
				24 hours	All days At all other times	No charge Ticket not required on Sundays or Public Holidays	

Car Parks in the West of the District

Lavenham The Cock Inn Car Park Surface car park	Wholly within a parking bay	Motor cycle; Motor car; Invalid carriage; Light Van.	a. All days b. All hours	24 hours	All days At all times	No charge
	Wholly within bays set aside for PSVs	Public Service Vehicle				
	Within an EV/PHEV bay	EV or PHEV		4 hours (no return within 4 hours)	All days At all times	EV or PHEV vehicles must be connected to the charging unit when parked in an EV or PHEV charging space. Note: Users of the charge point will be expected to pay for power at the rate set by the provider.
	Within an Blue Badge Bay	Motor car; Invalid carriage; Light Van.		24 hours	All days At all times	Blue Badge must clearly always be displayed when parked in a blue badge bay
Lavenham Prentice Street Car Park Surface car park	Wholly within a parking bay	Motor cycle; Motor car; Invalid carriage; Light Van.	a. All days b. All hours	24 hours	All days At all times	No charge
	Within an EV/PHEV bay	EV or PHEV	a. All days b. All hours	4 hours (no return within 4 hours)	All days At all times	Note: Users of the charge point will be expected to pay for power at the rate set by the provider.

Lavenham Water Street car park	Within an Blue Badge Bay	Motor car; Invalid carriage; Light Van.	a. All days b. All hours	24 hours	All days At all times	Blue Badge must clearly always be displayed when parked in a blue badge bay
	Wholly within a parking bay	Motor cycle; Motor car; Invalid carriage; Light Van. EV or PHEV	a. All days b. All hours	24 hours	All days At all times	No charge
Sudbury Ballingdon Street Car Park Surface car park	Within an EV/PHEV bay	EV or PHEV		12 hours	All days At all times	Note: Users of the charge point will be expected to pay for power at the rate set by the provider. The vehicle must be connected to the charging unit when parked in an EV charging space
	Within an Blue Badge Bay	Motor car Invalid carriage; Light Van.	a. All days b. All hours	24 hours	All days At all times	Blue Badge must be clearly displayed at all times when parked in a blue badge bay
	Wholly within a parking bay	Motor cycle; Motor car; Invalid carriage; Light Van.		24 hours	Monday – Sunday At all times	Blue Badge must clearly always be displayed when parked in a blue badge bay No charge
Sudbury Blackfriars (North) Car Park Surface car park	Wholly within a parking bay	Motor cycle; Motor car; Invalid carriage; Light Van.	a. All days b. All hours	24 hours	Monday – Sunday At all times	No charge
	Wholly within a parking bay	Motor cycle; Motor car; Invalid carriage; Light Van.		24 hours	Monday – Sunday At all times	No charge
Sudbury Blackfriars (South) Car Park Surface car park	Wholly within a parking bay	Motor cycle; Motor car; Invalid carriage; Light Van.	a. All days b. 24 hours	24 hours	All days At all other times	No charge Ticket not required on Sundays or Public Holidays
	Within an Blue Badge Bay	Motor car Invalid carriage; Light Van.	a. All days b. All hours	3 hours (no return within 4 hours)	Monday – Friday 8 a.m. – 5 p.m. Saturday 8 a.m. – 12 noon	Blue Badge and time clock must clearly always be displayed when parked in a blue badge bay
Sudbury Girling Street Car Park Surface car park	Wholly within a parking bay	Motor cycle; Motor car; Invalid carriage; Light Van. EV or PHEV		3 hours (no return within 4 hours)		Up to 3 hours or part thereof (must obtain ticket from machine) no charge Ticket not required on Sundays or Public Holidays
	Within an EV/PHEV bay	EV or PHEV		4 hours (no return within 4 hours)		Up to 3 hours or part thereof (must obtain ticket from machine) no charge, charges for parking applies from the 4 th hour. Ticket not required on Sundays or Public Holidays

Sudbury Great Eastern Road Car Park Surface car park (ROYS)	Wholly within a parking bay	Motor cycle; Motor car; Invalid carriage; Light Van.	a. All days b. All hours	3 hours (no return within 4 hours)	Monday – Friday 8 a.m. – 5 p.m. Saturday 8 a.m. – 12 noon	No charge Ticket not required on Sundays or Public Holidays	
	Within an EV/PHEV bay	EV or PHEV			Monday – Saturday At all times		Up to 3 hours or part thereof (must obtain ticket from machine) no charge Ticket not required on Sundays or Public Holidays
	Within an Blue Badge Bay	Motor car Invalid carriage; Light Van.			Monday – Friday 8 a.m. – 5 p.m. Saturday 8 a.m. – 12 noon		Note: Users of the charge point will be expected to pay for power at the rate set by the provider. Blue Badge and time clock must clearly be always displayed when parked in a blue badge bay.
Sudbury Quay lane	Wholly within a parking bay	Motor cycle; Motor car; Invalid carriage; Light Van.	a. All days b. All hours	24 hours	Monday – Sunday At all times	No charge	
	Within an Blue Badge Bay	Motor car Invalid carriage; Light Van.	a. All days b. All hours	24 hours	All days At all times	Blue Badge must clearly always be displayed when parked in a blue badge bay	
	Wholly within a parking bay	Motor cycle; Motor car; Invalid carriage; Light Van.				No charge	
Sudbury Mill Lane Car Park (Residents permit parking only)	Residents permit parking permit	Motor cycle; Motor car; Invalid carriage; Light Van.				Authorised residents using this car park must be a valid permit holder.	

Sudbury North Street Car Park Surface car park	Wholly within a parking bay	Motor cycle; Motor car; Invalid carriage; Light Van.	a. All days b. All hours	3 hours (no return within 4 hours)	Monday – Friday 8 a.m. – 5 p.m. Saturday 8 a.m. – 12 noon	Up to 3 hours or part thereof (must obtain ticket from machine) no charge Ticket not required on Sundays or Public Holidays
	Within an EV/PHEV bay	EV or PHEV		24 hours	All days At all other times	No charge Ticket not required on Sundays or Public Holidays
	Within an Blue Badge Bay	Motor car Invalid carriage; Light Van.		4 hours (no return within 4 hours)	Monday – Friday 8 a.m. – 5 p.m. Saturday 8 a.m. – 12 noon	Up to 3 hours or part thereof (must obtain ticket from machine) no charge, charges for parking applies from the 4 th hour Ticket not required on Sundays or Public Holidays Note: Users of the charge point will be expected to pay for power at the rate set by the provider. Blue Badge and time clock must clearly be always displayed when parked in a blue badge bay
Sudbury Station Road Car Park Surface car park (Also known as Kingfisher)	Wholly within a parking bay	Motor cycle; Motor car; Invalid carriage; Light Van.	a. All days b. All hours	72 hours	Monday – Friday 8 a.m. – 5 p.m.	3-24 hours (day rate) £3.00 24-48 hours £6.00 48-72 hours £9.00
				24 hours inclusive	All days At all other times	No charge Ticket not required on Sundays or Public Holidays
				72 hours	All days at all times	Permit ('season ticket') Monthly £25.00 Quarterly £70.00 Annually £250.00
				3 hours (no return)	Monday – Saturday At all times	Up to 3 hours or part thereof (must obtain ticket from machine) no charge

					within 4 hours)			Ticket not required on Sundays or Public Holidays
	Within an Blue Badge Bay	Motor car Invalid carriage; Light Van.			3 hours (no return within 4 hours)	Monday – Friday 8 a.m. – 5 p.m. Saturday 8 a.m. – 12 noon		Blue Badge and time clock must be clearly displayed at all times when parked in a blue badge bay
	Wholly within a dedicated parking bay	Heavy Goods Vehicles			24 hours	24 hours		No charge
	Within an EV/PHEV bay	EV or PHEV			3 hours (no return within 4 hours)	Monday – Saturday At all times		Up to 3 hours or part thereof (must obtain ticket from machine) no charge
								Ticket not required on Sundays or Public Holidays
								Note: Users of the charge point will be expected to pay for power at the rate set by the provider.
Sudbury Station Road Lorry Park Surface coach/lorry park	Wholly within a dedicated parking bay	Public Service Vehicles	a. All days b. All hours		24 hours	24 hours		No charge
		Heavy Goods Vehicles						
Sudbury Stour Street Car Park Surface car park	Within an Blue Badge Bay	Motor car Invalid carriage; Light Van.	a. All days b. All hours		24 hours	All days At all times		Blue Badge must be clearly displayed at all times when parked in a blue badge bay
	Wholly within a parking bay	Motor cycle; Motor car; Invalid carriage; Light Van.			24 hours	All days At all times		No charge
Sudbury The Station Car Park Surface car park	Wholly within a parking bay	Motor cycle; Motor car; Invalid carriage; Light Van.	a. All days b. All hours		3 hours (no return within 4 hours)	Monday – Friday 8 a.m. – 5 p.m.		Up to 3 hours or part thereof (must obtain ticket from machine) no charge
					72 hours	Monday – Friday 8 a.m. – 5 p.m.		Ticket not required on Sundays or Public Holidays
								3-24 hours (day rate) £3.00 24-48 hours £6.00 48-72 hours £9.00
					24 hours inclusive	All days At all other times		No charge
					72 hours	All days at all times		Ticket not required on Sundays or Public Holidays
								Permit ('season ticket')

Within an Blue Badge Bay	Motor car Invalid carriage; Light Van.		3 hours (no return within 4 hours)		Monday – Friday 8 a.m. – 5 p.m. Saturday 8 a.m. – 12 noon	Monthly £25.00 Quarterly £70.00 Annually £250.00
Taxi Bay	Licenced taxi	Unattended – 30mins. Attended - no maximum stay	All days at all times	No charge	Blue Badge and time clock must be clearly always displayed when parked in a blue badge bay	