

SANDWELL METROPOLITAN BOROUGH COUNCIL

GOVERNANCE SERVICES – LEGAL

SEALING OF DOCUMENTS

**The Borough Council of Sandwell (Off Street Parking Places Order
Subject Matter: No.1) (Sandwell Council House, Church Street, Oldbury) 2025**

Minute Number: Committee: Delegated Office Report signed by Executive Director of Place

General minute 8th November 2022 – minute no 125/22(1) -general delegated powers and 19th March 2024 minute no 40/24 - interim Changes to Scheme of Delegations

I certify the attached documents(s) for sealing / signature

I.Maybury

Case Officer signature

Have all recommendations in the report been implemented? Please state

Yes

Or confirm if not relevant

Case Officer signature

Date: 8th January 2025

File reference:

Principal Solicitor signature

Seal Number: _____

Delegated Decision Report

Subject:	The Borough Council of Sandwell (Off Street Parking Places Order) (Sandwell Council House, Church Street, Oldbury) 2024
Decision to be taken by:	Executive Director of Place Alan Lunt
Lead Director:	Executive Director of Place Alan Lunt
Lead Officer:	Assistant Director, Highway Services Mervyn Bartlett
Date of Decision:	

1 Recommendations

- 1.1 Approval be given to advertise The Borough Council of Sandwell (Off Street Parking Places Order) (Sandwell Council House, Church Street, Oldbury) 2024 as detailed in paragraph 1.2 and shown on drawing No. 41358 S/4 for statutory consultation.
- 1.2 Approval be given to introduce parking charges at Sandwell Council House, Church Street, Oldbury. The scale of charges to be set at the same rates as other car parks outside West Bromwich.

Church Street, Oldbury – Outside West Bromwich Charges

Monday – Saturday 8am – 6pm	2024	2025
Up to 30 minutes	30p	40p
Up to 1 hour	60p	70p
Up to 2 hours	£1.10	£1.20
Up to 3 hours	£1.60	£1.70
Up to 4 hours	£2.10	£2.20
All day	£4.50	£5.00



Season Tickets B - Outside West Bromwich

Nominated Days/ Week	Annual 2024	Annual 2025	Monthly 2024	Monthly 2025
1	£45	£50	£4.50	£5
2	£115	£125	£11.50	£12.50
3	£225	£250	£22.50	£25
4	£330	£350	£33	£35
5	£450	£500	£45	£50

- 1.3 That charges for Church Street, Oldbury be reviewed and updated in line with other Council car parks across the borough.
- 1.4 That charges for Councillor Permits are included in the Off Street Parking Places Order, currently set at £60 per year.
- 1.5 A reserved space would be provided for the Chief Executive Officer of Sandwell M.B.C.
- 1.6 Bays for blue badge holders, recharging electric vehicles, motorcycles and loading bays would be enforced.
- 1.7 The cost to make the Off Street Parking Order would be in the region of £6,000.
- 1.8 That the statutory process commences for making the Off-Street Parking Places Order for Sandwell Council House, Church Street, Oldbury. That any unresolved objections arising from the advertising of the proposals be reported to the Cabinet Member for Environment and Highways for a decision.
- 1.9 That the Director – Law and Governance and Monitoring Officer be authorised to undertake the necessary statutory procedures to bring the approved recommendations into effect.

2 Reasons for Recommendations

- 2.1 Off Street Parking Places Orders regulate parking controls on public car parks in Sandwell. The proposed Off Street Order will enable the Council to control parking and allow Civil Enforcement Officers to patrol and carry out enforcement duties. The car park has been subject to some mis-use, and the



proposed changes will therefore allow this to be addressed in a way that is consistent with other Council car parks.

- 2.2 At various times of the week, the car park is used by Councillors, Council staff and, with permission, certain members of the public, Council contractors and other occupiers of the Council House i.e., tenants. There are allocated spaces for Council vehicles and recharging electric vehicles. The car park will be for use by approved users only, and in the case of Council staff, this will be in line with the policy that restricts use of the car park to permanently employed senior managers. The proposed parking charges would be set at the same rate as other car parks outside West Bromwich town centre, as approved by Cabinet on 21st June 2023. Concessions in place for other Council car parks providing free parking every Saturday during the month of December shall not apply to Church Street car park, Oldbury. Free parking on a Saturday for Season Ticket holders shall only apply to approved users.
- 2.3 The parking charges for Church Street, Oldbury are to be reviewed in line with other car parks across the borough as approved by Cabinet on the 21st June 2023. This would include the increase in charges approved for 2025 and to review parking charges in 2025.
- 2.4 A report had previously been approved to proceed with the proposed Off Street Order for Church Street car park, Oldbury. The proposals were advertised 18th July 2024 – 9th August 2024. No objections were received. Members had made enquiries concerning the car park permit available to Councillors at a cost of £60 per year. It is proposed that this arrangement remains in place. The Off Street Parking Places Order needs to be advertised again to include the Councillor permit.
- 2.5 The Chief Executive Officer previously had an allocated space. It is now intended that the space is reserved for the use of the Chief Executive Officer or their representative.
- 2.6 Allocated bays for blue badge holders, recharging electric vehicles, motorcycles and loading bays would be enforced. At busy times use of the electric vehicle bays may be used by others to accommodate parking demand for Council meetings.
- 2.7 The cost of £6,000 involves making the Off Street Parking Places Order including advertising the proposals, signs and lining.









2.8 Making an Off Street Parking Places Order follows a statutory process. The proposals are advertised for a minimum of 21 days. Objections received during the advertising period, which cannot be resolved, are reported to the Cabinet Member for Environment and Highways for a decision.

2.9 Based on the Cabinet Members decision the Off Street Parking Places Order is:-

- sealed and becomes operational, or
- amendments are made to the proposals and if required further statutory consultation takes place, or
- the proposals are abandoned.

3 How does this deliver objectives of the Corporate Plan?

	Best start in life for children and young people: Improving car parking compliance through civil enforcement will increase safety, encourage active travel and contribute to improving residents' quality of life and air quality.
	People live well and age well: The effective management of parking and traffic contribute to safe and efficient roads for local people and visitors, and to the health benefits of sustainable active travel.
	Strong resilient communities: Successful communities needs access to jobs, services and facilities to enable them to remain healthy and vibrant. Appropriate parking provision and the management of traffic on the highway network are an important enabler of this.
	Quality homes in thriving neighbourhoods: Both new and existing residential developments rely on good quality access and links to shops, services and leisure facilities in order for them to be successful. Management of parking will help facilitate this.
	A strong and inclusive economy: The provision of a high quality, well managed highway network and car parks will reduce journey times and improve journey reliability for Sandwell business who rely on them to connect to their suppliers and customers.
	A connected and accessible Sandwell: The provision of a high quality, well managed highway network and parking is vital to enable Sandwell residents to access jobs, education and services both within and beyond the Borough's boundaries.



4 Context and Key Issues

4.1 Legal and Statutory Implications

- 4.1 Consultation to be carried in compliance with the statutory process required to introduce the above Off Street Parking Places Order. This will include –
- Adverts in local press
 - Notices in car parks for a minimum of 21 days
 - Notice placed on the Council Website
 - Notice sent to all statutory Undertakers
 - Notice sent to Ward Members.

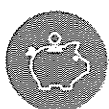
Unresolved objections will be considered by the Cabinet Member for Environment and Highways where a decision will be given to proceed as proposed, or proceed with minor modifications, or review the proposals and repeat the public consultation, or abandon the proposals.

5 Alternative Options

- 5.1 To leave the car park restrictions unenforced is not recommended as enforcement of parking could not take place by Civil Enforcement Officers employed by the Council. This has the potential to impact the safety and efficient use of the parking places.

6 Implications

Resources:	income generated from parking charges cover the cost of car park maintenance, operation and enforcement of car parks, car park lighting electricity charges, business and water rates.
Legal and Governance:	<p>Traffic Regulation Orders are made by the Highway Authority under the provisions of the Road Traffic Regulation Act 1984 that includes the permitted uses of income.</p> <p>The Council has powers under the Road Traffic (Permitted Parking Area and Special Parking Area) (Metropolitan Borough of Sandwell) order 2000, to carry out enforcement activities relating to parking contraventions within the Borough.</p> <p>The Road Traffic Regulation Act 1984 and the Local Authorities' Traffic Orders (Procedure) (England and</p>



	Wales) Regulations 1996, applies to parking in car parks and on street parking.
Risk:	<p>There are no direct risk implications resulting from the course of action recommended in this report that seek to provide a sustainable solution to parking demand and funding for the service in a way that promotes sustainable transport, active travel and mitigates the climate change emergency.</p> <p>The proposal has been discussed with Assets and it has been confirmed that this will not negatively impact on the re-alignment of FM Services and upgraded access provision for the car park (automated / access fob barrier system) that is being implemented to support both enhanced site security but also the delivery of service efficiencies/savings as part of the MTFS.</p>
Equality:	From initial inspection it is not believed that this decision discriminates against any protected characteristics. The requirements of the Equality Act 2010 are included in Policy to draw attention to the detail of, and the need to comply with, the Act.
Health and Wellbeing:	It is increasingly recognised that an appropriately managed and maintained and up to date sustainable transport provision is needed to support significant economic growth and the associated social well-being benefits. To maximise the benefits of economic investment programmes require balancing parking demand with supply in a way that encourage active travel and deliver 2030 ambitions. The greater activity levels associated with using sustainable transport options promote healthy lifestyles. The air quality benefits of sustainable transport and reductions in congestion also have health benefits.
Social Value	There are no implications for social value directly arising from this report.
Climate Change:	The recommendations seek to realign parking charges to support the objectives of Climate Change Policy, Carbon Reduction, Air Quality, sustainable transport choices, active travel and public health benefits. The recommendations are



	consistent with approved Council policy to support and facilitate Regional and National policy objectives.
Corporate Parenting	A public consultation would be undertaken to establish the views of all stakeholders and representations from all stakeholders will be set out in a future decision-making report to the Cabinet Member for Environment and Highways.

7. Appendices

None.

8. Background Papers

Cabinet report 21 June 2023 - Parking Charges Policy with Hybrid Working Benefits.

In accordance with the authority delegated to Chief Officers to act on matters within the authority delegated to them under Part 3 of the Council's Constitution, I intend to take the action(s) recommended above.

I do not have an interest to declare in this matter



Alan Lunt
Executive Director of Place

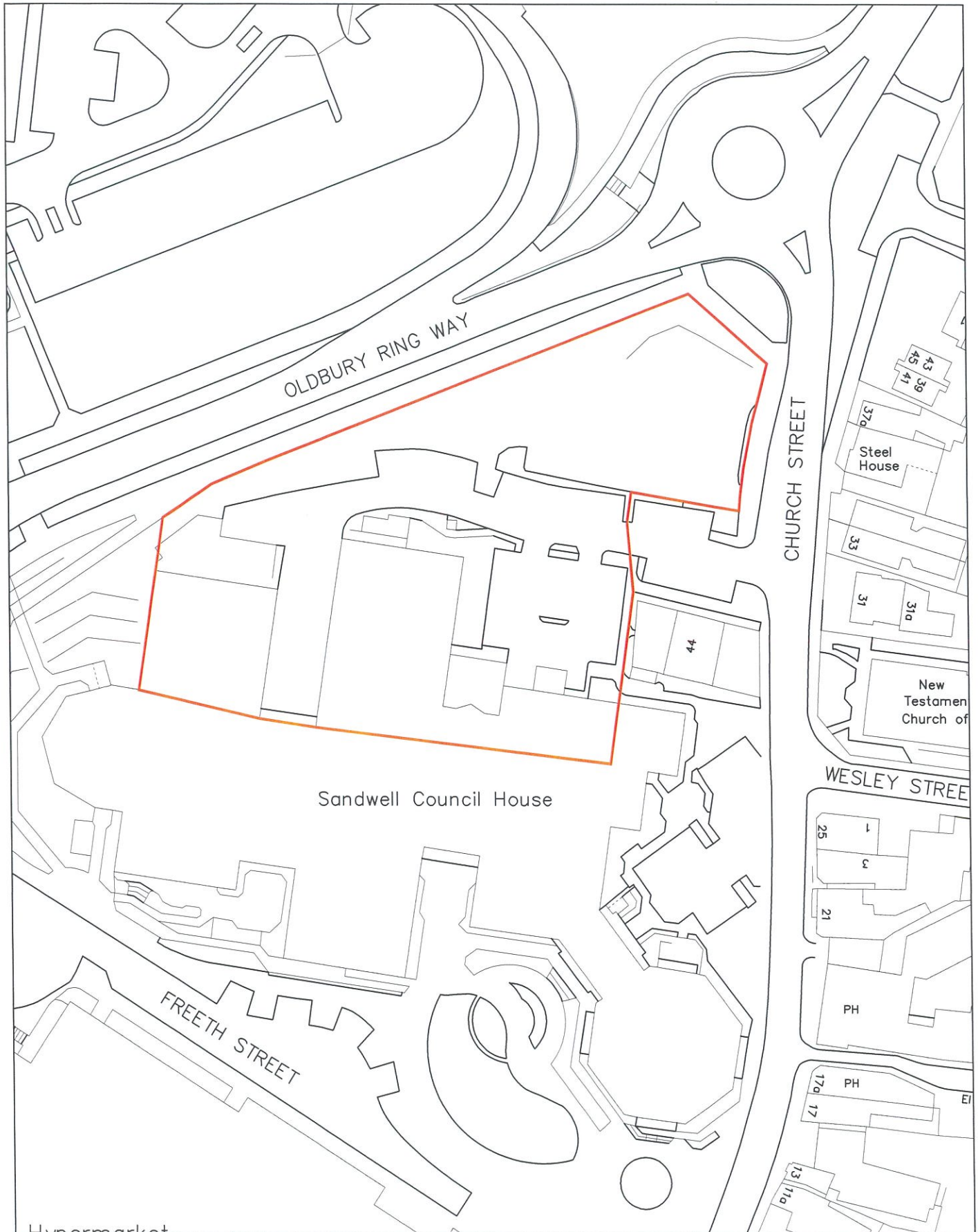
Date: 22 October 2024



Dated this 16th Day of January 2025

**THE BOROUGH COUNCIL OF SANDWELL
(Off Street Parking Places Order No .1)
(Sandwell Council House, Church Street, Oldbury) 2025**

**Service Manager - Legal Services
Sandwell Council House
Oldbury
West Midlands
B69 3DE**



HIGHWAYS SERVICES

Sandwell Council House, Freeth Street,
Oldbury, West Midlands, B69 3DE

Sandwell Council House Car Park,
Church Street, Oldbury



SCALE	N.T.S.
DATE	APRIL 2024
ISSUED BY	S.M.H.
DRAWING No	41358 S/4
DRAWN BY	N

SANDWELL METROPOLITAN BOROUGH COUNCIL

THE BOROUGH COUNCIL OF SANDWELL (OFF-STREET PARKING PLACES ORDER NO. 1) (SANDWELL COUNCIL HOUSE, CHURCH STREET, OLDBURY) 2025

The Borough Council of Sandwell (herein referred to as the "the Council") in exercise of its powers under Sections 32, 33, 35 and Schedule 9 of the Road Traffic Regulation Act 1984("the 1984 Act"), the Road Traffic Act 1991 ("the 1991 Act") and the Road Traffic (Permitted Parking Area and Special Parking Area) (Metropolitan Borough of Sandwell) Order 2000 and all other enabling powers and, after consulting with the Chief Officer of Police in accordance with paragraph 20 of Schedule 9 to the 1984 Act, hereby makes the following Order:-

PART I

GENERAL

1. Commencement and Citation

- 1.1 This Order shall come into operation on the 20th January 2025 and may be cited as The Borough Council of Sandwell (Off-Street Parking Places Order No. 1) (Sandwell Council House, Church Street, Oldbury) 2025.

2. Interpretation

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

'Approved User' means a Person Authorised by the Council to use the Parking Place.

"Cashless Payment" means a method of payment whereby the charge levied under the Council's tariff of charges (and any appropriate administration charge) is collected by the Service Provider, via an arranged account, with payment being made over the Telephone or Electronic Payment System (including via the internet) by credit or debit card or other means of secure authorised payment to allow the vehicle to be parked for the period of time for which payment has been made and available for use as a parking charge payment method where such facility is advertised and provided for in a Payment Parking Place and use of which is specified by notice in the Payment Parking Place;

"Chief Executive Officer" means the Chief Executive Officer of Sandwell Metropolitan Borough Council or their representative.

"Civil Enforcement Officer" means a Person Authorised by or on behalf of the Council to carry out any duties in relation to the Parking Places listed in Part II of this Order;

"Council" means Sandwell Metropolitan Borough Council;

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

"Disabled Person's Vehicle" means a vehicle displaying a valid Disabled Person's Badge in accordance with The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

"Driver" in relation to a Motor Vehicle waiting in a Parking Place, means the person driving the Motor Vehicle at the time it was left in the Parking Place;

"Electric Vehicle" means (i) a vehicle in which the electrical motive power is derived from an electrical storage battery which is not connected to any source of power when the vehicle is in motion and (ii) hybrid vehicles with a battery charged by connecting a lead to an electricity supply;

"Handheld Device" for the purpose of this Order, means a wireless handheld computer which is programmed to interface with the Telephone or Electronic Payment System for the purposes of verifying if parking charges have been paid in respect of specific vehicle registrations of vehicles waiting in any Parking Place;

"Loading" and "Unloading" means the delivery or collection of items or postal packets of any description, where vehicles are permitted to wait in part of the Parking Place set aside for the purpose of loading and unloading;

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

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

"Owner" in relation to a vehicle means the person by whom the vehicle was kept, which in the case of a vehicle registered under the Vehicle Excise and Registration Act 1994 (Section 22) is presumed (unless the contrary is proved) to be the person in whose name the vehicle is registered except that the meaning of "owner" shall have the meaning in Regulation 6 of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 in respect of a person who is served a penalty charge notice hiring a vehicle under a hiring agreement and the person hiring the vehicle had signed a statement of liability acknowledging his liability in respect of any parking contravention during the currency of the hiring agreement.

"Parking Disc" means the disc issued by the Local Authority complying with the requirements of Regulation 8(5) of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 and capable of showing the quarter hour period during which a period of waiting began.

"Parking Place" means each area of land specified by name in **Column 1** of **Schedule 2** to this Order;

"Parking Space" means a place authorised by this Order to be used as a Parking Place used for the parking of a single Motor Vehicle;

"Parking Ticket" means a ticket lawfully obtained from a Ticket Machine provided by the Council or through partnership for the issue of Parking Tickets appropriately dated and time stamped relating to Scale 1 of Schedule 1 of this Order;

"Payment Parking Place" means a Parking Place to which a payment for parking applies on leaving a vehicle in that Parking Place designated as such by this Order and where payment of the parking charge is made by means of a Ticket Machine or a Telephone or Electronic Payment System;

"Person Authorised" means an employee or Agent of the Council authorised to exercise all or any of the functions of the Council under this Order;

"Recharging Post" means a device designed for the recharging of Electric Vehicles;

"Registered Keeper" means the person who at the time of any contravention or non-compliance with this Order was the person in whose name the Motor Vehicle was registered with the Driver Vehicle Licensing Authority or its successor;

"Relevant Position" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 and means:-

I) A badge is displayed in the "Relevant Position" if –

- the badge is exhibited on the dashboard or fascia of the vehicle, or
- 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, in accordance with the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000, is clearly legible from the outside of the vehicle.

II) A Parking Disc is displayed in the "Relevant Position" if –

- the disc is exhibited on the dashboard or fascia of the vehicle, or
- where the vehicle is not fitted with a dashboard or fascia, the disc is exhibited in a conspicuous position on the vehicle,

so that, when marked to show the quarter-hour period during which a period of waiting began, that period is clearly legible from the outside of the vehicle.

"Season Ticket" means a hard copy Season Ticket or Virtual Season Ticket provided by the Council to park a Motor Vehicle relating to Scale 2 of Schedule 1 of this Order and issued by the Council under Clause 7.2 of this Order as -

- a) A hard copy Season Ticket produced on paper, card or similar issued by the Council;
- b) A Virtual Season Ticket

"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, Parking Place and the parking period in respect of which payment has been made using the Telephone or Electronic Payment System;

"Telephone or Electronic Payment System" means a system to facilitate and monitor the payment of the parking charge using the telephone or internet enabled device via communication with the Service Provider, in accordance with instructions indicated on signs located at or in the vicinity of each Parking Place;

"Ticket Machine" means a ticket issuing machine provided by the Council for the issue of Parking Tickets appropriately dated and time stamped and approved in accordance with Section 35(3) of the 1984 Act.

"Virtual Season Ticket" means an electronic record of a Season Ticket issued by the Council which indicates the vehicle registration mark, the period during which the Season Ticket is valid and the names of the Parking Places in respect of which the Season Ticket is valid.

- 2.2 Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

PART II

AUTHORISATION AND USE OF PARKING PLACES

3. Each of the Parking Places specified in Column 1 of Schedule 2 to this Order is authorised to be used subject to the following provisions of this Order, as a Parking Place for such Motor Vehicles, on such days and during such hours as are specified in relation to that Parking Place in Column 2 of Schedule 2 to this Order.

- 3.1 The operating hours specified in Column 2 of Schedule 2 to this Order for Parking Places specified in Column 1 of Schedule 2 to this Order shall not apply to part of a Parking Place marked by signs, lines, studs or other indications so as to indicate its provision as a Parking Space for a Motorcycle, a Disabled Persons Vehicle, an Electric Vehicle, a Loading bay or the Chief Executive Officer. A Parking Space for a Motorcycle, a Disabled Persons Vehicle, an Electric Vehicle, Loading bay or the Chief Executive Officer shall be in operation at all times.

- 3.2 The Parking Place specified in Column 1 of Schedule 2 shall be for use by Approved Users only.
4. The Driver of a Motor Vehicle shall not permit it to wait in such part of a Parking Place as is marked by signs, lines, studs or other indications so as to indicate its provision as a Parking Space for:-
- 4.1 a Motorcycle, unless the vehicle so permitted to wait is a Motorcycle without a sidecar attached thereto;
 - 4.2 a Disabled Persons Vehicle, unless the vehicle so permitted to wait is a vehicle which displays a valid Disabled Person's Badge in the vehicle in a conspicuous position facing forward at the front of the vehicle so that the information printed on the front of the badge is clearly visible to a person standing in front of the vehicle;
 - 4.3 a Season Ticket holder, unless the Motor Vehicle so permitted to wait is a Motor Vehicle which displays a valid Season Ticket in a conspicuous position at the front of the vehicle so that the information printed on the front of the permit is clearly visible to a person standing in front of the vehicle, or the Season Ticket holder has been granted a virtual ticket which exempts them from displaying a Season Ticket and is accessible on an electronic database approved by the Council using a Handheld Device.
 - 4.4 an Electric Vehicle, unless it is an Electric Vehicle left during the process of actively recharging with electricity via the recharging lead while connected to the Recharging Post relating to that Parking Place.
 - 4.5 Loading and Unloading, unless it is a vehicle waiting during the process of actively Loading or Unloading in connection with a trade or business at Sandwell Council House.
 - 4.6 the Chief Executive Officer, unless the Motor Vehicle so permitted to wait is a Motor Vehicle approved by the Chief Executive Officer which, if not belonging to the Chief Executive, displays a valid Season Ticket in a conspicuous position at the front of the vehicle so that the information printed on the front of the permit is clearly visible to a person standing in front of the vehicle, or the Season Ticket holder has been granted a virtual ticket which exempts them from displaying a Season Ticket and is accessible on an electronic database approved by the Council using a Handheld Device.
5. The Driver of a Motor Vehicle shall not permit it to wait in any Parking Place specified in Schedule 2 unless it is wholly within a marked Parking Space.
6. The Driver of a Motor Vehicle shall not permit it to wait in a Parking Place for longer than the maximum period for waiting as specified in Column 3 of Schedule 2 to this Order in relation to that Parking Place.

- 6.1 The maximum waiting period specified in Column 3 of Schedule 2 to this Order in relation to a Parking Place shall not apply to a Disabled Person's Vehicle, which displays a valid Disabled Person's Badge in the vehicle in a conspicuous position facing forward at the front of the vehicle so that the information printed on the front of the badge is clearly visible to a person standing in front of the vehicle. The maximum waiting period for a Disabled Person's Vehicle in relation to a Parking Place of this Order shall be 23 hours.
- 6.2 A further contravention shall be created if the Motor Vehicle remains in a Parking Place at the beginning of a period in which vehicles may be left there in pursuance of the Order and shall be treated as if it had been left there at the beginning of that period.

7. Payment Parking System

7.1 **Charges - All Motor Vehicles having more than 2 wheels**

- a. Subject as hereinafter provided, the Driver of a Motor Vehicle waiting in a Parking Place specified in Column 1 of Schedule 2 to this Order, between the hours as specified in Column 2 of Schedule 2 to this Order shall, on leaving the Motor Vehicle in that Parking Place, pay the daily charges specified in Column 5 of Schedule 2 to this Order, by the insertion of a coin or coins for the period required into the Ticket Machine or by any means prescribed by the Council, as advertised at that Parking Place.
- i. The **Scale 1** parking charges specified in **Schedule 1** to this Order shall not apply on a Saturday for Approved Users where a current valid Season Ticket or Virtual Season Ticket has been purchased relating to **Scale 2** charges specified in **Schedule 1** to this Order. All other charges and the waiting periods specified in **Column 3** of **Schedule 2** of this Order shall remain in force.

Display of Tickets

- b. Any Parking Ticket issued in receipt of payment of the charges referred to in Clause 7.1a, or a hard copy Season Ticket issued in accordance with Clause 7.2, shall be displayed in a conspicuous position in the Motor Vehicle in respect of which it was issued and shall continue to be displayed in such conspicuous position during the whole of the time that the Motor Vehicle remains in the Parking Place, so that it can be read by any Civil Enforcement Officer carrying out their normal enforcement duties, unless that Parking Ticket holder or Season Ticket holder has been granted a virtual ticket or Virtual Season Ticket issued in receipt of a Cashless Payment using the Telephone or Electronic Payment System which exempts them from displaying a Parking Ticket or Season Ticket and is accessible on an electronic database approved by the Council using a Handheld Device during the whole of the time that the Motor Vehicle remains in the Parking Place, so that it can be read by any Civil Enforcement Officer carrying out their normal enforcement duties.
- c. Where there is no functioning Ticket Machine at the Parking Place, where a valid pay and display ticket can be obtained and displayed, payment must be made by any other means prescribed by the Council as advertised at that Parking Place.
- d. **Restriction on Removal of Notices and Tickets**
 - i. Where a Parking Ticket obtained from a Ticket Machine has been displayed on a Motor Vehicle in accordance with the provision of Clause 7.1.b of this Order no person, not being the Driver of the Motor Vehicle, shall remove the Parking Ticket from the Motor Vehicle until the Motor Vehicle has left the Parking Place;
 - ii. Where a penalty charge notice has been attached to a Motor Vehicle no person, not being the Driver of the Motor Vehicle or a Person Authorised by the Council, shall remove the notice from the Motor Vehicle unless authorised to do so by the Driver.
- e. **Particulars given by Ticket Machines and Tickets as Evidence**

The particulars as to the time at which a Parking Ticket were obtained from the Ticket Machine or via the Telephone or Electronic Payment System provided specified on the Parking Ticket issued by the Ticket Machine or via the Telephone or Electronic Payment System and displayed or recorded on a Handheld Device in accordance with the provisions of Clause 7.1.b shall be evidence of the particulars so specified.
- f. **Transfer of Tickets**

No person shall use any Parking Ticket issued in respect of a Motor Vehicle left in a Parking Place in accordance with sub-paragraph (a) of this Article in relation to any other Motor Vehicle,

Season Tickets

- a. Where scale charges are defined in Column 6 of Schedule 2 to this Order in relation to a Parking Place specified in Column 1 of Schedule 2, Season Tickets or Virtual Season Tickets may be issued upon payment of the appropriate scale charge, at the discretion of the Council, for use in the specified Parking Place in respect of a Motor Vehicle having more than two wheels, between the hours specified in Column 2 of Schedule 2 to this Order.
- b. Nothing in Clauses 7.1 d ii shall apply to a vehicle which is parked in accordance with the provisions of Clause 7.1b by virtue of displaying a Season Ticket or having been granted a Virtual Season Ticket accessible on an electronic database approved by the Council using a Handheld Device issued in accordance with Clause 7.2.
- c. The Council reserve the absolute discretion to limit the number of Season Tickets or Virtual Season Tickets which may be issued for use in a Parking Place specified in Column 1 of Schedule 2, for the purpose of ensuring that adequate Parking Spaces are available for use by vehicles in respect of which a Season Ticket or Virtual Season Ticket has not been issued, or for the purpose of preventing the issue of a Season Ticket or Virtual Season Ticket in respect of a vehicle which is not being used in connection with the operation of a business or employment located within an area defined by the Council, or for any other purpose which the Council determines necessary to fulfil its parking policies.
- d. Refunds shall not be provided against redemption of Season Tickets or Virtual Season Tickets which relate to the scale of charges defined in Schedule 1 to this Order in relation to a Parking Place specified in Column 1 of Schedule 2 to this Order.
- e. The scale of charges for Season Tickets and Virtual Season Tickets defined in Schedule 1 to this Order relating to Electric Vehicles shall only apply to zero emission Electric Vehicles.
- f. Season Tickets and Virtual Season Tickets valid on nominated days of the week shall be issued on the basis of one Season Ticket or Virtual Season Ticket per vehicle. No further Season Tickets or Virtual Season Tickets shall be purchased for the same vehicle during the same period for the same area defined in Schedule 1 to this Order.

8. Disabled Person's Badge holders will be allowed to park free of charge in the Parking Place, where appropriate as specified in Schedule 2 to this Order, provided the Disabled Person's Badge is displayed as specified in Clause 4.2. Nothing in this Clause shall apply to a vehicle which is permitted to wait in such part of Parking Place as is marked by signs, lines, studs or other indications so as to indicate its provision as a Parking Space for a Motorcycle as specified in Clause 4.1 or a Loading bay specified in Clause 4.5.
9. The Driver of a Motor Vehicle using a Parking Place shall stop the engine as soon as the Motor Vehicle is in position in the Parking Place and shall not start the engine except when about to change the position of the Motor Vehicle in or to depart from the Parking Place.
10. The Driver of a Motor Vehicle using a Parking Place shall not sound any horn or other similar instrument except when about to change the position of the Motor Vehicle in or to depart from the Parking Place.
11. The Driver of a Motor Vehicle while it is waiting in a Parking Place shall not permit the carrying out of any work of maintenance or repair except such as may be necessary to enable the Motor Vehicle to be moved from the Parking Place or such minor maintenance work or running repairs as may be necessary for the efficient driving of the Motor Vehicle.

12. Selling or Offering for Hire, Skills or Services

12.1 Subject as hereinafter provided no person shall use a Motor 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 his skill(s) or services.

12.2 The Driver of a Motor Vehicle shall not offer the said Motor Vehicle for sale while it is waiting in a Parking Place.

13. The Driver of a caravan or Motor Vehicle whilst it is waiting in a Parking Place shall not use the caravan or Motor Vehicle for camping purposes or overnight sleeping.
14. The Council or a Person Authorised by the Council may suspend the use of a Parking Space or Parking Place as defined in clause 2 of this Order whenever such suspension is considered necessary:-
 - a. for the purpose of facilitating the movement of traffic or promoting its safety.
 - b. for works to be carried out to the Parking Place or Parking Space.
 - c. on any occasion on which it is likely by reason of a public event that the Parking Place or Parking Space should be suspended in order to promote its safety.

15. When a Motor Vehicle is left in a Parking Place in contravention of any of the provisions contained in Clause 4, Clause 5, Clause 6, Clause 12.2 or Clause 14 of this Order a Person Authorised in that behalf by the Council may remove the Motor Vehicle or arrange for it to be removed from that Parking Place.
16. Any person removing a Motor Vehicle in accordance with Clause 15 shall:-
- a. do so by towing or driving the Motor Vehicle or in such other manner as may be considered necessary, or;
 - b. take such measures in relation to the Motor Vehicle as are considered necessary to enable it to be removed or its position to be altered as appropriate.
17. When a Person Authorised by the Council removes or makes arrangements for the removal of a Motor Vehicle from a Parking Place by virtue of Clause 15 of this Order he shall make such arrangements as may be reasonably necessary for the safe custody of the Motor Vehicle.

PART III

SEIZE AND STORE MOTOR VEHICLES ABANDONED ON PARKING PLACES

18. The Council may as respects a Motor Vehicle which has been or could at any time be, removed from a Parking Place in pursuance of Clause 15 of this Order if it appears to them to have been abandoned, sell or otherwise dispose of the Motor Vehicle.
- Provided that the power of disposal conferred by this Article shall not be exercisable in the case of a Motor Vehicle unless there have been taken by the Council such of the following steps as are applicable to the Motor Vehicle and there has elapsed a period of six weeks beginning with the taking of the first of these steps.
19. (1) Subject to the provisions of Clause 25 of this Order, where a Motor Vehicle carries a registration mark issued under the Vehicles Excise and Registration Act 1994 the Council shall apply in writing to the Driver Vehicle Licensing Authority inquiring who it appears may be the Owner or Registered Keeper of the Motor Vehicle and the address of that person;
- (2) The first step for the purposes of the last and the next succeeding Clause shall be taken to be the sending of the notice mentioned in Clause 20.
20. The Council shall, where it is by virtue of the last preceding Clause is aware of the name and address of a person who it appears may be the Owner or Registered Keeper of the Motor Vehicle, send a notice to that person at that address stating that it is the intention of the Council to sell or otherwise dispose of the Motor Vehicle (which shall be sufficiently described in the notice) on or after a specified date (which shall not be less than two weeks from the date of the notice and in any event not earlier than six weeks from the date of the first step taken by the Council under this Part of this Order) unless it is in the meantime removed by or on behalf of that person from such place as may be specified by the Council in the said notice or from such other place as may be subsequently notified in writing by the Council to that person.

21. If any person to whom a notice is sent in accordance with the last preceding Clause informs the Council of the name and address of some other person who he alleges may be the Owner of the Motor Vehicle a notice stating the particulars mentioned in the last preceding Clause shall be sent to that other person and to any further person who the Council may in consequence of the sending of the notice to the said other person be led to believe may be the Owner of the Motor Vehicle.
22. Subject to the provision of Clause 25 of this Order, where a Motor Vehicle does not carry a registration mark issued under the Vehicles Excise and Registration Act 1994 the first step to be taken by a Council shall be to apply in writing to the Chief Officer of the police force in whose area is the Parking Place from which the Motor Vehicle has been or could at any time be, removed inquiring who that officer considers is the Owner of the Motor Vehicle and the address of that person.
23. If, after steps have been taken under the foregoing provisions of this part of this Order a Motor Vehicle is not claimed, the Council shall make such further (if any) as they consider reasonable as to who may be the Owner of the Motor Vehicle and the address of that person.
24. Where by virtue of Clauses 21 or 22 of this Order the Council is informed of the name and address of a person who it is considered may be the Owner of the Motor Vehicle Clauses 20 and 21 of this Order as respects the sending of notices shall apply in relation to that person at that address as they apply in relation to the person mentioned in the said Clause 20.
25. Nothing in the foregoing provisions in this part of this Order shall require the Council to take any such step as is therein mentioned for the purpose of inquiring who is the Owner of a Motor Vehicle to which Clause 17 of this Order applies if they have found a person who satisfies them that he is in fact the Owner of that Motor Vehicle and they have sent him at his address a notice containing the particulars specified in Clause 19 of this Order, the sending of the notice being treated as the first step for the purposes of that Clause and the said Clause 17.
26. Upon the sale of a Motor Vehicle by the Council it shall apply the proceeds of sale in satisfaction of any costs incurred by it in connection with the disposal thereof and towards any charge incurred to which the Council is entitled as regards the Motor Vehicle under Section 102 of the 1984 Act.
27. In the event of any such costs incurred by the Council in connection with the disposal of the Motor Vehicle not being satisfied by virtue of the last preceding Clause the Council may recoup those costs so far as not satisfied from the person who was the last Owner of the Motor Vehicle before it was removed from the Parking Place either in pursuance of Clause 15 of this Order or after it had been disposed of by virtue of the power of disposal conferred by this Order if that person was sent by the Council a notice under the foregoing provisions of this part of this Order stating the particulars mentioned in Clause 19 of this Order.

28. Any sums received by the Council on sale of the Motor Vehicle after deducting any sum applied therein by virtue of Clause 25 of this Order shall be payable within a period of one year from the date of the sale of the Motor Vehicle to any person to whom but for such sale the Motor Vehicle would have belonged and in so far as any such sums are not claimed within the said period they shall be paid into the general rate fund of the Council.
29. Where under the foregoing provisions of this part of this Order a notice is required to be or may be sent to a person the notice shall be sent by registered post or by recorded delivery service.

SCHEDULE 1

Scale	Car Park / Type	Charges				
1	Outside West Bromwich	Up to 30 minutes	Up to 1 hour	Up to 2 hours	Up to 3 hours	Up to 4 hours
	Long Stay Car Parks - Pay and Display 2024	30p	60p	£1.10	£1.60	£2.10
		All day £4.50				
	Long Stay Car Parks - Pay and Display 2025	40p	70p	£1.20	£1.70	£2.20
		All day £5.00				
2	Season Tickets (B) Outside West Bromwich Number of Nominated Days per Week	1 Day	2 Days	3 Days	4 Days	5 Days
	1 Month Season Tickets 2024	£4.50	£11.50	£22.50	£33.00	£45.00
	12 Month Season Tickets 2024	£45.00	£115.00	£225.00	£330.00	£450.00
	1 Month Season Ticket - Electric Vehicle 2024	£2.25	£5.75	£11.25	£16.50	£22.50
	12 Month Season Ticket - Electric Vehicle 2024	£22.50	£57.50	£112.50	£165.00	£225.00
	1 Month Season Tickets 2025	£5.00	£12.50	£25.00	£35.00	£50.00
	12 Month Season Tickets 2025	£50.00	£125.00	£250.00	£350.00	£500.00
	1 Month Season Ticket - Electric Vehicle 2025	£2.50	£6.25	£12.50	£17.50	£25.00
	12 Month Season Ticket - Electric Vehicle 2025	£25.00	£62.50	£125.00	£175.00	£250.00
3	Approved User Councillor Permit	12 Months - £60				

SCHEDULE 2

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Name and Location of Parking Place	Hours of Operation of Parking Place	Max. Period for which vehicles may wait	No return within	Scale of Charges for Payment	Scale of Charges for Season Tickets and Virtual Season Tickets	Class of Vehicle (height of vehicle in metres)
Sandwell Council House, Church Street, Oldbury	8am - 6pm Monday to Saturday (inclusive)	23 hours	N/A	Scale 1	Scale 2 Scale 3	2.3

THE COMMON SEAL of)
THE BOROUGH COUNCIL OF SANDWELL)
was hereunto affixed)
this 16th day of January 2025)
in the presence of:-)

FDavis

LEGAL MANAGER
(Authorised Signatory)



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