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**BOROUGH OF TORBAY**

**(OFF STREET PARKING PLACES) AMENDMENT ORDER No.2 2025**

**Statement of Reasons**

The proposals in this Order are to provide provision for ambulance bays, Changing Places bays, and 30 minutes maximum stay bays for disabled persons badge holders, across all of Torbay Councils off street parking places.

Documents giving more details particulars of all of the proposed changes are shown on plans on deposit.

**Notice of Proposals**

**Borough of Torbay**

(Off Street Parking Places) Amendment Order No2 2025

Torbay Council proposes to make the above Order under the relevant provisions of the Road Traffic Regulation Act 1984, the effect of which would be to amend the existing measures in the “Borough of Torbay (Off Street Parking Places) Order 2025”, as follows:-

**Use of electric vehicle charging bays**

Article 6(1) of this Order allows provision of spaces specific to use of ambulances only within Torbay Council off street parking places.

**Use of electric vehicle charging bays**

Article 6(2) of this Order allows provision of spaces specific to the use of Changing Places facilities within Torbay Council off street parking places.

**Use of electric vehicle charging bays**

Article 6(3) of this Order allows provision of spaces specific to use of disabled persons’ badge holders only, with a maximum stay of 30 minutes, within Torbay Council off street parking places.

Documents giving more detailed particulars of the Order may be inspected between 9:00am and 5:00pm each working day on the self-service computers at the Torbay Council Connections Office, Paignton Library and Information Centre, Great Western Road, Paignton, TQ3 3HZ. The documentation may also be viewed online at the following web address: [www.torbay.gov.uk/parking/tro/off-street-tros/](http://www.torbay.gov.uk/proposedtros)

All objections and representations relating to the Order must be submitted in writing to the address given below, or via email at parking@torbay.gov.uk to arrive no later than Wednesday 6th August 2025 and all objections must state the grounds on which they are made.

|  |  |
| --- | --- |
| Date: Thursday 17th July 2025Parking ServicesTorbay CouncilTown Hall, Castle CircusTORQUAY TQ1 3DR | A black text on a white background  AI-generated content may be incorrect. |

**DATED:** **2025**

**BOROUGH OF TORBAY**

**(OFF STREET PARKING PLACES)**

**AMENDMENT ORDER No2 2025**

**Anne-Marie Bond**

**Chief Executive**

**Torbay Council**

**Town Hall**

**Torquay**

**TQ1 3DR**

**Off Street Order.**

**BOROUGH OF TORBAY,**

**(OFF STREET PARKING PLACES)**

**AMENDMENT ORDER No2 2025**

The Council of the Borough of Torbay (“the Council”) in exercise of its powers under Sections 32, 33 and 35 of the Road Traffic Regulation Act 1984 (“the 1984 Act”) as amended by the Parking Act 1989 and the Traffic Management Act 2004 and of all other enabling powers with the consent of the County Council of Devon in accordance with Section 39(3) of the 1984 Act and after consulting with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act hereby makes the following Order:-

**Part I**

1. This Order shall come into operation on and may be cited as “Borough of Torbay (Off Street Parking Places) Order Amendment Order No2 2025”.

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

“ambulance” has the same meaning as Schedule 2, paragraph 6(2), of the Vehicle Excise and Registration Act 1994;

“car park permit” shall mean any season ticket issued for a period not exceeding one year and expiring at any time;

“civil enforcement officer” means a person authorised by or on behalf of the Council to supervise any parking place;

“changing places” means changing facilities within an off street parking place that are provided for the use of disabled blue badge holders, and may provide dedicated parking spaces for these users only;

“mobile telephone parking” means the purchase of a period of parking for one specific vehicle registration number via a mobile telephone to facilitate a cashless and ticketless parking transaction;

“motor car” has the same meaning as in Section 136 of the Act;

“motorcycle” and “invalid carriage” have the same meaning respectively as in Section 136 of the Act;

“parking bay” means a space in a parking place which is provided for the leaving of a vehicle;

“parking place” means any area of land provided in pursuance of Section 32 and 33 of the 1984 Act for use as a parking place and as specified in the Schedules or in any amending Order for the time being in force and shall include approach roads, footpaths, footways, verges (including flower beds) and grassed areas not forming part of the adopted highway and for the purpose of avoidance of doubt, the area of land comprised within a parking place shall be as shown on any plan attached to this Order and the said plan or plans shall in any proceedings be conclusive evidence as to the areas of land so comprised and shall include parking places at which a pay and display machine is installed;

“pay and display machine” means an apparatus of a type and design approved by the Secretary of State for Transport for the purpose of this Order being apparatus designed to indicate the time by a clock and to issue numbered tickets indicating the payment of a charge, the period in respect of which it has been paid, the vehicle registration number noted by the user at the time of purchase, the day and time at which the charge was paid, or the expiry time of the period paid for;

“pay and display ticket” means a ticket issued by a pay and display machine;

“payment machine” means an apparatus in a pay on exit parking place where the user is required to input their vehicle registration number into the machine and then pay a parking charge dependant on the amount of time their vehicle has remained in the parking place;

“permitted hours” means the hours specified for charging purposes in the Schedules to this Order in respect of any parking place and are the hours during which a parking charge shall be paid for the leaving of a vehicle in that parking place;

“printing vehicle” means a vehicle nominated by Torbay Councils ‘Printing Manager’;

“telecommunication apparatus” has the same meaning as defined in Section 4(3) of the Telecommunications Act 1984;

“traffic sign” means a sign of any size, colour and type prescribed or authorised under or having effect as though prescribed or authorised under, section 64 of the Act;

“virtual permit” means an electronic permit purchased via Parking Services’ Permit Portal where the specified vehicle registration number is held on record with no hard copy permit needing to be displayed in the vehicle;

(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 2

## Designation of Parking Places

4. Each area which is specified in Schedules 1 to 3 of this Order is designated as a parking place.

**Vehicles for which Parking Places are Designated.**

5. Each parking place may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles as are motor cars, motorcycles, or motor homes, provided that they are parked within a relevant bay to their class of vehicle, and in accordance with the Articles of this Order.

**Provision of Parking Spaces within Parking Places**

6. (1) In any parking place a parking bay(s) may be set aside for use by ambulances only, and no other class of vehicle shall park in such bays or spaces set aside for ambulances.

 (2) In any Parking Place a parking bay(s) may be set aside for use only by customers using the Changing Places facilities –

(a) provided that the vehicle is displaying in the relevant position a disabled person’s badge and a parking disc (on which the driver or other person in charge of the vehicle has marked the time at which the period of waiting began), at all times when parked in a Changing Places space;

(b) provided that the parking charge has been paid for that Parking Place and displayed in accordance with the conditions of use for that Parking Place; and

(c) to park for a maximum period of 30 minutes, with no return to the same Parking Place within 1 hour of leaving.

(3) No person shall cause or permit any vehicle, other than a vehicle displaying in the relevant position a disabled person’s badge and a parking disc (on which the driver or other person in charge of the vehicle has marked the time at which the period of waiting began), to wait for a longer period than 30 minutes, in any marked disabled persons’ badge holder only parking bay in any Parking Place;

**Contravention in a Parking Place**

7. If a vehicle is left in a parking place during the charging hours without complying with the provisions of this Order, then a contravention shall be deemed to have occurred, and a penalty charge shall be payable. A penalty charge notice showing the information required by the Traffic Management Act 2004 may then be issued by a civil enforcement officer in accordance with the requirements of that Act.

8. (1) When a penalty charge notice has been issued in respect of a vehicle in accordance with the provisions of Article 7 of this Order, no person not being the driver of the vehicle, a civil enforcement officer or a person duly authorised by the Council shall remove the notice from the vehicle.

(2) When a ticket or permit has been exhibited on a vehicle in accordance with the provisions of Article 6 of this Order no person shall remove the ticket or permit from the vehicle until the vehicle has been removed from the parking place.

**Manner of Payment of the Penalty Charge**

9. (1) The Penalty charge notice shall be paid to the Council in accordance with the instructions indicated on the penalty charge notice, either –

1. by cheque or postal order, which shall be delivered or sent by post to the address indicated in the penalty charge notice; or
2. by any other acceptable means which is agreed by the Council or authorised agent and the person or persons paying the penalty charge.

(2) The penalty charge must be paid to the Council before the end of twenty-eight days beginning with the date of the penalty charge notice.

(3) If the penalty charge is paid to the Council before the end of a period of fourteen days beginning with the date of the penalty charge notice, the amount of the penalty charge shall be reduced in accordance with the provisions of the Traffic Management Act 2004.

(4) For the purposes of this Article the penalty charge shall be taken to be paid when it is received at the office at the address indicated on the penalty charge notice and if the end of the period of twenty-eight days specified in paragraph(2) of this Article or the end of the period of fourteen days specified in paragraph(3) of this Article falls upon a day the said office is closed, the period within which the payment of the penalty charge shall be made shall be extended until the time at which the said office closes on the next full day on which that office is open.

**No Additional Coins to be inserted after Payment of Initial Charge**

10. No person shall insert in a pay and display machine relating to the parking bay in which a vehicle is left any coins additional to those inserted by way of payment of the initial charge in respect of that vehicle.

**Manner of Standing in Parking Places**

11. Every vehicle left in a parking place shall so stand so that every part of the vehicle is within the limits of a marked parking bay which shall be the appropriate bay in relation to the type of vehicle;

**Tickets As Evidence**

12. For the purposes of Section 35(3)-(5) of the 1984 Act any indication of date and time printed on a ticket issued by a ticket machine shall, unless the contrary is proved, be conclusive of the date of and the time at which such ticket was purchased.

DATED the day of 2025

THE COMMON SEAL of )

The Council of )

The Borough of Torbay was )

Hereunto affixed in the presence of:

Proper Authorised Signatory.

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**Schedule 1: Zone 1 Parking Places**

**Brixham Paignton Torquay**

Brixham Central (2) Churchward Road Brunswick Square

 Crown & Anchor Chilcote Close

 Great Western (2) Lower Union Lane multi-storey

 Preston Gardens Lower Union Lane Shoppers (3)

 Station Lane (1) Lymington Road Coach Station

 Victoria Melville Street

 St Marychurch

 Town Hall

 Union Square

(1) Long stay car park that also has a section of short stay parking with a maximum stay of 60 minutes (applicable to all users).

(2) Short stay car park with a maximum stay of 3 hours, no return within 1 hour (applicable to all users, daily between 7am and 6pm).

(3) Short stay car park with a maximum stay of 1 hour, no return within 1 hour (applicable to all users, daily between 7am and 6pm).

**Schedule 2: Zone 2 Parking Places**

**Brixham Paignton Torquay**

Freshwater Clennon Valley Hampton Avenue

Oxen Cove Roundham (1) Harbour

 Meadfoot Road

 Princes Street

 Shedden Hill

 Torre Valley (1)

 Walls Hill

(1) Winter parking charges in operation during the period 1st November to 20th March (dates inclusive).

**Schedule 3: Zone 3 Parking Places**

**Brixham Paignton Torquay**

Breakwater (2) Broadsands (2) Abbey Park

 Cliff Park Road (2) Beacon Quay

 Colin Road Kilmorie (2)

 Goodrington (1) Meadfoot Beach (2)

 Quay West

 Youngs Park

(1) Short stay car park with a maximum stay of 3 hours, no return within 1 hour (applicable to all users, daily between 7am and 6pm).

(2) Winter parking charges in operation during the period 1st November to 20th March (dates inclusive).

**Schedule 4 – Tariff Tables for Zone 1 Off Street Parking Places listed in Schedule 1 (charges apply 7am to midnight)**

**Brixham**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Car Park | Up to 30 minutes | Up to 1 hour | Up to 2 hours | Up to 3 hours | Overnight (available 6pm to midnight) |
| Brixham Central Car Park **1** | £0.90 | £1.60 | £2.80 | £4.00 | £4.90 |

**1** – Maximum stay of 3 hours permitted during the period 7am to 6pm every day.

**Paignton**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Car Park | Up to 1 hour | Up to 2 hours | Up to 3 hours | Up to 4 hours | Up to 17 hours | Overnight (available 6pm to midnight) |
| Churchward Road Car Park | £1.60 | £2.80 | £4.00 | £5.10 | £9.40 | n/a |
| Crown & Anchor Car Park | £1.60 | £2.80 | £4.00 | £5.10 | £9.40 | n/a |
| Great Western Car Park **1** | £1.60 | £2.80 | £4.00 | n/a | n/a | £4.90 |
| Preston Gardens Car Park | £1.60 | £2.80 | £4.00 | £5.10 | £9.40 | n/a |
| Station Lane Car Park **2** | £1.60 | £2.80 | £4.00 | £5.10 | £9.40 | n/a |
| Victoria Car Park **4** | £1.60 | £2.80 | £4.00 | £5.10 | £9.40 | n/a |

**1** – Maximum stay of 3 hours permitted during the period 7am to 6pm every day.

**2** – Long stay car park also has a section of parking bays that allow a maximum stay of 60 minutes.

**4** – Event Tariff charges apply on 1st and 2nd June, these charges are listed at end of this Schedule.

**Torquay**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Car Park | Up to 1 hour | Up to 2 hours | Up to 3 hours | Up to 4 hours | Up to 17 hours | Overnight (available 6pm to midnight) |
| Brunswick Square Car Park | £1.60 | £2.80 | £4.00 | £5.10 | £9.40 | n/a |
| Chilcote Close Car Park | £1.60 | £2.80 | £4.00 | £5.10 | £9.40 | n/a |
| Lower Union Lane Multi Storey Car Park | £1.60 | £2.80 | £4.00 | £5.10 | £9.40 | n/a |
| Lower Union Lane Shoppers Car Park **3** | £1.60 | n/a | n/a | n/a | n/a | £4.90 |
| Lymington Road Coach Station Car Park | £1.60 | £2.80 | £4.00 | £5.10 | £9.40 | n/a |
| Melville Street Car Park | £1.60 | £2.80 | £4.00 | £5.10 | £9.40 | n/a |
| St Marychurch Car Park | £1.60 | £2.80 | £4.00 | £5.10 | £9.40 | n/a |
| Town Hall Car Park | £1.60 | £2.80 | £4.00 | £5.10 | £9.40 | n/a |
| Union Square Car Park | £1.60 | £2.80 | £4.00 | £5.10 | £9.40 | n/a |

**3** – Maximum stay of 1 hour permitted during the period 7am to 6pm every day.

**Event Tariff (only available on 1st and 2nd June) – the above charges apply outside of this period**

|  |  |
| --- | --- |
| Car Park | One day |
| Victoria Car Park **5** | £30.00 |

**5** – Pre-booked parking only, pay and display parking not available for commercial vehicles on event dates. Parking valid for one full calendar day, which is specified at time of booking.

**Schedule 5 – Tariff Tables for Zone 2 Off Street Parking Places listed in Schedule 2 (charges apply 7am to midnight)**

**Brixham**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Car Park | Up to 1 hour | Up to 2 hours | Up to 3 hours | Up to 4 hours | Up to 17 hours |
| Freshwater Car Park | £1.70 | £2.90 | £4.10 | £5.30 | £10.10 |
| Oxen Cove Car Park | £1.70 | £2.90 | £4.10 | £5.30 | £10.10 |

**Paignton**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Car Park | Up to 1 hour | Up to 2 hours | Up to 3 hours | Up to 4 hours | Up to 17 hours |
| Clennon Valley Car Park | £1.70 | £2.90 | £4.10 | £5.30 | £10.10 |
| Roundham Car Park **1, 2** | £1.70 | £2.90 | £4.10 | £5.30 | £10.10 |

**1** – Winter parking charges apply during the period 1st November to 20th March (dates inclusive), these charges are listed at end of this Schedule.

**2** – Event Tariff charges apply on 1st and 2nd June, these charges are listed at end of this Schedule.

**Torquay**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Car Park | Up to 1 hour | Up to 2 hours | Up to 3 hours | Up to 4 hours | Up to 17 hours |
| Hampton Avenue Car Park | £1.70 | £2.90 | £4.10 | £5.30 | £10.10 |
| Harbour Car Park | £1.70 | £2.90 | £4.10 | £5.30 | £10.10 |
| Meadfoot Road Car Park | £1.70 | £2.90 | £4.10 | £5.30 | £10.10 |
| Princes Street Car Park | £1.70 | £2.90 | £4.10 | £5.30 | £10.10 |
| Shedden Hill Car Park | £1.70 | £2.90 | £4.10 | £5.30 | £10.10 |
| Torre Valley Car Park **1** | £1.70 | £2.90 | £4.10 | £5.30 | £10.10 |
| Walls Hill Car Park | £1.70 | £2.90 | £4.10 | £5.30 | £10.10 |

**1** – Winter parking charges apply during the period 1st November to 20th March (dates inclusive), these charges are listed at end of this Schedule.

**Winter Tariff (only available during the period 1st November to 20th March – dates inclusive) – the above charges apply outside of this period**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Car Park | Up to 1 hour | Up to 2 hours | Up to 4 hours | Up to 17 hours |
| Roundham Car Park | £1.00 | £1.40 | £2.30 | £3.40 |
| Torre Valley Car Park | £1.00 | £1.40 | £2.30 | £3.40 |

**Event Tariff (only available on 1st and 2nd June) – the above charges apply outside of this period**

|  |  |
| --- | --- |
| Car Park | One day |
| Roundham Car Park **3** | £30.00 |

**3** – Pre-booked parking only, pay and display parking not available for commercial vehicles on event dates. Parking valid for one full calendar day, which is specified at time of booking.

**Schedule 6 – Tariff Tables for Zone 3 Off Street Parking Places listed in Schedule 3 (charges apply 7am to midnight)**

**Brixham**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Car Park | Up to 1 hour | Up to 2 hours | Up to 3 hours | Up to 4 hours | Up to 17 hours |
| Breakwater Car Park **1** | £1.80 | £3.10 | £4.50 | £5.60 | £10.70 |

**1** – Winter parking charges apply during the period 1st November to 20th March (dates inclusive), these charges are listed at end of this Schedule.

**Paignton**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Car Park | Up to 1 hour | Up to 2 hours | Up to 3 hours | Up to 4 hours | Up to 17 hours | Overnight (available 6pm to midnight) |
| Broadsands Car Park **1** | £1.80 | £3.10 | £4.50 | £5.60 | £10.70 | n/a |
| Cliff Park Road Car Park **1** | £1.80 | £3.10 | £4.50 | £5.60 | £10.70 | n/a |
| Colin Road Car Park **3** | n/a | £3.10 | £4.50 | £5.60 | £10.70 | n/a |
| Goodrington **2** | n/a | £3.10 | £4.50 | n/a | n/a | £5.00 |
| Quaywest Car Park **3** | n/a | £3.10 | £4.50 | £5.60 | £10.70 | n/a |
| Youngs Park Car Park | n/a | £3.10 | £4.50 | £5.60 | £10.70 | n/a |

**1** – Winter parking charges apply during the period 1st November to 20th March (dates inclusive), these charges are listed at end of Schedule 7.

**2** – Maximum stay of 3 hours permitted during the period 7am to 6pm every day.

**3** – Event Tariff charges apply on 1st and 2nd June, these charges are listed at end of this Schedule.

**Torquay**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Car Park | Up to 1 hour | Up to 2 hours | Up to 3 hours | Up to 4 hours | Up to 17 hours |
| Abbey Park Car Park | n/a | £3.10 | £4.50 | £5.60 | £10.70 |
| Beacon Quay Car Park | n/a | £3.10 | £4.50 | £5.60 | £10.70 |
| Kilmorie Car Park **1** | £1.80 | £3.10 | £4.50 | £5.60 | £10.70 |
| Meadfoot Beach Car Park **1** | £1.80 | £3.10 | £4.50 | £5.60 | £10.70 |

**1** – Winter parking charges apply during the period 1st November to 20th March (dates inclusive), these charges are listed at end of this Schedule.

**Winter Tariff (only available during the period 1st November to 20th March – dates inclusive) – the above charges apply outside of this period**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Car Park | Up to 1 hour | Up to 2 hours | Up to 4 hours | Up to 17 hours |
| Breakwater | £1.00 | £1.40 | £2.30 | £3.40 |
| Broadsands | £1.00 | £1.40 | £2.30 | £3.40 |
| Cliff Park Road | £1.00 | £1.40 | £2.30 | £3.40 |
| Kilmorie | £1.00 | £1.40 | £2.30 | £3.40 |
| Meadfoot Beach | £1.00 | £1.40 | £2.30 | £3.40 |

**Event Tariff (only available on 1st and 2nd June) – the above charges apply outside of this period**

|  |  |
| --- | --- |
| Car Park | One day |
| Colin Road Car Park **4** | £30.00 |
| Quay West Car Park **4** | £20.00 |

**4** – Pre-booked parking only, pay and display parking not available for commercial vehicles on event dates. Parking valid for one full calendar day, which is specified at time of booking.