

C2063

CITY OF MANCHESTER (CAR CLUB PARKING PLACES)
(MANCHESTER CITY CENTRE) ORDER 2006

The Council of the City of Manchester in exercise of their powers under Section 32(1) and 35(1), 45, 46, 49, 51 and 53 of the Road Traffic Regulation Act 1984 (the "Act") and of all other enabling powers and after consultation with the Chief Officer of Police for the County of Greater Manchester in accordance with Part III of Schedule 9 to the Act hereby makes the following Order: -

INTERPRETATION

1.(1) In this Order:-

"car club" means a formally constituted car-sharing scheme approved of by ~~the Council to operate~~ within its boundaries

"car club parking bay" means a space marked out and provided in a car club parking place for the leaving of a single car club vehicle

"car club parking place" means any area of highway described in the Schedule to this Order

"car club parking permit" means a parking permit issued by the Council in accordance with Articles 14 to 22 to this Order

"car club permit holder" means a person or organisation to which a car club parking permit has been issued in accordance with the provisions of this Order

"car club vehicle" means a vehicle operated by a car club and which is displaying a valid car club permit

"owner" in relation to a car club vehicle means a person or organisation by whom such a car is kept and used

"passenger vehicle" means a motor vehicle (other than a motor cycle or invalid carriage) constructed or adapted solely for the carriage of passengers and their effects;

(2) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

AUTHORISATION OF CAR CLUB PARKING PLACE

2. The parts of road specified in Column 1 of the Schedule to this Order are authorised to 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 part of road in Columns 2, 3, 4 and 5 of the Schedule to this Order.

3. Where in the Schedule to this Order 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 the parking place:-
 - (a) unless it is of the specified class; or
 - (b) if it is in a position other than that specified.

NUMBER AND SITUATION OF CAR CLUB PARKING PLACES

4. The number of car club parking bays in each car club parking place referred to in Column 1 of the Schedule to this Order shall not exceed the number specified in Column 6 of that Schedule in relation to the car club parking place and the number and situation of the car club parking place shall be determined by the Council

CONDITIONS OF USE OF CAR CLUB PARKING PLACES

5. The driver of a vehicle shall not use a car club parking place so as to unreasonably prevent access to any premises adjoining the road, or the use of the road by any other person, or so as to be a nuisance.
6. The driver of a motor vehicle using a car club parking place shall stop the engine as soon as the vehicle is in position in the car club parking place and shall not start the engine except when about to change the position of the vehicle in or to depart from the car club parking place.
7. No person shall use the vehicle whilst it is in a car club parking place in connection with the sale of any article to persons in or near the car club parking place or in connection with the selling or offering for hire of his skill or services.

REMOVAL OF VEHICLE FROM A CAR CLUB PARKING PLACE

8. When a vehicle is left in a car club parking place in contravention of any of the provisions of Article 3 of this Order a person authorised in that behalf may remove the vehicle or arrange for it to be removed from that parking place: Provided that when a vehicle is waiting in a car club parking place in contravention of the provisions of Article 3(b) of this Order, a person authorised in that behalf may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.
9. Any person removing the vehicle or altering its position by virtue of the last preceding Article of this Order may do so by towing or driving the vehicle or in such other manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position as the case may be.
10. When a person removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 8 of this Order he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

MOVEMENT OF A VEHICLE IN A CAR CLUB PARKING PLACE IN AN EMERGENCY

11. A police constable in uniform, parking attendant or person authorised by the Council in that behalf may move or cause to be moved in the case of an emergency to any place he thinks fit any vehicle left in a car club parking place specified in the Schedule to this Order.

EXEMPTIONS

12. Nothing in this Order shall prevent any person to cause or permit any vehicle to wait in a car club parking place for so long as may be necessary in connection with any building operation or demolition in or adjacent to the said parking place, the removal of any obstruction to traffic, the maintenance, cleansing, improvement or reconstruction of the parts of road authorised to be used as car club parking places or the laying, erection, alteration or repair in or adjacent to any of the said parking places of any sewer or of any main pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in the Telecommunications Act 1984.

SUSPENSION OF A CAR CLUB PARKING PLACE

13. Any person authorised by the Council, or a constable in uniform may suspend, subject to such conditions or exceptions as he considers appropriate, the use of a car club parking place or any part thereof, whenever he considers such suspension reasonably necessary:-
- (a) for the purpose of facilitating the movement of traffic or promoting its safety.
 - (b) for the convenience of the occupiers of premises adjacent to the car club parking place on the occasion of :-
 - (i) the removal of furniture from one building to another; or
 - (ii) at times of weddings or funerals;
 - (d) for any special occasion, except for wedding and funerals, or on any occasion on which it is likely by reason of some special attraction that any street would be thronged or obstructed;
 - (e) for any of the purposes specified in Article 12 of this Order.

APPLICATION FOR AND ISSUE OF CAR CLUB PERMITS

14. The operator of a car club, if authorised by the Council, may apply to the Council for the issue of one car club permit for each car club parking bay in a car club parking place permitting a car club vehicle to park at any time

in a car club parking place specified in the Schedule to this Order and any such application shall be made on a form issued by and obtainable from the Council and shall include such particulars and information as is required by the Council.

15. The Council may at any time require the operator of the car club to produce to an officer of the Council such evidence in respect of an application for a car club permit made to them as they may reasonably require to verify any particulars or information given to them
16. Upon receipt of an application duly made under the foregoing provisions of this Order the Council shall issue to the applicant a car club permit for displaying on a car club vehicle when left in a car club parking place specified in the Schedule to this Order

SURRENDER, WITHDRAWAL AND VALIDITY OF CAR CLUB PERMITS

17. (1) A car club permit holder may surrender a car club parking permit to the Council at any time and shall surrender a car club parking permit to the Council on the occurrence of any of the events set out in paragraph (3) of this Article

(2) The Council may by notice in writing served on the car club permit holder at the address shown by that person on the application for the car club parking permit or at any other address believed to be that of the applicant to withdraw a car club permit if it appears to the Council that any of the events set out in paragraph (3) of this Article has occurred and the car club permit holder shall surrender the car club permit to the Council within 48 hours of the receipt of the said notice.

(3) The events referred to in the foregoing provisions of this Article are:-

- (a) the car club to which the car club permit has been issued ceases to be a car club authorised by the Council
- (b) the car club permit holder ceasing to be the user of the car club parking place in respect of which the car club permit has been issued
- (c) the vehicle in respect of which a car club permit has been issued being adapted or used in such a manner that it is not a passenger vehicle
- (d) the car club parking place for which the car club permit has been issued is revoked or removed by the Council

18 (1) If a car club parking permit is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the permit has become altered by fading or otherwise the car club permit holder shall surrender to the Council and then may apply to the Council for the issue of a duplicate permit

(2) If a car club parking permit is lost or destroyed the car club permit holder may apply to the Council for the issue of a duplicate car club permit

(3) The provisions of this Order shall apply to a duplicate car club permit and an application for such a permit as if it were a car club parking permit or as the case may be an application for a car club parking permit

(5) Any car club parking permit issued by virtue of the provisions of paragraphs (1) and (2) of this Article shall be marked as a duplicate and upon issue of a duplicate permit the car club parking permit which it duplicates shall become invalid

FORM OF CAR CLUB PERMITS

19 A car club parking permit shall be in writing and shall include the following particulars:-

- (a) the registration mark of the vehicle in respect of which the permit has been issued
- (b) an authentication that the car club permit has been issued by the Council
- (c) the date on which the car club permit will cease to be valid
- (d) the hours when the permit is valid

20 At all times during which the vehicle is left in a car club parking place specified in the Schedule to this Order there shall be displayed on the vehicle a valid car club parking permit issued in respect of that vehicle so that all the particulars referred to in Article 19 of this Order are readily visible from outside the vehicle

21. Where the car club parking permit has been displayed on a vehicle in accordance with the provisions of Article 20 of this Order no person shall remove the car club permit from the vehicle unless authorised to do so by the driver of the vehicle

22 Any car club parking permit or duplicate car club permit issued by the Council shall remain the property of the Council.

EXISTING ORDERS

23. Insofar as there are any inconsistencies between the provisions of this Order and any other Order made or having effect as if made under the Act, the provisions of this Order shall prevail.

COMMENCEMENT

24. This Order shall come into operation on 10th November 2006 and may be cited as the City of Manchester (Car Club Parking Places) (Manchester City Centre) Order 2006.

SCHEDULE

CAR CLUB PARKING PLACES

1	2	3	4	5	6
Parts of road in the City of Manchester authorised to be used as parking place	Class of vehicle	Position in which vehicles must wait	Days of operation of parking place	Hours of operation of parking place	Maximum number of parking spaces
All that part of the south east side of Fountain Street which is bounded on the south east side by so much of the edge of the carriageway of that highway as extends from a point 10 metres north east of its junction with Booth Street in a north easterly direction for a distance of 10.5 metres and which has a width throughout of 2.2 metres	Any passenger vehicle displaying a valid car club permit	Wholly within the limits of the parking place and parallel to the kerb	All days	All hours	2

All that part of the north west side of High Street which is bounded on the north west side by so much	Any passenger vehicle displaying a valid car club permit	Wholly within the limits of the parking place and parallel to the kerb.	All days	All hours	2
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of the edge of the carriageway of that highway as extends from a point 35 metres north east of its junction with Thomas Street in a north easterly direction for a distance of 10.5 metres and which has a width throughout of 2.2 metres

All that part of the south west side of Samuel Ogden Street which is bounded on the south west side by so much of the	Any passenger vehicle displaying a valid car club permit	Wholly within the limits of the parking place and parallel to the kerb	All days	All hours	2
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edge of the carriageway of that highway as extends from a point 8 metres north west of its junction with Granby Row in an north westerly direction for a distance of 10 metres and which has a width throughout of 2.2 metres

All that part of the north side of Whitworth Street West, which is bounded on the north side by so much of the edge of the carriageway of that highway as extends from a point 161 metres east of its junction with Albion Street in an easterly direction for a distance of 11 metres and which has a width throughout of 2.2 metres

Any passenger vehicle displaying a valid car club permit

Wholly within the limits of the parking place and parallel to the kerb

All days

All hours

2

DATED this 7th day of November 2006

THE COMMON SEAL of the COUNCIL OF THE CITY OF MANCHESTER

was hereunto affixed in pursuance of an Order of the Council of the said City: -


Authorised Signatory

01037392

