

Dated

16 AUGUST

2010

**THE BOROUGH COUNCIL OF PENDLE
COLNE PRECINCT OFF-STREET PARKING ORDER 2010 NUMBER 1**

R Townson
Democratic and Legal Services Manager
Town Hall
Market Street
Nelson
BB9 7LG

**THE BOROUGH COUNCIL OF PENDLE
COLNE PRECINCT, COLNE OFF-STREET PARKING ORDER 2010,
NUMBER 1**

- (i) The Borough Council of Pendle (in this Order called the Council) has the power under section 32 of the Road Traffic Regulation Act 1984 to provide off-street parking places where it appears to the Council that such parking places are necessary to relieve or prevent congestion of traffic.
- (ii) The Council may by order state which vehicles or class of vehicles may use the parking places, the conditions on which they may use it, the charges to be paid for parking, the use of a device which indicates the time when the vehicle arrived at the parking place and other matters (this is under section 35 of the Road Traffic Regulation Act 1984).
- (iii) Before making an order the Council must obtain the consent of Lancashire County Council and must consult the chief officer of the Lancashire Police (this is required respectively under section 39(3) and paragraph 20 of Schedule 9 to the Road Traffic Regulation Act 1984).
- (iv) With the consent of Lancashire County Council and after consulting the Lancashire Police the Council makes the following order:

PART 1

Commencement

1. This Order shall come into force on 16 August 2010 and is called the Borough Council of Pendle Colne Precinct Off-Street Parking Order 2010 Number 1.

Definitions

2. In this Order the following expressions have the following meanings

“disabled person’s badge”	a badge issued under the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000
“disabled parking bay”	an area of the Car Park which is marked out as being for parking only by vehicles used for the disabled
“owner”	is (i) the person recorded as the keeper of the vehicle in the records maintained under the Vehicle Excise and Registration Act 1994; or

(ii) the person who hired the vehicle where the vehicle is hired from a vehicle-hire firm under a hiring agreement provided that the procedure in the regulation 5(3) of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 has been complied with

“the Car Park”

is the parking place at Colne Precinct, Colne, shown edged red on the plan attached to this order

“a civil enforcement officer”

a person in uniform appointed by the Council to enforce parking contraventions or appointed for that purpose by a company under arrangements with the Council

“parking bay”

an area of the Car Park which is provided for parking a vehicle and marked out as such

“dispensation”

a dispensation from the Council allowing a vehicle to park at the Car Park without complying with this Order or without complying with specified provisions of this Order and which may be granted subject to conditions

“vehicle”

a mechanically propelled vehicle which weighs less than three tons **except**

- (i) a vehicle pulling a trailer
- (ii) campervans
- (iii) motorcycles
- (iv) hackney carriages and private hire vehicles in the course of being used as such

Use of the Car Park

3. Vehicles may be parked in the Car Park for up to two hours subject to the following provisions:

- 3.1 vehicles must enter and leave the Car park in accordance with directions displayed at the Car Park
- 3.2 vehicles must not be parked on any part of the Car Park other than wholly within a parking bay

- 3.3 No vehicle may wait at any time on the Car Park
 - 3.3.1 from a point 48.5 metres from the junction with the centre line of Parliament Street for a distance of 18 metres in a south easterly direction , and
 - 3.3.2 from the most easterly marked line marked line of the Parking Bays for a distance of 13 metres in a north easterly direction
- 3.4 vehicles may not park again in the Car Park within two hours of having previously parked there.

Disabled Parking

- 4. No vehicle shall be parked in a disabled parking bay unless a current disabled persons badge is displayed in the vehicle at all times when the vehicle is parked in a disabled parking bay.

Exempt vehicles

- 5. Nothing in this Order shall prohibit the use of the Car Park by
 - 5.1. police and fire service vehicles and ambulances acting in an emergency,
 - 5.2 vehicles in use for the repair and maintenance of the Car Park.

Risk

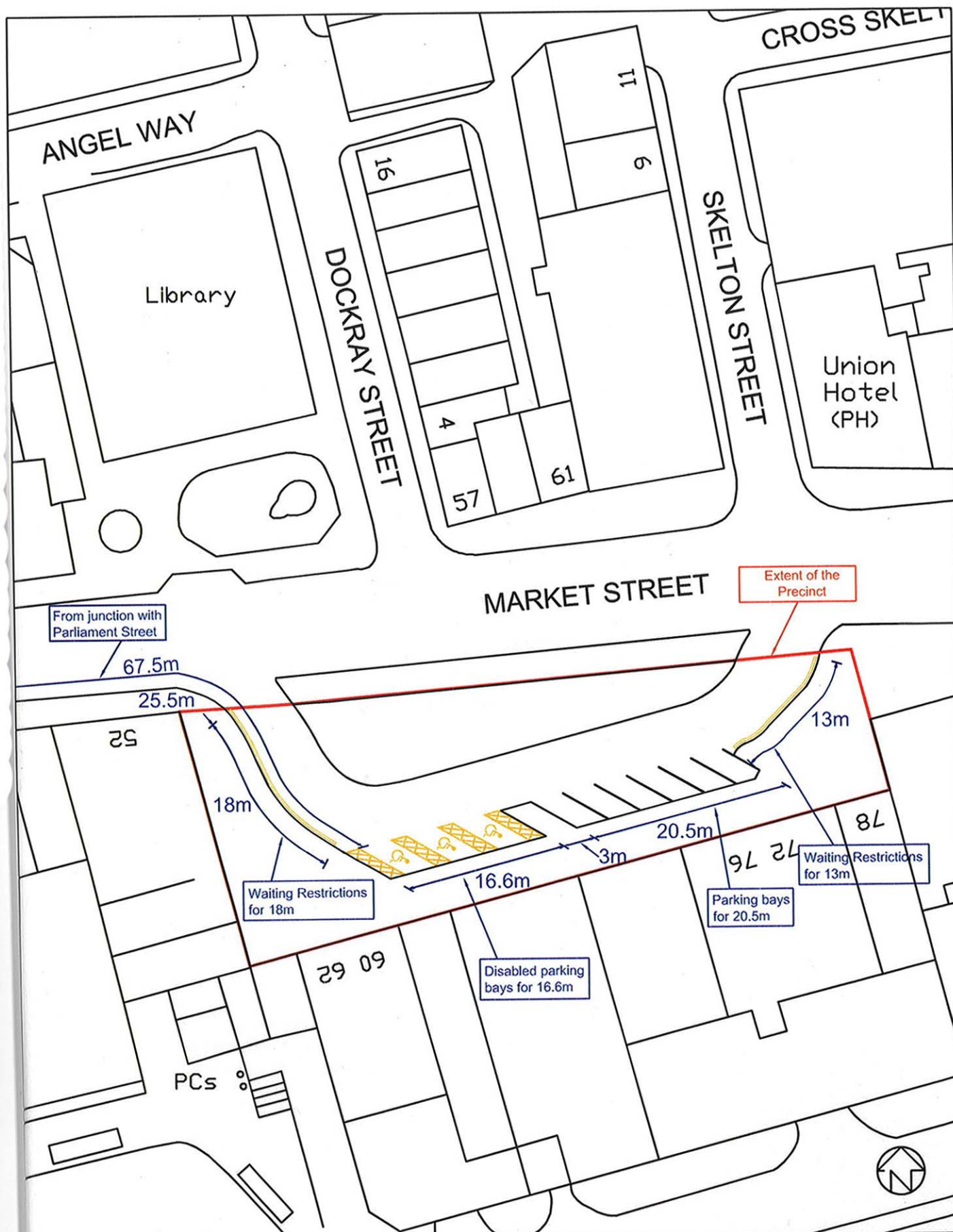
- 6. The Council accepts no responsibility for any loss or damage to a vehicle using the Car Park unless such loss or damage is caused by the Council's negligence.

Suspension

- 7. The Council may suspend the use of the Car Park or any part of it by displaying a notice on or near the Car Park and no vehicle shall use the Car Park or that part of it while it is suspended.

Prohibited Activity

- 8. No person shall
 - 8.1 put up a tent, booth, stand or other structure in the Car Park without the prior permission of the Council
 - 8.2 camp, cook, picnic or play any sport or game in the Car Park
 - 8.3 sell, or display any vehicle for sale on the Car Park,



Engineering and Special Projects

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PROJECT:
Limited Waiting Order

DESCRIPTION:
Colne Precinct,
Market Street,
Colne

DRAWN BY: N Y

DATE: July 2010

SCALE: 1:1000

REVISIONS / NOTES

DRAWING NUMBER: Colne Precinct / 01

- 8.4 repair, maintain, wash or clean a vehicle in the Car Park
- 8.5 display any notice or advertisement at the Car Park.
- 8.6 sell any item at the Car Park or display any item for sale at the Car Park.
- 8.7 carry on a business from the Car Park.

Removing a vehicle

- 9. When a vehicle is left in the Car Park in contravention of articles 3, 4, 7 or 8 the Council may arrange for its removal and charge the cost of such removal to the owner.
- 10. A vehicle may be removed by towing, driving or by a vehicle transporter.
- 11. The Council shall remove the vehicle to a secure location and as soon as reasonably practicable will notify the owner by post that it has been removed, the reason for removal the location where it is stored and any costs to be paid by the owner.
- 12. The Council will notify the police whenever it removes a vehicle from the Car Park.

Parking contravention

- 13. Any contravention of or non-compliance with a provision of this Order is a parking contravention in relation to the vehicle concerned for the purposes of paragraph 4 of Schedule 7 to the Traffic Management Act 2004 and regulation 4 of The Civil Enforcement of Parking Contraventions (England) (General) Regulations 2007

IN WITNESS whereof the Common Seal of the Borough Council of Pendle was hereunto affixed this day of 2010.

THE COMMON SEAL of the Borough Council
of Pendle was hereunto
affixed in the presence of:-


Democratic and Legal Services Manager

