THE BOROUGH COUNCIL OF PENDLE **COMPOSITE OFF-STREET PARKING ORDER 2013 NUMBER 1**

I hereby certify this to be a true copy/entract of the original document.

Dated 22.11.2013

RTauna Legal Services Manager Town Hall Nelson

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

THE BOROUGH COUNCIL OF PENDLE COMPOSITE OFF-STREET PARKING ORDER 2013, 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 and all other enabling powers to provide off-street parking places where it appears to the Council that such off-street 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 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 Lancashire Police the Council makes the following order:

PART 1

Commencement

 This Order shall come into force on 19th July 2013 and is called the Borough Council of Pendle Composite Off-Street Parking Order 2013 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 or under regulations having effect in Scotland or Wales under section 21 of the Chronically Sick and Disabled Persons Act 1970

"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

"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 in accordance with section 76 of the Traffic Management Act 2004

"a parking clock"

is a device approved by the Council that is capable of showing the time a vehicle is parked in a parking bay

"parking bay"

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

"parking place"

an area of land specified by name in column 1 of Schedules 2 and 3 which has been provided by the Council under section 32(1) of the Road Traffic Regulation Act 1984 and all other enabling powers to provide off-street parking places

"dispensation"

a dispensation from the Council allowing a vehicle to park at the Car Parks 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, including motorcycles, which weighs less than three tons **except**

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

This Order hereby revokes the Car Parking Orders in Schedule 1 attached to this Order

Use of the Parking Places

- 4. Vehicles may be parked in the Parking Places in accordance with the days and times of operation as detailed in schedule 2 and 3 apart from Sunday, and any bank holiday.
 - 4.1 Vehicles must enter and leave the Parking Places in accordance with directions displayed at the Parking Places
 - 4.2 Vehicles must be parked wholly within a Parking Bay or where unmarked in any position other than to obstruct access or egress.
 - 4.3 Vehicles parked in a short stay disc parking controlled car park in accordance with schedule 3 must display a Parking Clock as detailed in Article 5.

Parking clocks

- 5. A Parking Clock must be displayed in the Vehicle at all times while the vehicle is parked in accordance with the following:
 - 5.1 the Parking Clock must be set to the time when the parking started
 - 5.2 the Parking Clock must be displayed
 - 5.2.1 on the dashboard or fascia of the Vehicle or
 - 5.2.2 at the front of the Vehicle in a conspicuous position
 - in each case so that the Parking Clock is clearly visible from the outside of the Vehicle
 - 5.3 only Parking Clocks which are clearly legible must be displayed
 - 5.4 the Parking Clock must not be altered once the start time of parking has been set.
 - 5.5 For the avoidance of doubt all of the provisions of this Order apply to any Vehicle parked by the holder of a Disabled Person's Badge

Return

6. With reference to schedule 3 no vehicle shall be returned to the Parking Places and parked within two hours of previously having parked there.

Exempt vehicles

- 7. Nothing in this Order shall prohibit the use of the Parking Places by
 - 7.1.1 Police and fire service vehicles and ambulances acting in an emergency,
 - 7.1.2 Vehicles in use for the repair and maintenance of the Parking Places.
 - 7.1.3 Statutory Undertakers
 - 7.1.4 Vehicles engaged in the recovery/collection of a vehicle or other obstruction.

Risk

8. The Council accepts no responsibility for any loss or damage to a Vehicle using the Parking Places unless such loss or damage is caused by the Council's negligence.

Suspension

 The Council may suspend the use of the Parking Places or any part of them by displaying a notice on or near the Parking Places and no Vehicle shall use the Parking Places or that part of them while their use is suspended.

Prohibited Activity

- 10. No person shall
 - 10.1 put up a tent, booth, stand or other structure in the Parking Places without the prior permission of the Council
 - 10.2 camp, cook, picnic or play any sport or game in the Parking Places
 - 10.3 sell, or display any Vehicle for sale on the Parking Places,
 - 10.4 repair, maintain, wash or clean a Vehicle in the Parking Places
 - 10.5 display any notice or advertisement at the Parking Places

- 10.6 sell any item at the Parking Places or display any item for sale at the Parking Places
- 10.7 carry on a business from the Parking Places.

Removing a vehicle

- 11. When a Vehicle is left in the Parking Places in contravention of articles 4,5,6,9 or 10 the Council may arrange for its removal and charge the cost of such removal to the owner.
- 12. A Vehicle may be removed by towing, driving or by a vehicle transporter.
- 13. 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.
- 14. The Council will notify the police whenever it removes a Vehicle from the Parking Places.

Parking contravention

15. 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 29th day of 324 2013

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

Democratic and Legal Manager

Schedule 1

Cuba Street Nelson Off-Street (Residents only) Parking Order 2010 No.1

Dockray Street Colne Off-Street Parking Order 2009 No.1

Nelson and Colne Off-Street Parking Order 1991

Nelson Off-Street Parking Order 1998

Tunstill Square Brierfield Off-Street Parking Order 2010 No.1

Schedule 2 (Long Stay)

Name of	Position in	Classes of	Days and hours	Maximum period
Parking Place	which vehicle may wait	vehicle	of Operation of parking place	for which vehicles may wait
The Avenue, Barley	Wholly Within the parking bay or where unmarked in any position other than to obstruct access or egress	Motor-cycles motor cars & invalid carriages as defined in S.136 of the Act and motor vehicles constructed or adapted solely for the purpose of carrying goods, but not exceeding 1.5 tonnes unladen weight (not having a trailer or caravan attached) unless stated Otherwise	All days and all hours	12 hours in any period of 24 hours
Greenfield Road, Barrowford	As above	As above	As above	As above
Brook Street, Barnoldswick	As above	As above	As above	As above
Jepp Hill, Barnoldswick	As above	As above	As above	As above
North Avenue, Barnoldswick	As above	As above	As above	As above
Rainhall Road, Barnoldswick	As above	As above	As above	As above
Station Road, Barnoldswick	As above	As above	As above	As above
Wellhouse Road, Barnoldswick	As above	As above	As above	As above

West Close Road, Barnoldswick	As above	Lorry Park (Arctic)	As above	As above
Cross Street, Brierfield	As above	As above	As above	As above
Holden Road, Brierfield	As above	As above	As above	As above
Tunstill Square, Brierfield	As above	As above	As above	As above
Wood Street, Brierfield	As above	As above	As above	As above
Colne Lane,	As above	As above	As above	As above
Cross Skelton Street, Colne	As above	As above	As above	As above
Edward Street, Colne	As above	As above	As above	As above
Great George Street, Colne	As above	As above	As above	As above
Greenfield Road, Colne	As above	As above	As above	As above
Hawley Street, Colne	As above	As above	As above	As above
Midgeley Street, Colne	As above	As above	As above	As above
Nelson Street, Colne	As above	As above	As above	As above
Queen Street, Colne	As above	As above	As above	As above
Stanley Street, Colne	As above	As above	As above	As above
Thomas Street, Colne	As above	As above	As above	As above

Windy Bank, Colne	As above	As above	As above	As above
Albert Street, Earby	As above	As above	As above	As above
Water Street, Earby	As above	As above	As above	As above
Calder Street, Nelson	As above	As above	As above	As above
Carr Road, Nelson	As above	As above	As above	As above
Chapel Street, Nelson	As above	As above	As above	As above
Chatham Street, Nelson	As above	As above	As above	As above
Cuba Street, Nelson	As above	As above	As above	As above
Every Street/Cross Street, Nelson	As above	As above	As above	As above
Garden Street, Nelson	As above	As above	As above	As above
Leeds Road, Nelson	As above	As above	As above	As above
Netherfield Road, Nelson	As above	As above	As above	As above
Rigby Street, Nelson	As above	As above	As above	As above
Sagar Street, Nelson	As above	As above	As above	As above
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Schedule 3 (Short Stay)

None	D = -141 = -1	CI	T	T 5 1	T D 1	7.6
Name of Parking Place	vehicle may wait	Classes of vehicle	Days and hours of operation of parking place	Days and hours of operation of the order	Days and hours of operation of the disc parking provisions of the order	Maximum period for which vehicles may wait
Nelson Town Centre Car Park Nelson	Wholly within the parking bay	Motor-cycles motor cars & invalid carriages as defined in S.136 of the Act and motor vehicles constructed or adapted solely for the purpose of carrying goods, but not exceeding 1.5 tonnes unladen weight (not having a trailer or caravan attached)		All days and all hours	Monday to Saturdays inclusive 8am to 6pm	3 hours
Every Street Car Park, Nelson	As above	As above	As above	As above	As above	21/2 hours
New Brown Street Car Park, Nelson	As above	As above	As above	As above	As above	As above
Stanley Street (Civic Theatre) Car Park, Nelson	As above	As above	As above	As above	As above	As above
Booth Street Car Park, Nelson	As above	As above	As above	As above	As above	As above
Broadway Car Park, Nelson	As above	As above	As above	As above	As above	As above
Palace	As above	As above	As above	As above	As above	As above

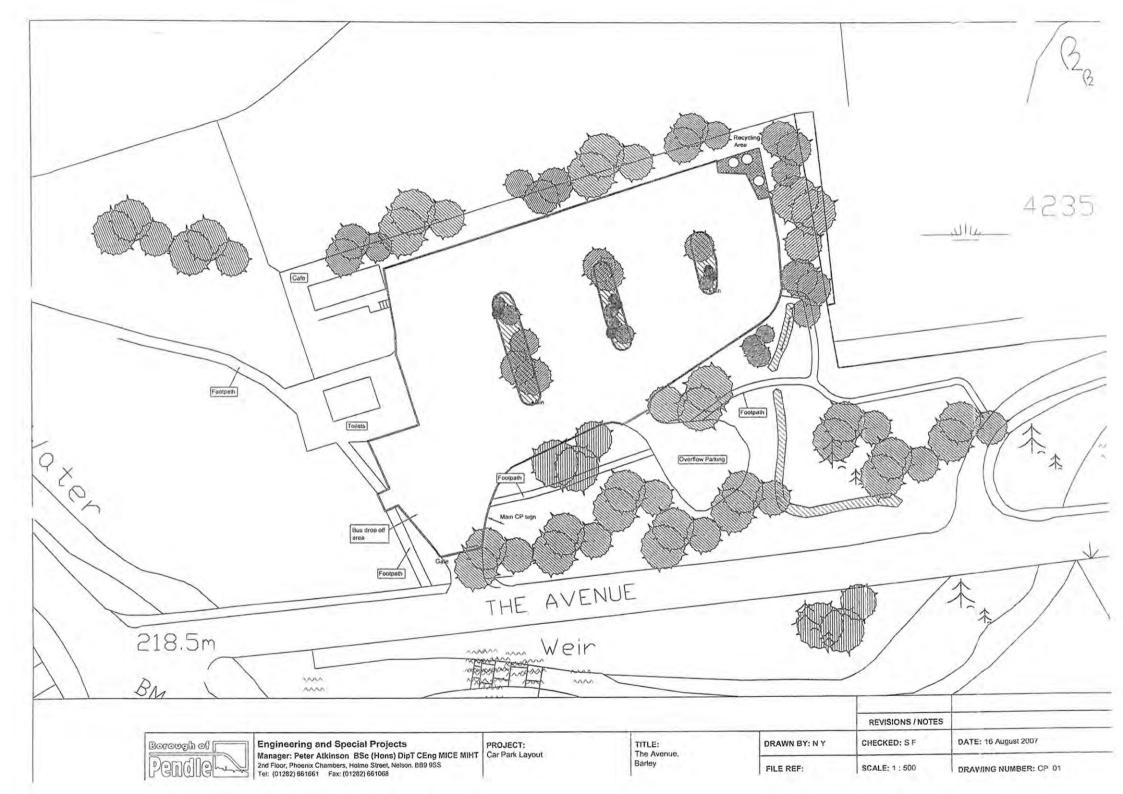
Car Park,						
Nelson						
	As above	As abov€				
Dockray						
Street						
Car Park,						
Colne						
	As above	As above				
Tunstill						
Square						
Car Park,						
Brierfield						
	As above	As above	As above	As above	Monday	2 Hours
Halstead Lane					to Friday	
(Booths)					inclusive	
Car Park,					8am to	(2)
Barrowford			2.0		4pm	
					1	

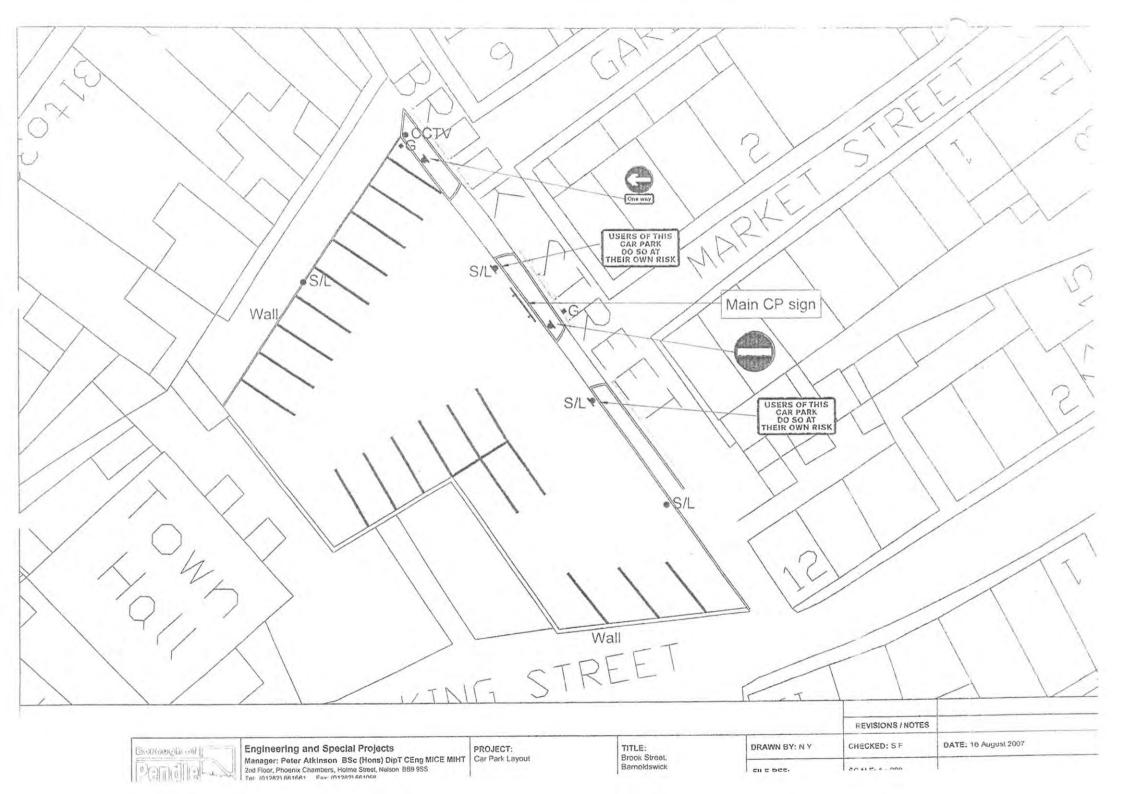
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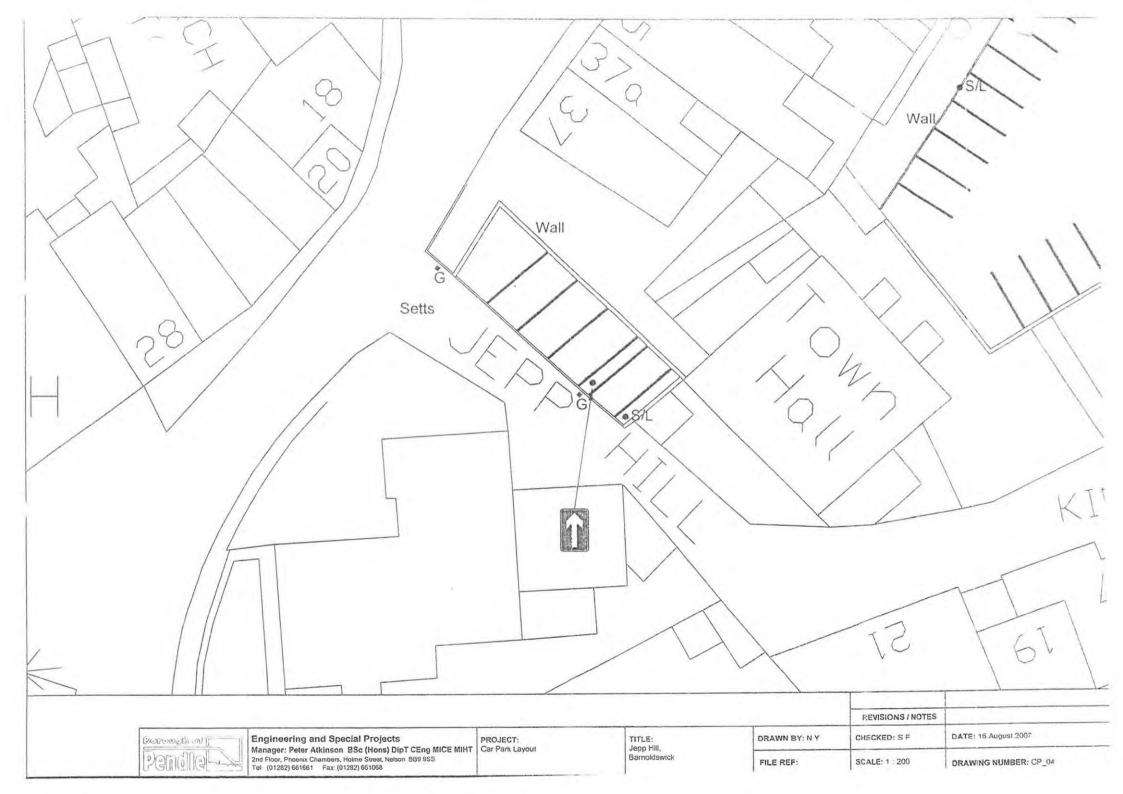
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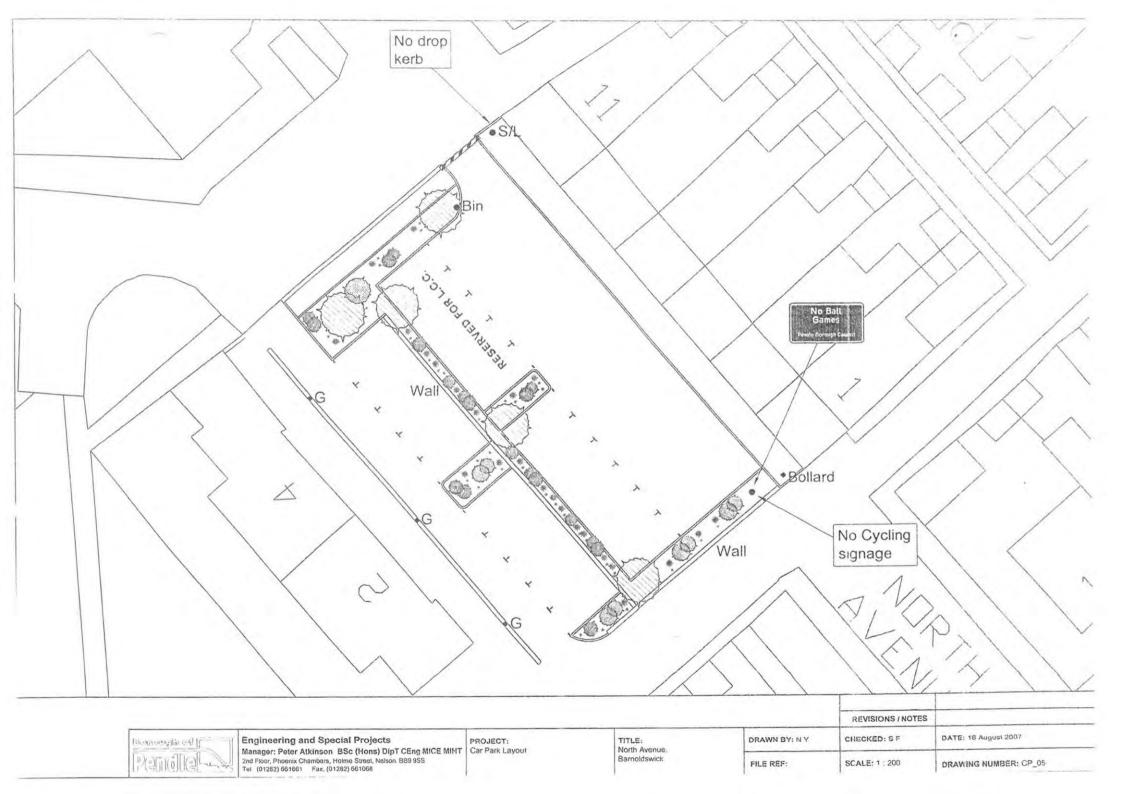
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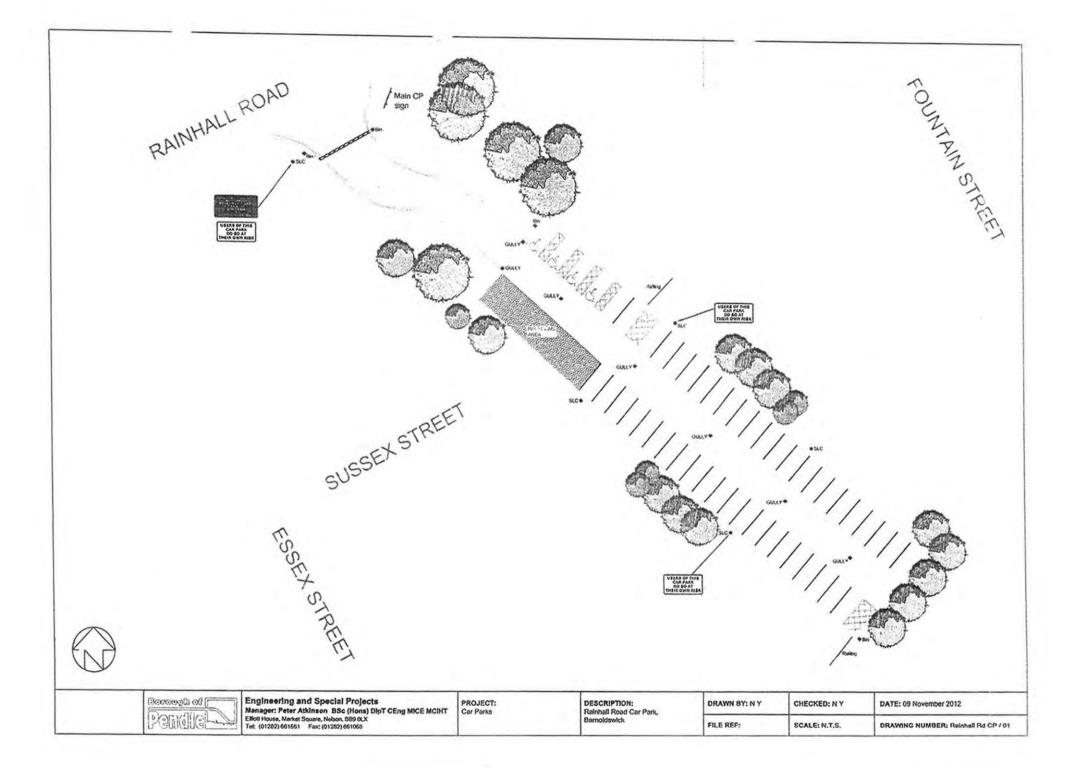
PLANS

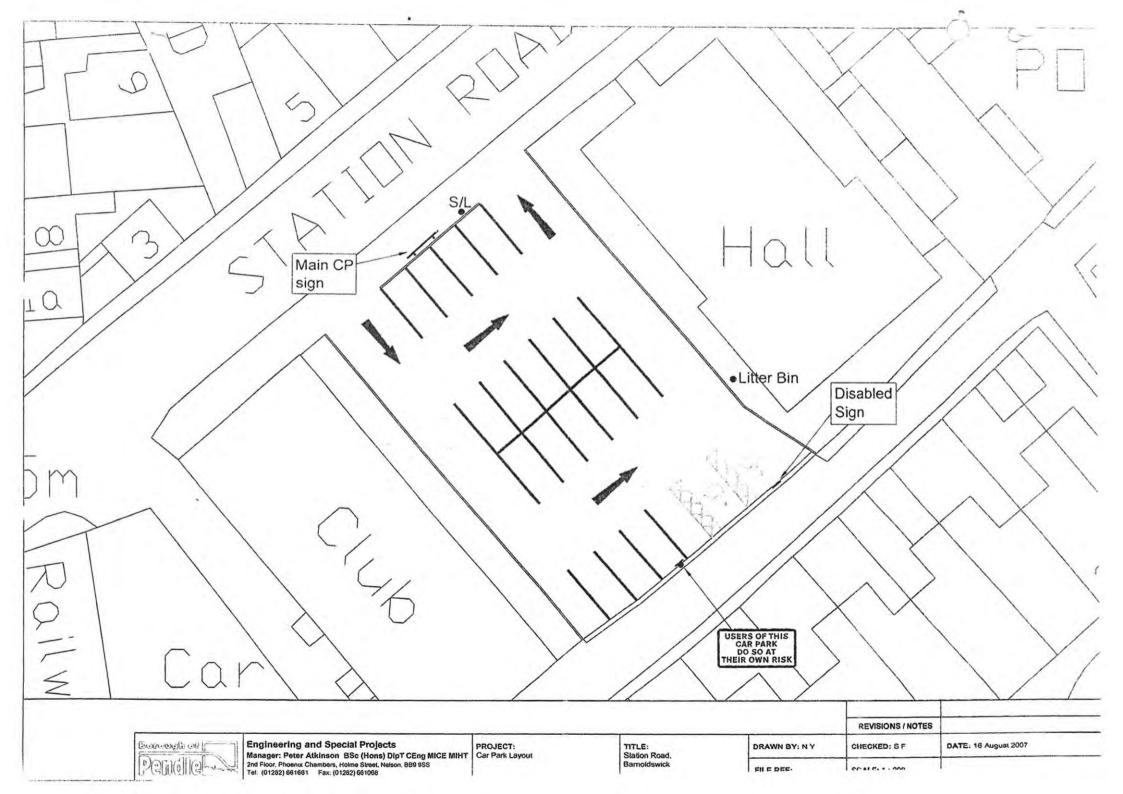


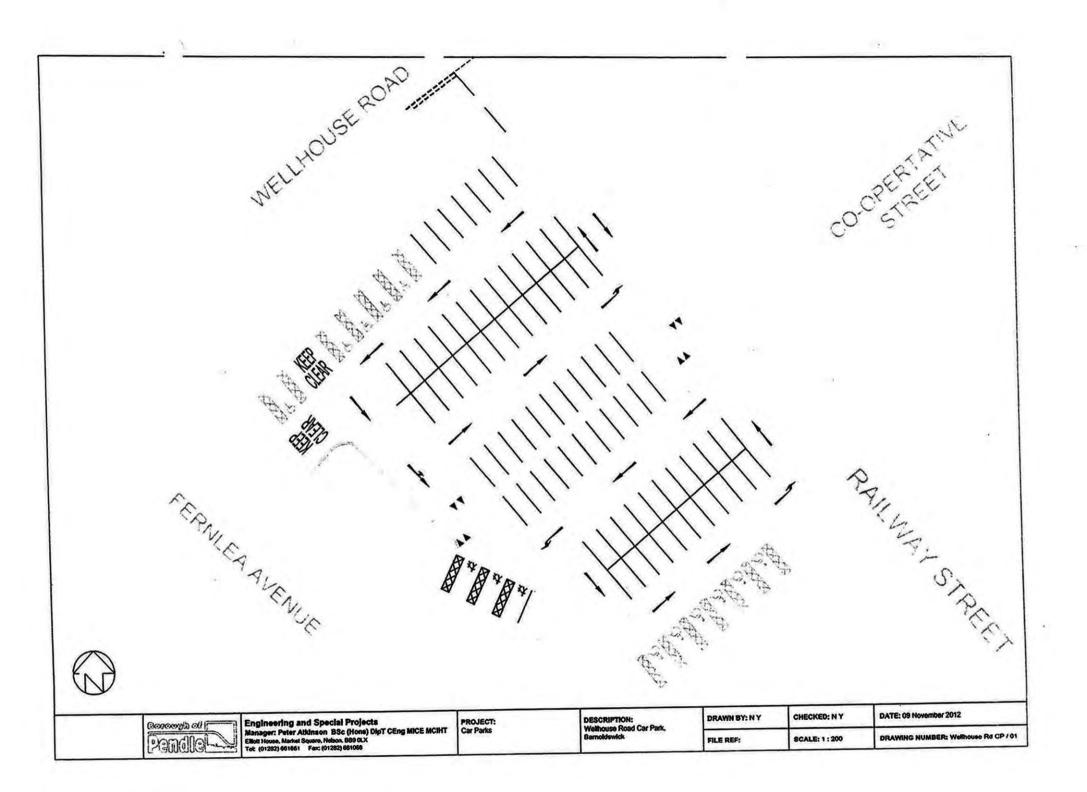


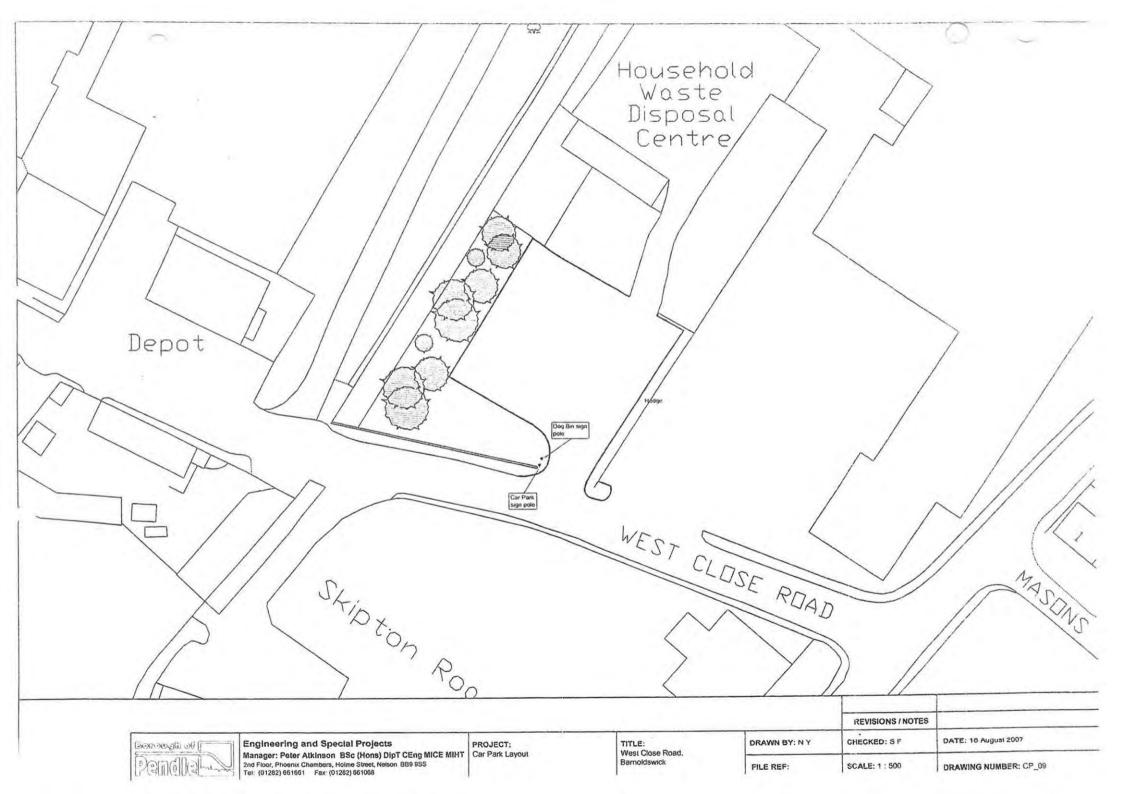


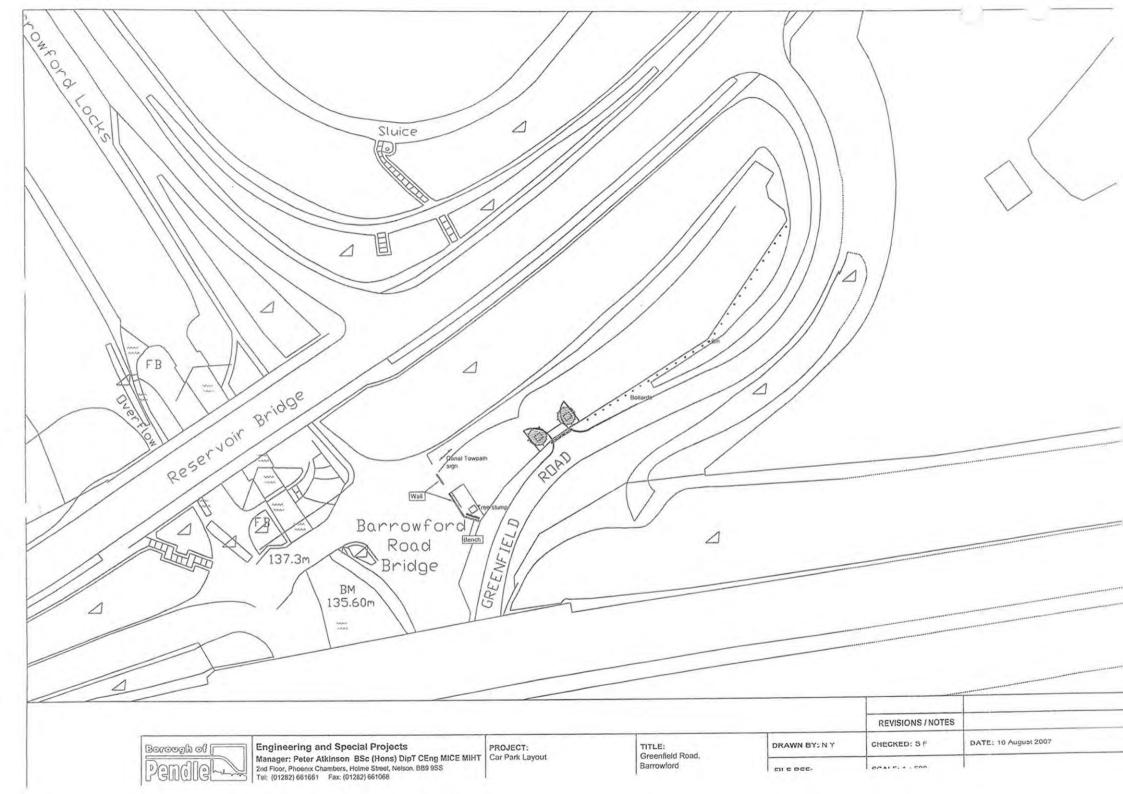


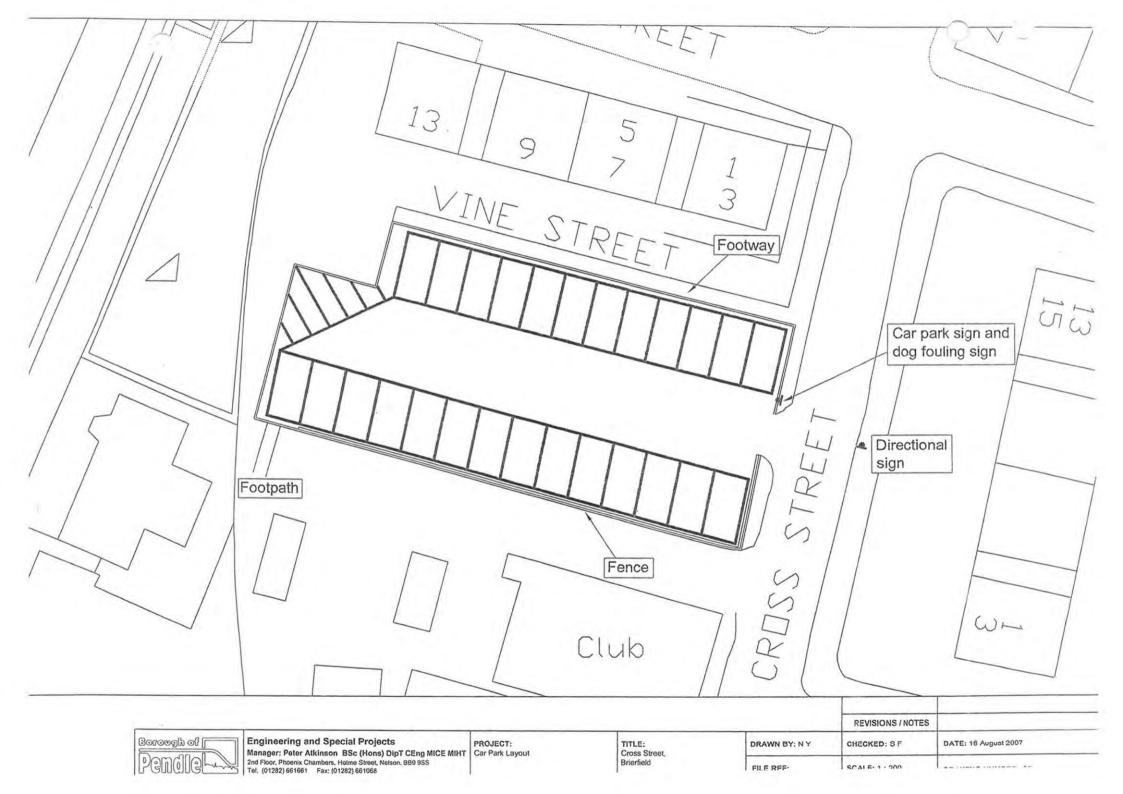


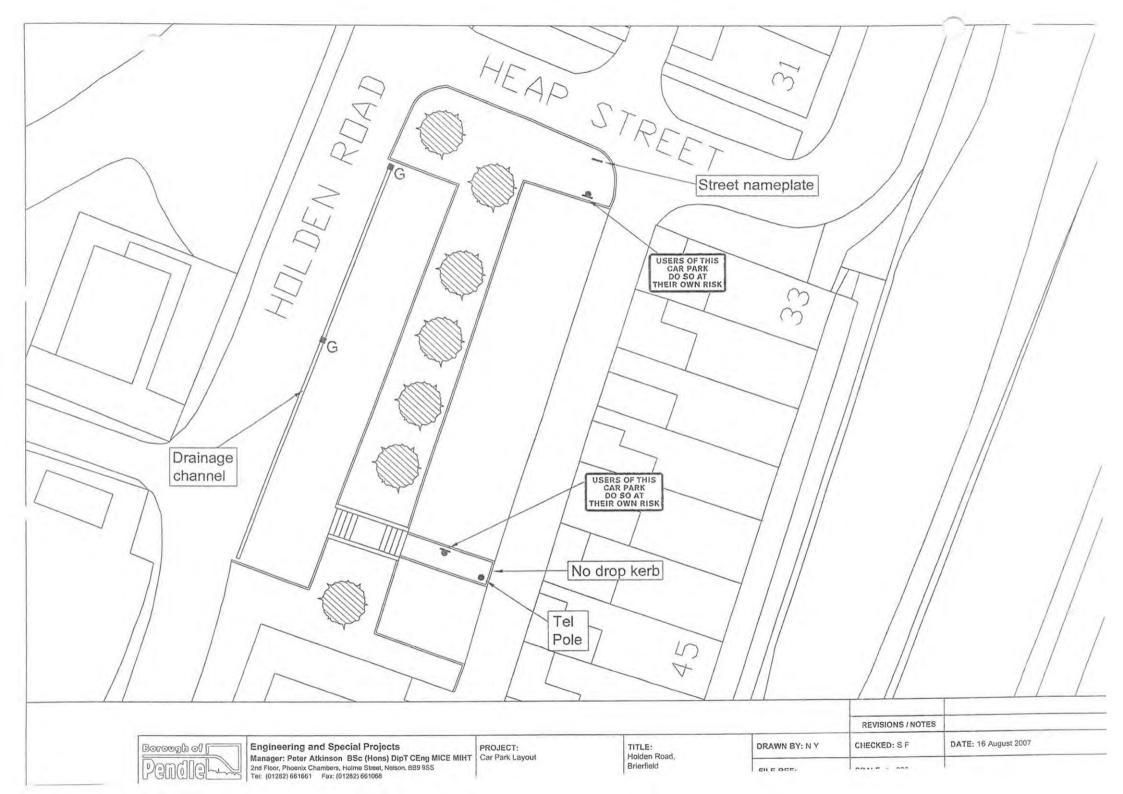


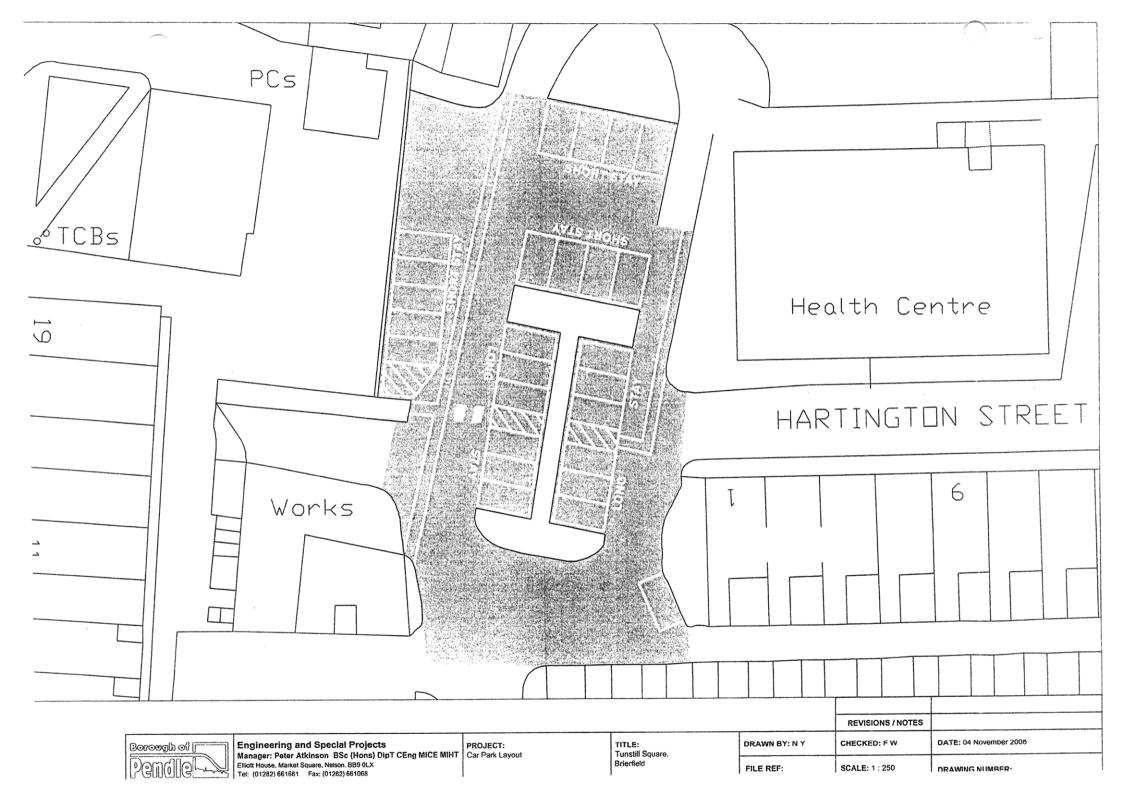


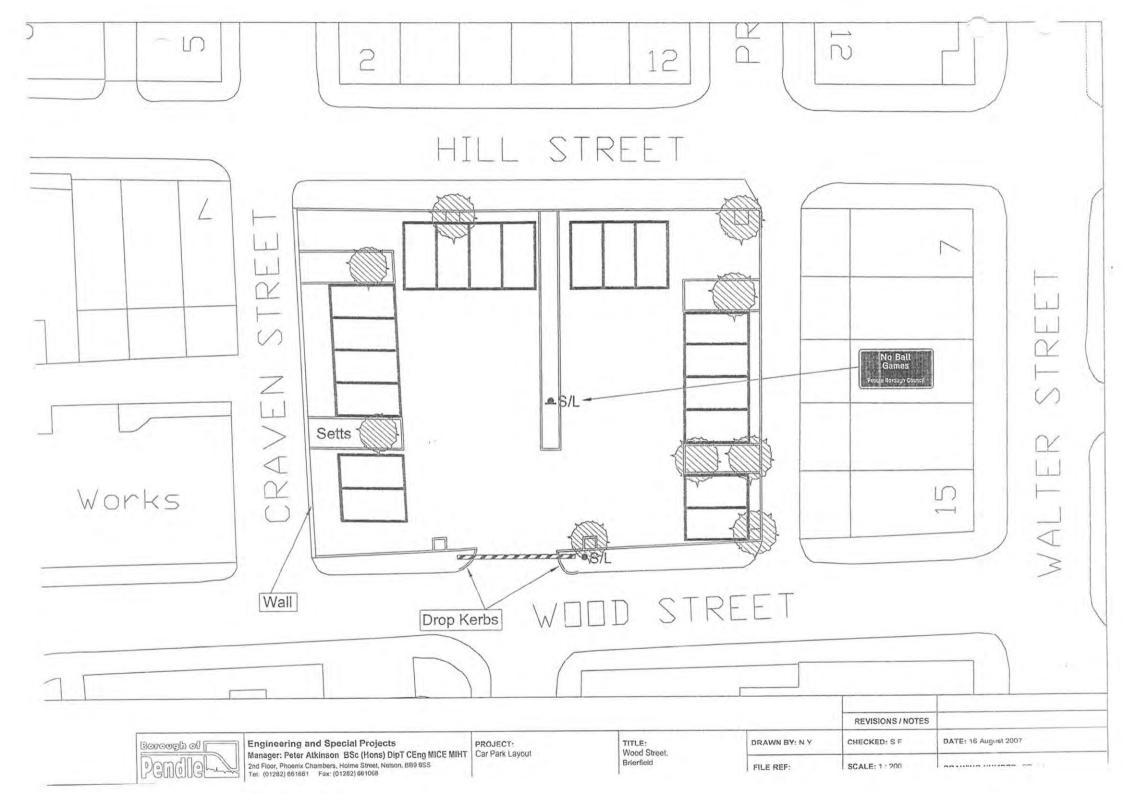


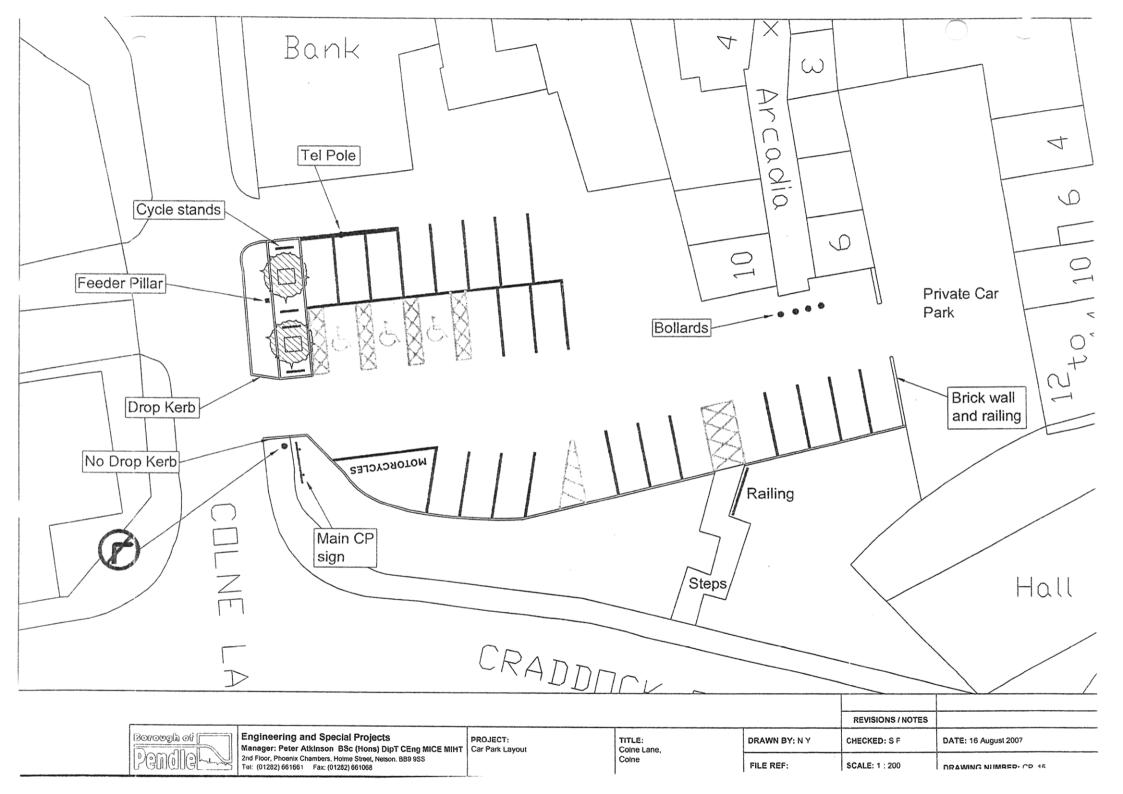


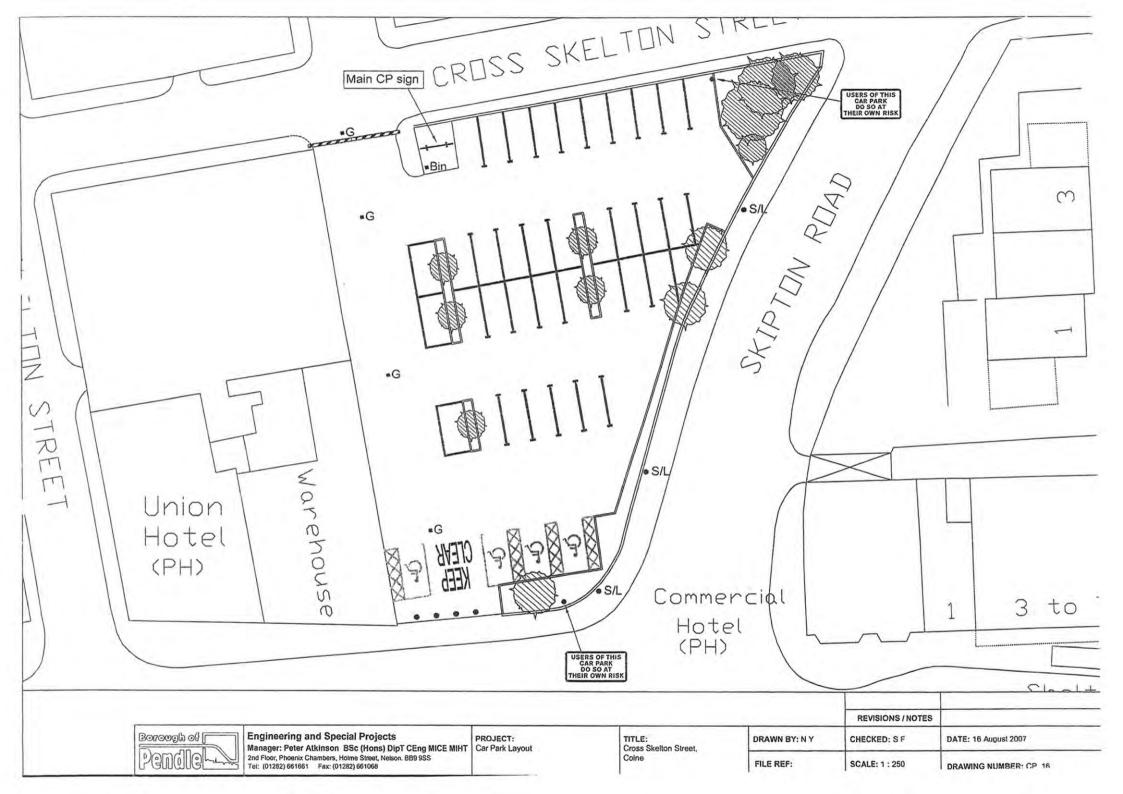


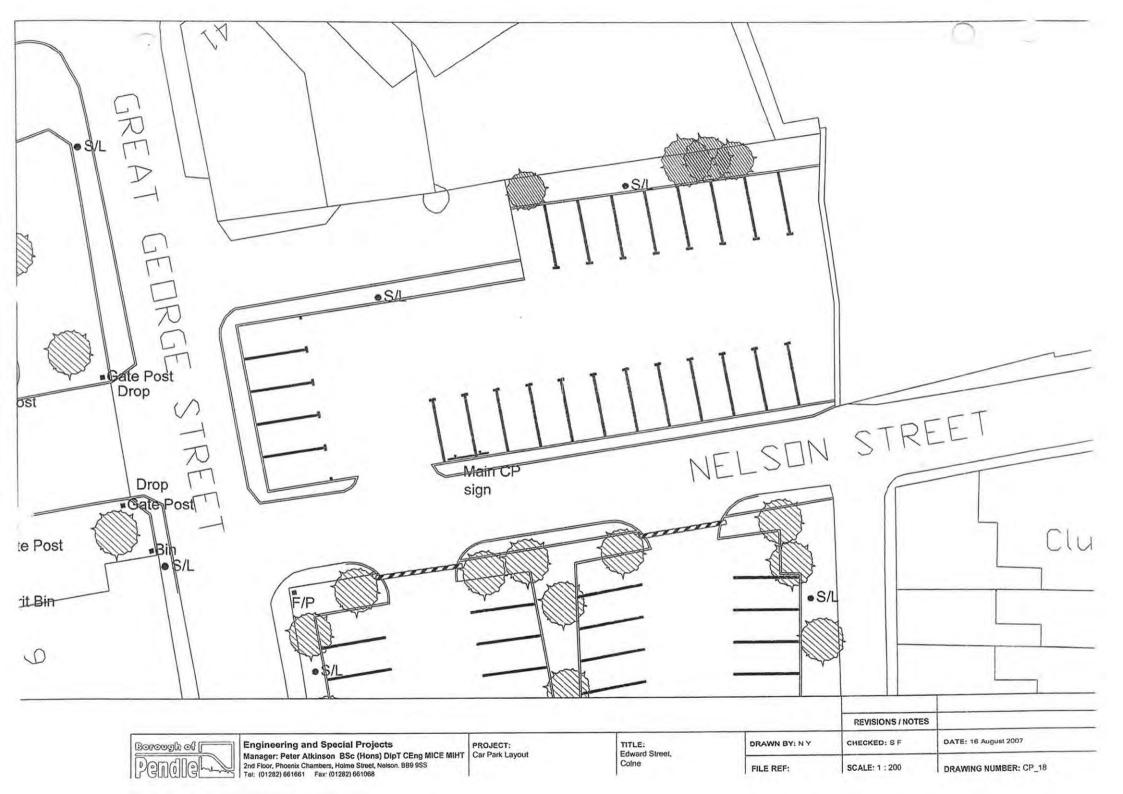


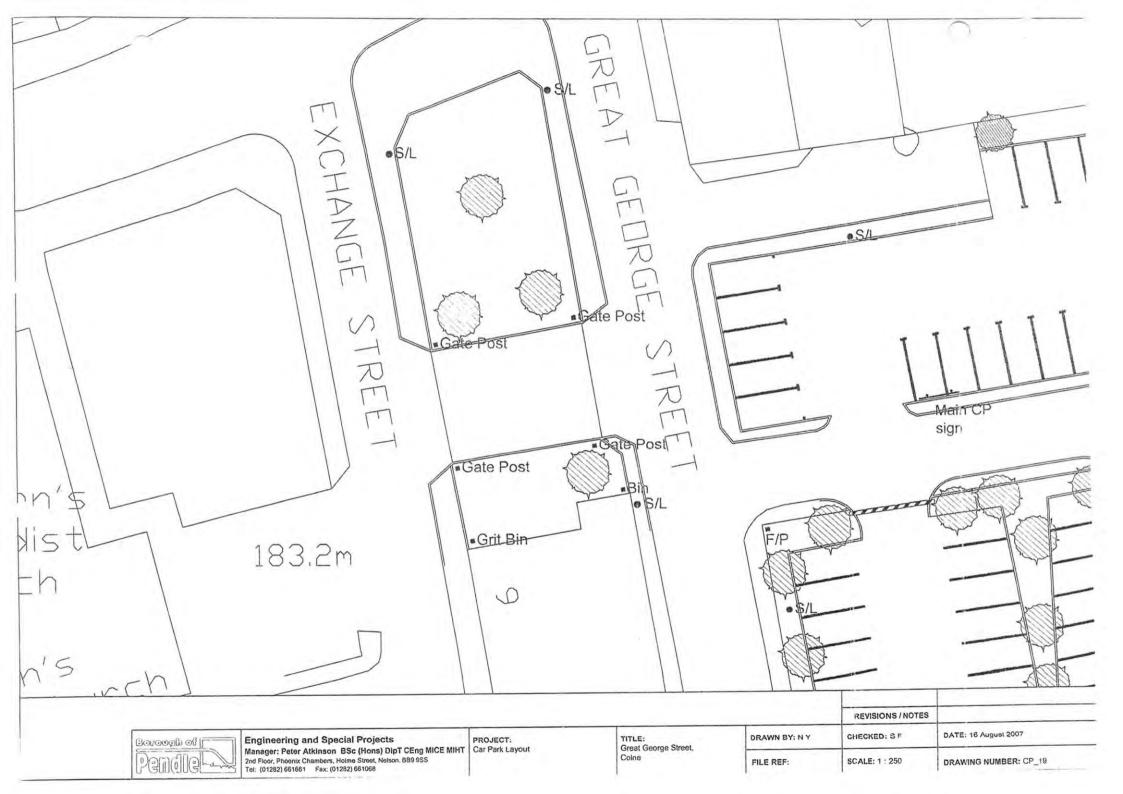


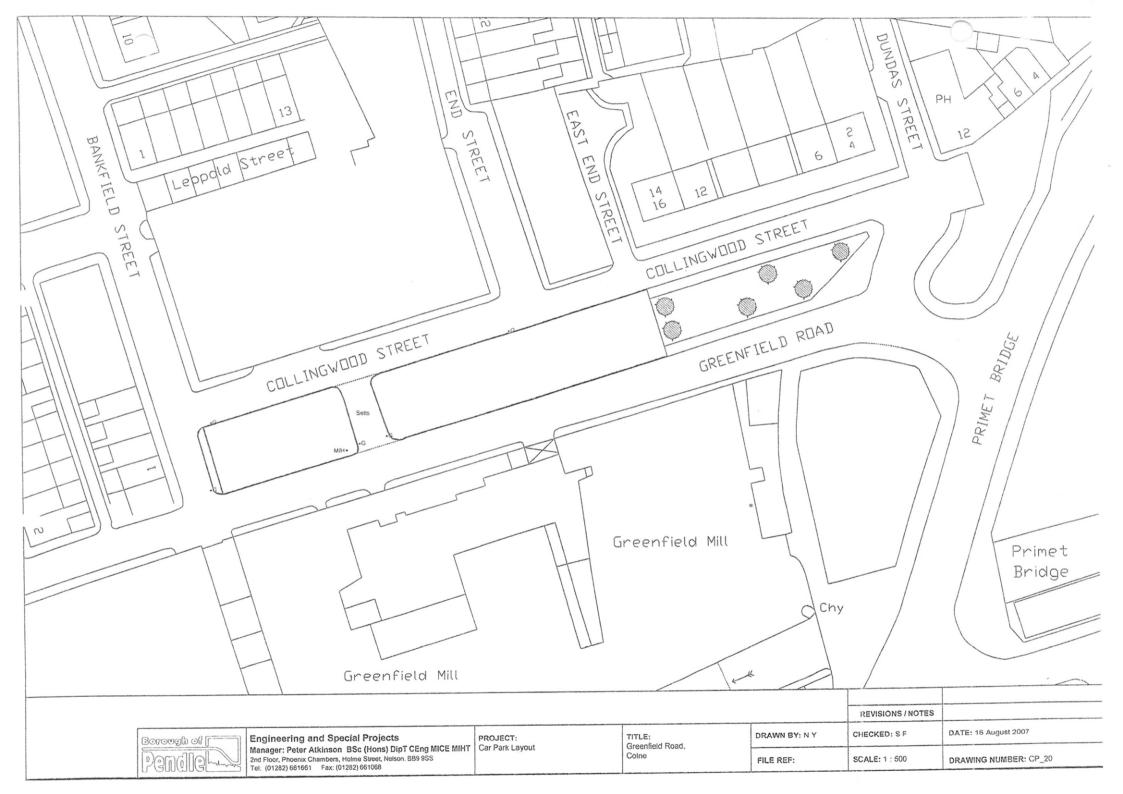


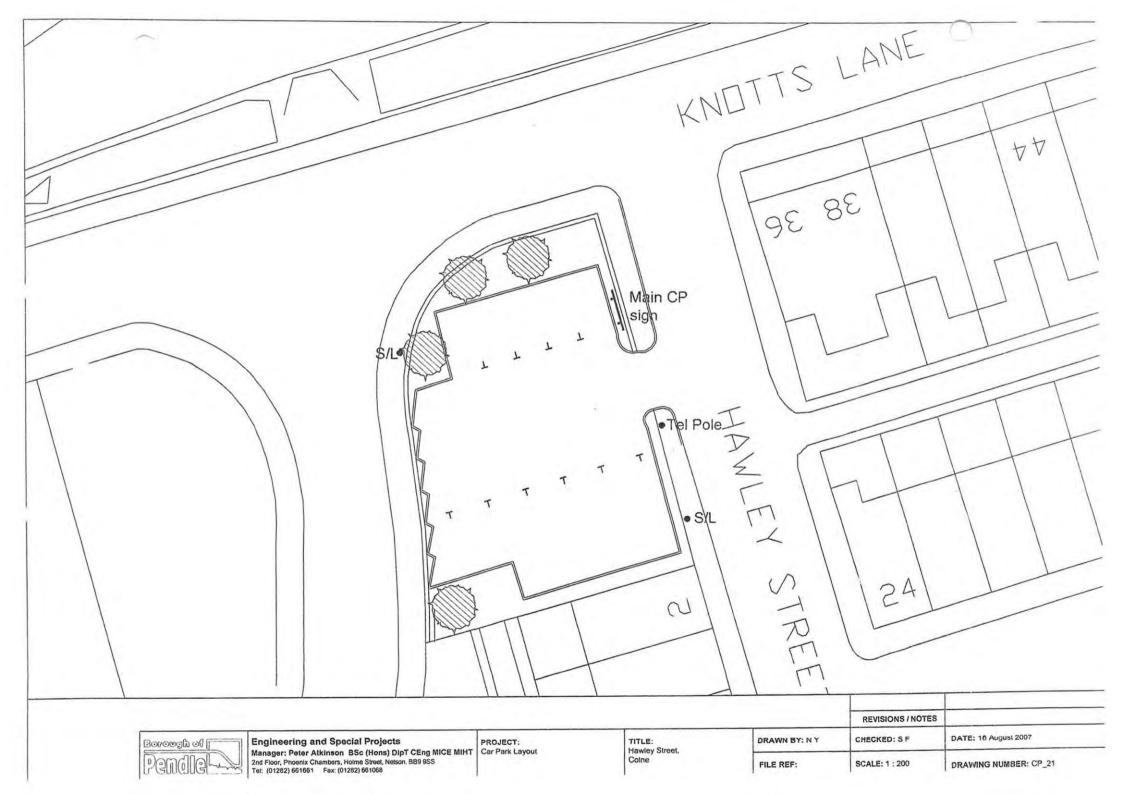


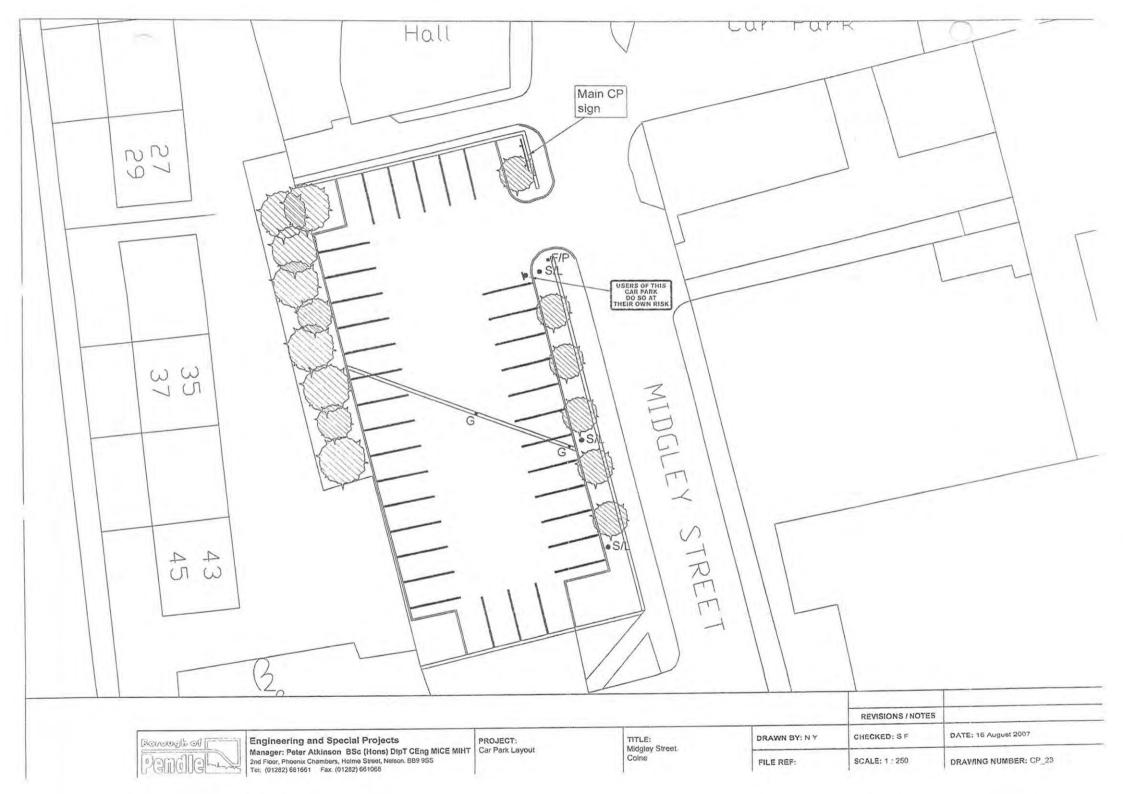


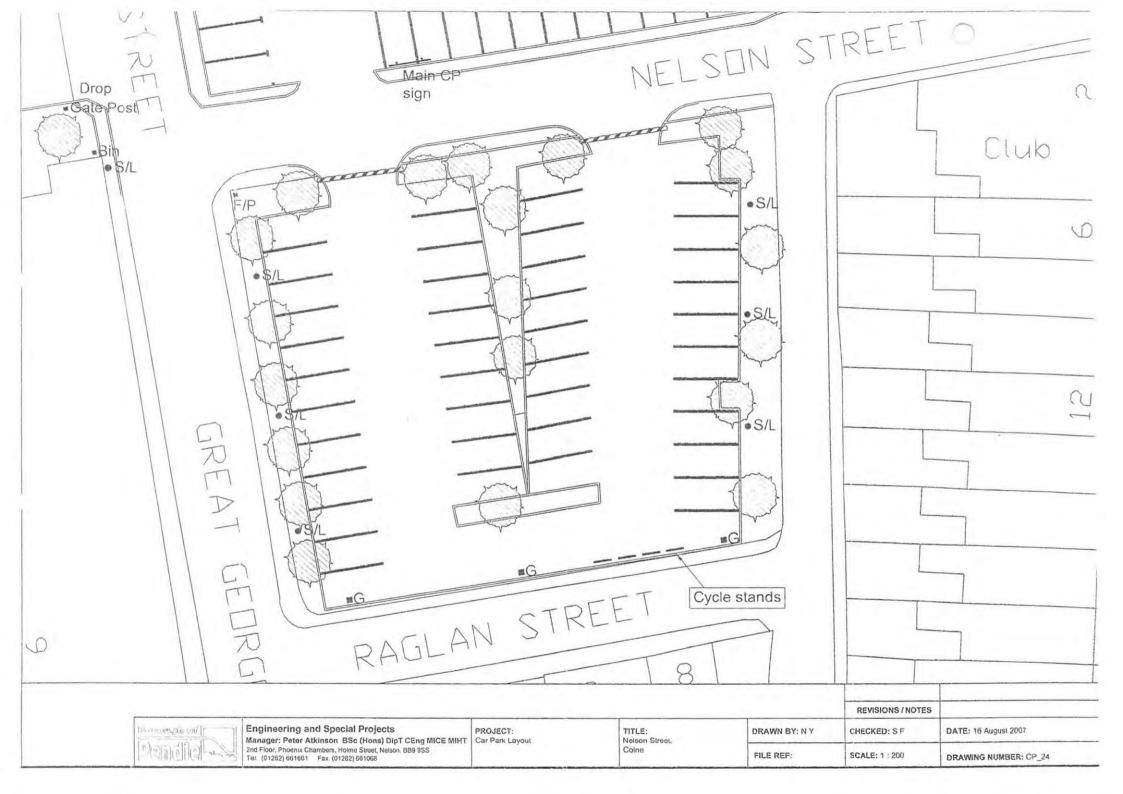


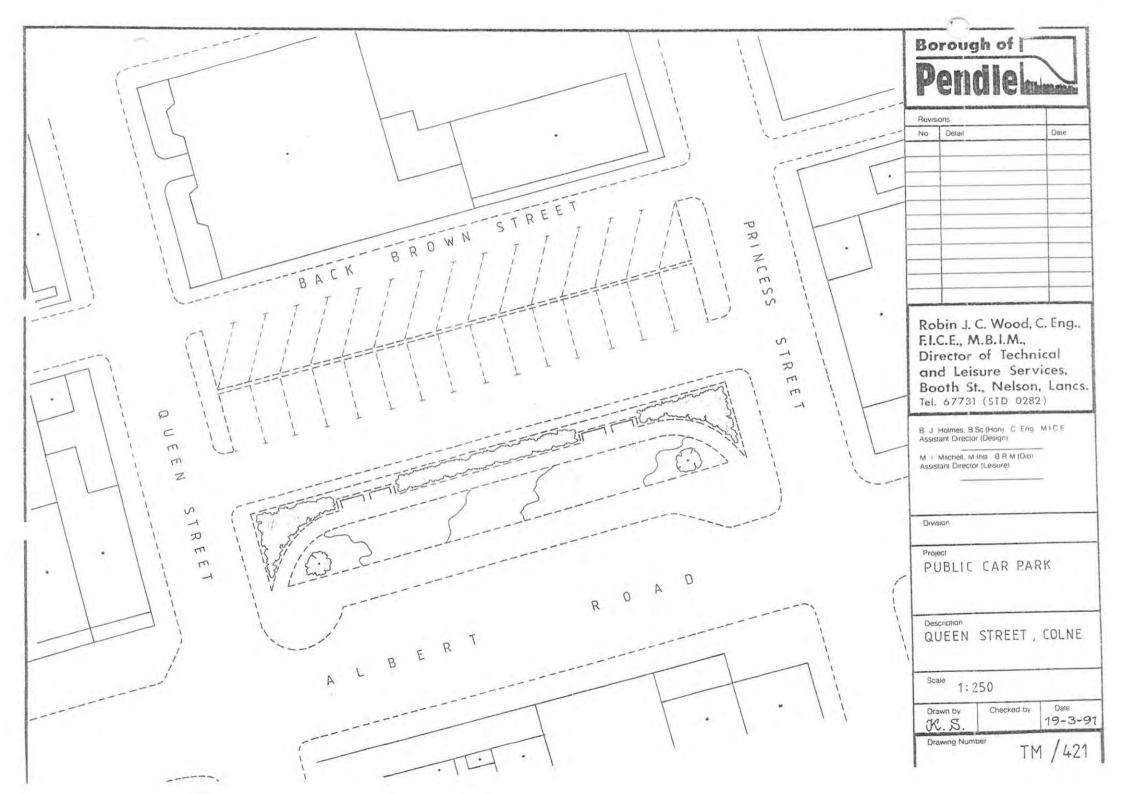


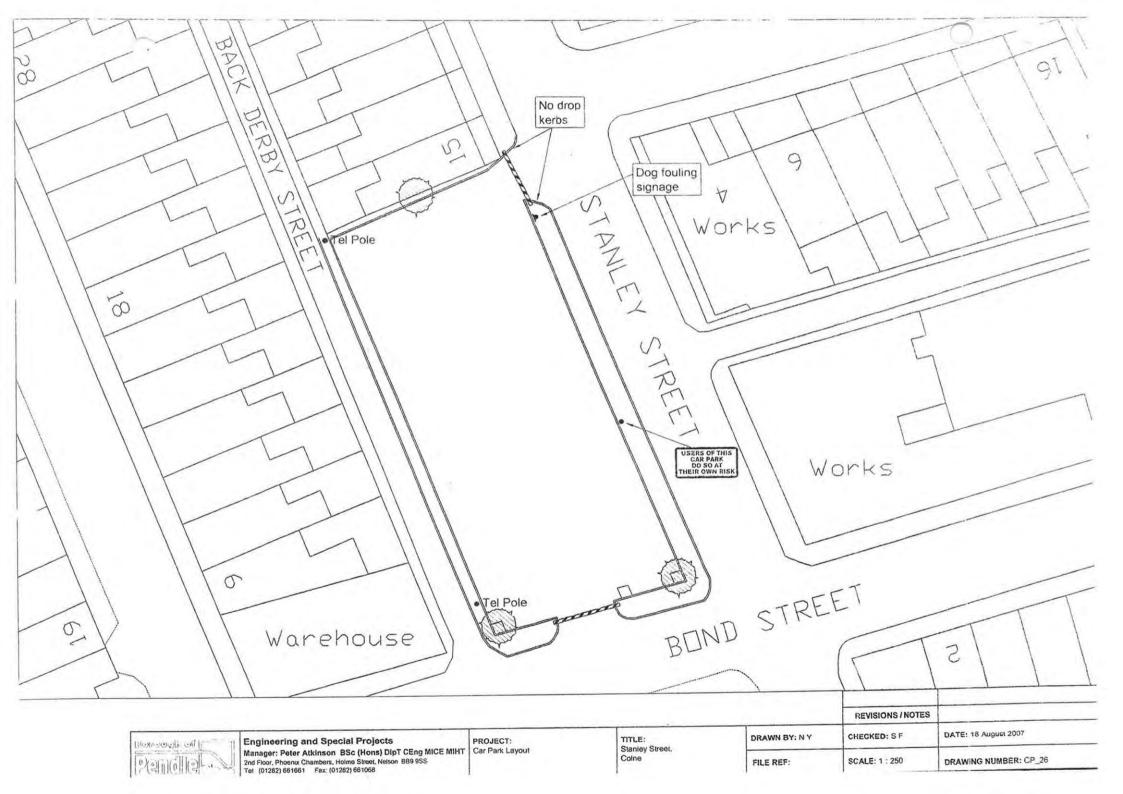


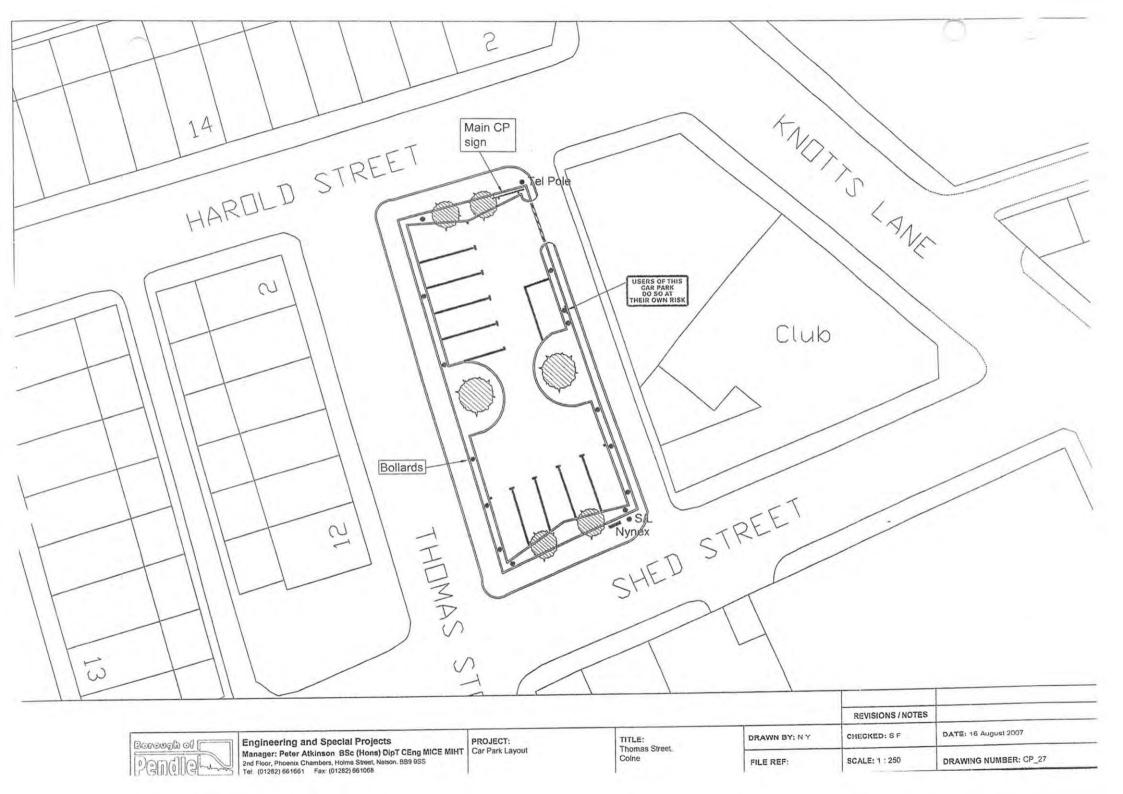


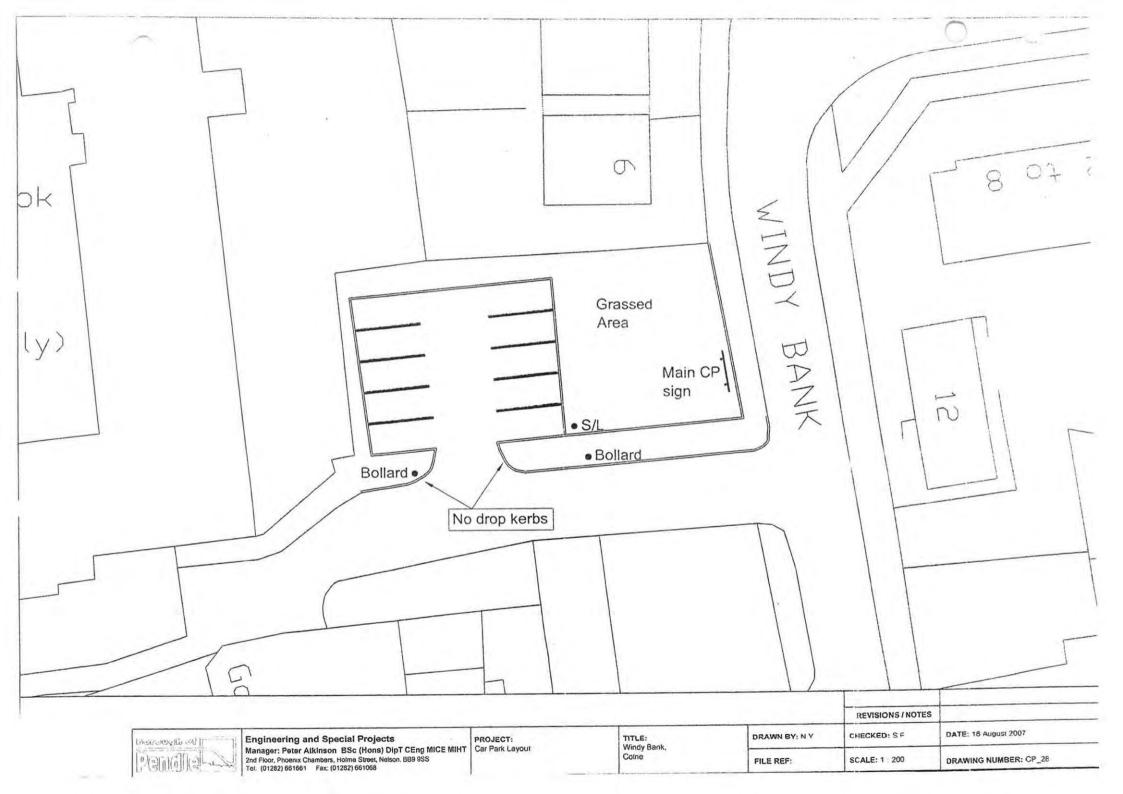


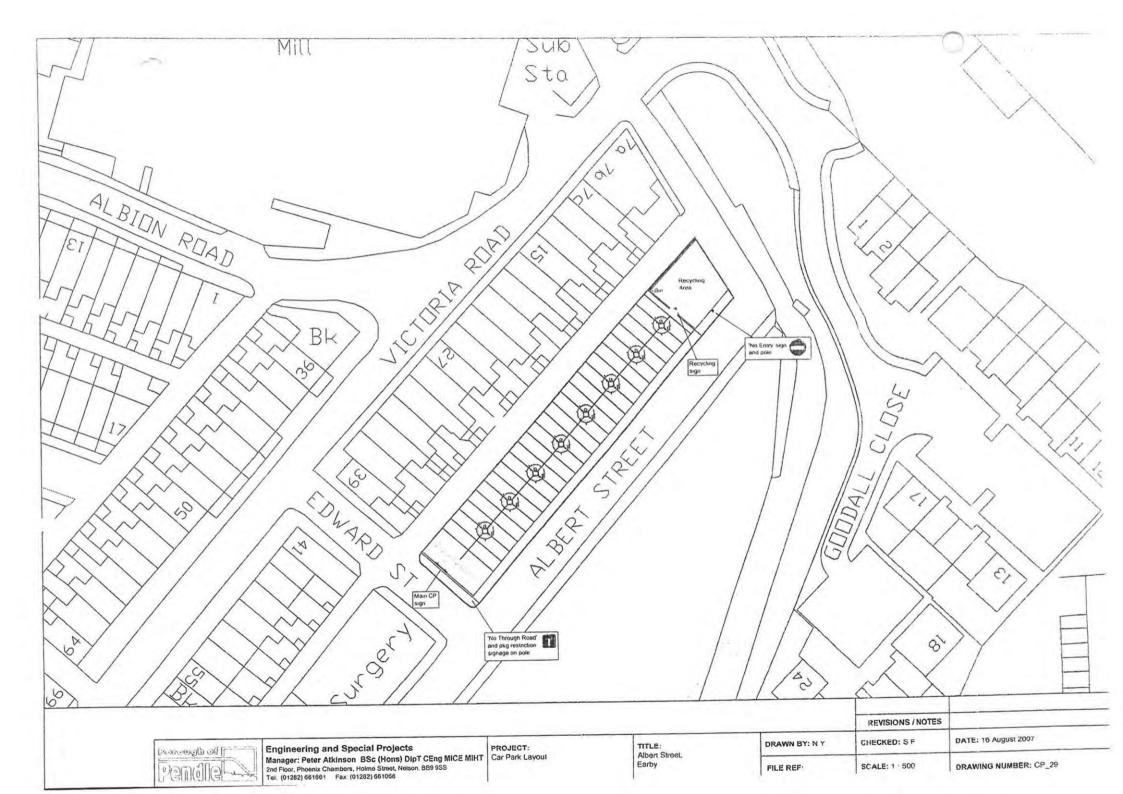


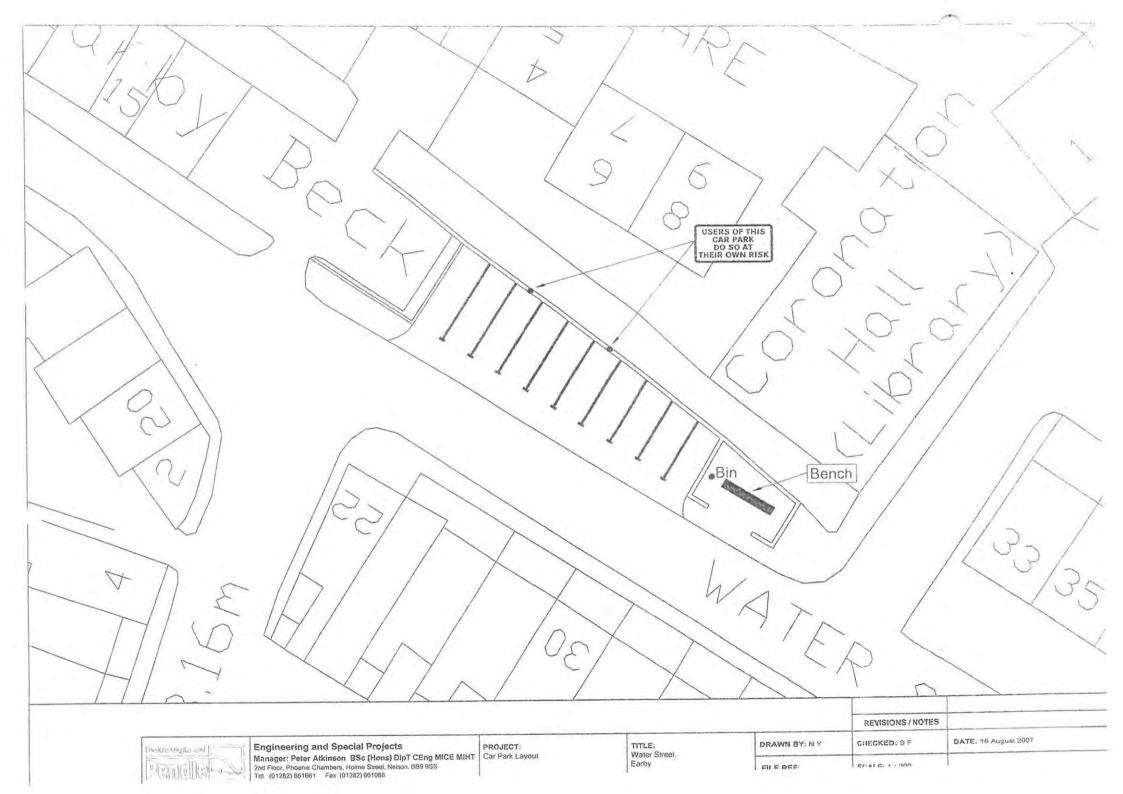


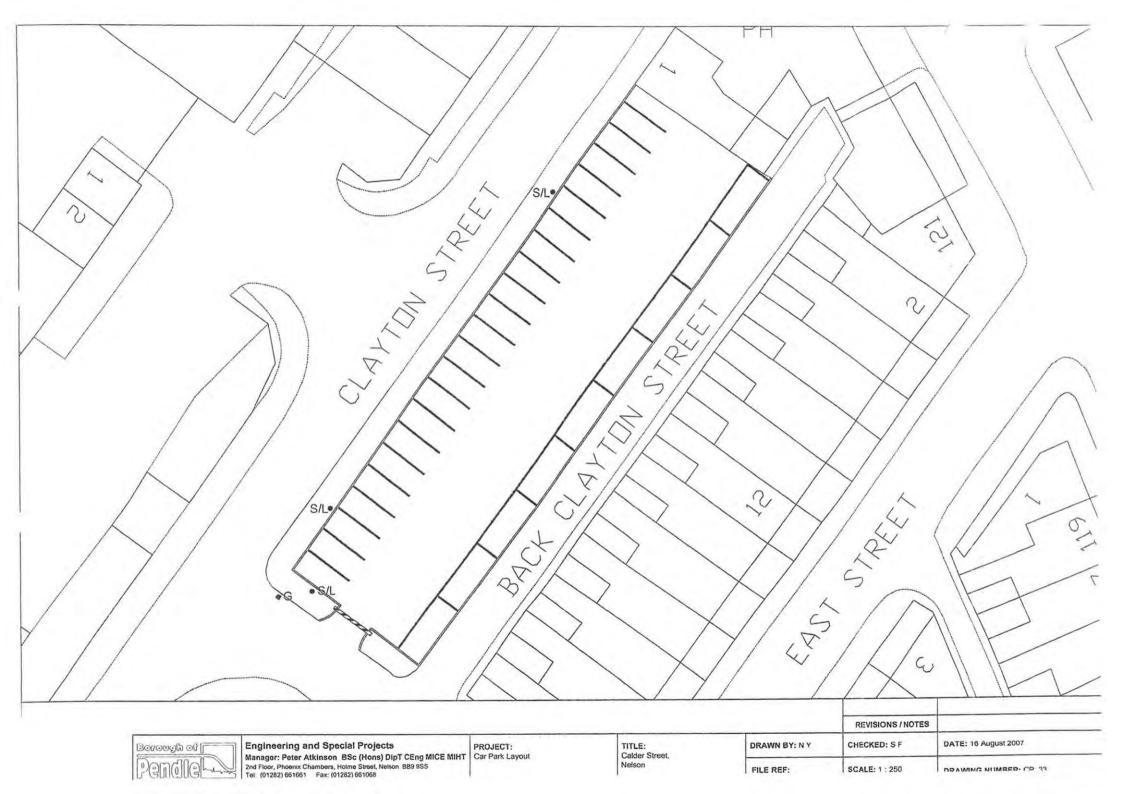


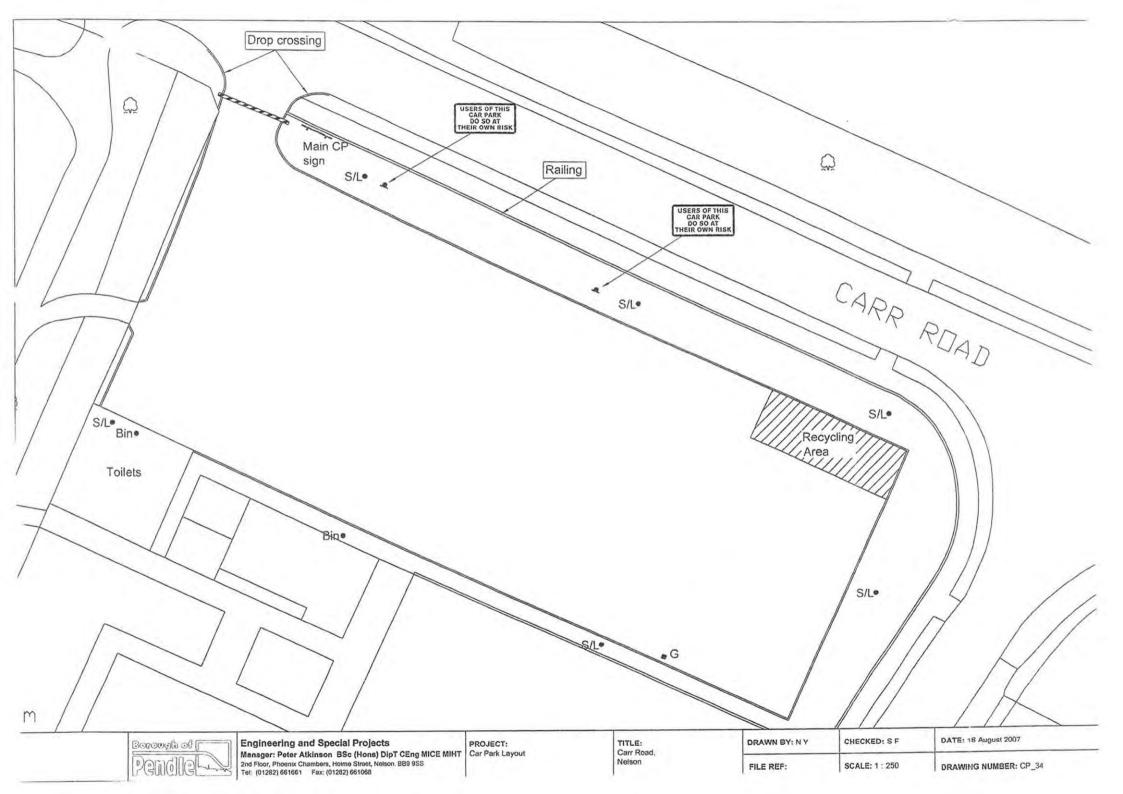


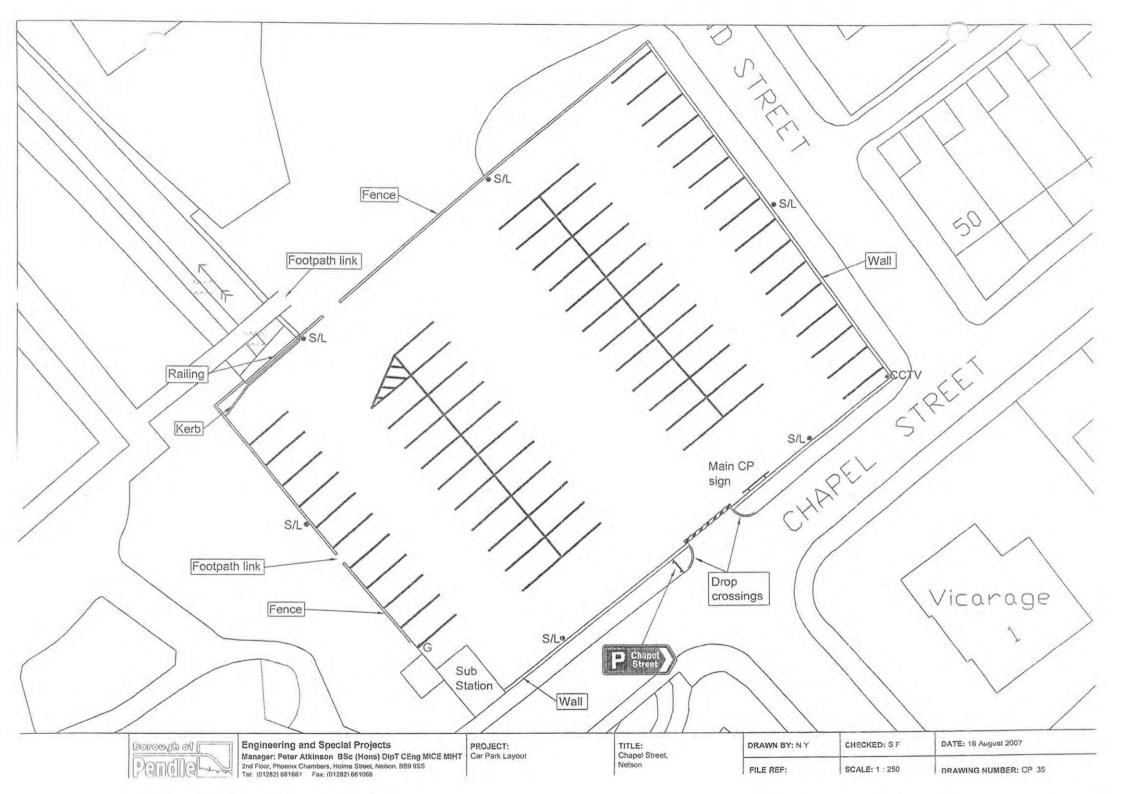


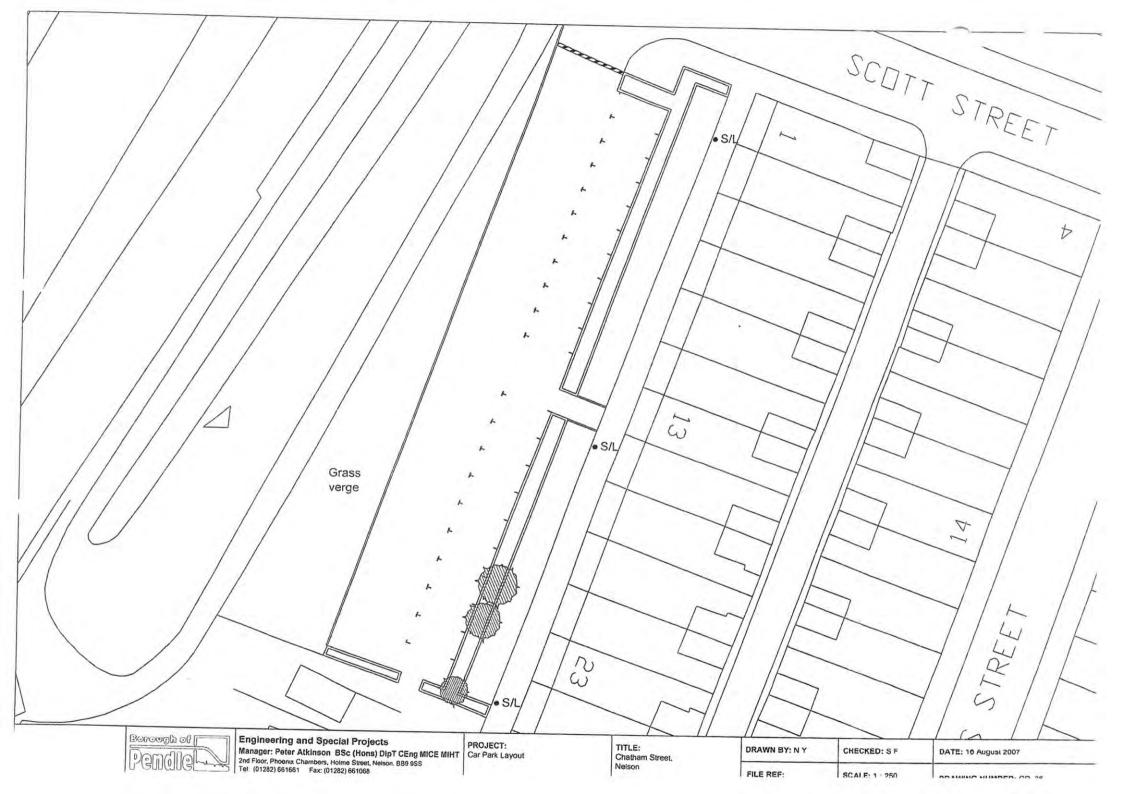


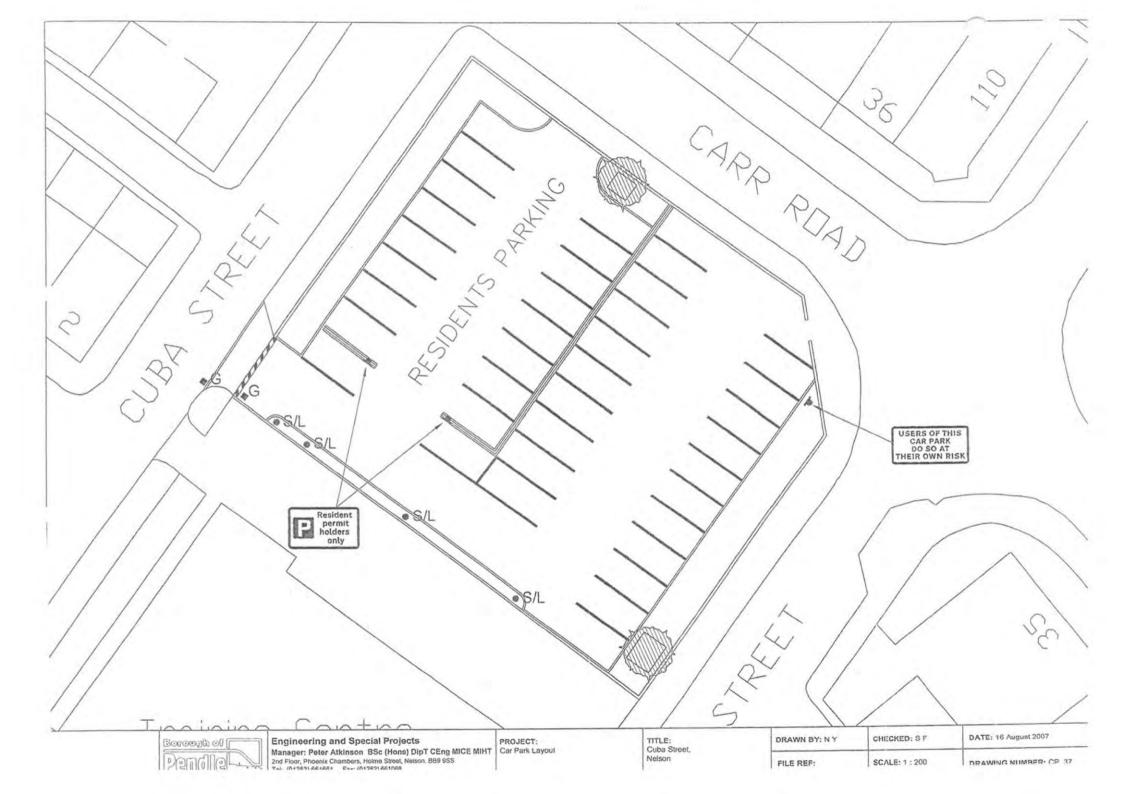


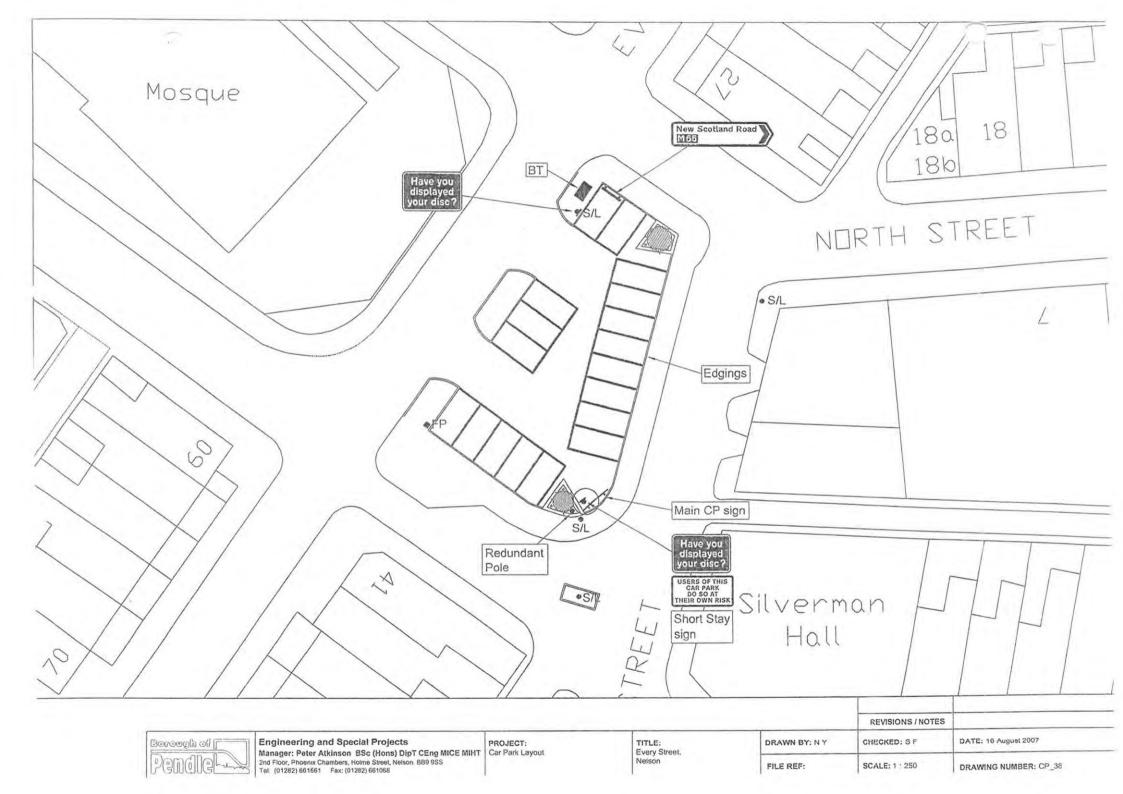


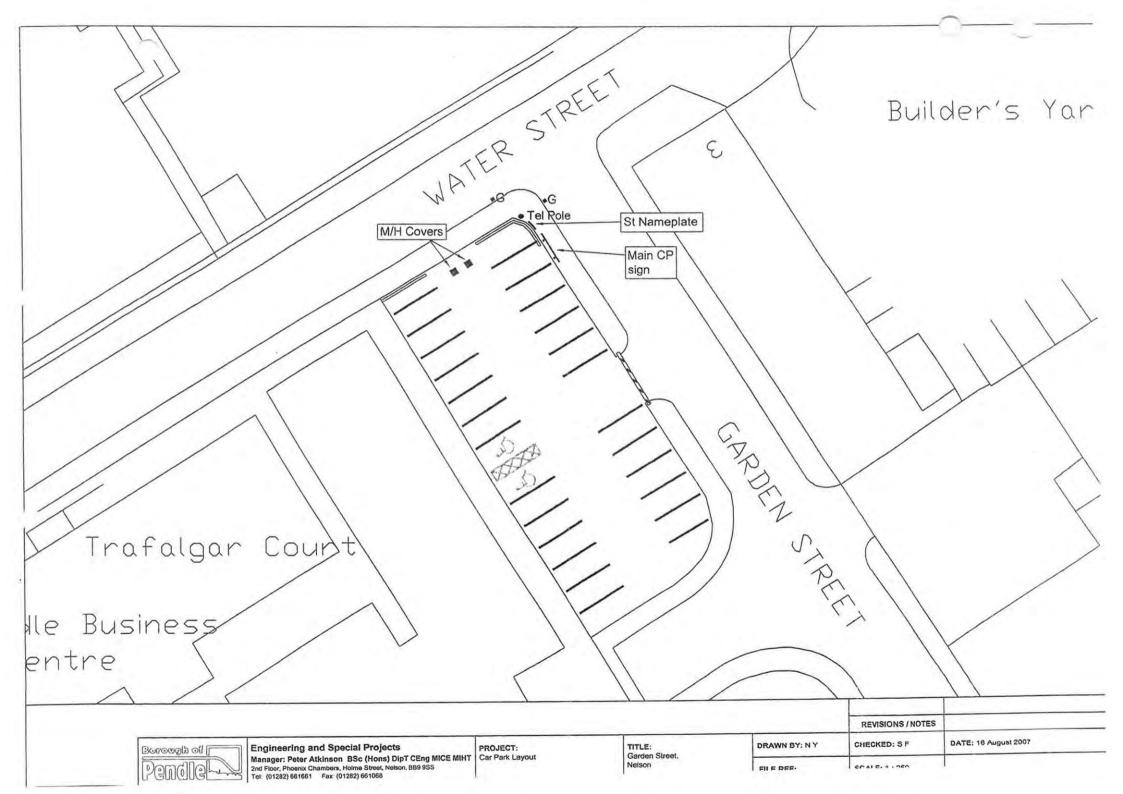


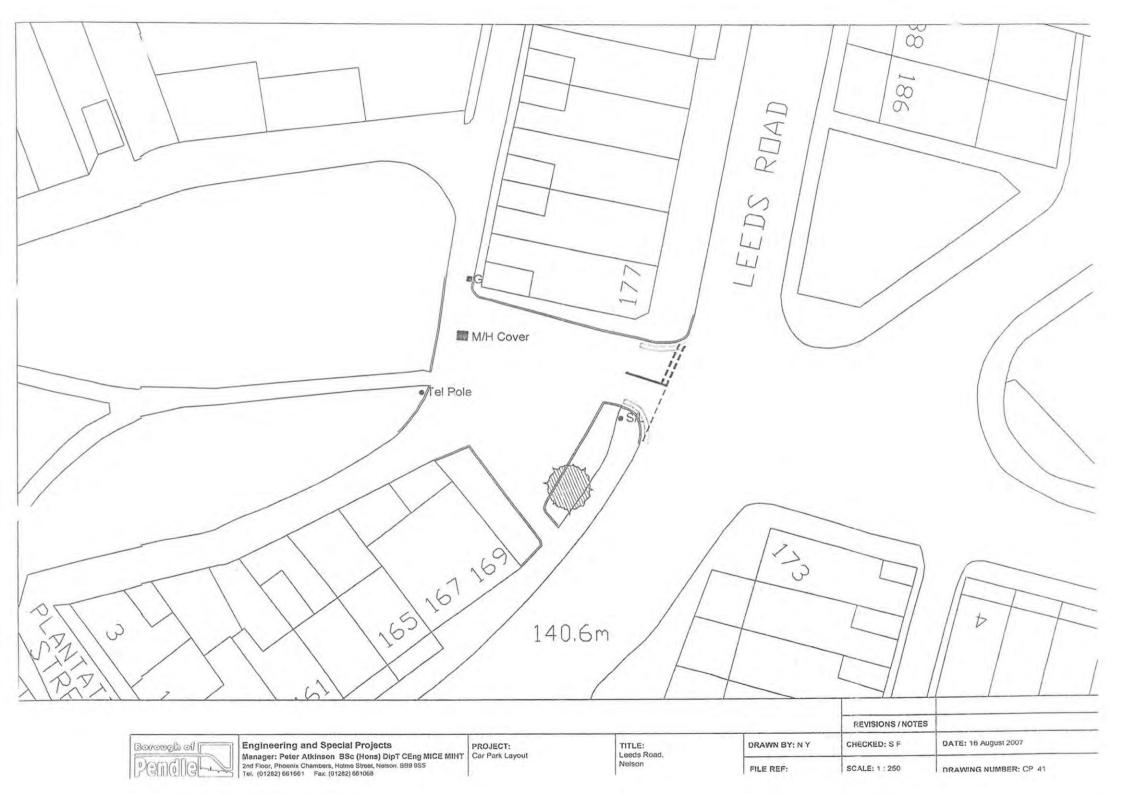


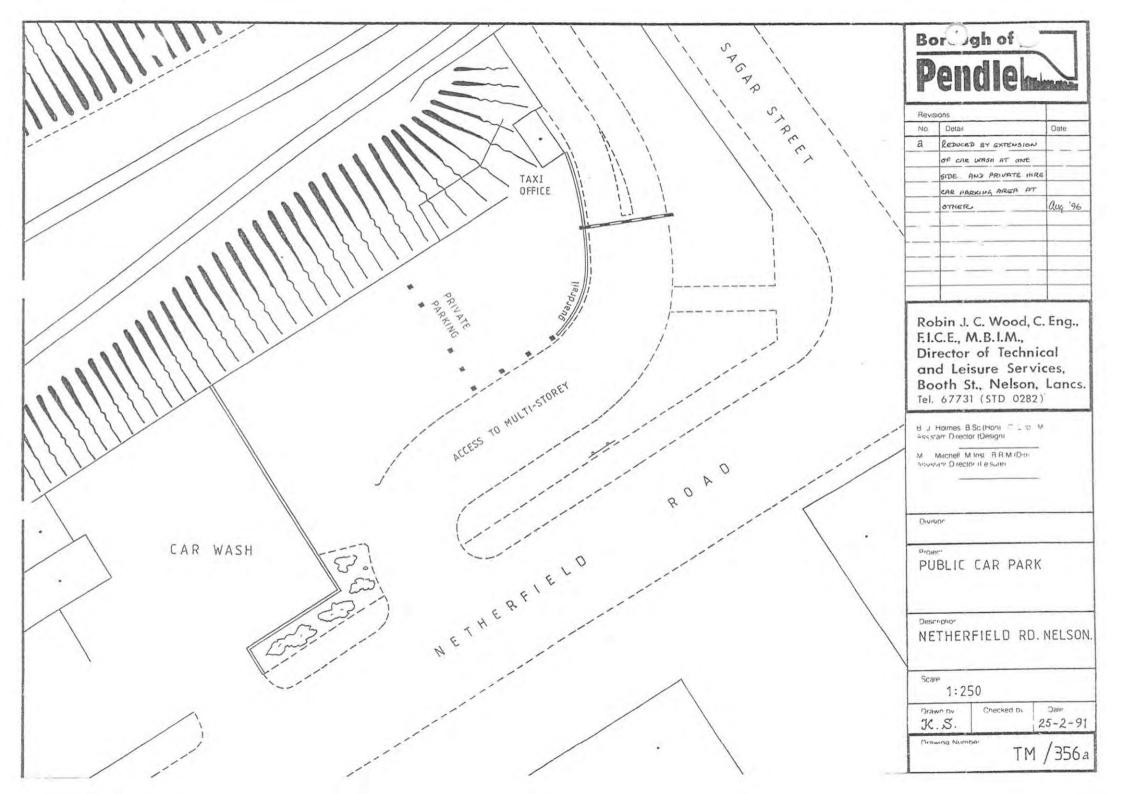


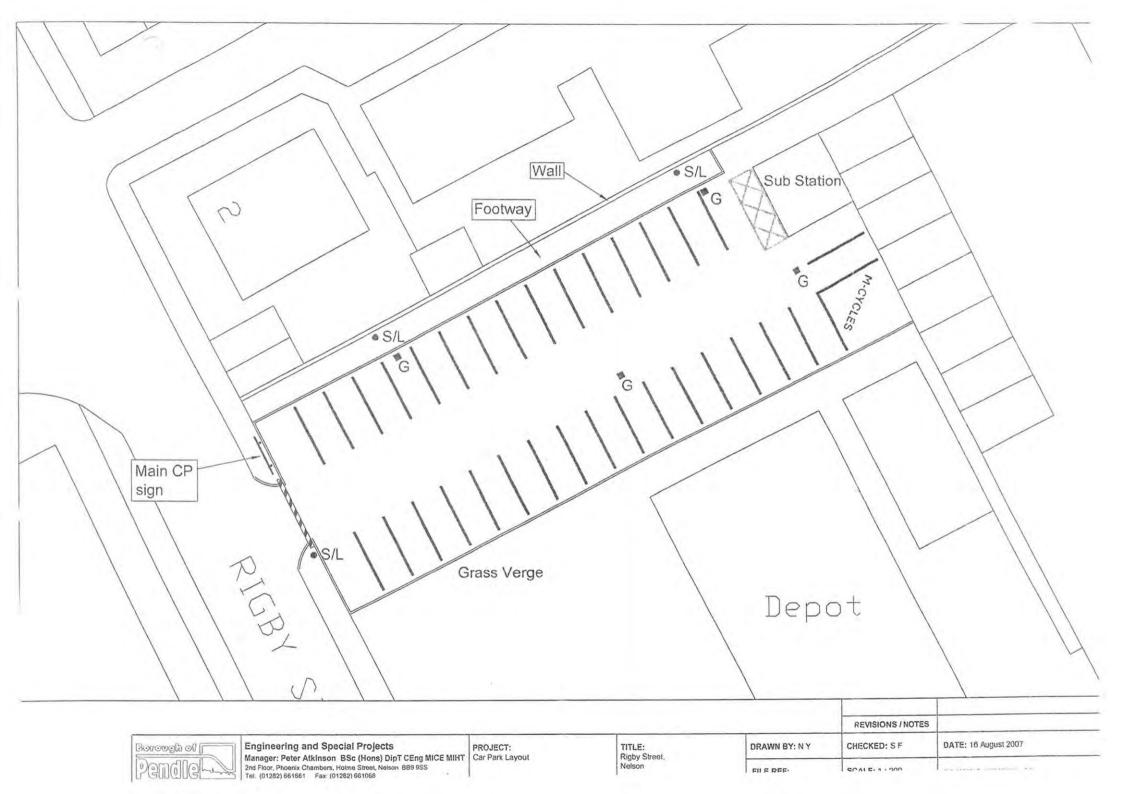


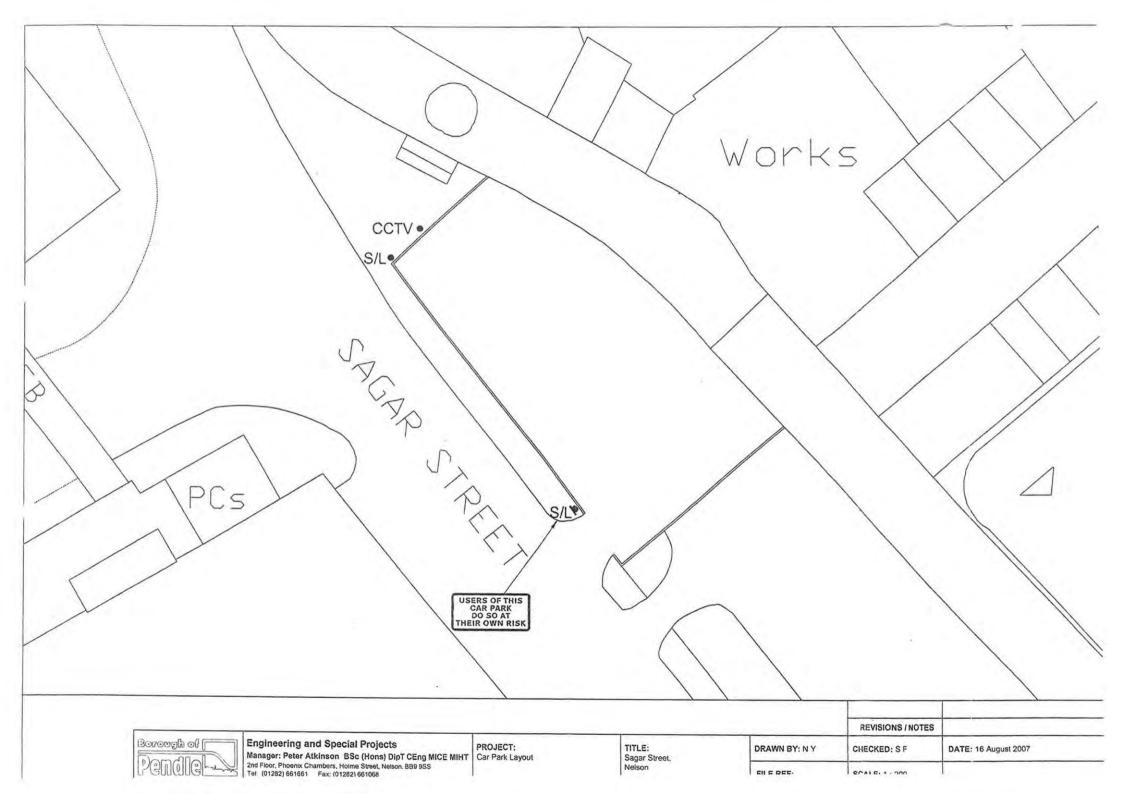












PROPOSED BOROUGH COUNCIL OF PENDLE COMPOSITE OFF-STREET PARKING ORDER 2013 NUMBER 1

SCHEDULE 3

SHORT STAY

PLANS

