

PRESTON CITY COUNCIL

CITY OF PRESTON (CENTRAL BUS STATION) ORDER 2011

WHEREAS in pursuance of the powers conferred upon it by Section 81 of the Road Traffic Act 1960 the Council of the County Borough of Preston provided a parking place (hereinafter referred to as “the Bus Station”) for vehicles at the Central Bus Station, Tithebarn Street, Preston and the Council of the City of Preston as its successor has continued to provide that parking place

NOW THEREFORE the said City Council (hereinafter called “the Council”) in exercise of its powers under sections 32 and 35 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 and in consideration of the provisions of the Road Traffic Act 1991, the Traffic Management Act 2004 and the Road Traffic (Permitted Parking Area and Special Parking Area) (County of Lancashire) Order 2004 and of all other enabling powers, with the consent of the County Council of Lancashire in accordance with section 29(3) of the 1984 Act and after consulting the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act hereby makes the following Order:

PART 1 GENERAL

Commencement

- 1.1 This Order shall come into operation on the first day of November 2011 and may be cited as the City of Preston (Central Bus Station) Order 2011.
- 1.2 The Preston (Central Bus Station) Order 1970 shall be revoked on the date on which this Order shall come into operation.

Interpretation

- 1.3 Except where the context requires otherwise, any reference in this Order to an Article or Schedule shall be construed as a reference to that Article or Schedule in this Order.
- 1.4 The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
- 1.5 Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
- 1.6 “Include”, “includes” and “including” are deemed to be followed by the words “without limitation” and general words introduced by “other” do not have a restrictive meaning, and “for example” is not to be interpreted as if there are not other examples nor to limit or restrict the ordinary meaning of the words preceding it.
- 1.7 Headings are inserted for convenience only and shall not affect the construction of this Order.

- 1.8 A provision of this Order which is void or unenforceable shall (to that extent) be read down so as to be valid and enforceable and if it is not capable of being so read down then it shall be severed from all other provisions of this Order and the remaining provisions shall continue to have effect.
- 1.9 Words importing the singular or plural number include the plural and singular number respectively and the words importing the masculine gender include the feminine or neutral gender and references to a person or corporation include a corporation or person respectively.
- 1.10 Section 35C of the 1984 Act applies to this Order and all charges specified herein may be varied at any time by notice published in accordance with the 1984 Act.

Definitions

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

“Approved Method of Payment” means payment by invoiced account, cheque, cash or where available by debit or credit card.

“Approved Vehicle” means a form of mechanically propelled transport in respect of which permission has been given by the Council for it to be parked in a specified area or location.

“Bus Station”/“Central Bus Station” means the area shown on Plan 1 attached hereto

“Chargeable Hours” means any period specified in column 3 of the Schedule to this Order.

“Civil Enforcement Officer” means any officers, agents or servants of the Council who are authorised to supervise and control vehicles in Parking Places and enforce the provisions of this Order as pursuant to section 63A of the 1984 Act and section 76 of the 2004 Act.

“Coach” has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986.

“Disabled Person” means a disabled person of a description prescribed by Regulation 4 of The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000, or any other legislation as may replace it in the future.

"Disabled Person's Badge" means a badge which was issued, or has effect as if issued, to a Disabled Person or an institution under The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 or any other legislation as may replace it in the future or under regulations having effect in Scotland or Wales under section 21 of the Chronically Sick and Disabled Persons Act 1970, and has not ceased to be in force.

"Disabled Person's Vehicle" means a Vehicle which displays in the Relevant Position a Disabled Person's Badge and Parking Disc.

"Driver" in relation to a Vehicle or Approved Vehicle waiting in the Parking Place means the person driving the Vehicle or Approved Vehicle immediately prior to parking it in the Parking Place.

"Driver" in relation to a Vehicle waiting in the Bus Station, means the person driving the vehicle at the time when it was left in the Bus Station:

"Enforcement Authority" means Preston City Council.

"Hackney Carriage" has the same meaning as in Section 38 of the Town Police Clauses Act 1847 subject to the fact that it refers only to hackney carriage vehicles currently licensed as such by the Council.

"Invalid Carriage" means a mechanically propelled Vehicle of which the weight unladen does not exceed 254 kilograms and which is specifically designed and constructed, and not merely adapted, for the use of a person suffering from some physical defect or disability and is used solely by such a person.

"Material Time" means the time when the contravention giving rise to the Penalty Charge is said to have occurred.

"Motor Car" means a mechanically propelled Vehicle, not being a motor cycle or an invalid carriage, which is constructed itself to carry a load or passengers and the weight of which unladen-

(a) if it is constructed solely for the carriage of passengers and their effects, is adapted to carry not more than seven passengers exclusive of the driver, and is fitted with tyres of such type as may be specified in regulations made by the Secretary of State, does not exceed 3050 kilograms,

(b) if it is constructed or adapted for use for the conveyance of goods or burden of any description, does not exceed 3050 kilograms (or 3500 kilograms if the vehicle carries a container or containers for holding, for the purposes of its propulsion, any fuel which is wholly gaseous at 17.5 degrees Celsius under a pressure of 1.013 bar or plant and materials for producing such fuel); or

(c) does not exceed 2540 kilograms in a case not falling within (a) or (b) above

"Motorcycle" means a mechanically propelled Vehicle (not being a motor car or an invalid carriage) with fewer than four wheels, of which the weight unladen does not exceed 410 kilograms.

"Owner" in relation to a Vehicle or Approved Vehicle means the person in whose name the vehicle is registered at the relevant time under the Vehicle Excise and Registration Act 1994.

"Park" refers to a Vehicle or Approved Vehicle which waits in a Parking Place.

"Parking" has a corresponding meaning to "Park".

"Parking Disc" means a device which -

(a) is 125 millimetres square and coloured blue, if issued on or after the 1st April 2000, or orange if issued before that date;

(b) has been issued by a local authority and has not ceased to be valid; and

(c) is capable of showing the quarter hour period during which a period of waiting has begun.

"Parking Place" means any land or place specified by name in Column 1 of the Schedule hereto

"Parking Space" means any area of the Parking Place which is provided for the leaving of a Vehicle or Approved Vehicle and indicated by markings on the surface of the Parking Place.

"Parking Ticket" means a ticket purchased from a person authorised by the Council.

"Penalty Charge" means the charge set by the Council under the provisions of the 2004 Act and subordinate legislation made thereunder.

"Penalty Charge Notice" means a notice issued or served by a Civil Enforcement Officer pursuant to the provisions of section 78 of the 2004 Act and The Civil Enforcement of Parking Contraventions (England) General Regulations 2007, or any other legislation as may replace it in the future.

"Public Service Vehicle" has the same meaning as in Section 1 of the Public Passenger Vehicles Act 1981;

"Relevant Position" means-

- (a) in respect of a Vehicle displaying a valid Disabled Person's Badge -
 - (i) the badge is exhibited on the dashboard or fascia of the Vehicle, or
 - (ii) 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 whole of the information contained on the front of the badge is clearly legible from the outside of the Vehicle.

- (b) in respect of a Vehicle displaying a valid parking Disc -
 - (i) in the case of a Vehicle fitted with a dashboard or fascia panel the disc is exhibited thereon so that the quarter-hour period during which the period of waiting began is clearly legible from outside the Vehicle; or
 - (ii) in the case of a Vehicle not so fitted the disc is exhibited in a conspicuous position on the Vehicle so that the quarter-hour period during which the period of waiting began is clearly legible from outside the Vehicle.

"the Service Road" means the looped access road around a central island located at the southern end of the Bus Station complex having regular access to and from the highway.

"the Station Manager" means the Station Manager for the time being of the Council, or his duly authorised representative.

"the 1984 Act" means the Road Traffic Regulation Act 1984.

"the 2004 Act" means the Traffic Management Act 2004.

"Vehicle" means a Motor Car, a Motorcycle, or an Invalid Carriage.

"vehicle" means a Coach, a Public Service Vehicle or a Vehicle.

"Wait" refers to a Vehicle or Approved Vehicle stopping and remaining stationary for any period of time whether or not with the intention of parking. If a Vehicle or Approved Vehicle remains stationary for any period in a Parking Place whether or not a person alights from the Vehicle it is deemed to be waiting.

"Waiting" has a corresponding meaning to "Wait".

PART II

AUTHORIZATION AND USE OF CENTRAL BUS STATION

- 2.1 The Bus Station shall be used only by public service vehicles and such other vehicles as may be authorized in that behalf by the Station Manager. ("Approved Vehicles").
- 2.2 Any Approved Vehicle authorised under Article 2.1 hereof to use the Bus Station shall, while waiting in the Bus Station, wait only in a position appointed by the Station Manager.
- 2.3 The driver of an Approved Vehicle shall not permit it to wait in the Bus Station -
 - (i) unless it is a public service vehicle or such other vehicle as may be authorised to use the Bus Station under this Part of this Order, or
 - (ii) in a position other than that appointed by the Station Manager.
- 2.4 No pedestrian shall enter or leave the Bus Station otherwise than by a subway, or by the pedestrian zones and zebra crossings which have been installed on the Bus Station apron as indicated on Plan 3 attached hereto.
- 2.5 No person shall enter upon that part of the Bus Station apron which is reserved for Approved Vehicles (i.e. any part of the Central Bus Station other than the building shown on Plan 4 attached hereto or the areas mentioned in Article 2.4 above) save for the purpose of boarding or leaving a vehicle authorized to use the Bus Station under Article 2.1 hereof, or for such other purpose as may be authorized by the Station Manager.
- 2.6 Any person frequenting the Bus Station shall comply in all respects with the reasonable requirements of the Station Manager.
- 2.7 No person shall throw down, drop or otherwise deposit in or into the Bus Station and leave anything whatsoever in such circumstances as to cause, contribute to, or tend to lead to, the defacement by litter of the Bus Station.

PART III

DESIGNATION AND USE OF PARKING PLACE

Designation and use of parking place

- 3.1 Each area of land or place specified by name in column 1 of the Schedule to this Order may be used, subject to the following provisions of this Order, as a Parking Place for such Approved Vehicles or permitted classes of vehicle, in such positions, on such conditions for such period on such days and during such hours and on payment of such charges, if any, as are specified in relation to that Parking Place in the said Schedule. No person shall, unless authorized in writing by the Council, use any Parking Place so named for any other purpose whatsoever.

Class and position of vehicle

- 3.2 Where in the Schedule the 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) in a position other than that so specified.
- 3.3 Nothing in this Article shall make it unlawful under Article 2.2 to park a vehicle in the Parking Place of any of the following descriptions:-
- (a) vehicles used for Fire Brigade purposes;
 - (b) vehicles used for police purposes;
 - (c) vehicles used for ambulance purposes;
 - (d) street cleansing vehicles;
 - (e) vehicles used for the collection of refuse;
 - (f) vehicles used for the purpose of gritting or salting or the clearance of snow;
 - (g) vehicles used for the purpose of cleansing repairing or maintaining lighting apparatus;
 - (h) vehicles used in connection with the reconstruction alteration or maintenance of or the provision of services to or supervision of the Parking Place subject to the maximum period for which a Vehicle may be left.

Position of vehicle

- 3.4 Every Approved Vehicle left waiting in the Parking Place in accordance with the provisions of this Order shall so stand so that every part of the Approved Vehicle is within the limits of a particular Parking Space within the limits of the Parking Place.

Maximum period of stay

- 3.5 Where in the Schedule the Parking Place is described as being available for use on specified days during specified hours or as being available for use for a maximum period of stay a Driver shall not cause or permit an Approved Vehicle to park in the Parking Place on any day outside such hours or for any period longer than that specified.

Period of no return

- 3.6 Where in the Schedule the Parking Place is described as having a period within which a vehicle may not return, a Driver shall not cause or permit an Approved Vehicle to wait in the Parking Place on any day during such period for which the vehicle is excluded from waiting in the Parking Place.

No waiting in designated areas

- 3.7 Wherever within the Parking Place it has been indicated by the use of surface markings in the form of white hatching that waiting within an area within the Parking Place is not permitted, the Driver of an Approved Vehicle shall not permit it to wait in that area.

Speed Limit

- 3.8 (i) No person shall cause or permit any vehicle which is in the Parking Place to proceed on the area described in row 2 column 1 of the Schedule hereto at a speed greater than ten miles per hour.
(ii) The Council expects that no person shall cause or permit any vehicle which is in the Parking Place to proceed on the area described in row 2 column 1 of the Schedule hereto at a speed greater than five miles per hour when the vehicle is in reverse gear.

Manner of Travel

- 3.9 No person shall cause or permit a vehicle to travel on the Service Road otherwise than in an anti-clockwise direction as indicated on Plan 2 hereto.

Prohibitions and Restrictions on Waiting

- 3.10 No person shall cause or permit a vehicle to wait at any time in the following lengths of the Service Road as indicated on Plan 2 hereto:-
- (i) Outer kerb line full length (South side, East side, North side and West side)
 - (ii) Inner kerb line (South side) between points 2 metres and 8 metres in an easterly direction measured from a point where the kerb of the Service Road meets the most westerly kerb line of Church Row as shown marked "A" on Plan 2 hereto
 - (iii) Inner kerb line (South side) between points 34 metres and 38 metres in an easterly direction measured from a point where the kerb of the Service Road meets the most westerly kerb line of Church Row as shown marked "A" on Plan 2 hereto
 - (iv) Inner kerb line (North side) between points 1.5 metres and 5 metres in an easterly direction measured from a point where the kerb of the Service Road meets the most westerly kerb line of Church Row as shown marked "A" on Plan 2 hereto
 - (v) Inner kerb line (North side) between points 33 metres and 36 metres in an easterly direction measured from a point where the kerb of the Service Road meets the most westerly kerb line of Church Row as shown marked "A" on Plan 2 hereto

- 3.11 No person shall cause or permit a Vehicle to wait in the following length of the Service Road as indicated on Plan 2 hereto other than for a period of no longer than fifteen minutes and any such Approved Vehicle shall not return within twenty minutes:-

Inner kerb line (South side) between points 8 metres and 21 metres in an easterly direction measured from a point where the kerb of the Service Road meets the most westerly kerb line of Church Row as shown marked "A" on Plan 2 hereto

- 3.12 No person shall cause or permit a Vehicle to wait in the following length of the Service Road as indicated on Plan 2 hereto other than for a period of no longer than five minutes, and any such Approved Vehicle shall not return within sixty minutes:-

Inner kerb line (North side) between points 5 metres and 33 metres in an easterly direction measured from a point where the kerb of the Service Road meets the most westerly kerb line of Church Row as shown marked "A" on Plan 2 hereto

- 3.13 No person shall cause or permit a vehicle to wait in the following length of the Service Road unless that vehicle is a Hackney Carriage plying for hire:-

Inner kerb line (South side) between points 21 metres and 34 metres in an easterly direction measured from a point where the kerb of the Service Road meets the most westerly kerb line of Church Row as shown marked "A" on Plan 2 hereto

**PART IV
RELOCATION AND REMOVAL OF VEHICLES**

Removal and repositioning of vehicles

- 4.1 Where a vehicle waits in the Parking Place in contravention of any of the provisions of this Order a person authorized in that behalf by the Council may remove the vehicle or arrange for the vehicle to be removed from the Parking Place and when a vehicle is waiting in the Parking Place in contravention of the provisions of Article 3.4 a person authorized in that behalf by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with that Article.

Removal of vehicles in an emergency

- 4.2 For the purpose of meeting the requirements of an emergency a person authorized in that behalf by the Council or a police constable in uniform may alter or cause to be altered the position of a vehicle in the Parking Place or remove or arrange for the removal of a vehicle from the Parking Place and in so doing shall provide for the safe custody of the vehicle.

Method of removing and repositioning vehicles

- 4.3 An authorized person altering or causing to be altered the position of a vehicle by virtue of Articles 4.1 or 4.2, or removing or causing the removal of a vehicle by virtue of Articles 4.1 or 4.2 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.

Safe custody of vehicles

- 4.4 An authorized person removing or arranging for the removal of a vehicle by virtue of Articles 4.1 or 4.2 shall make such arrangements as he considers to be reasonably necessary for the safe custody of the vehicle.
- 4.5 Where an authorized person has removed or caused to be removed a vehicle by virtue of Articles 4.1 or 4.2 the Council shall be entitled to recover from any person responsible for the vehicle such charges in respect of the removal, storage and disposal of the vehicle as it may determine under Schedule 9 of the 2004 Act.

Power to close any parking place or part thereof

- 4.6 Notwithstanding the provisions of this Order any person authorized by the Council may by notice, sign or barrier displayed on or near the Parking Place close the Parking Place or any part thereof for any period and/or may designate the Parking Place or any part thereof as reserved for use only by particular vehicles for particular purposes approved by the Council.
- 4.7 No person shall use the Parking Place or any part thereof when it is so closed unless with the written consent of the Council or in compliance with the particulars of the reservation.

PART V CHARGES FOR PARKING

Payment

- 5.1 The Driver of a Coach using the Parking Place shall, upon leaving the Coach in the Parking Place, pay the appropriate charge (if any) through an Approved Method of Payment in accordance with the level of charges specified in column 7 of the Schedule hereto. The areas to which this provision applies are described in this Part as “Pay and Display Parking Place(s)” and this payment is described as “the initial charge”.

Pay and display parking places

- 5.2 The Driver of a Coach using the Pay and Display Parking Place shall, upon alighting from the Coach and leaving it in the Parking Place:-
- (i) purchase a Parking Ticket for the period required in accordance with the level of charges specified in column 7 of the Schedule, or
 - (ii) make arrangements to pay the charge through an Approved Method of Payment for the period required in accordance with the level of charges specified in column 7 of the Schedule.

Means of payment

- 5.3 The charge referred to in the preceding Article shall be payable by making payment to a person authorized by the Council by an Approved Method of Payment.

Display of parking ticket in a pay and display parking place

- 5.4 The Driver of a Coach waiting in the Pay and Display Parking Place shall:
- (i) ensure that a Parking Ticket is purchased to cover the entire period that the Coach is left waiting in the Parking Place during the Chargeable Hours; and
 - (ii) display the purchased Parking Ticket in the Relevant Position on the Coach in respect of which it was issued.

Validity of parking ticket in a pay and display parking place

- 5.5 A Parking Ticket is not transferable from one Coach to another.
- 5.6 A Parking Ticket for the Central Bus Station is valid only in the Pay and Display Parking Place in which it was issued.
- 5.7 The fact that the period for which a charge for the use of a Parking Place has been paid has expired shall be indicated when there is exhibited on the Coach a Parking Ticket and the expiry date and time printed on the Parking Ticket are earlier than the date and time when any inspection may take place.

Tickets as evidence

- 5.8 The particulars specified on a Parking Ticket which provides for the time at which a Parking Ticket was obtained from a person authorized by the Council shall be conclusive proof for the purposes of the Council of the particulars so specified.

No parking ticket displayed in a pay and display parking place

- 5.9 If at any time while a Coach is waiting in a Pay and Display Parking Place, no Parking Ticket is displayed on that Coach in accordance with Article 5.4, it shall be deemed that the charge has not been paid.
- 5.10 If at the time when a Coach is waiting during the Chargeable Hours in a Pay and Display Parking Place, and a Parking Ticket cannot be obtained from a person duly authorized by the Council to issue such Parking Tickets then Article 5.11 shall prevail.
- 5.11 Where no valid Parking Ticket can be obtained and displayed pursuant to the circumstances described in Article 5.10, Coaches may be left in a Parking Place and the driver of the Coach shall be exempt from payment of the charge PROVIDED THAT the Coach does not remain in the Parking Place for longer than the maximum time limit (if any) allowed in the Parking Place.

Exemption from the requirement to display a parking ticket in a pay and display parking place.

- 5.12 Where an Approved Vehicle waits in a Pay and Display Parking Place, the Driver shall be exempt from the requirement to display a Parking Ticket.

Restriction on removal of parking ticket

- 5.13 When a Parking Ticket has been exhibited on a Coach in the Relevant Position, no person shall remove the Parking Ticket from the Coach until the Coach is removed from the Parking Place.

Penalty Charges at Pay and Display Parking Places

- 5.14 If a Vehicle or Coach is left in a Pay and Display Parking Place after the expiry of the period of validity of a ticket exhibited thereon and/or at a time when no other ticket valid for that time is so exhibited then, unless the Driver has been exempted by the Council from the payment of the charge, a Penalty Charge at a level approved by the Council shall be payable by the Owner or registered keeper of that Vehicle or Coach.
- 5.15 If a Vehicle or Coach is left in a Pay and Display Parking Place without there being exhibited thereon a valid ticket in accordance with the provisions of this Order or without payment in that respect having been made to the Council in some other acceptable manner, a Penalty Charge at a level approved by the Council shall be payable by the Owner or the registered keeper of that Vehicle or Coach.

- 5.16 In the case of a Vehicle or Coach in respect of which a Penalty Charge has been incurred it shall be the duty of the Civil Enforcement Officers to attach to the Vehicle or Coach in a conspicuous position a Penalty Charge Notice which shall include the following particulars:-
- (a) the registration mark of the Vehicle or Coach or, where the Vehicle or Coach is being used under a trade licence, the number of the trade plates carried on the Vehicle or Coach;
 - (b) the date and time at which he first noticed from the indications specified in Article 5.25 of this Order that the period for which payment was made by the initial charge had expired, or that no payment had been made (the “date of issue”);
 - (c) a statement that a Penalty Charge at a level approved by the Council is required to be paid;
 - (d) the manner in which the Penalty Charge may be paid;
 - (e) a statement indicating the effect of Article 5.17 of this Order.
- 5.17 In any case which falls within the ambit of any of the provisions contained in Articles 5.14, 5.15 or 5.19 of this Order, the liability to pay the Penalty Charge incurred thereunder shall be deemed to be satisfied by the payment to the Council, within fourteen days of the date on which the Penalty Charge was incurred, of a discounted sum at a level approved by the Council.
- 5.18 In any case which falls within the ambit of any of the provisions contained in Articles 5.14, 5.15 or 5.19 of this Order on the issue of a “charge certificate” in accordance with the provisions of paragraph 6 of Schedule 6 of the Road Traffic Act 1991, the Penalty Charge shall be an amount increased by fifty per centum of the sum of the original Penalty Charge.
- 5.19 If a Vehicle or Coach is left in a Parking Place in contravention of any provision of this Order other than Articles 5.14 or 5.15 a Penalty Charge at a level approved by the Council shall be payable by the Owner of that Vehicle or Coach for each day of the said contravention.
- 5.20 The period for which a Coach may be left in a Parking Place after a Penalty Charge has been incurred shall not exceed twenty-four consecutive hours and the Driver of any Vehicle shall not leave it in any Parking Place for any longer period unless within that twenty-four hours a valid ticket is displayed.
- 5.21 If a Vehicle is left in a Parking Place for more than twenty-four hours after the Penalty Charge has been incurred, unless within that twenty-four hours a valid ticket is displayed, it shall be the duty of the Civil Enforcement Officers to attach to the Vehicle in a conspicuous position a notice which shall include the particulars mentioned in Article 5.16 of this Order and the following additional particulars:-
- the time at which the Civil Enforcement Officer first noticed that the Vehicle had been left in the Parking Place for more than twenty-four hours after the Penalty Charge had been incurred.

- 5.22 When a ticket or tickets have been exhibited on a Coach in accordance with the provisions of Article 5.4 of this Order no person, not being the Driver of the Coach, shall remove the ticket or tickets from the vehicle unless authorized to do so by the Driver.
- 5.23 Where a Penalty Charge Notice has been attached to a Vehicle or Coach in accordance with the provisions of this Part of this Order no person, not being the Owner or the Driver or other person in charge of the said Vehicle or Coach or a duly authorised representative of the Council, shall remove the Penalty Charge Notice from it unless authorized to do so by the Owner or the Driver.
- 5.24 The Penalty Charge shall be paid to the Council or where a notice processing service provider has been appointed by the Council to that notice processing service provider in such a manner as to be received by it not later than the fourteenth day following the day on which the Penalty Charge was incurred.

Miscellaneous

- 5.25 Payment of the charge for a Coach left in a Parking Place in accordance with Article 5.4 of this Order shall be indicated by the issue by a person authorised by the Council of a Parking Ticket indicating that the charge has been paid and, in respect of the period for which it was paid, the date of the payment of the charge and the time until which permission to leave the Coach in the Parking Place has been given as a result of the payment of the charge.
- 5.26 The Council shall proceed on the basis that any ticket issued by a person authorized by the Council has, unless the contrary is proved, been issued on the day and time shown thereon.
- 5.27 If at any time while a Coach is left in a Parking Place specified in the Schedule to this Order and no ticket is displayed on that Coach in accordance with the provisions of this Order, the Council shall proceed, unless the contrary is proved, on the basis that the applicable charge for parking the Coach has not been paid.

PART VI OTHER PROVISIONS

Stop engine

- 6.1 The Driver of an Approved Vehicle using the Parking Place shall stop the engine as soon as the Approved Vehicle is correctly in position in the Parking Space and shall not start the engine except when about to change the position of the Approved Vehicle in or to depart from the Parking Place.

Parked causing an obstruction

- 6.2 The Driver of a vehicle using the Parking Place shall not park the vehicle in such a manner or place where it causes an obstruction to any other users of the Parking Place.

Vehicle tax and insurance

- 6.3 The Driver of a vehicle shall not cause nor permit the vehicle to wait in the Parking Place unless the vehicle is licensed in accordance with the provisions of the Vehicles Excise and Registration Act 1994 and there is in relation to the use of the vehicle by the Driver such a current policy of insurance as complies with the requirements of the Road Traffic Act 1988.

Entry and exit

- 6.4 The driver of a vehicle shall comply with all signs and markings in the Parking Place:
- (a) indicating the entrance to or exit from the Parking Place; or
 - (b) indicating that a vehicle using the Parking Place shall proceed in a specified direction within the Parking Place.

Activities prohibited in parking places

- 6.5 No person shall use a vehicle while it is in the Parking Place in connection with the sale of any article (including the vehicle itself) to persons in or near the Parking Place or in connection with the selling or offering for hire of his skills or services, other than his services as the driver of the hackney carriage of which he is the Driver, except with the prior written permission of the Council.
- 6.6 No person shall use any part of the Parking Place or any vehicle left in the Parking Place:
- (a) for sleeping or accommodation or camping purposes;
 - (b) for eating or cooking purposes;
 - (c) to undertake (or allow to be undertaken) any cleaning, maintenance or repair of a vehicle except such as may be necessary to enable the vehicle to be removed from the Parking Place.
- 6.7 In the Parking Place no person shall:
- (a) erect or cause to be erected any tent stand building or other structure without the written consent of the Council; or

(b) light or cause or permit to be lit any fire.

No liability for loss or damage to vehicle or property

6.8 The Council accepts no liability for the loss or damage to any vehicle or other property left in the Parking Place to which this Order applies.

PART VII CONTRAVENTION OF THIS ORDER

Contravention

- 7.1 A contravention of this Order which does not constitute a parking contravention within the meaning of the 2004 Act is an offence under section 35A(1) of the 1984 Act.
- 7.2 Where a contravention of this Order constitutes a parking contravention within the meaning of the 2004 Act the contravention shall be subject to the penalties and procedures provided by the said legislation and any subordinate legislation made thereunder.
- 7.3 If a vehicle is left in a Parking Place in contravention of this Order a Penalty Charge shall be payable by the person:
- (i) who was the Owner or registered keeper of the said vehicle; or
 - (ii) who was the hirer of the said vehicle
- at the Material Time.

Restriction on removal of notices

- 7.4 A Penalty Charge Notice fixed to a vehicle shall not be removed or the subject of interference except by or under the authority of:-
- (a) the Owner or person in charge of the vehicle; or
 - (b) the Enforcement Authority.

Indications of evidence

- 7.5 The particulars given in a Penalty Charge Notice issued in accordance with the 2004 Act and any subordinate legislation made thereunder shall be treated as evidence in any proceedings relating to the failure to pay such Penalty Charge.

Disposal of Vehicles

- 7.6 If a vehicle has been, or could at any time be, removed from the Parking Place in pursuance of this Order and the vehicle appears to the Council to have been abandoned the Council may dispose of that vehicle in such a manner as it thinks fit and the provisions set out in the 1984 Act shall apply.

The Schedule

1	2	3	4	5	6	7
Name of Parking Place	Purpose of Parking Place	Days and Hours of Operation	Position in which vehicles must park	The following are permitted to park	Maximum waiting period	Scale of charges
<p>(A) South end of the Central Bus Station (as indicated on Plan 2 attached hereto) (known as “the Service Road”)</p> <p>(B) The apron of the Central Bus station (as indicated on Plan 3 attached hereto)</p>	<p>(i) Short Stay parking facility and drop off point (ii) Hackney carriage stand</p> <p>Parking facility for public service vehicles using the bus station as an interchange/terminus</p>	<p>All days at all times</p> <p>All days at all times</p>	<p>Wholly within a parking space</p> <p>Wholly within a bus bay</p>	<p>(i) { Motor cars Motorcycles Invalid carriages Hackney carriages</p> <p>(ii) Hackney carriages</p> <p>(1) Public Service vehicles other than coaches. (2) Coaches</p>	<p>(i) Drop-off limited to 5 minutes with no return within 1 hour. Short stay limited to 15 minutes with no return within 20 minutes. (ii) Unlimited</p> <p>(1) Unlimited for annual bay rentals. (2) As paid for based upon charges in column 7.</p>	<p>(i) and (ii) None</p> <p>(1) Negotiated with main bus operators. (2) Private casual coaches: Up to 2 hours £9.60 2 to 6 hours £19.00 6 to 12 hours £32.00 12 to 24 hours £62.00 For each period over 24 hours the fee up to 24 hours will apply to which will be added the appropriate banded rate.</p>

THE COMMON SEAL of)
 PRESTON CITY COUNCIL)
 was hereto affixed this twentieth)
 day of October 2011)
 in the presence of:)