

**BOROUGH OF ROCHDALE**  
**(OFF-STREET PARKING PLACES)**  
**(CONSOLIDATION) ORDER 2004**

The Rochdale Borough Council (hereinafter referred to as "the Council") in exercise of its powers under Sections 32, 35, 35C and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the 1984 Act") and of all other enabling powers after consultation with the Chief Officer of Police in accordance with Section 124(1) and paragraph 20 of Part III of Schedule 9 to the 1984 Act, hereby make the following Order:-

**PART 1**

**GENERAL**

1. (1) This Order shall come into operation on the 4<sup>th</sup> day of July 2004 and may be cited as "The Borough of Rochdale (Off Street Parking Places) (Consolidation) Order 2004".  
(2) Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order, the Off-Street Parking Places Orders as specified in Schedule 2 are revoked on the date that this Order comes into operation.
2. Section 43 and Schedule 3 of the Road Traffic Act 1991 ("the 1991 Act") shall apply to the enforcement of this Order.
3. In this Order except where the context otherwise requires the following expressions shall have the meanings hereby respectively assigned to them:-
4. "authorised parking" means the leaving in accordance with the provisions of this Order of an authorised vehicle wholly within a parking bay marked out in a car park and shall include the loading and unloading of such a vehicle;  
"authorised vehicle" means any vehicle of the classes specified in Article 8 of Part III and shall include electrically propelled vehicles intended or adapted for use on roads;  
"car park" means an off-street parking place specified in Column 1 of Schedule 1;  
"charge certificate" means the statement that the penalty charge has increased by 50% in accordance with Paragraph 6 of Schedule 6 to the 1991 Act;  
"disabled driver" means (i) any person driving an invalid carriage or (ii) a person issued with a badge in accordance with the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 or any amendment thereto or substitution thereof for the time being in force who is driving a disabled persons vehicle;  
"disabled person's badge" has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 thereto or substitution thereof for the time being in force;  
"disabled person's vehicle" means a vehicle lawfully displaying a disabled person's badge;  
"driver" means the person driving a vehicle at the time it was left in the car park;

“invalid carriage” means a mechanically propelled vehicle the weight of which unladen does not exceed 254 kilograms and which is specially 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;

“motor car” has the same meaning as in Section 185 of the Road Traffic Act 1988 or any amendment thereto or substitution thereof for the time being in force;

“motor cycle” means a mechanically propelled vehicle (not being an invalid carriage) with fewer than 4 wheels, of which the unladen weight does not exceed 410 kilograms;

“off-street parking place” means a parking place on land which does not form part of a road;

“owner” in relation to an authorised vehicle which is the subject of a hiring agreement or hire purchase agreement includes the person entitled to possession of the vehicle under the agreement;

“parking attendant” means any person duly authorised by or on behalf of the Council to supervise any car park;

“parking bay” means any area of a car park which is marked out for the leaving of an authorised vehicle;

“PCN” means a Penalty Charge Notice issued or served by a parking attendant pursuant to the provisions of Section 66 of and Schedule 3 to the 1991 Act;

“penalty charge” means a charge as stated in Article 5 of Part III, as amended from time to time in compliance with the provisions of Section 74 and Schedule 3 of the 1991 Act;

“premium parking pass” means a pass issued by the Council for use in any off-street car parks within the Rochdale Metropolitan Borough for a period of twelve months, after payment of the appropriate fee.

“season ticket” means a ticket issued by the Council for use in off-street car parks for a period of twelve months, after payment of the appropriate fee;

“ticket” means a parking ticket issued by a ticket machine after payment of the appropriate charge;

“ticket machine” means apparatus designed to issue parking tickets indicating the payment of a charge and a date and time at which the charge was paid;

5. Except as otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number.
6. In this Order where the context so admits or requires words importing the masculine gender only include the feminine gender.
7. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
8. The car parks specified in column 1 of Schedule 1 are authorised to be used for off-street parking.
9. Section 35C of the 1984 Act applies to this Order and all charges specified in this Order may be varied at any time by Notice.

## PART II

### REGULATION OF USE OF CAR PARK

1. Where within a car park there is a sign or surface marking which indicates that a parking bay is available only for a disabled person's vehicle, the driver of a vehicle other than the driver of:-
  - (i) an invalid carriage
  - (ii) an authorised vehicle left by the driver who is a person to whom there has been issued by any local authority a Disabled Person's Badge provided such a badge is displayed in a conspicuous position on the vehicleshall not cause or permit it to wait or park in that parking bay.
2. No person shall use any part of a car park for any purpose other than authorised parking.
3. (i) Nothing in this Order shall restrict the power of the Council to close all or any part of a car park on any occasion where the car park is liable to be obstructed or for any other reason.  
(ii) When a car park or any part thereof is closed pursuant to Article 3(i) of this Part of the Order no person shall cause or permit any vehicle to wait or be left in that car park or part thereof for the duration of the closure **PROVIDED** that nothing in this paragraph shall render it unlawful to cause or permit any vehicle being used for fire brigade, ambulance or police purposes to be left in that part of the car park during such period referred to in this paragraph or for any other vehicle to be left if that vehicle is left with the permission:
  - (a) of a police constable in uniform; or
  - (b) of a parking attendant.

## PART III

### USE OF CAR PARKS

1. Period of waiting  
The driver of an authorised vehicle shall not permit the said authorised vehicle to remain in the car park for a longer period than that specified in Schedule 1 subject to Article 7 of this Part of the Order.
2. Ticket machines  
There shall be at least one ticket machine installed on Pay and Display and Pay on Exit Car Parks.
3. Charges
  - (i) Pay and Display  
The driver of an authorised vehicle or other person on his behalf shall after parking the said vehicle within a pay and display car park obtain a ticket by paying the appropriate charge as specified in column 3 of Part 1 of Schedule 1 unless in possession of a valid season ticket.
  - (ii) Pay on Exit  
The driver of an authorised vehicle or other person on his behalf shall on leaving a pay on exit car park pay the appropriate charge as specified in column 3 of Part 1 of Schedule 1 unless in possession of a valid season ticket.

(iii) Season Tickets

The driver of an authorised vehicle shall not park in any of the permit holders only car parks listed in Column 1 of Part 2 of Schedule 1 unless in possession of a valid permit for which the charge specified in Part 2 of Schedule 1 shall be made.

4. Display of Ticket/Season Ticket/Premium Parking Pass

Any ticket, permit or pass shall be displayed inside of the front windscreen of the vehicle so that it is facing forwards and can be clearly seen from the front of the vehicle.

5. Penalty Charge

(1) A penalty charge shall be payable by the owner of a vehicle (subject to the provisions of Section 66, as amended and Schedule 6 to the 1991 Act) in the following circumstances:-

- (i) if a vehicle is left in a car park for longer than the period for which payment was made
- (ii) if any authorised vehicle is left in the car park and no payment was made
- (iii) if a vehicle other than an authorised vehicle is left in the car park
- (iv) if an authorised vehicle is left in any position other than that specified in Article 8(b) of this Part of the Order
- (v) If an authorised vehicle is left in a car park and the ticket, season ticket or premium parking pass issued is not displayed in accordance with Article 4 of this Part of the Order
- (vi) If an authorised vehicle is left in a car park and the season ticket or premium parking pass has expired.

(2) (a) The penalty charge shall be in the sum of the following amounts:-

- (i) £60 on the issue of a PCN subject to being discounted to £30 if payment is received by the Council within 14 days of issue
- (ii) on the issue of a Charge Certificate in accordance with the provisions of paragraph 6 of Schedule 6 to the 1991 Act the penalty charge shall be increased to the sum of £90

(b) payment of any charge should be made in accordance with the provisions of the PCN.

(3) Where a penalty charge has been incurred a parking attendant may attach to the vehicle in conspicuous position a PCN which shall comply with the requirements of Section 66(3) of the 1991 Act.

(4) The particulars given in the PCN attached to a vehicle in accordance with this Article shall be treated as evidence in any proceedings relating to failure to pay such penalty charge.

(5) Restriction on removal of tickets, season tickets, premium parking passes and PCNs

- (i) When a ticket, season ticket or premium parking pass has been displayed on an authorised vehicle in accordance with Article 4 of this Part of the Order no person shall remove the ticket, season ticket or premium parking pass from the authorised vehicle until the authorised vehicle is removed from the car park;
- (ii) Where a PCN has been attached to an authorised vehicle in accordance with the provisions of Article 5(3) of this Part of the Order no person except the driver of the authorised vehicle or person duly

authorised by the Council shall remove the PCN from the vehicle unless authorised to do so by the driver.

(6) **Presumption of Non-Payment**

If at any time while an authorised vehicle is left in a car park no ticket/season ticket or premium parking pass is displayed indicating the payment of the appropriate pay and display season ticket or premium parking pass charge it shall be presumed unless the contrary is proven that the said charge has not been duly paid for the authorised vehicle.

6. **Period of Stay**

An authorised vehicle may only remain in a car park for the period specified on the ticket.

7. **Exemption from Charges**

Solo motor cycles left in a car park shall be exempt from any limitation on time and from the payment of any charge specified in Column 3 of Schedule 1 provided that they are parked so as not to occupy or obstruct a parking bay or obstruct access and egress to and from the car park.

8. **Classes of Vehicles**

(a) No vehicle other than a vehicle specified below shall be left in the car park:

- (i) motor cars as defined in Article 3 of Part 1
- (ii) motor cycles as defined in Section 136(4) of the 1984 Act
- (iii) motor vehicles constructed or adapted for use for the conveyance of goods the unladen weight of which does not exceed 5 tonnes
- (iv) invalid carriages

(b) Vehicles shall be parked wholly within a parking bay where marked.

## **PART IV**

### **REMOVAL OF VEHICLES FROM CAR PARKS**

1. **General Provisions**

When a parking attendant is of the opinion that any of the provisions of this Order have been contravened or not complied with in respect of any vehicle left or abandoned in a car park he may remove the said vehicle or arrange for it to be removed from the car park provided that:-

- (a) when an authorised vehicle is waiting in the car park in contravention of Article 8(b) of Part III any person duly authorised by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply therewith
- (b) a police constable in uniform, a parking attendant or any person duly authorised by the Council may move or cause to be moved in case of emergency any vehicle left or abandoned in the car park to any place he thinks fit.

2. **Manner of removal of vehicles from car parks**

Any person removing or altering the position of a vehicle by virtue of Article 1 of this Part of the 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.

3. Safe custody of vehicles removed from car parks

When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a car park by virtue of Article 1 of this Part of the Order he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle following such removal Section 101 and 102 of the 1984 Act shall be applicable if it appears to the Council that the vehicle has been abandoned.

**SCHEDULE 1**  
**PART 1**

1. Name of Car Park	2. Days of Operation	3. Charges and Maximum Period for which Vehicles may Wait
Town Hall Square, Rochdale	Monday to Saturday inclusive	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 1 hour – 50p 1 – 2 hours – 80p 2 – 3 hours – 100p 3 + hours – 500p
Reed Hill, Rochdale	Monday to Saturday inclusive	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 1 hour – 50p 1 – 2 hours – 80p 2 – 3 hours – 100p 3 + hours – 500p
Wet Rake Gardens, Rochdale	Monday to Saturday inclusive	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 2 hours – 70p 2 – 3 hours – 90p 3 – 6 hours – 120p 6 + hours – 200p
Upper Yorkshire Street, Rochdale	Monday to Saturday inclusive	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 1 hour – 50p 1 – 2 hours – 80p 2 – 3 hours – 100p 3 + hours – 500p
Townhead, Rochdale	Monday to Saturday inclusive	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 2 hours – 70p 2 – 3 hours – 90p 3 – 6 hours – 120p 6 + hours – 200p
Townhead, Rochdale (Social Services)	Saturday only	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 1 hour – 50p 1 – 2 hours – 80p 2 – 3 hours – 100p 3 + hours – 500p

1. Name of Car Park	2. Days of Operation	3. Charges and Maximum Period for which Vehicles may Wait
Back Oldham Road, Rochdale	Monday to Saturday inclusive	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 1 hour – 20p 1 – 2 hours – 70p 2 – 3 hours – 100p 3 – 6 hours – 120p 6 + hours – 200p
Eastgate Street, Rochdale	Monday to Saturday inclusive	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 1 hour – 50p 1 – 2 hours – 80p 2 – 3 hours – 100p 3 + hours – 500p
High Street, Rochdale	Monday to Saturday inclusive	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 2 hour – 70p 2 – 3 hours – 90p 3 – 6 hours – 120p 6 + hours – 200p
River Street, Rochdale	Saturday only	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 1 hour – 50p 1 – 2 hours – 80p 2 – 3 hours – 100p 3 + hours – 500p
Church Lane, Rochdale	Monday to Saturday inclusive	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 2 hour – 70p 2 – 3 hours – 90p 3 – 6 hours – 120p 6 + hours – 200p
Broadfield, Rochdale	Monday to Saturday inclusive	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 1 hour – 50p 1 – 2 hours – 80p 2 – 3 hours – 100p 3 + hours – 500p



1. Name of Car Park	2. Days of Operation	3. Charges and Maximum Period for which Vehicles may Wait
Rochdale Bus Station	Monday to Friday Levels 1 – 4 only  Saturday All Levels	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 1 hour – 50p 1 – 2 hours – 80p 2 – 3 hours – 100p 3 – 4 hours – 140p 4 – 5 hours – 160p 5 – 6 hours – 200p 6 + hours – 500p
Union Street, Rochdale	Monday to Saturday inclusive	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 1 hour – 50p 1 – 2 hours – 80p 2 – 3 hours – 100p 3 + hours – 500p
Cheetham Street, Rochdale	Monday to Saturday inclusive	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 1 hour – 50p 1 – 2 hours – 80p 2 – 3 hours – 100p 3 + hours – 500p
Greenwood Street, Rochdale	Monday to Saturday inclusive	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 1 hour – 50p 1 – 2 hours – 80p 2 – 3 hours – 100p 3 hours – 500p
Whitworth Road, Rochdale (Dunelm)	Monday to Saturday inclusive	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 2 hours – 70p 2 – 3 hours – 90p 3 – 6 hours – 120p 6 + hours – 200p #
Slack Street, Rochdale (Yelloways)	Monday to Saturday inclusive	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 2 hours – 70p 2 – 3 hours – 90p 3 – 6 hours – 120p 6 + hours – 150p

1. Name of Car Park	2. Days of Operation	3. Charges and Maximum Period for which Vehicles may Wait
Hollingworth Lake Country Park, Littleborough	Sunday to Saturday inclusive	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 1 hour – 50p 1 – 4 hours – 80p 4 + hours – 150
Hollingworth Road, Littleborough	Sunday to Saturday inclusive	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 1 hour – 50p 1 – 4 hours – 80p 4 + hours – 150
Lake Bank, Littleborough	Sunday to Saturday inclusive	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 2 hours – 50p 2 – 4 hours – 80p 4 + hours – 150
Suffield Street, Middleton	Monday to Saturday inclusive	Maximum Stay – up to 3 hours 8 a.m. to 6 p.m. 0 – 1 hour – 30p 1 – 2 hours – 50p 2 – 3 hours – 70p
Chapel Street, Middleton	Monday to Saturday inclusive	Maximum Stay – up to 3 hours 8 a.m. to 6 p.m. 0 – 1 hour – 30p 1 – 2 hours – 50p 2 – 3 hours – 70p
East View, Middleton	Monday to Saturday inclusive	Maximum Stay – up to 3 hours 8 a.m. to 6 p.m. 0 – 1 hour – 30p 1 – 2 hours – 50p 2 – 3 hours – 70p
Market Place, Middleton	Monday to Saturday inclusive	Maximum Stay – up to 3 hours 8 a.m. to 6 p.m. 0 – 1 hour – 30p 1 – 2 hours – 50p 2 – 3 hours – 70p

1. Name of Car Park	2. Days of Operation	3. Charges and Maximum Period for which Vehicles may Wait
Park Road, Middleton	Monday to Saturday inclusive	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 1 hour – 30p 1 – 2 hours – 50p 2 – 3 hours – 70p 3 – 5 hours – 150p 5 + hours – 300p
Middleton Archer	Monday to Saturday inclusive	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 1 hour – 30p 1 – 2 hours – 50p 2 – 3 hours – 70p 3 + hours – 150p
Limetrees, Middleton	Monday to Saturday inclusive	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 1 hour – 30p 1 – 2 hours – 50p 2 – 3 hours – 70p 3 + hours – 150p
Carouses Club, Park Road, Middleton	Monday to Saturday inclusive	Maximum Stay – up to 10 hours 8 a.m. to 6 p.m. 0 – 1 hour – 30p 1 – 2 hours – 50p 2 – 4 hours – 80p 4 + hours – 150p

**SCHEDULE 1**  
**PART 2**

1.	2.	3.
Name of Car Park	Days of Operation	Hours of Operation
Townhead, Rochdale	Monday – Saturday	8.00 a.m. – 6.00 p.m.
High Street, Rochdale	Monday – Saturday	8.00 a.m. – 6.00 p.m.
River Street, Rochdale	Monday – Saturday	8.00 a.m. – 6.00 p.m.
Church Lane, Rochdale	Monday – Saturday	8.00 a.m. – 6.00 p.m.
Rochdale Bus Station – Levels 5 – 8 only	Monday – Saturday	8.00 a.m. – 6.00 p.m.
Back Oldham Road, Rochdale	Monday – Saturday	8.00 a.m. – 6.00 p.m.
Slack Street, Rochdale (Yellowways)	Monday – Saturday	8.00 a.m. – 6.00 p.m.
The Holme, Rochdale	Monday – Saturday	24 hours

1.	2.	3.
Name of Car Park	Days of Operation	Hours of Operation
Park Road, Middleton	Monday to Saturday	8.00 a.m. – 6.00 p.m.
Middleton Archer	Monday to Saturday	8.00 a.m. – 6.00 p.m.
Limetrees, Middleton	Monday to Saturday	8.00 a.m. – 6.00 p.m.
Suffield Street, Middleton	Monday to Saturday	8.00 a.m. – 6.00 p.m.
Chapel Street, Middleton	Monday to Saturday	8.00 a.m. – 6.00 p.m.
East View, Middleton	Monday to Saturday	8.00 a.m. – 6.00 p.m.
Market Place, Middleton	Monday to Saturday	8.00 a.m. – 6.00 p.m.
Carouses Club, Park Road, Middleton	Monday to Saturday	8.00 a.m. – 6.00p.m.

**CHARGES FOR SEASON TICKETS – ROCHDALE**

5 days (Monday – Friday) - £300  
6 days (Monday – Saturday) - £345

**CHARGE FOR SEASON TICKETS – MIDDLETON**

5 days (Monday – Friday) = £240.00  
6 days (Monday – Saturday) = £275.00

**CHARGE FOR PREMIUM PARKING PASS**

£750

**SCHEDULE 2**

Rochdale Borough Council (Hollingworth Lake, Littleborough) (Off Street Parking Places) Order 1998  
Rochdale Borough Council (Union Street, Rochdale) (Off Street Parking Places) Order 1998  
Rochdale Borough Council (Cheetham Street, Rochdale) (Off Street Parking Places) Order 1999  
Rochdale Borough Council (Greenwood Street, Rochdale) (Off Street Parking Places) Order 2003  
Rochdale Borough Council (Whitworth Road, Rochdale) (Off Street Parking Places) Order 1998  
Rochdale Borough Council (Rochdale Town Centre) (Off Street Parking Places) Order 1998  
Rochdale Borough Council (Slack Street, Rochdale, Car Park) (Off Street Parking Places) Order 2000  
Rochdale Borough Council (Middleton Town Centre) (Off Street Parking Places) Order 1998  
Rochdale Borough Council (Carouses Club, Park Road, Middleton) (Off Street Parking Places) Order 1999  
The Middleton (Off-Street Parking Places) Order 1976

**THE COMMON SEAL** of **THE ROCHDALE** )  
**BOROUGH COUNCIL** was hereunto )  
affixed this 21<sup>st</sup> day of June 2004 )

Authorised Signatory