

CITY OF SALFORD (STOTT LANE CAR PARK, SALFORD) (OFF STREET PARKING PLACES) ORDER 2012

The Council of the City of Salford in exercise of its powers under Sections 32, 33 and 35 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. In this Order:-

(a) "the Act" means the Road Traffic Regulation Act 1984;

"appropriate charge" in relation to a weekly hospital patient parking permit means the payment of £5.00 per week and in relation to a long term patient or long term visitor parking permit means the payment of £10.00 per week;

"chargeable hours" means the hours specified in Column 2 of Schedule 2 to this Order;

"the Council" means the Council of the City of Salford;

"collecting" and "delivering" in relation to any goods includes checking the goods for the purpose of their delivery or collection;

"disabled person's vehicle" means a vehicle lawfully displaying a disabled person's badge being a vehicle which, immediately before or after any period of waiting allowed by virtue of a provision of a kind required by the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 to be included in an order under the Act, has been or is to be used for carrying disabled persons as passengers;

"disabled Person's Badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) Regulations 1982;

"driver" in relation to a vehicle waiting in off street parking place means the person driving the vehicle at the time it was left in the said parking place

"hospital" means the Salford Royal NHS Foundation Trust Hospital situated off Stott Lane

"hospital patient parking permit" means a hospital patient parking permit issued by or on behalf of the Council on such terms and conditions as it may determine providing an entitlement to use of the parking place pursuant to the provisions of this Order

"hospital staff permit" means a hospital staff permit issued by or on behalf of the Council on such terms and conditions as it may determine providing an entitlement to use of the parking place pursuant to the provisions of this Order

"hospital visitor parking permit" means a hospital visitor parking permit issued by or on behalf of the Council on such terms and conditions as it may determine providing an entitlement to use of the parking place pursuant to the provisions of this Order

"parking bay" means a space in the parking place which is provided for the leaving of a vehicle and which is marked in the manner specified in Article 3 of this Order

"parking charge" means the amounts specified in Column 4 of Schedule 2 to this Order in relation to the parking place specified in Column 1 of Schedule 2 to this Order;

"parking period" in relation to the parking place specified in Schedule 1 to this Order means the period of time specified in Column 3 of Schedule 2 to this Order which corresponds to the amount of parking charge set out in Column 4 of Schedule 2 to this Order;

"parking permit" means a parking permit issued by or on behalf of the Council which allows a vehicle to wait during the chargeable hours in the parking place specified in Schedule 1 of this Order

"parking place" means the areas of land authorised and described as the parking place in Schedule 1 of this Order;

"parking ticket" means a ticket issued by a parking ticket meter pursuant to this Order and indicating the payment of a parking charge and the time when the parking period expires;

"parking ticket meter" means an apparatus designed to display the time externally, to accept payment by drivers and to issue parking tickets indicating the payment of a parking charge and the date and parking period in respect of which it has been paid;

"permit holder" means the person to whom a parking permit has been issued under the provisions of this Order;

"registered keeper" is the person for the time being registered with the Driving and Vehicle Licensing Agency as the person recorded as keeping the vehicle and the person named on the Vehicle Registration Document. The registered keeper is not necessarily either the legal owner of the vehicle or the driver or user of the vehicle for the time being;

"relevant position" in relation to a parking ticket or parking permit means the front or nearside of the vehicle so that all particulars on the parking ticket or parking permit are readily visible from outside the vehicle;

"vehicle" means a mechanically propelled vehicle constructed or adapted to carry not more than seven passengers exclusive of the driver, or any other vehicle the weight of which unladen does not exceed 3.5 tonnes;

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

DESIGNATION OF PARKING PLACES

2. The area of land which is described in Schedule 1 to this Order may be used subject to the provisions of this Order as a parking place for vehicles.

LAYING OUT AND MARKING OF PARKING PLACES AND PARKING BAYS

3. The limits of every parking bay in the parking place shall be indicated in such a manner as the Council may determine by lines, studs or other indications.

VEHICLES WHICH MAY USE PARKING PLACES

4. The parking place may be used, subject to the provisions of this Order for leaving of vehicles of such class as specified in Column 3 of Schedule 1 to this Order.

RESTRICTIONS OF USE OF PARKING PLACES

5. No person shall, except with the permission of a person authorised by the Council in that behalf, drive or permit to be driven any vehicle in the parking place for any purpose other than the purpose of leaving that vehicle in the parking place in accordance with the provisions of this Order or for the purpose of departing from the parking place;
6. No person shall use any vehicle while it is in the parking place in connection with the sale of any article to any person in or near the parking place or in connection with the selling or offering for sale or hire of his skill or services;
7. No person shall, wash, clean or overhaul any vehicle or execute any mechanical or other alterations or repairs to the vehicle while it is in the parking place except such repairs as may be essential for the purpose of enabling the vehicle to be towed or driven away from the parking place;
8. No person shall use any part of the parking place or any vehicle left in the parking place for sleeping, camping or cooking;
9. The driver of a vehicle using the parking place shall stop the engine as soon as the vehicle is in position in the parking place and shall not start the engine except when about to change the position of the vehicle in or depart from the parking place;
10. The driver of a vehicle using the parking place shall not sound the horn or similar instrument except for the avoidance of danger when about to change the position of a vehicle in or departing from the parking place;
11. Where, within the parking place, 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 shall not permit the vehicle to wait in the parking bay unless it is a disabled person's vehicle which is carrying the disabled person and which displays in the relevant position a disabled person's badge;
12. Where, within the parking place, there is a sign or surface marking which indicates that a parking bay is available only for a vehicle displaying valid parking permit the driver of a vehicle shall not permit the vehicle to wait in the parking bay unless it displays in the relevant position a valid parking permit.
13. Where in the parking place signs have been erected or surface markings laid out for the purpose of indicating the entrance to or exit from the parking place or indicating that a vehicle using the parking place shall proceed in a specified direction within the parking place no person shall drive or permit to be driven any vehicle so that it enters the parking place otherwise than by an entrance, leaves the parking place otherwise than by an exit or proceeds in a direction contrary to that specified.
14. Where at or near the entrance to the parking place there is a sign or surface marking which indicates that the parking place is available only to vehicles under a specified

height, width, length or weight or only at certain times no person shall cause or permit to enter the parking place any vehicle which exceeds that height, width, length or weight or outside those times.

AMOUNT OF PARKING CHARGE AT PARKING PLACES

14. The parking charge for a vehicle left in the parking place during the chargeable hours shall be in accordance with the parking charges specified in Column 4 of Schedule 2 to this Order for the parking period specified in Column 3 of Schedule 2 to this Order.

PAYMENT OF PARKING CHARGE

15. Except as provided in Article 19 of this Order no person shall leave any vehicle in the parking place specified in Schedule 1 to this Order without having paid the parking charge in respect of the parking period for which the vehicle has been left and without having displayed a parking ticket issued by a parking ticket meter in accordance with Article 16 to this Order.

PROVIDED that for the purposes of this Article if a vehicle when first placed in a parking place is exempt from payment of any charge by virtue of the provisions of Article 19 of this Order and continues to wait in that parking place otherwise in accordance with those provisions the parking charge shall be treated as having been incurred and to be payable at the time when the vehicle ceased to wait by virtue of those provisions and all the provisions of this Order shall then apply accordingly

DISPLAY OF TICKET ISSUE BY PARKING TICKET METER

16. (1) Subject to Articles 19 and 25 of this Order the parking charge shall be payable on the leaving of the vehicle in the parking place specified in Schedule 1 to this Order by: -
- (a) the insertion in a ticket parking meter of any combination of coins or notes of denominations specified on the ticket parking meter together making up the amount of the parking charge for the parking period for which payment is being made and where more than one coin is required for the payment of that charge the coins shall be inserted in the ticket parking meter one immediately after the other; or
 - (b) by the insertion in a ticket parking meter of an approved credit or debit card and making a payment up to the amount of the parking charge for the parking period for which payment is being made in accordance with the instructions set out either on screen or on the ticket parking meter

and the parking period paid for shall not exceed the period specified in Article 14 to this Order.

- (2) Where payment of the parking charge for a vehicle left in the parking place specified in Schedule 1 of this Order has been made in accordance with the provisions of Article 15 the driver thereof shall display or cause to be displayed on the inside of the vehicle in accordance with the provisions of paragraph (3) of this Article the ticket issued by the parking meter on payment of the parking charge.
- (3) The ticket referred to in Article 15 to this Order shall be displayed on the vehicle in respect of which it was issued at all times during which the vehicle is left during the permitted hours in the parking place on the front or kerbside of the vehicle so that all the particulars on that side of the ticket which bears the indication that a parking charge has been paid are readily visible from the front of the vehicle.

INDICATIONS OF PAYMENT OF PARKING CHARGE

17. (1) Payment of the parking charge for a vehicle left in the parking place specified in Schedule 1 to this Order has been made in accordance with the provisions of Article 15 to this Order shall be indicated by the issue by a ticket parking meter of a ticket indicating that a parking charge has been paid and the day and time by which the parking period for which payment was made by the parking charge will expire and by the display of the ticket in the manner specified in Article 16 to this Order.
- (2) Where payment of the parking charge has been made in accordance with Article 15 to this Order the parking period for which the parking charge has been paid in respect of a vehicle left in the parking place specified in Schedule 1 to this Order shall be indicated when there is displayed on the vehicle a ticket issued by a ticket parking meter showing the day and time by which the parking period for which payment was made by the parking charge will expire and the day so shown is not the day on which the vehicle is so left or the time shown on the clock of the ticket parking meter which issued the ticket is later than the time shown on the ticket.

INDICATIONS OF PAYMENT OF PARKING CHARGE AS EVIDENCE

18. (1) If at any time while a vehicle is left in the parking place specified in Schedule 1 to this Order during the chargeable hours no ticket issued by a ticket parking meter is displayed on that vehicle in accordance with the provisions of Article 16 (2) of this Order it shall be presumed unless the contrary is proved that the parking charge has not been duly paid.
- (2) If at any time while a vehicle is left in the parking place specified in Schedule 1 to this Order during the chargeable hours the ticket issued by a ticket parking meter and displayed on the vehicle in accordance with the provisions of Article 16 of this Order and the clock on the ticket parking meter by which such ticket was issued gives the indication mentioned in Article 17(2) of this Order it shall be presumed unless the contrary is proved that the parking charge has been duly paid in respect of that vehicle and that the parking period for which payment was made by the parking charge has already expired.
- (3) Any ticket issued by a parking meter relating to the parking place specified in Schedule 1 to this Order shall be presumed unless the contrary is proved to have been issued on the day shown thereon.

EXEMPTIONS FROM PARKING CHARGE

19. (1) Any vehicle left in a parking place which displays in the relevant position a valid Hospital staff parking permit issued by or on behalf of the Council shall be exempt from the parking charge.
- (2) Any vehicle left in a parking place which displays in the relevant position a hospital patient parking permit issued by or on behalf of the Council for use in that parking place shall be exempt from the parking charge.
- (3) Any vehicle left in a parking place which displays in the relevant position a hospital visitor parking permit issued by or on behalf of the Council for use in that parking place shall be exempt from the parking charge.
- (4) Any vehicle left in a parking place which displays in the relevant position a valid parking permit issued at the discretion of the Council whether on payment of a fee or not, for use in that parking place shall be exempt from the parking charge.

MANNER OF STANDING IN A PARKING PLACE

20. Any vehicle left in the parking place shall so stand that every part of the vehicle is within the limits of a parking bay, provided that in the case of any parking place where the length of any vehicle precludes it from standing wholly within the limits of a parking bay, that vehicle shall so stand in the parking bay that as much of the vehicle as possible is within the limits of the parking bay and that such portion as is beyond the limits of the parking bay and does not constitute a danger or obstruction to other users of the parking place.

ALTERATION OF POSITION OF VEHICLE IN PARKING PLACES

21. Where any vehicle is standing in the parking place in contravention of the provisions of Article 20 of this Order any person authorised by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions and may recover any expenses associated with this alteration.

REMOVAL OF VEHICLES FROM PARKING PLACES

22. Where any person authorised by the Council is of the opinion that any of the provisions contained in this Order have been contravened or not complied with in respect of a vehicle left in the parking place, he may remove or cause to be removed the vehicle from the parking place and, where it is so removed, shall provide for the safe custody of the vehicle. Any expenses incurred by the Council in removing a vehicle from any parking place shall be recoverable by the Council from the owner of the vehicle.
23. The Council may as respects to a vehicle which has been removed from the parking place in pursuance of Article 22 of this Order, if it appears to them to have been abandoned, sell or otherwise dispose of the vehicle after having made reasonable enquiries to ascertain the name and address of the owner of the vehicle in accordance with the procedure set out in the Refuse Disposal (Amenity) Act 1978.
24. Any person removing the vehicle or altering its position by virtue of Articles 21 and 22 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.

POWER TO SUSPEND PARKING PLACES

25. (a) Any person authorised by the Council may, subject to such conditions or exceptions as he considers appropriate, suspend the use of the parking place or any part thereof whenever such suspension is considered reasonably necessary;
- (b) Any person suspending the use of the parking place or any part thereof in accordance with the provisions of the preceding paragraph shall place or cause to be placed in or adjacent to any part of the parking place the use of which has been suspended a sign to indicate that the parking place or any part thereof is suspended;
- (c) No person shall cause or permit any vehicle to wait in any part of the parking place which has been suspended in accordance with the provisions of this Article except with the permission of a person authorised by the Council.

APPLICATION AND ISSUE OF HOSPITAL PATIENT PARKING PERMITS

26. The Council or any person duly authorised by the Council may issue a parking permit to allow a vehicle to wait during the chargeable hours in the parking place specified in Schedule 1 of this Order to any person who satisfies the Council that:-
- (a) he is an out patient at the hospital requiring daily treatment; or
 - (b) he is a long-term patient at the hospital
27. The Council upon being satisfied that the conditions set out in Article 26 to this Order are met and payment of the appropriate charge being made to the Council may issue to the patient;
- (a) a weekly hospital patient parking permit valid for a maximum period of 7 days from the date of issue of the permit; or
 - (b) a hospital patient parking permit valid from the date of issue of the permit for a period specified on the permit.
28. For the purpose of Article 27 to this Order the appropriate charge means
- (a) in relation to a weekly hospital patient parking permit the payment of £5.00 per week
 - (b) in relation to a hospital patient parking permit for long term patients the payment of £10.00 per week
29. Should a hospital patient parking permit be lost, damaged or defaced the Council may, subject to any charge it considers appropriate, issue a duplicate hospital patient parking permit.

APPLICATION AND ISSUE OF HOSPITAL VISITOR PARKING PERMITS

30. The Council or any person duly authorised by the Council may issue a parking permit to allow a vehicle to wait during the chargeable hours in the parking place specified in Schedule 1 of this Order to any person who satisfies the Council that he is a visitor of a long term patient.
31. The Council upon being satisfied that the condition set out in Article 30 to this Order is met and payment of the appropriate charge being made to the Council may issue to the visitor a hospital visitor parking permit valid from the date of the issue of the permit for the period specified on the permit.
32. For the purpose of Article 31 to this Order the appropriate charge in relation to a hospital visitor parking permit means the payment of £10.00 per week.
33. Should a hospital visitor parking permit be lost, damaged or defaced the Council may, subject to any charge it considers appropriate, issue a duplicate hospital visitor parking permit.

APPLICATION AND ISSUE OF HOSPITAL STAFF PARKING PERMITS

34. The Council or any person duly authorised by the Council may in its discretion issue a hospital staff parking permit either with or without payment of any parking charge authorising a vehicle to wait during the chargeable hours in the parking place

specified in Schedule 1 of this Order subject to any such terms and conditions the Council may deem appropriate.

TERMINATION OF PARKING PERMITS

35. A hospital patient parking permit, hospital visitor parking permit, hospital staff parking permit or any other parking permit issued under the provisions of this Order shall terminate and cease to be valid:-
- (a) immediately upon surrender of such permit to the Council; or
 - (b) immediately without notice upon the expiry of the period specified on the permit; or
 - (c) on a date specified in a notice addressed to the permit holder revoking the parking permit on the grounds that any or all of the matters as to which the Council was satisfied when granting the parking permit is or are no longer satisfied or for any other reason whatsoever.
36. Any notice addressed to the permit holder under the provisions of Article 35 of this Order shall be sufficiently served if addressed to that person and delivered to him personally or sent by ordinary post to his last known residence or place of business.

DISPLAY OF PARKING PERMITS

37. A hospital patient parking permit, hospital visitor parking permit, hospital staff parking permit or any other parking permit issued under the provisions of this Order shall be displayed:-
- (a) in the case of a vehicle fitted with a front windscreen on the nearside thereon and immediately behind the windscreen and with its front facing forward so that it is visible from outside the vehicle; or
 - (b) in the case of a vehicle not fitted with a front windscreen, in a conspicuous position on the vehicle.

REMOVAL OF PARKING PERMITS

38. Where a parking permit has been displayed on a vehicle in accordance with the provisions of this Order no person shall remove such permit from display on such vehicle unless expressly authorised to do so by the driver of the vehicle

EVIDENTIAL MATTERS – PARKING PERMITS

39. The absence of a valid parking permit on a vehicle in respect of the parking place at which the vehicle was left shall be treated as evidence that no parking permit was held by the driver to park in that parking place.
40. An indication on a parking permit as to the location of a parking place or places shall be treated as evidence of the location of the parking place or places in respect of which the parking permit is valid.
41. An indication on a parking permit of any date, month and/or year shall be treated as evidence of the date, month and/or year on which the parking permit ceases to be valid.

42. An indication on a parking permit as to a vehicle registration mark shall be treated as evidence of the vehicle in respect of which the parking permit applies.

RESPONSIBILITY OF THE DRIVER

43. The person who was driving the vehicle at the time when it was left in the parking place shall be responsible for complying with the provisions of all relevant Articles of this Order and unless proved to the contrary the registered keeper of the vehicle shall be deemed to be the driver of that vehicle.

DISCLAIMER

44. The Council shall not be held liable for any damages to loss of or theft from any vehicle in the parking place.

COMMENCEMENT

45. This Order shall come into operation on 1 October 2012 and may be cited as the City of Salford (Stott Lane Car Park, Salford)(Off Street Parking Places) Order 2012.

SCHEDULE 1
List of Parking Places

COLUMN 1	COLUMN 2	COLUMN 3
Name of Parking Place	Location of Parking Place	Permitted class of vehicle
Stott Lane Car Park	Off Stott Lane, Salford as shown on the attached Plan	All motor vehicles (not having a trailer attached) with a gross laden weight not exceeding 3.5 tonnes

SCHEDULE 2
List of Parking Charges

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Parking Place	Chargeable Hours	Parking Period	Parking Charge
Stott Lane Car Park	24 Hours	Any single visit Up to 1 hours Up to 3 hours Up to 4 hours Up to 6 hours Up to 8 hours	 £1.00 £2.00 £3.00 £4.00 £6.00

SCHEDULE 3
List of Parking Permit Charges

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Parking Place	Valid Days	Permit Type	Weekly Charge
Stott Lane Car Park	At all times	Out-patient	£5.00
	At all times	Long term patient	£10.00
	At all times	Long term visitor	£10.00

Given under the Common Seal of the Council this 21st day of September 2012.

THE COMMON SEAL OF THE COUNCIL
OF THE CITY OF SALFORD was
hereunto affixed in the
presence of:

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Number in
Seal Book 4249

AUTHORISED SIGNATORY

