

**SOUTH RIBBLE BOROUGH COUNCIL**

**THE COUNCIL OF THE BOROUGH OF SOUTH RIBBLE (OFF STREET PARKING PLACES)  
(AMENDMENT) ORDER 2010**

The Council of the Borough of South Ribble (hereinafter referred to as “the Council”) in exercise of its powers under Section 32, 33, 35 and 124 of the Road Traffic Regulation Act 1984 (hereinafter referred to as “the Act of 1984”) and Part III of Schedule 9 to the Act of 1984 as amended by the Parking Act 1989 and the Road Traffic Act 1991 and of all other enabling powers and with the consent of the County Council of Lancashire given under Section 39(3) of the Act of 1984 and after consultation with the Chief Officer of Police the Freight Transport Association and the Road Haulage Association in accordance with Part III of Schedule 9 to the Act 1984 and the Local Authorities’ Traffic Orders, Regulation 1996 HEREBY MAKE THE FOLLOWING ORDER:

**PART 1**

**GENERAL**

**Commencement and Citation**

- 1 This Order shall come into operation on the 29<sup>th</sup> day of March two thousand and ten and may be cited as “The South Ribble (Off-Street Parking Places) Order 2010”

**Interpretation**

- 2(1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

“**Charging Hours**” means the period between 8.00am and 6.00pm on any day when the Parking Places Order is operating as set out in Column 3 of Schedule 1

“**Civil Enforcement Officer**” means a person authorised by or on behalf of the Council to supervise and control any parking place

“**Coach**” means a vehicle defined as in Section 1 of the Public Passenger Vehicle Act 1981

“**Disabled Person’s Vehicle**” means a vehicle displaying on the dashboard or fascia panel a valid disabled person’s badge issued in accordance with the Chronically Sick and Disabled Persons Act 1970 as amended by the Road Traffic Act 1991 and in accordance with the regulations prescribed under those Acts so that Part 1 is legible from outside the window or if the vehicle has no dashboard or fascia panel in a conspicuous position so that Part 1 is legible from outside the vehicle together with a special parking disc showing the time that the vehicle was first left in the parking place

“**Driver**” means in relation to a vehicle waiting in a parking place the person driving the vehicle at the time it was left in the parking place

“**Exempt Vehicle**” means

- (i) An Invalid Carriage
- (ii) A Disabled Persons Vehicle

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- (iii) A vehicle (other than a coach) displaying in a conspicuous position a valid badge issued by the Council which shall be valid only during the hours of 8.00am – 6.00pm Monday to Saturday

**“Invalid Carriage”** means an invalid carriage as defined by Section 136(5) of the Act of 1984, or a vehicle issued by the Department of Health in lieu of an Invalid Carriage

**“Licensed Hackney Carriage”** means a Hackney Carriage issued with a current valid licence by South Ribble Borough Council under the provisions of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 and subject to South Ribble Borough Council by-laws for Hackney Carriages 2002 or any subsequent modification or replacement thereof

**“Motor Car”** means one defined as such by Section 136(2)(a) of the Act of 1984

**“Motor Cycle”** means one defined as such by Section 136(4) of the Act of 1984

**“Owner”** means in relation to a vehicle means the person or persons by whom such vehicle is kept or used

**“Parking Place”** means an area of land specified by name in column 1 of Schedule 1 to this Order provided by the Council under Section 32(1) of the Act of 1984 for use as a parking place and fully delineated on the attached maps

**“Parking Bay”** means any area of a parking place which is provided for the leaving of a vehicle and indicated by markings on the surface of the parking place

**“Registered Keeper”** in relation to a vehicle means the person in whose name the vehicle was or is at the time registered under the Vehicle (Excise) Act 1971 (or any statutory replacement thereof) and references to the address of such person shall be taken to refer to the address recorded in the record kept under the Act with respect to that vehicle as being that person’s address

**“Season Ticket”** means a permit issued by the Council to a person whereby a vehicle owned kept driven or controlled by that person may be left Monday to Sunday inclusive or such other days and times as may be determined by the Council in the parking place indicated on the face of the permit and shall be valid in no parking place other than the parking place indicated on the face of the permit

**“Ticket”** means a ticket indicating payment of a charge at a date and time issued on insertion of an appropriate coin or coins or notes or debit/credit card into a ticket machine

**“Ticket Machine”** means an apparatus of a type and design approved by the Secretary of State for Transport for the purpose of this Order being apparatus designed to issued parking tickets indicating the payment of a charge and the date and time at which the ticket expires

**“Traffic Lane”** means an area of a parking place which is laid out by lines or otherwise as a traffic lane or any part of any land or walkway that is intended for use as an access between the parking place and a nearby public highway or where a parking place is provided with parking bays any area which is not laid out as a parking bay

**“Vehicle”** means a motor car, a motor cycle or an invalid carriage as defined in this Order

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- (2) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament
- (3) Nothing in the Order shall prejudice any provision in any other Orders, by-laws or regulations which may have been made by the Council or any other Local Authority for the regulation of any parking places and in particular no authority is hereby given to permit the parking of vehicles or types of vehicles where such parking is not at the date hereof permitted.

## PART II

### USE OF PARKING PLACES

- 3 Each area of land specified by name in Column 1 of Schedule 1 and described in the reference maps annexed to this Order may be used subject to the following provisions of this Order as a parking place in such positions, for such classes of vehicles, on payment of such charges and on such days and during such hours and with such frequency as are specified in relation to that Parking Place in Schedule 1 to this Order
- 4 Where in Schedule 1 to this Order a parking place is described as available for vehicles of a specified class or in a specified position the driver or owner of a vehicle shall not permit it to wait in that parking place unless it is:
  - (a) of the specified class; and
  - (b) in the specified position
- 5 Except with the express consent of an authorised officer of the Council the driver or owner of a vehicle shall not permit it to wait in a parking place for longer than the maximum period permitted for waiting specified in Schedule 1 to this Order in relation to that parking place
- 6 The driver of a motor vehicle using a 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 to depart from the parking place
- 7 A person upon leaving a vehicle in a parking place shall ensure that it is fully within a parking bay appropriate for that class of vehicle and shall not leave the vehicle in any other part of the parking area
- 8 The driver shall not use the parking places or any part thereof so as unreasonably to prevent access to or from the parking places or to any premises adjoining them and shall not use any part of the said parking places so as to cause or permit a nuisance
- 9 No person shall without the written consent of the Council use a vehicle while it is in a parking place in connection with sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his skill or services
- 10 No person shall in a parking place without the written consent of the Council (which may be given on such terms and conditions as they think fit):-
  - (i) sell or offer for sale anything whatsoever
  - (ii) make any collection of money or articles for charitable or other purposes
  - (iii) advertise or publish by any means any event display entertainment sale business shop organisation collection or other thing

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- (iv) affix or attach to or leave in any place on any vehicle or any structure in a parking place any leaflet bill placard or poster
- 11 The driver or owner of a vehicle shall not permit that vehicle to wait in a parking place unless the vehicle is licensed in accordance with the provisions of Section 1 of the Vehicles (Excise) Act 1971 and unless there is in relation to the use of the vehicle by the driver or owner such a policy of insurance as complies with the requirements of Part VI of the Road Traffic Act 1988
- 12 The driver or owner of a vehicle using a parking place shall not sound any horn or other similar instrument except when about to change the position of the vehicle in or to depart from the parking place
- 13 No person shall except with the permission of any person duly authorised by the Council drive any vehicle in a parking place other than for 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
- 14 No person shall without the consent of the Council use any parking place or any vehicle left in a parking place:-
  - (a) for slept or camping or washing purposes
  - (b) for eating or cooking purposes or
  - (c) for the purpose of servicing or washing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from the parking place
- 15 No person shall so use a parking place as a means of passage by a vehicle from one road to another road
- 16 Where in a parking place signs are erected or surface markings are laid for the purpose of
  - (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 or at not more than a specified speed within the parking place no person shall cause or permit to be driven any vehicle
    - (i) so that it enters the parking place otherwise than by an entrance or leaves the parking place otherwise than by an exit so indicated or
    - (ii) in a direction or in excess of a speed other than that specified as the case may be
- 17 In a parking place no person shall:-
  - (a) erect or cause to permit to be erected any tent booth stand building or other structure without the written consent of the Council
  - (b) light or cause or permit to be lit any fire stove or cooker
- 18 Notwithstanding the provisions of this Order the Council may by notice displayed at or near a parking place, close such a parking place or part thereof or reserve such parking place or part thereof for any period and no driver or owner of any vehicle shall use such parking place or part thereof when it is so closed without the Council's consent in writing

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- 19 The Council may suspend or cease the use of a parking place or places or parts thereof described in Schedule 1 or suspend the charges set out in Schedule 1 whether temporarily or permanently
- 20 Written notification of changes imposed under Article 19 will be displayed at the parking places affected
- 21 Where within a 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 or owner of a vehicle shall not permit it to wait in that parking bay unless it is a disabled person's vehicle and that the disabled person has driven or been conveyed to the parking place in the vehicle or will drive or be conveyed from the parking place in the vehicle
- 22 A parking attendant may ask to inspect the disabled person's badge for the purpose of ensuring that the person driving or being conveyed in the vehicle is the holder of the disabled person's badge and if refused sight of the badge or where the parking attendant has reason to believe that the disabled person's badge is being misused will report the matter to the issuing Authority
- 23 Where within the boundaries of a parking place there are surface markings of double yellow lines no person shall cause or permit any vehicle to be left on or adjacent to such yellow lines
- 24 The driver or owner of a vehicle while it is in a parking place shall not permit it to wait in a traffic lane
- 25 Where within a parking place there are signs or surface markings indicating that certain bays are available only to season ticket holders the driver or owner of a vehicle shall not permit it to wait in that parking bay unless there is a season ticket prominently displayed on that vehicle
- 26 Where within a parking place there are signs or surface markings indicating that certain bays are available only to pay and display ticket holders the driver or owner of a vehicle shall not permit it to wait in that parking bay unless there is a valid payment ticket purchased from the ticket machine in that parking place prominently displayed on that vehicle
- 27 Where in a parking place an area has been designed for the parking of taxis only by sign and/or surface markings (a taxi rank) no vehicle may at any time wait or park within that area during the specified hours except for a licensed hackney carriage

## Payment of Parking Charges

- 28 (1) The driver or owner of a vehicle using a parking place (other than the driver of an exempt vehicle or a licensed hackney carriage using a taxi rank) shall pay the appropriate charge in accordance with the Scale of Charges specified in Schedule 1 to the Order
- (2) The charge referred to in the last preceding paragraph shall be payable in any parking place specified in Schedule 1 to this Order by the insertion of an appropriate coin or coins note or notes or debit/credit card in the ticket machine provided in such parking place being a machine apparatus or device approved by the Secretary of State for Transport for such purpose

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- (3) Upon payment of the charge for parking a vehicle in any parking place specified in Schedule 1 to this Order the driver thereof or owner shall exhibit on the vehicle the ticket issued by the ticket machine by affixing the ticket to the inside surface of the windscreen so that it is facing forwards and can be easily seen from the front of the vehicle and shall continue to display such ticket during the whole of the time that such vehicle remains in such parking place
- (4) The ticket referred to in paragraph (3) of this article shall be so exhibited on the vehicle that the time and other particulars shown on the said ticket are clearly visible from outside of the vehicle
- (5) Where a season ticket or permit for parking a vehicle in a parking place specified in Schedule 1 to the Order has been issued the driver thereof or owner shall display the season ticket or permit on the inside front dashboard or inside surface of the windscreen of the motor vehicle so that it is facing forwards and the particulars shown on the said season ticket or permit are clearly visible from outside the vehicle and shall continue to display such season ticket or permit the whole time such vehicle remains in such parking place
- (6) Where a vehicle without a windscreen is left in a parking place the ticket season ticket or permit referred to in paragraphs (3) and (5) of this Article should be exhibited by the driver or owner of that vehicle in accordance with paragraph (4) of this Article and shall continue to be so exhibited during the whole of the time that such vehicle remains in the parking place
- (7) Payment of the charge for a vehicle left in a parking place specified in Schedule 1 of the Order shall be indicated by the issue by a ticket machine of a numbered ticket indicating that the charge has been paid in respect of the initial period for which it was paid and the day and time of the payment of the charge or day and time of expiry of the ticket or by the prior issue by the Council of a season ticket or permit and by the exhibition of the said ticket season ticket or permit on the vehicle in the manner specified in paragraphs (3) (4) (5) and (6) of this Article

## **ENFORCEMENT PROVISIONS**

### **Penalty Charge**

- (1) By the deregulation of the Council's area as a special parking area by virtue of a statutory instrument designation Order entitled The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Lancashire) Order 2004 ("The Designation Order") parking attendants authorised by the Council will have the ability to issue Penalty Charge Notices for off street parking contravention of the Order
- (2) If a vehicle is left in a parking place in contravention of the provisions of Part II of the Order then an amount (which amount is hereinafter referred to as "the Penalty Charge") shall be payable for each occurrence

### **Amount of Penalty Charge**

- (3) The Penalty Charge payable in respect of a vehicle left in a parking place in contravention of the Provisions of Part II to this Order shall be the higher charge of £70 but the Council will accept the sum of £35 if such sum is paid within 14 days of the issue of the notice referred to in Article 28(3) below or the lower charge of £50 but the Council will accept the sum of £25 if such sum is paid within 14 days of the issue of the notice referred to in Article 28(3) below

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### Penalty Charge Notice ("PCN")

- (4) In the case of a vehicle in respect of which a Penalty Charge may have been incurred it shall be the duty of a Parking Attendant to attach to the vehicle in a conspicuous position a PCN which shall include the following particulars:-
- (a) the registration mark (or where the vehicle is being used under a trade licence the number of the trade plate carried on the vehicle), the make and colour of the vehicle
  - (b) the date and time that the PCN was issued
  - (c) location and type of contravention
  - (d) a statement that a Penalty Charge is required to be paid and the amount of the Penalty Charge
  - (e) that failure to pay the penalty charge may lead to an increased charge being payable and the amount of that increased charge
  - (f) that the recipient of the PCN may be entitled to make representations
  - (g) that there may be a right of appeal to a Parking Adjudicator in certain circumstances

### Manner of Payment of Penalty Charge

- 29 The Penalty Charge shall be paid within 28 days of the issue of such Notice as is referred to in Article 28(3) about by cheque Banker's draft or postal order to such agent as may be appointed from time to time by the Council
- 30 (1) Where a PCN has been attached to a vehicle in accordance with the provisions of Article 28 of this Order no person not being the driver of the vehicle or a duly authorised representative of the Council shall remove the PCN from the vehicle unless authorised to do so by the driver
- (2) When a season ticket or permit has been exhibited on a vehicle in accordance with the provisions of Article 25 of the Order no person not being the driver of the vehicle shall remove the ticket from the vehicle unless authorised to do so by the driver
- 31 Where a Penalty Charge has not been paid within the relevant period, a charge certificate may be served increasing the Penalty Charge by fifty percent
- 32 In the event that the increased Penalty Charge is not paid within 14 days of service of the charge certificate, the County Court may recover the increased charge as if it were payable under a County Court Order
- 33 The following vehicles left in a parking place shall be exempt from any charge specified in Schedule 1 of this Order
- (i) an invalid carriage
  - (ii) a vehicle left by the driver thereof who is a person who on account of his/her severe physical disability has been given a notice in writing by the Council that

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- he/she is exempt from any such charge or limitation on time if the Notice is displayed on the vehicle in a conspicuous position
- (iii) a disabled person's vehicle which displays in the relevant position a disabled person's badge issued by any local authority in accordance with the provisions of the Disabled Persons (Badges for Motor Vehicles) Regulations 1975 or a badge having effect under those Regulations as if it were a disabled person's badge

**Movement of Vehicle left in Parking Places**

- 34 (1) Where any vehicle is standing in a parking place in contravention of any of the provisions contained in this Order a parking attendant or other person authorised in that behalf by the Council may alter or cause to be altered the position of the vehicle and he/she may remove the vehicle from the parking place or cause it to be removed and where it is so removed shall provide for its safe custody
- (2) Any person removing or altering the position of a vehicle by virtue of the foregoing provisions of this Article may do so by towing or driving the vehicle or in such other manner as he may think necessary to enable him to remove it or alter its position as the case may be
- 35 Any Parking Attendant or any other person duly authorised by the Council or a Police Constable in uniform may move or cause to be moved in the case of emergency to any place he thinks fit vehicles left in the parking place

Dated this ..... day of ..... 2010

**THE COMMON SEAL** of **SOUTH RIBBLE**  
**BOROUGH COUNCIL** was hereto affixed  
the                    day of

**David Whelan**  
**Solicitor, Legal Services Manager**



**SCHEDULE I**  
**PARKING PLACES – SCHEDULE OF CHARGES**

<b>Location of Parking Place</b>	<b>Permitted Vehicles</b>	<b>Days of Operation</b>	<b>Hours during which charges and/or restrictions apply</b>	<b>Scale of Charges</b>
Ecroyd Street Leyland	Motor Cars Motor Cycles	Monday to Saturday (inclusive) excluding Bank Holidays	8am to 6pm	Up to 2 hours 50p Over 2 hrs to 3 hrs 80p Over 3 hrs to 4 hrs £ 1.50 Over 4 hrs to 5 hrs £ 3.00 Over 5 hours £10.00
Ecroyd Street Leyland <i>14 Designated Free Bays (Blue)</i>	Motor Cars Motor Cycles	Monday to Saturday (inclusive) excluding Bank Holidays	8am to 6pm	No charge in the <b>Designated Blue Bays</b> but waiting restricted to 1 hour. No return within 2 hours
Sumner Street Leyland	Motor Cars Motor Cycles	Monday to Saturday (inclusive) excluding Bank Holidays	8am to 6pm	Up to 2 hours 50p Over 2 hrs to 3 hrs 80p Over 3 hrs to 4 hrs £ 1.50 Over 4 hrs to 5 hrs £ 3.00 Over 5 hours £10.00
Sumner Street Leyland <i>15 Designated Free Bays (Blue)</i>	Motor Cars Motor Cycles	Monday to Saturday (inclusive) excluding Bank Holidays	8am to 6pm	No charge in the <b>Designated Blue Bays</b> but waiting restricted to 1 hour. No return within 2 hours
Churchill Way Leyland	Motor Cars Motor Cycles	Monday to Saturday (inclusive) excluding Bank Holidays	8am to 6pm	Up to 2 hours 50p Over 2 hrs to 3 hrs 80p Over 3 hrs to 4 hrs £ 1.50 Over 4 hrs to 5 hrs £ 3.00 Over 5 hours £10.00
Churchill Way Leyland <i>8 Designated Free Bays (Blue)</i>	Motor Cars Motor Cycles	Monday to Saturday (inclusive) excluding Bank Holidays	8am to 6pm	No charge in the <b>Designated Blue Bays</b> but waiting restricted to 1 hour. No return within 2 hours
Hope Terrace Lostock Hall	Motor Cars Motor Cycles	Monday to Saturday (inclusive) excluding Bank Holidays	8am to 6pm	Up to 2 hours 50p Over 2 hrs to 3 hrs 80p Over 3 hrs to 4 hrs £ 1.50 Over 4 hours £ 3.00 7 day ticket £10.00 Except Permit Holders
Hope Terrace Lostock Hall <i>20 Designated Free Bays (Blue)</i>	Motor Cars Motor Cycles	Monday to Saturday (inclusive) excluding Bank Holidays	8am to 6pm	No charge in the <b>Designated Blue Bays</b> but waiting restricted to 1 hour. No return within 2 hours
Station Approach Leyland	Motor Cars Motor Cycles	Monday to Sunday (inclusive) excluding Bank Holidays	All Day	Per 24 hours £1.00 Per 7 days £4.00 Except Permit Holders
Station Car Park Leyland	Motor Cars Motor Cycles	Monday to Sunday (inclusive) excluding Bank Holidays	All Day	Per 24 hours £1.00 Per 7 days £4.00 Except Permit Holders
King Street Leyland	Motor Cars Motor Cycles	Monday to Saturday (inclusive) excluding Bank Holidays	8am to 6pm	Up to 2 hours 50p Over 2 hrs to 3 hrs 80p Over 3 hrs to 4 hrs £ 1.50 Over 4 hours £ 3.00 7 day ticket £10.00 Except Permit Holders
Cann Bridge Street Higher Walton	Motor Cars Motor Cycles	Monday to Saturday (inclusive) excluding Bank Holidays	9am to 5pm	No charge but waiting restricted to 2 hours. No return within 2 hours. Except Permit Holders

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<b>Location of Parking Place</b>	<b>Permitted Vehicles</b>	<b>Days of Operation</b>	<b>Hours during which charges and/or restrictions apply</b>	<b>Scale of Charges</b>
Victoria Road Walton-le-Dale	Motor Cars Motor Cycles	Monday to Friday (inclusive) excluding Bank Holidays	9am to 5pm	No charge but waiting restricted to 2 hours. No return within 2 hours. Except Permit Holders
Liverpool Road Penwortham	Motor Cars Motor Cycles	Monday to Friday (inclusive) excluding Bank Holidays	Not applicable	No charge and no restriction
Victoria Road Walton-le-Dale	Motor Cars Motor Cycles	Monday to Friday (inclusive) excluding Bank Holidays	9am to 5pm	No charge but waiting restricted to 2 hours. No return within 2 hours. Except Permit Holders
Ryefield Penwortham	Motor Cars Motor Cycles	Monday to Friday (inclusive) excluding Bank Holidays	Not applicable	No charge and no restriction
Kingsway Bamber Bridge	Motor Cars Motor Cycles	Monday to Friday (inclusive) excluding Bank Holidays	Not applicable	No charge and no restriction
Bowling Terrace (Seven Stars) Leyland	Motor Cars Motor Cycles	Monday to Friday (inclusive) excluding Bank Holidays	Not applicable	No charge and no restriction

**SCHEDULE II**

**PCN Contravention Codes – Off Street Parking (Car Parks)**

- 70 Parked in a loading area during restricted hours without reasonable excuse
- 77 Reserved for DVLA use
- 80 Parked for longer than the maximum period permitted
- 81 Parked in a restricted area in a car park
- 82 Parked after the expiry of time paid for in a Pay and Display \*\*car park
- 83 Parked in a Pay and Display \*\* car park without clearly displaying a valid Pay and Display ticket\*\*
- 84 Parked with additional payment made to extend the stay beyond time first purchased
- 85 Parked in a permit bay without clearly displaying a valid permit
- 86 Parked beyond the bay markings
- 87 Parked in a disabled person's bay without clearly displaying a valid disabled person's badge
- 88 DELETED
- 89 Vehicle parked exceeds maximum weight and/or height permitted in the area
- 90 Re-parked within one hour\* of leaving a bay or space in a car park
- 91 Parked in an area not designated for that class of vehicle
- 92 Parked causing an obstruction
- 93 Parked in a car park when closed
- 94 Stopped on a pedestrian crossing and/or crossing area marked by zig-zags

\*or other specified times

\*\*or permit