

Dated 5th October 2018

THE METROPOLITAN BOROUGH COUNCIL OF STOCKPORT

THE METROPOLITAN BOROUGH COUNCIL OF STOCKPORT (EDWARD STREET, PICCADILLY & NORBURY STREET) (CLUB CAR PARKING BAYS) AND (REVOCATION OF PAY AND DISPLAY PARKING BAYS) ORDER 2018

**Patrick Arran
Head of Legal &
Democratic Governance
Town Hall
Stockport
SK1 3XE**

THE METROPOLITAN BOROUGH COUNCIL OF STOCKPORT (EDWARD STREET, PICCADILLY & NORBURY STREET) (CLUB CAR PARKING BAYS) AND (REVOCATION OF PAY & DISPLAY PARKING BAYS) ORDER 2018

The Metropolitan Borough Council of Stockport ('the Council') in exercise of the powers under Sections 32(1) and 35(1) of the Road Traffic Regulation Act 1984 ("the 1984 Act"), the Road Traffic Act 1991 ("the 1991 Act") and the Traffic Management Act 2004 ("the 2004 Act") and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act and with the 1991 Act, hereby makes the following Order:-

**PART I
GENERAL**

Interpretation

1.(1) In this Order:-

"Civil Enforcement Officer" means a person employed in accordance with section 63A of the 1984 Act as amended by the 2004 Act to carry out the functions referred to therein

"Car Club Bay" means any Parking Place or Parking Bay which is signed or marked as being reserved for use by a club car vehicle.

"Club Car Vehicle" means a vehicle with the appropriate Club Car livery owned or operated by the Council or by a body approved by the Council for that purpose.

"driver", in relation to a vehicle waiting in a parking place or on a road or length of road, means the person driving the vehicle at the time it was left in that parking place or road or length of road;

"Owner" in relation to a vehicle means the person by whom the vehicle is kept. In determining who was the Owner at any time it shall be presumed that the Owner was the person who is named in the vehicle registration document as the registered keeper of a goods light goods or passenger vehicle or the person who has the use of such a vehicle in the course of his employment and who is entitled to use such a vehicle as though he were the registered keeper thereof;

"parking place" means any road or part of road authorised by this Order as a place where specified classes of vehicles may wait;

"Penalty Charge" has the same meaning as in section 82(1) of the 1991 Act and is £70 in respect of a Higher Level Contravention and £50 in respect of a Lower Level Contravention or such other charges as may be set by the Council under the provisions of section 77 of the 2004 Act in accordance with guidance given by the Secretary of State for Transport;

"Penalty Charge Notice" means a notice issued or served by a Civil Enforcement Officer pursuant to the provisions of section 72 of the 2004 Act;

"permitted hours" means the periods specified for each parking place on the Plans during which waiting by vehicles of specific classes is permitted;

'the 2016 Regulations' means the Traffic Signs Regulations and General Directions 2016;

- (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) Unless the context otherwise requires any reference in this Order to a numbered Article or Schedule is a reference to an Article or Schedule so numbered in this Order
- (4) Any reference in this Order to any Act or Regulation shall be construed as a reference to that Act or Regulation as amended, applied, consolidated, re-enacted or as having effect by virtue of any subsequent Act or Regulation;
- (5) Words importing the singular meaning shall where the context so admits include the plural meaning and vice versa. Words of the masculine gender include the feminine and neuter genders

CONTRAVENTION OF ORDER

6. Contravention

If a vehicle which is not a Club Car Vehicle is left in a parking place specified in Schedule 1 to this Order during the permitted hours or in any road or length of road as specified in Schedule 1 to this Order, in contravention or without complying with the requirements of this Order a contravention shall have occurred and the penalty charge shall be payable and/or the vehicle may be removed from that location.

7. Penalty Charge Notice

In the case of vehicle in respect of which a penalty charge may have been incurred, it shall be the duty of a Civil Enforcement Officer to issue a penalty charge notice which shall include the information required by the 1991 Act and the 2004 Act.

8. Manner of payment of Penalty Charge

The owner of the vehicle in respect of which the penalty charge has been incurred shall pay the penalty charge to the Council as indicated on the penalty charge notice.

9. Indications as evidence

The particulars given in the penalty charge notice 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.

10. Removal of vehicle

Where a Civil Enforcement Officer has removed or caused to be removed a vehicle in accordance with any Article of this Order,

- (a) he shall provide for the safe custody of the vehicle;
- (b) he Council shall be entitled to recover from the person responsible such charges in respect of the removal, storage and disposal of the vehicle as it might prescribe from time to time;
- (c) the provisions of the 1984 Act as amended shall apply to the disposal of such vehicles removed by or on behalf of the Council pursuant to this Article.

11. Restriction on removal of notices

Where a penalty charge notice has been attached to a vehicle in accordance with this Order, no person, not being the driver of the vehicle, a police constable in uniform, a Civil Enforcement Officer or some other person duly authorised by the Council, shall remove the notice from the vehicle unless authorised to do so by the driver.

REVOCATION OF EXISTING PARKING RESTRICTIONS

12. The restrictions in Schedule 2 depicted on the Plan(s) marked Area Code(s) in Column 4 of this Schedule which are appended to the Metropolitan Borough Council of Stockport (Permitted Parking Area and Special Parking Area) (Waiting Restrictions and Street Parking Places) Consolidation Order 2010 are hereby revoked.

COMMENCEMENT & CITATION

13. This Order shall come into operation on the 6th October 2018 and may be cited as The Metropolitan Borough Council of Stockport (Edward Street, Piccadilly & Norbury Street) (Club Car Parking Bays) and (Revocation of Pay & Display Parking Bays) Order 2018.

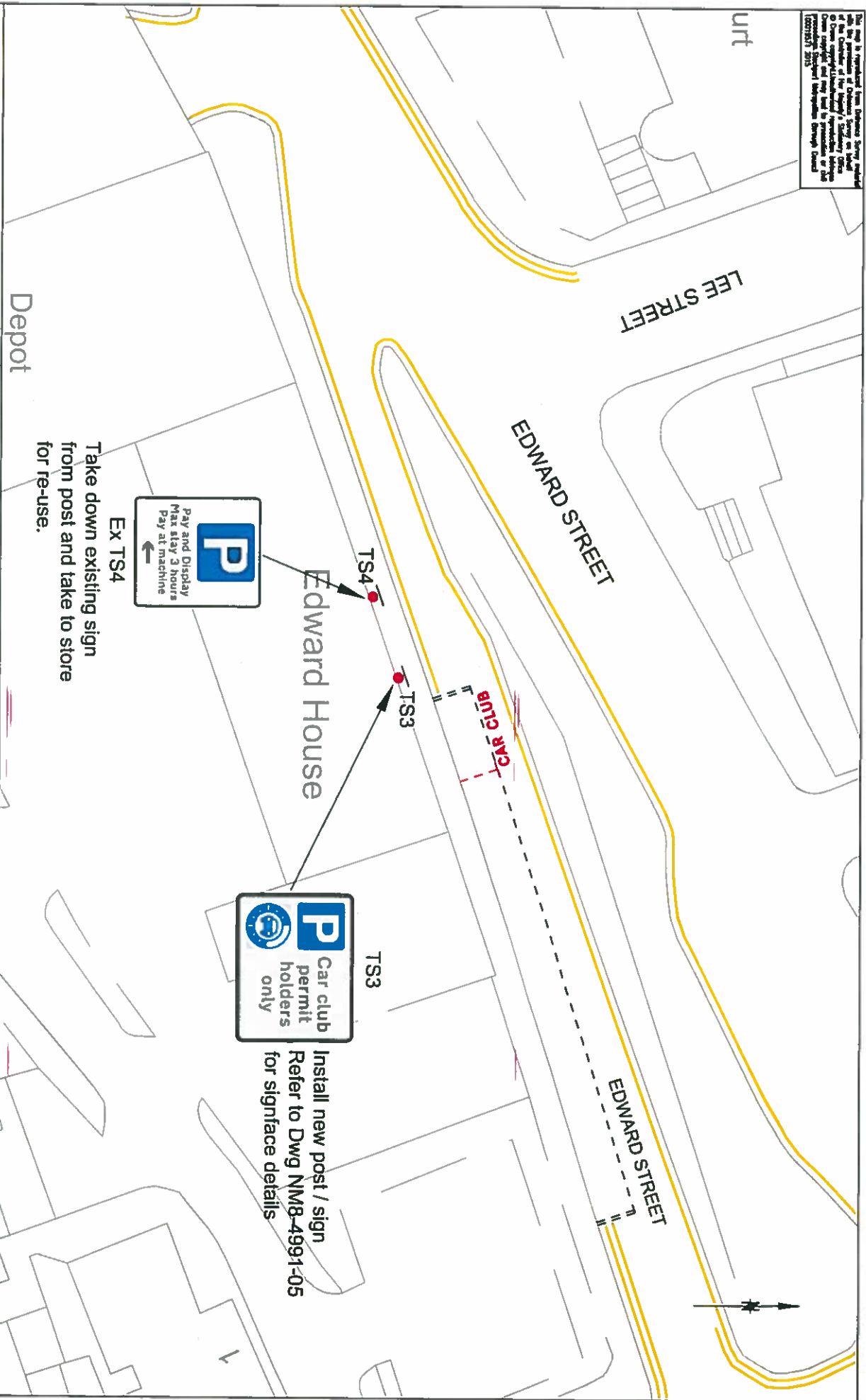
SCHEDULE 1 CLUB CAR PARKING BAYS

Number of Parking Spaces	Location	Days and hours of operation of Parking Place	Area Codes
1	Edward Street , South side from a point 46 metres West of the North Westerly kerbline of Middle Hillgate for a distance of 6 metres in a Westerly direction.	All Days, All Times	M22
2	Piccadilly , South West Side from a point 22 metres North West of the North Westerly kerbline of Edward Street Service Road for a distance of 13 metres in a North Westerly direction.	All Days, All Times	M22
1	Norbury Street , South East side from a point 12.5 metres South West of the North Westerly kerbline of Piccadilly for distance of 6 metres in a South Westerly direction	All days, All Times	L22

SCHEDULE 2
REVOCATION OF PAY AND DISPLAY PARKING BAYS

Number of Parking Places	Location	Days and Hours of Operation	Area Codes
1	Edward Street , South side from a point 46 metres West of the North Westerly kerbline of Middle Hillgate for a distance of 6 metres in a Westerly direction.	Monday to Saturday 8am to 6pm	M22
2	Piccadilly , South West Side from a point 22 metres North West of the North Westerly kerbline of Edward Street Service Road for a distance of 13 metres in a North Westerly direction.	Monday to Saturday 8am to 6pm	M22
1	Norbury Street , South East side from a point 12.5 metres South West of the North Westerly kerbline of Piccadilly for distance of 6 metres in a South Westerly direction	Monday to Saturday 8am to 6pm	L22

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STOCKPORT
METROPOLITAN BOROUGH COUNCIL

COMPARTMENT ENCLOSURE

STOCKPORT HOUSE
STOCKPORT, CHESHIRE SK9 7JZ
Tel: 0161 275 1000
Fax: 0161 275 1001

Depot

AMENDMENTS

DATE	CHECKED	DATE	NO.	AMENDMENT

JOB TITLE

Car Club Parking Spaces

DRAWING TITLE

Edward Street - Signage location Plan

REVISIONS

Date	Drawn	CP	Engineer	CP	Checked	EPS	Approved	EPS
06/07/2017		CP		CP		EPS		EPS

Scale: 1:250

Drawing No.

NMB-4991-04

REVISION

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Stopford House
(Council Offices)



PICCADILLY
BUS STOP
398
3015

CAR CLUB

Please amend existing parking bay to accommodate new 'Car Club' bay.
Height of 'Car Club' text 0.5m.

Magistrates' Court

EDWARD STREET



STOCKPORT
METROPOLITAN BOROUGH COUNCIL

STOPFORD HOUSE
STOCKPORT, CHESHIRE SK7 9JL
Tel: 0161 475 1000
Fax: 0161 475 1001

CORPORATE IDENTIFICATION
PAGE

AMENDMENTS

NO	DATE	AMENDMENT

JOB TITLE

Car Club Parking Spaces

DRAWING TITLE

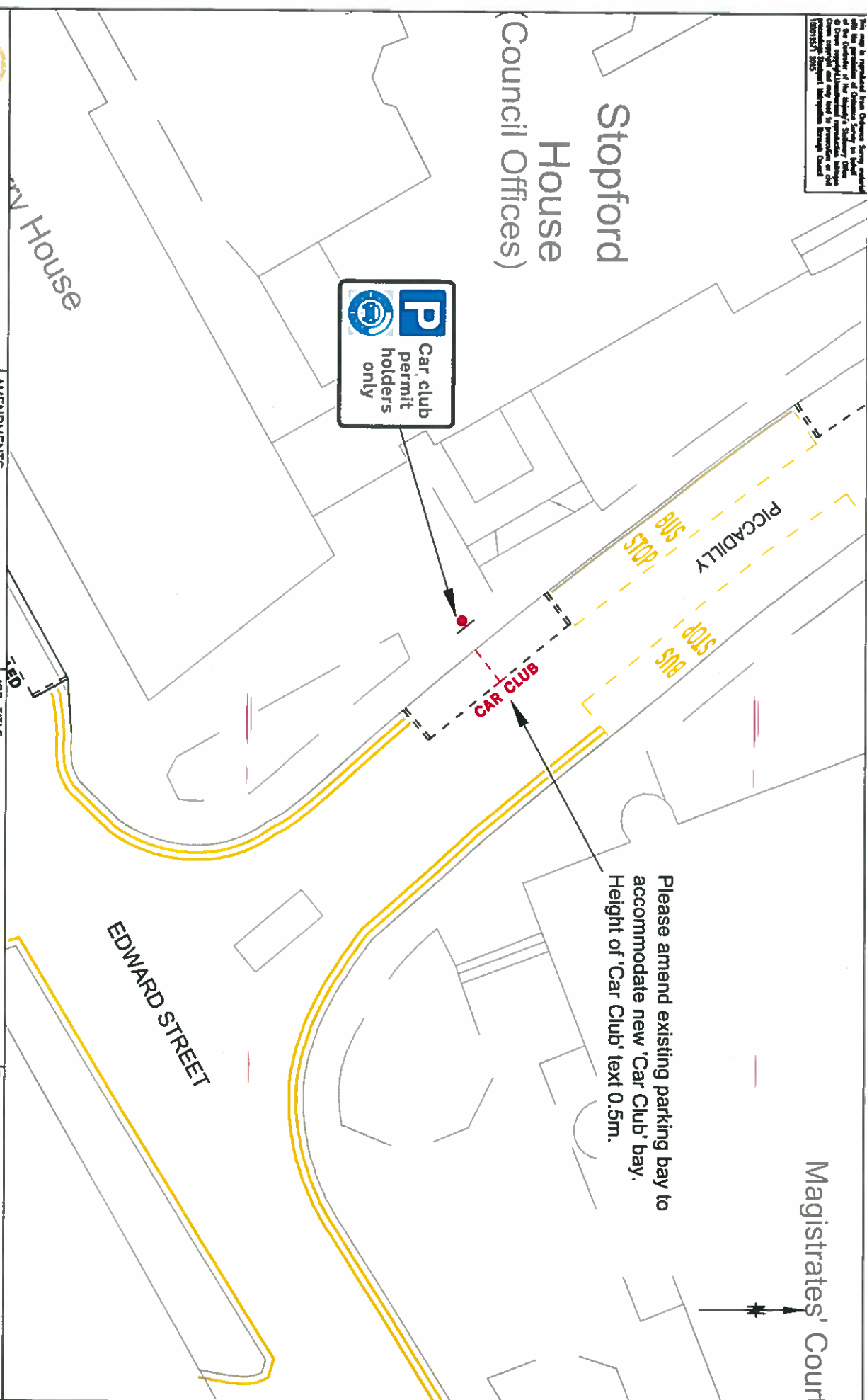
Piccadilly - Roadmarking location Plan

REVISIONS

Drawn	Engineer	Checked	Approved
CP	CP	EPS	EPS
Date 06/07/2017	Date 06/07/2017	Date 06/07/2017	Date 06/07/2017

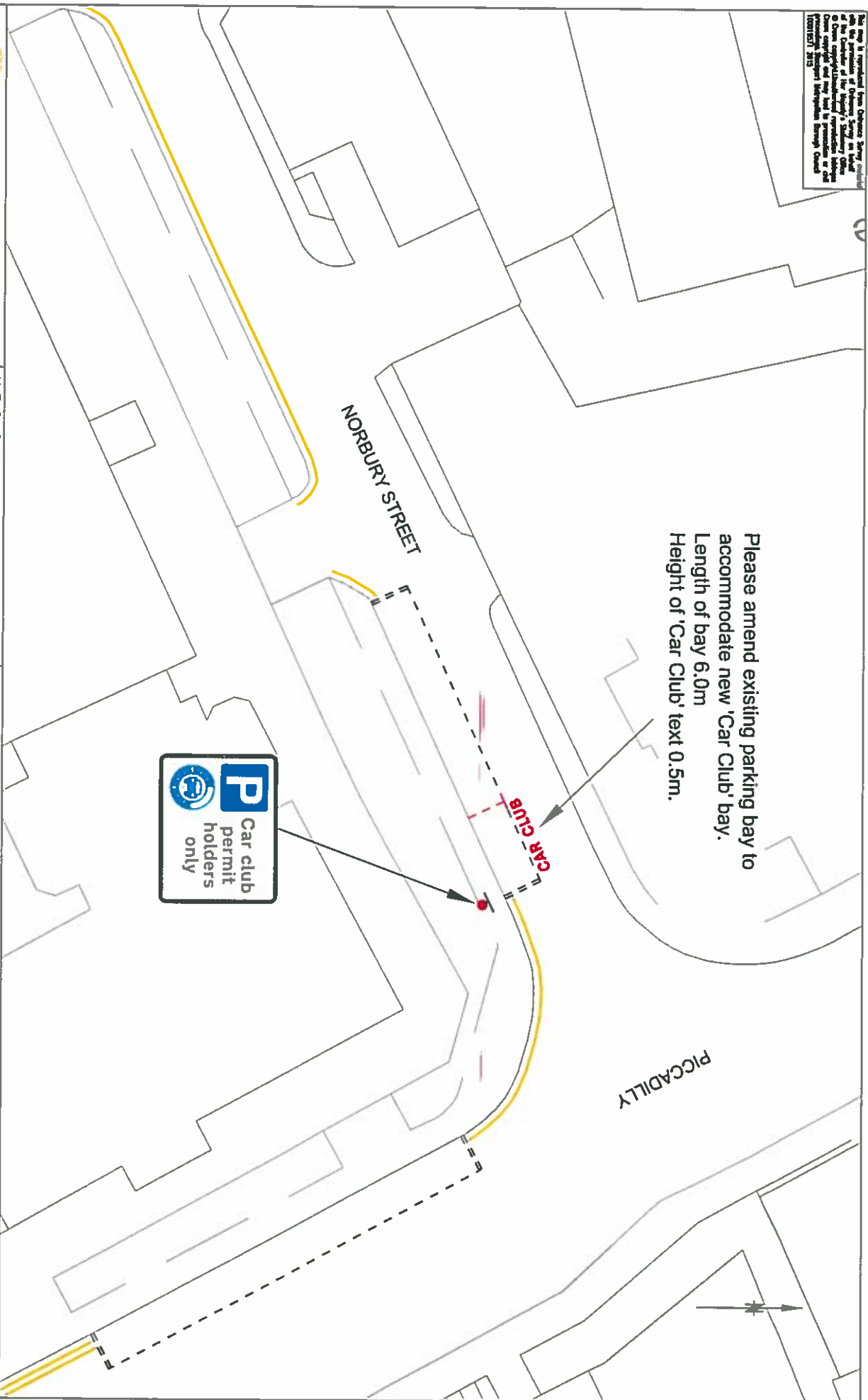
Scale
1:250

Drawing No.
NMB-4991-06



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Please amend existing parking bay to accommodate new 'Car Club' bay.
Length of bay 6.0m
Height of 'Car Club' text 0.5m.



STOCKPORT
METROPOLITAN BOROUGH COUNCIL

STOCKPORT HOUSE
STOCKPORT
Tel : 0161 475 475
Fax : 0161 475 475

CONTRACT NUMBER
NMB-4991-07

AMENDMENTS

NO	DATE	AMENDMENT

JOB TITLE

Car Club Parking Spaces

DRAWING TITLE

Norbury Street - Roadmarking location Plan

REVISIONS

Date	By	Engineer	Checked	Approved
06/07/2017	CP	CP	EPS	EPS

Scale 1:250

Drawing No. NMB-4991-07

Revision

The **COMMON SEAL** of the
METROPOLITAN BOROUGH COUNCIL
OF STOCKPORT was hereunto affixed
this 5th October 2018
in the presence of:-

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Mayor *W J Brett*

Authorised Signatory

Morse