

DATED: 3rd March 2005

THE METROPOLITAN BOROUGH COUNCIL OF STOCKPORT

(PERMITTED PARKING AREA AND SPECIAL PARKING AREA)

**(WAITING RESTRICTIONS AND STREET PARKING PLACES) CONSOLIDATION
ORDER 2005**

THE METROPOLITAN BOROUGH COUNCIL OF STOCKPORT

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**(WAITING RESTRICTIONS AND STREET PARKING PLACES) CONSOLIDATION ORDER
2005**

The Metropolitan Borough Council of Stockport (hereinafter referred to as “the Council”) in exercise of the powers conferred by Sections 1(1), 2(1) to (3), 4(2) 32, 35 45 46 49 51 53 and 124 of and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 as amended (“the 1984 Act”), and the Road Traffic Act 1991 as amended (“the 1991 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 Act of 1984 and with the Road Traffic Act 1991, hereby makes the following Order:-

PART I

CITATION AND INTERPRETATION

1. This Order shall come into operation on the 4th April 2005 and may be cited as the Metropolitan Borough Council of Stockport (Permitted Parking Area and Special Parking Area) (Waiting Restrictions and Street Parking Places) Consolidation Order 2005
2. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-

“ambulance” has the same meaning as in the Vehicle Excise and Registration Act 1994;

“authorised officer” means the Director of Environment and Economic Development Services for the Council and such other officer of the Council to whom the Council may delegate powers concerning the Order;

“carriageway” means a way constituting or comprised in a highway being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles;

“chargeable hours” means the periods specified in respect of each pay and display parking place on the Plans;

“coach” means a motor vehicle which is constructed or adapted to carry more than twelve seated passengers in addition to the driver and which is not a public service vehicle

“coaches and goods vehicles parking place” means each part of the roads specified on the Plans as a parking place for coaches and goods vehicles;

“disabled persons and disabled persons' badge” has the same meaning as in the Disabled Persons (Badges for Motor Vehicles)(England) Regulations 2000;

“disabled persons' parking place” means each part of the roads specified on the Plans as a “disabled persons' parking place”

“disabled persons' vehicle” has the same meaning as in section 142 of the 1984 Act and which is a vehicle, which immediately before or after any period of waiting, has been or is to be driven by a disabled person or, as the case may be, used for carrying disabled person(s) as passenger(s);

"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;

“dual purpose vehicle” has the same meaning as in Regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986 as amended;

"enactment" means any enactment, whether public general or local, and includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment and any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment;

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

"goods vehicle" means a motor vehicle exceeding 3.5 tonnes gross vehicle weight which is constructed or adapted for use for the carriage of goods or burden of any description;

"hackney carriage" means a vehicle licensed under Section 37 of the Town Police Causes Act 1847

"hackney carriage stand" means an area of carriageway which is comprised within and indicated by road markings complying with diagram 1028.2 in Schedule 6 to the 2002 Regulations;

"light goods vehicle" means a motor vehicle not exceeding 3.5 tonnes gross vehicle weight or 1525 kgs unladen weight which is constructed or adapted for use for the carriage of goods or burden of any description and is not drawing a trailer;

"motor cycle" and "invalid carriage" have the same meanings as in Section 136 of the 1984 Act;

"no loading road" means any of the sides or lengths of roads specified on the Plans where loading is prohibited ;

"no loading hours" means in relation to any no loading road the hours during which loading and unloading is restricted as specified on the Plans;

"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 / her employment and who is entitled to use such a vehicle as though he / she were the registered keeper thereof;

"parking attendant" means a person employed in accordance with section 63A of the 1984 Act to carry out the functions referred to therein ;

"parking disc" has the same meaning as in the Local Authorities' Traffic Orders (Exceptions for Disabled Persons) (England) Regulations 2000;

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

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

"passenger vehicle" means a motor vehicle (other than a motor cycle or invalid carriage) constructed or adapted solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the driver and not towing a trailer;

"pay and display parking place" means any part of the roads identified on the Plans as a pay and display parking place;

"penalty charge" has the same meaning as in section 82(1) of the 1991 Act and is £60 or such other charge as may be set by the Council under the provisions of section 74 of the 1991 Act in accordance with guidance given by the Secretary of State for Transport ;

"penalty charge notice" means a notice issued or served by a parking attendant

pursuant to the provisions of section 66 of the 1991 Act;

"permit" means a permit containing the particulars specified in Article 54 and issued by the Council under the provisions of Article 42 including, except where the context otherwise requires, a visitors parking permit issued under Article 44;

"permit holder" means a person to whom a permit has been issued;

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

"Plans" means the plans attached to this Order;

"prohibited road" means any of the sides or lengths of roads specified on the Plans where waiting is prohibited

"relevant position" in respect of: -

- (a) a disabled person's badge and parking disc has the same meaning as in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;
- (b) a parking ticket, and a permit means exhibited on the windscreen, dashboard or fascia of the vehicle or where the vehicle does not have a windscreen, dashboard or fascia in a conspicuous position on the vehicle so that whole of the information on the front of the ticket is clearly legible from outside of the vehicle

"resident" means a person :-

- (a) whose usual place of abode is at premises the postal address of which is in the same road as the relevant parking place; or
- (b) whose usual means of access to that person's place of abode is from a road in which the relevant parking place is situated; or
- (c) in the case of a pay and display parking place whose usual place of abode is at premises situated within the Town Centre Zone; or
- (d) in the case of a residents' parking place situated within the area of

Residents Parking Area - Edgeley Park Stadium whose usual place of abode is at premises situated within the area of Residents Parking Edgeley Park Stadium

“Residents’ Parking Area - Edgeley Park Stadium” means the area shown edged red on the plan marked “Residents Parking Edgeley Park Stadium “ attached to this Order

“residents’ parking place” means any part of the roads specified on the Plans as a residents’ parking place;

“restricted hours” means in relation to any restricted road the hours during which waiting is restricted as specified on the Plans;

“restricted road” means any of the sides or lengths of roads specified on the Plans where waiting is restricted during the restricted hours :

“specified classes of vehicles” means:-

- (i) in the case of a residents’ parking place and a pay and display parking place a passenger vehicle, light goods vehicle, dual purpose vehicle, invalid carriage and motor cycle; and
- (ii) in the case of a coaches and goods vehicles parking place means coach and a goods vehicle; and
- (iii) in the case of a disabled persons’ parking place a disabled persons’ vehicle which displays in the relevant position a disabled person’s badge.

“The 2002 Regulations” means the Traffic Signs Regulations and General Directions 2002;

“ticket machine” means an apparatus of a type and design approved by the Secretary of State for Transport being apparatus designed to issue parking tickets;

“Town Centre Zone” means the area shown edged in red on the plan marked “town centre plan” attached to this Order

“traffic sign” means a sign of any size, colour and type prescribed or authorised pursuant to or having the effect as though prescribed or authorised pursuant to Section 64 of the Act of 1984.

“urban core” means any road or length of road within the area shown edged red on the plan marked “urban core area” attached to this Order;

“waiver certificate” means a certificate duly issued by the Council permitting a specified vehicle to wait in specified circumstances on a length or lengths of roads or in a parking place where the waiting of that vehicle would otherwise be prohibited or the payment of a charge would otherwise be required

3. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament
4. Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order and any reference to a plan is a reference to a plan attached to this order;
5. The prohibitions imposed by this Order shall be in addition to and not in derogation of any restriction, prohibition or requirement imposed by any Regulations or Orders made or having effect as if made under the Act of 1984, or by or under any other enactment.
6. Save where the contrary is indicated, any reference in this Order to:-
 - (a) this Order or another Order shall be construed as such a reference to this Order or, as the case may be, such other Order, as the same may have been or may from time to time be amended, varied or supplemented;
 - (b) a Statute or Regulation shall be construed as reference to such Statute or Regulations as the same may have been, or may from time to time be amended or re-enacted

PART II

PROHIBITION AND RESTRICTION OF WAITING, LOADING AND UNLOADING

Prohibition of waiting

7. Save as provided in Articles 12 13 and 15 no person shall, except upon the direction or with the permission of a parking attendant or a police constable in uniform, cause or permit any vehicle to wait at any time in any prohibited road.

Restriction of waiting

8. Save as provided in Articles 12 13 and 15 no person shall, except upon the direction or with the permission of a parking attendant or police constable in uniform, cause or permit any vehicle to wait in any restricted road during the restricted hours.
9. Save as provided in Articles 12 and 15 no person shall, except upon the direction or with the permission of a parking attendant or police constable in uniform, cause or permit any coach or any goods vehicle to wait between the hours of 7 pm one day and 7 am on the day next following or between the hours of 7 pm one day and 7 pm on a Sunday in the urban core other than in a coaches and goods vehicles parking place
10. Save as provided in Articles 12, 14 and 15 no person shall, except upon the direction or with the permission of a parking attendant or police constable in uniform, cause or permit any vehicle to wait in any restricted road in respect of which there is specified on the Plans a period during the restricted hours in which waiting is allowed, for a period longer than that specified on the Plans or if a period less than that specified on the Plans as being the period in which the vehicle shall not return has elapsed since a previous period of waiting by the same vehicle on the same side of length of road.

Restriction of loading and unloading

- 11 No person shall, except upon the direction or with the permission of a parking attendant or police constable in uniform, cause or permit any vehicle to wait for the purpose of enabling goods to be loaded onto or unloaded from a vehicle in any no loading road during the no loading hours

Exemptions

12. Nothing in Articles 7, 8, 9 and 10 of this Order shall render it unlawful to cause or permit any vehicle to wait on the sides of lengths of road referred to in those Articles for so long as may be necessary to enable:-
- (a) a person to board or alight from the vehicle;
 - (b) the vehicle, if it cannot conveniently be used for such purpose in a any other road, to be used in connection with any of the following operations, namely:-
 - (i) building, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of the said sides of lengths of road; or
 - (iv) the laying, erection, alteration or repair, in or on land adjacent to the said sides of lengths of road, of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in the Telecommunications Act 1984;
 - (c) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority or a water authority in pursuance of statutory powers or duties;
 - (d) the vehicle of a universal service provider (as defined in sub- sections 4(3) and (4) of the Postal Services Act 2000) to be used for the purpose of delivering or collecting a postal packet as defined in Section 125(1) of the Postal Services Act 2000;
 - (e) the vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said sides of lengths of roads;

- (f) the vehicle to wait at or near to any premises situated on or adjacent to the said sides of length of road for so long as such waiting by that vehicle is reasonably necessary in connection with any funeral;
- (g) the vehicle to be used for fire and rescue, ambulance or police purposes;
- (h) except where Article 11 applies, goods to be loaded onto or unloaded from the vehicle (or goods or merchandise to be delivered or collected); and
- (i) the vehicle being a hackney carriage to wait at a duly authorised hackney carriage stand.

Waiting by disabled persons' vehicle

- 13. Nothing in Articles 7, and 8 of this Order shall render it unlawful to cause or permit a disabled persons' vehicle which displays in the relevant position a disabled persons' badge, and a parking disc (on which the driver or other person in charge of the vehicle has marked the time at which the period of waiting began) to wait on the sides of lengths of road referred to in those Articles for a period not exceeding 3 hours (not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle on the same side of length of road).
- 14. Nothing in Article 10 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge to wait without limitation in time on the sides of the roads referred to in that Article.

Waiver certificate

- 15. Nothing in Articles 7, 8, 9 and 10 of this Order shall prevent any person from causing or permitting a vehicle which displays in the relevant position a valid waiver certificate issued by the Council to wait in any prohibited road or in any restricted road in accordance with the terms and conditions of the waiver certificate.
- 16. The Council may issue a waiver certificate on receipt of written application with at least 48 hours working notice and may impose terms and conditions as appropriate.

17. A waiver certificate may be cancelled at any time at the sole discretion of the Council and shall thereupon immediately cease to be valid. Notification of such cancellation shall be in writing to the holder of the certificate at any address that the Council believes to be that person's address and the certificate shall forthwith be surrendered to the Council.
18. Nothing in Articles 7 and 8 of this Order shall render it unlawful to cause or permit any vehicle" which displays in the relevant position a valid permit to wait on the sides of lengths of road specified in the Plans as being "except for permit holders"

PART III

AUTHORISATION AND USE OF STREET PARKING PLACES

Designation of parking places

19. Each parking place (being a residents' parking place, a pay and display parking place, a coaches and goods vehicles parking place, or a disabled persons' parking place as specified on the Plans) is authorised to be used, subject to the following provisions of this Order, as a parking place for waiting, during the permitted hours of the specified classes of vehicles relevant to each type of parking place.
20. Nothing in Article 19 shall restrict the power of the Council to close or suspend any parking place.

Signing of parking places

21. Except within the Residents' Parking Area – Edgeley Park Stadium the limits of each parking place and the limits of any parking bay within a parking place shall be indicated on the carriageway by a road marking shown in diagrams 1028.3, 1032 or 1033 of the 2002 Regulations, appropriate to the position in which a vehicle may park.

Manner of parking

22. No person shall cause or permit a vehicle to wait in a parking place unless;

- (a) it is of the specified class;
- (b) where a parking bay is marked on the carriageway it is parked wholly within a parking bay;
- (c) if the parking place is not in a one-way street, that the left or near-side of the vehicle is adjacent to the left-hand edge of the carriageway;
- (d) that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 300 millimetres; and
- (e) so that no part of the vehicle obstructs any vehicular means of ingress to or egress from any premises adjacent to the side of the road on which the vehicle is waiting.

23. No person shall cause or permit a vehicle to use a parking place when the Council has closed or suspended that parking place.

Power to suspend use of parking places

24. Any person authorised by the Council may suspend the use of a parking place whenever he / she considers such suspension reasonably necessary;
- a) for the purpose of facilitating the movement of traffic or promoting its safety;
 - b) for the purposes of any building operation, demolition or excavation in or adjacent to the parking place or the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, removal or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus or traffic sign; or
 - c) for the convenience of occupiers of premises adjacent to the parking place or any occasion for the removal of furniture from one office or dwelling house to another place;
 - d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed;
 - e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals or on other special occasions;
 - f) for the purpose of facilitating the cleansing of the parking place.

25. A Police Officer in uniform may suspend the use of a parking place for not longer than twenty four hours whenever he / she considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting safety.
26. Any person suspending the use of a parking place in accordance with the provisions of Articles 24 or 25 shall place in or adjacent to that parking place a traffic sign indicating that waiting by vehicles is prohibited.

Use of Parking Places

27. 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 until when about to change the position of the vehicle in or to depart from the parking place.
28. No person shall use a vehicle, while it is in a parking place, in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his / her skills or services.

Movement or Removal of vehicles

29. When a vehicle is left in a parking place in contravention of any of the provisions contained in Articles 22 or 23, a person authorised by the Council to do so may remove the vehicle or arrange for it to be removed from that parking place; Provided that when a vehicle is waiting in a parking place in contravention of the provision of Article 22(b), (d) or (e), a person authorised by the Council to do so may alter or cause to be altered the position of the vehicle so that its position shall comply with that provision.
30. Any person removing a vehicle or altering its position by virtue of Article 29 may do so by towing or driving the vehicle or in such other manner as he / she thinks necessary.
31. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 29 of this Order, he /

she shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

Exemptions

32. Without prejudice to the foregoing provision of this Order with respect to vehicles left in a parking place in accordance with those provisions, any vehicle may wait during the permitted hours in a parking place if:-
- (a) the vehicle is waiting only for so long as is necessary to enable a person to board or alight from the vehicle;
 - (b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident;
 - (c) the vehicle is a vehicle used for fire and rescue purposes or an ambulance, or a vehicle (other than a passenger vehicle) in the service of a local authority or a vehicle in the service of a police force in either case being used in pursuance of statutory powers or duties;
 - (d) the vehicle is waiting only for as long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic.
 - (e) the vehicle is on the service of or employed by a universal service provider (as defined in sub- sections 4(3) and (4) of the Postal Services Act 2000) for the purpose of delivering or collecting a postal packet as defined in Section 125(1) of the Postal Services Act 2000;
 - (f) the vehicle not being a passenger vehicle is waiting only for so long as is necessary to enable it to be used for the purpose of any building operation, demolition or excavation in or adjacent to the parking place or the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, removal or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line, traffic sign or ticket machine;
 - (g) the vehicle not being a passenger vehicle is in actual use in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository; or

- (h) in any other case the vehicle is waiting for the purpose of delivering or collecting goods or merchandise, including, so far as a Bank is concerned, cash or other valuables or valuable securities, or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is waiting and the vehicle not being a goods vehicle does not wait for such purpose or more than thirty minutes or for such longer period as a parking attendant or police constable in uniform may authorise, or, being a goods vehicle does not so wait for more than thirty minutes or such longer period as aforesaid if it is in any part of a parking space.

PART IV PAY AND DISPLAY PARKING PLACES

Charges

33. Any person leaving a vehicle in a pay and display parking place specified in Column 1 of the Schedule during the chargeable hours shall pay the charge applicable to that parking place shown in Column 3 of the Schedule in respect of the corresponding period of waiting specified in Column 4 of the Schedule.
34. Save as provided in Article 40, no person shall cause or permit any vehicle to wait in a pay and display parking place during the chargeable hours unless the relevant charge for the period during which the vehicle waits therein calculated in accordance with Article 33 has been paid and there is displayed on that vehicle in the relevant position a valid parking ticket for that period of waiting.

Maximum period of waiting

35. Save as provided in Article 40, no person shall cause or permit:
- (i) any vehicle to remain in a pay and display parking place for longer than the period for which payment was made in accordance with the provisions of Article 33;
 - (ii) any vehicle to remain in a pay and display parking place specified in Column 1 of the Schedule for longer than the maximum period specified for that parking place in column 2 of the Schedule;

Purchase and display of tickets

36. The charge calculated in accordance with Article 33 shall be payable by the insertion in the ticket machine relating to that parking place of a coin or coins of the correct denomination. Upon payment of the said charge, the driver shall exhibit in the relevant position on the vehicle the parking ticket or tickets issued by the ticket machine relating to the parking place in which the vehicle is left.

Expiry of time period

37. The expiry of the period for which the charge specified in Column 3 of the Schedule has been paid shall be indicated when there is exhibited on the vehicle a parking ticket issued by a ticket machine relating to a parking place in which the vehicle is left showing the day and time of payment of the charge, and the time shown on the clock of the said ticket machine is later than the time at which the period for which a charge has been paid expired.

Failure to pay charge

38. If at any time while a vehicle is left in a pay and display parking place no parking ticket, indicating that the relevant charge has been paid in respect of that parking place during the period in which the vehicle is so left, is displayed on that vehicle in the relevant position the relevant charge shall be deemed not to have been paid unless the contrary is proved

Indications as Evidence

39. The indications given by any ticket machine or any parking ticket issued by it shall be treated as evidence of the facts which the ticket machine or parking ticket purports to record.

Exemptions

40. Nothing in this Part IV of this Order shall render it unlawful to cause or permit any vehicle which displays in the relevant position either
- (i) a valid waiver waiting in accordance with the terms and conditions of the waiver certificate;
 - (ii) a valid disabled person's badge; or
 - (iii) a valid permit issued to a resident of the Town Centre Zone
- to wait in any pay and display parking place without purchasing and displaying a parking ticket or for longer than the maximum period of waiting for that parking place

PART V **PERMITS**

Residents' permits

41. Any resident who holds a valid driving licence and is the owner of a passenger vehicle, a dual purpose vehicle, a light goods vehicle, an invalid carriage or a motor cycle may apply to the Council for the issue of a permit for the parking of that vehicle in a residents' parking place or pay and display parking place (as appropriate) situated in the road or zone in which he or she resides, and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form.

Issue of permit

42. The Council, upon being satisfied that an applicant is a resident and is the owner of a vehicle of such class specified in Article 41, may issue to that applicant one permit for the parking at any time in a parking place or zone specified on the permit during the permitted hours of the vehicle(s) to which such permit relates by the owner or by any person using such vehicle with the consent of the owner (other than a person to whom such vehicle has been let for hire or reward):
- Provided that, subject to the provisions of Article 50, the Council shall not issue a

permit to any resident which would be valid for any period to which any other permit issued to that resident extends.

Visitors permit

43. With the exception of those residents residing within the Town Centre Zone or within the Residents' Parking Area - Edgeley Park Stadium, any resident may apply to the Council for the issue of one visitor's permit for the parking of a vehicle in a residents' parking place situated in the road or zone in which he or she resides, and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form.
44. The Council, upon being satisfied that an applicant is a resident, may issue to that applicant one visitors permit for the parking of a vehicle during the permitted hours in a parking place situated in the road on which such a permit would be valid, a visitors permit for use by bona fide visitors to the resident at the address shown: Provided that, subject to the provisions of Article 50, the Council shall not issue a Visitor's Permit to any resident which would be valid for any period to which any other permit issued in respect of visitors to the residents usual place of residence extends.

Application for permit

45. The Council shall require an applicant for a permit to produce to an officer of the Council such evidence in respect of the application as they may reasonably require to verify any particulars or information given to them.

Surrender of permit

46. A permit holder may surrender a permit to the Council at any time and shall surrender a permit to the Council on the occurrence of any of the events set out in Article 48.

Withdrawal of permit

47. The Council may, by notice in writing served on the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's residence, withdraw a permit if it appears to the Council that any of the events set out in Article 48 has occurred, and the permit holder shall surrender the permit to the Council within 48 hours of the receipt of the said notice.
48. The events referred to in Articles 46 and 47 are:
- (a) the permit holder ceasing to be a resident;
 - (b) the permit holder ceasing to be the owner of the vehicle(s) in respect of which the permit was issued;
 - (c) the vehicle in respect of which the permit was issued being adapted or used in such a manner that it is not a vehicle of a class specified in Article 41;
 - (d) the issue of a duplicate permit by the Council under the provisions of Article 50; or
 - (e) the expiry of the period for which the permit was issued.
49. A permit shall cease to be valid on the occurrence of any one of the events set out in the preceding Article 48.

Duplicate permit

50. If a permit is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall surrender it to the Council for the issue to him/her of a duplicate permit.
51. If a permit is lost or destroyed, the permit holder may apply to the Council for the issue to him/her of a duplicate permit.
52. The provisions of this order shall apply to a duplicate permit and an application for such permit as if it were a permit, as the case may be, an application for a permit.

53. Any permit issued by virtue of the provisions of Articles 50 and 51 shall be marked as a duplicate, and upon the issue of a duplicate permit the permit which it duplicates shall become invalid.

Form of permit

54. A permit shall be in writing and shall include the following particulars:-
- (a) the registration mark(s) of the vehicle(s) in respect of which the permit has been issued or the address of the property to which it relates if it is a Visitors Parking Permit;
 - (b) the road, area or zone to which it relates;
 - (c) an authentication that the permit has been issued by the Council.

Display of permit

55. No person shall cause or permit a vehicle to wait on a residents' parking place during the permitted hours unless there is displayed in that vehicle in the relevant position a valid permit issued in respect of that vehicle or a valid visitors permit.
56. When a permit is displayed on a vehicle in accordance with the provisions of Article 55, no person shall remove the permit from the vehicle unless authorised to so do by the owner or driver of the vehicle.

PART VI

DESIGNATED PARKING PLACES FOR DISABLED PERSONS' VEHICLES

Limitation of use

57. No person shall cause or permit a vehicle to wait during the permitted hours in a disabled persons' parking place or a parking bay within a parking place where there is a traffic sign or surface marking which indicates that the parking bay is available only for a disabled person's vehicle unless it is a disabled person's vehicle which displays in the relevant position a disabled person's badge, is positioned wholly

within the limits of the parking place and parallel to the kerb and the vehicle either immediately before or after the parking act has been or is about to be driven or used by the person to whom the badge is issued.

PART VII

CONTRAVENTION OF ORDER

Contravention

58. If a vehicle is left in a parking place during the permitted hours or in any road or length of road 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.

Penalty Charge Notice

59. In the case of vehicle in respect of which a penalty charge may have been incurred, it shall be the duty of a Parking Attendant to issue a penalty charge notice which shall include the information required by the 1991 Act.

Manner of payment of Penalty Charge

60. 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.

Indications as evidence

61. 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.

Removal of vehicle

62. Where a parking attendant has removed or caused to be removed a vehicle in accordance with Articles 29 or 58,
- (a) he / she shall provide for the safe custody of the vehicle;
 - (b) the 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.
63. Nothing in Articles 29 or 58 shall apply in respect of a vehicle displaying in a relevant position a valid disabled person's badge.

Restriction on removal of notices

64. Where a penalty charge notice has been attached to a vehicle in accordance with the provisions of Article 59, no person, not being the driver of the vehicle, a police constable in uniform, a parking attendant or some other person duly authorised by the Council, shall remove the notice from the vehicle unless authorised to do so by the driver.

PART VIII

REVOCATIONS

Revocations

65. The prohibitions and restrictions of waiting loading and unloading and street parking places provisions of all the traffic regulation orders relating to roads in the Metropolitan Borough of Stockport except for the entire length of the M60 and M56 within the borough, including their on and off slip roads other than those listed below are hereby revoked:-
- (i) Any Order or part Order that relates to moving Traffic Regulation Orders not enforceable by the Council under the 1991 Act;

- (ii) The Metropolitan Borough Council of Stockport (Oakwood Avenue, Gatley) (Prohibition of Waiting) Order 2004 as amended ;
- (iii) The Metropolitan Borough Council of Stockport (Edgeley Park, Stockport) (Residents Privileged Parking Places) (Amendment) Order 2004 as amended;
- (iv) The Metropolitan Borough Council of Stockport (Bosden Fold/Mottram Fold/Chesworth Fold) (Prohibition of Waiting and Disabled Person's Parking Places) Order 2004 as amended;
- (v) The Metropolitan Borough Council of Stockport (Oak Street, Hazel Grove) (Resident's Privileged Parking Places) (Amendment) Order 2004 as amended;
- (vi) The Metropolitan Borough Council of Stockport (Manchester Road/Selby Street and Lloyd Street, Heaton Norris) (Prohibition of Waiting) Order 2004 as amended;
- (vii) The Metropolitan Borough Council of Stockport (Park Lane, Offerton) (Prohibition of Waiting) (Experimental) Order 2004 as amended; and
- (viii) The Metropolitan Borough Council of Stockport (Brabyns Brow, Marple Bridge, Stockport) (Prohibition of Waiting and Disabled Persons Parking Place) Order 2004 as amended
- (ix) The Metropolitan Borough Council of Stockport (Anfield Road, Cheadle Hulme)(Prohibition of Waiting)Order 2004 as amended

SCHEDULE
PAY AND DISPLAY PARKING CHARGES

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
Parking Places-	Maximum period of waiting	Charge	Period of waiting
All parking places with a maximum period of waiting of 1 hour as specified on the Plans	1 hour	60p £1.20	Up to 30 minutes Up to 1 hour
All parking places with a maximum period of waiting of 3 hours as specified on the Plans	3 hours	60p £1.20 £1.80	Up to 1 hour Up to 2 hours Up to 3 hours
All parking places with a maximum period of waiting of 10 hours as specified on the Plans	10 hours	60p £1.20 £1.80 £2.40 £6.00	Up to 1 hour Up to 2 hours Up to 3 hours Up to 4 hours Over 4 hours

THE COMMON SEAL of the)
METROPOLITAN BOROUGH COUNCIL OF)
STOCKPORT was hereunto affixed)
this 3rd day of March 2005)
in the presence of:-

Mayor

Council Solicitor and Secretary