

Dated 23 July 2024

THE METROPOLITAN BOROUGH COUNCIL OF STOCKPORT

THE METROPOLITAN BOROUGH COUNCIL OF STOCKPORT
(ST PETERSGATE, STOCKPORT) (ELECTRIC VEHICLE CHARGING POINT)
TRAFFIC REGULATION ORDER 2024

V. Bates
Assistant Director Legal &
Democratic Governance
Town Hall
Stockport
SK1 3XE

THE METROPOLITAN BOROUGH COUNCIL OF STOCKPORT
(ST PETERSGATE, STOCKPORT) (ELECTRIC VEHICLE CHARGING POINT)
TRAFFIC REGULATION ORDER 2024

The Council of the Metropolitan Borough of Stockport ("the Council") in exercise of its powers under Section 1 (1), 2(1) to (3), 4(2) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the 1984 Act"), the Road Traffic Act 1991 ("the 1991 Act") and the Traffic Management Act 2004 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:-

Interpretation

1. (1) In this Order:-

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

"electric vehicle" means a vehicle in which the electrical motive power can be derived from an internal electrical storage battery;

"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;

"goods" means goods of any kind whether animate or inanimate 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;

"motor cycle" has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986;

"one-way street" means a highway in which the driving of vehicles otherwise than in one direction is prohibited;

"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;

"Passenger vehicle" means a motor vehicle (other than a bus, motor cycle or an invalid carriage) constructed or adapted solely for the carriage of not more than twelve passengers (exclusive of the driver) and their effects and not drawing a trailer;

"Penalty Charge" and "penalty charge notice" have the same meaning as in the Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

“permitted hours”, in relation to a recharging point , means at any time;

“recharging point” means the area(s) specified in Schedule 1 to this order;

“recharging post” means a device designed for the recharging of electric vehicles;

“ Schedule” means a schedule to this order;

“street” includes part of a street;

“telecommunication system” has the same meaning as in the Telecommunications Act 1984.

- (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 of the masculine gender shall include the feminine gender.

Designation of recharging points

2. Each area on a highway comprising the length of carriageway of a street specified in Schedule 1 of this order and, unless otherwise so specified, bounded on one side of that length by the edge of the carriageway is designated as a recharging point.

Vehicles for which recharging points are designated

3. (1) Each recharging point shall only be used, subject to the provisions of this Order, for the leaving of electric vehicles.

(2) At all times which an electric vehicle is left at a recharging point referred to in Schedule 1, during the permitted hours, the owner thereof shall cause that vehicle to be connected and actively recharging, via the recharging lead to the recharging post relating to that recharging point.

4. Contravention at recharging points

If a vehicle is left at a recharging point without complying with the requirements of this Order, a contravention shall be deemed to have occurred and a penalty charge shall be payable. A penalty charge notice may then be served by a police constable in uniform or by a Civil Enforcement Officer in accordance with the Civil Enforcement of Parking Contraventions (England) General Regulations 2007.

5. Alteration of the position of a vehicle at a recharging point

Where any vehicle is standing in a recharging point in contravention of the provisions of Article 7, a police officer in uniform or a civil enforcement officer may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

6. Restriction on the removal of a penalty charge notice

Where a penalty charge notice has been attached to a vehicle in accordance with the provisions of Article 1, no person, not being the owner of the vehicle, shall remove the notice from the vehicle unless authorised to do so by the owner of the vehicle; Provided that nothing herein shall apply to a civil enforcement officer or a police constable in uniform.

7. Manner of standing at a recharging point

Every vehicle left at a recharging point in accordance with the foregoing provisions of this order shall stand:

- (a) in the case of a recharging point in relation to which special provisions as to the manner of standing of a vehicle in that recharging point are specified as to be in accordance with those provisions;
- (b) in the case of any other recharging point if the recharging point is not in a one way street , with the left or near side of the vehicle adjacent to the left hand side of the carriageway;
- (c) every part of the vehicle is within the limits of the recharging point.

Exemptions

8. Nothing in this order shall render it unlawful to cause or permit any vehicle to wait on the sides of length of road referred to in that Schedule 1 for so long as it 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 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 length 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 and 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 to be used for the purpose of delivering or collecting postal packets as defined in Section 125 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 length of road;
- (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 wedding or funeral;
- (g) the vehicle to be used for fire brigade, ambulance or police purposes; or
- (h) goods to be loaded onto or unloaded from the vehicle.

CONTRAVENTION OF ORDER

9. Contravention

If a vehicle is left in a recharging point during the permitted hours 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

10. 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.

11. 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.

12. 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.

Removal of vehicle

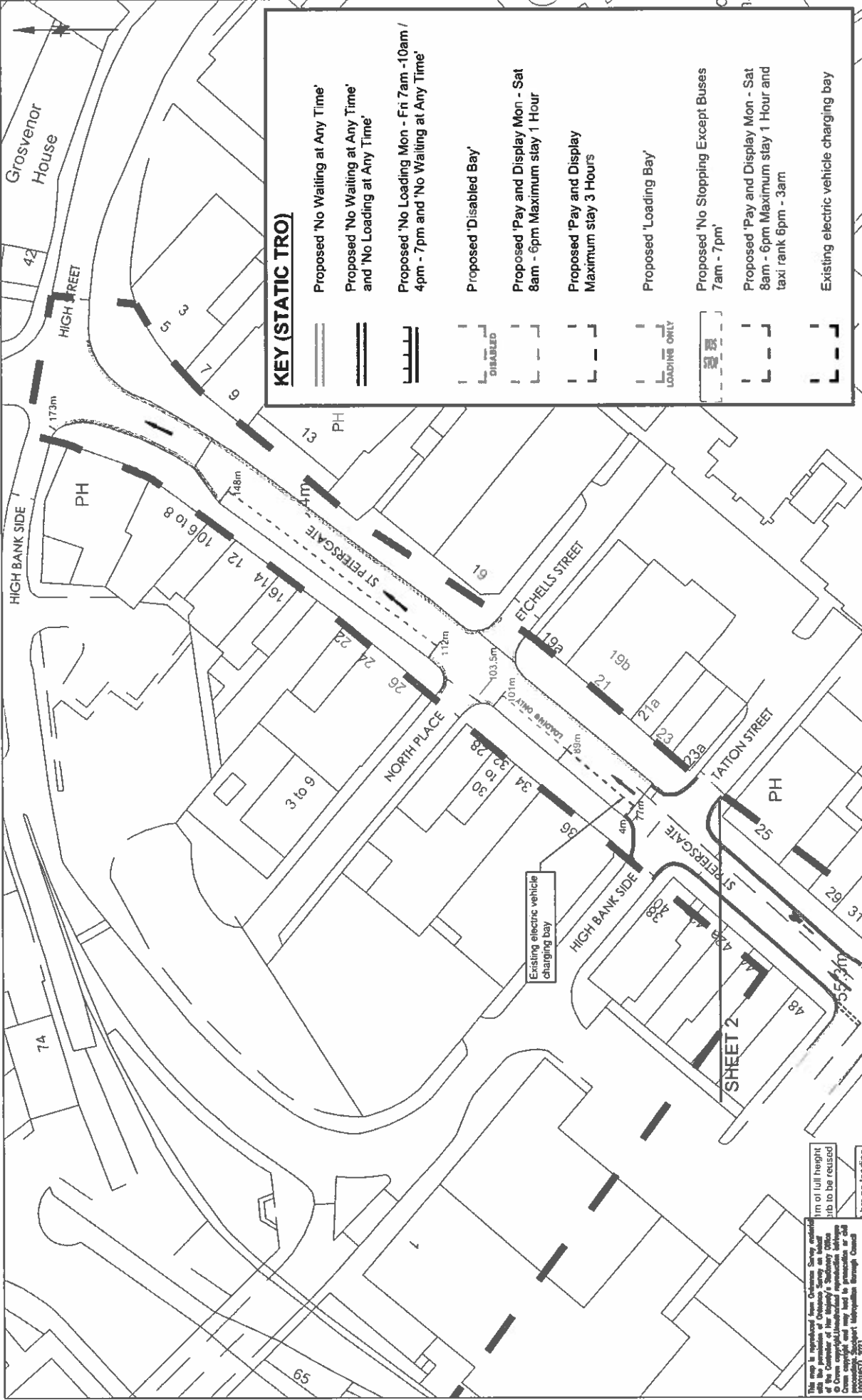
13. Except as provided by this order, the owner of a vehicle or any person in charge of a vehicle shall not cause or permit a vehicle to wait at a recharging point during the permitted hours. Where a police officer in uniform or a civil enforcement is of the opinion that these provisions of this order have been contravened or not complied with in respect of a vehicle left at a recharging point they may remove or cause to be removed the vehicle from the recharging point and, where it is so removed, shall provide for the safe custody of the vehicle.

COMMENCEMENT & CITATION

14. This Order shall come into operation on the 24 July 2024 and may be cited as The Metropolitan Borough Council of Stockport (St Petersgate, Stockport) (Electric Vehicle Charging Point) Order 2024.

SCHEDULE 1 ELECTRIC VEHICLE RECHARGING POINT ALL DAYS ALL HOURS

<p>St Petersgate (North-west side); From a point 4 metres north-east of the projected north-easterly kerblines of High Bank Street (south west section) for a distance of 12 metres in a north-easterly direction</p>
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KEY (STATIC TRO)

- Proposed 'No Waiting at Any Time'
- Proposed 'No Waiting at Any Time' and 'No Loading at Any Time'
- Proposed 'No Loading Mon - Fri 7am - 10am / 4pm - 7pm and 'No Waiting at Any Time'
- Proposed 'Disabled Bay'
- Proposed 'Pay and Display Mon - Sat 8am - 6pm Maximum stay 1 Hour'
- Proposed 'Pay and Display Maximum stay 3 Hours'
- Proposed 'Loading Bay'
- Proposed 'No Stopping Except Buses 7am - 7pm'
- Proposed 'Pay and Display Mon - Sat 8am - 6pm Maximum stay 1 Hour and taxi rank 6pm - 3am'
- Existing electric vehicle charging bay

Drawn	APJ	Engineer	APJ	Checked	PH	Approved	EMS
Date	25/07/23	Date	25/07/23	Date	25/07/23	Date	25/07/23
Scale	1:500						Revision
Drawing No.	F_0297_1200_TRO_001						

JOB TITLE
EDGELEY TO STOCKPORT (ATF)

DRAWING TITLE
PROPOSED STATIC TROS SHEET 1 OF 4

AMENDMENTS

NO	DATE	BY	REASON

STOCKPORT
METROPOLITAN BOROUGH COUNCIL
HIGHWAYS AND TRANSPORTATION
STOCKPORT TR 23
10/01/2023

STOCKPORT
METROPOLITAN BOROUGH COUNCIL
HIGHWAYS AND TRANSPORTATION
STOCKPORT TR 23
10/01/2023

This plan is submitted to the Council for approval. It is the responsibility of the applicant to ensure that the plan complies with the provisions of the Highways Act 1980 and the Traffic Signs Regulations and General Directions 2002. The Council is not responsible for any errors or omissions on this plan.

The COMMON SEAL of the COUNCIL)
of the METROPOLITAN BOROUGH OF)
STOCKPORT was hereunto affixed)
this 23 July 2024)
the presence of:-)



[Handwritten signature]
.....

~~Assistant Director Legal & Democratic Governance~~ / Designated Authorised Signatory
(legal officer)

IFAN ASLAM
.....
Print Name

[Handwritten signature]
.....
Authorised Signatory (legal officer)

JACOMNEWY
.....
Print Name

