

City of Stoke-on-Trent (Traffic Regulation) (Various Roads, Longton)
(No.84) Order, 2005

THE COUNCIL OF THE CITY OF STOKE-ON-TRENT in exercise of its powers under Sections 1, 2, 4, 45, 46 and 49 of the Road Traffic Regulation Act 1984 ("the 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 **HEREBY MAKE THE FOLLOWING ORDER :-**

PART I
MISCELLANEOUS PROVISIONS

1. Save as provided for in Article 1 of Part III of this Order no person shall cause or permit any vehicle to be driven at any time except for gaining access in the lengths of road specified in the First Schedule hereto.
2. Save as provided for in Articles 1, 2, 3 of Part III of this Order no person shall cause or permit the waiting of any vehicle at any time in the lengths of road specified in the Second Schedule hereto.
3. Save as provided for in Articles 1, 2 (a), (c), (d), (e) of Part III of this Order no person shall cause or permit any vehicle to loaded or unloaded at any time in the lengths of road specified in the Third Schedule hereto.
4. Save as provided for in Article 1 of Part III of this Order no person shall cause or permit any vehicle to be driven in the lengths of road specified other than in the direction stated in the Fourth Schedule hereto.
5. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-
 - a) **"Additional Parking Charge"** shall mean the appropriate charge or charges payable to the Council and set out in Section 2 of Part X of the consolidated order.
 - b) **"consolidated order"** shall mean City of Stoke on Trent (Traffic regulation) (No.5) Consolidation Order 2002
 - c) **"charging hours"** in relation to a parking place means the period specified as such;

PART II
PAY AND DISPLAY SCHEDULES

1. Each of the parts of road specified in Fifth Schedule of this Order is authorised to be used, subject to the following provisions of this Part II, as a parking place for motor vehicles, motor cycles with or without side cars invalid carriages and goods vehicles not exceeding 30 cwt unladen on such days and during such hours as are specified hereto.
2. The number of parking bays in each parking place shall be determined by the Council.

3. The limits of any parking bay shall be indicated by the Council on the carriageway by appropriate traffic signs.
4. The appropriate parking charge as specified in the Sixth Schedule of this Order hereto shall be payable by the drivers of all vehicles except motorcycles with or without sidecars who shall be exempt from the payment of such parking charge.
5.
 - (1) The parking charge shall be payable on the leaving of the vehicle in the parking place by the insertion into the ticket issuing machine relating to the parking bay in which the vehicle is left, coinage to the value stipulated on the ticket issuing machine
 - (2) Upon payment of the parking charge for the vehicle the driver thereof shall exhibit on the vehicle in accordance with the provisions of paragraphs (3) and (4) of this Article a ticket issued by the ticket issuing machine relating to the parking bay in which the vehicle is left.
 - (3) The ticket referred to in paragraph (2) of this Article shall be exhibited:
 - (i) on the front windscreen, or the front side windows of the vehicle.
 - (4) The ticket referred to in paragraph (3) of this Article shall be so exhibited on the vehicle that the ticket and machine number, date and expiry time shown on the front of the said ticket is clearly visible to a person standing by the said vehicle.
6.
 - (1)(a) If a vehicle is left in a parking place specified in the Fifth Schedule for longer than the permitted period for which payment was made by the parking charge an Additional Parking Charge as specified in Section 2 of Part X of the City of Stoke on Trent (Traffic Regulation) (No.5) Consolidation Order, 2002 (the consolidated order) shall be payable.
 - (b) If a vehicle is left in a parking place as specified in the Fifth Schedule and that vehicle or driver is in contravention of any other of the provisions of this Part II of this Order an Additional Parking Charge as set out in Section 2 of Part X of the City of Stoke on Trent (Traffic Regulation) (No.5) Consolidation Order, 2002 (the consolidated order) shall be payable.
 - (2) In the case of a vehicle in respect of which an Additional Parking Charge may have been incurred it shall be the duty of a Parking Attendant to attach to the vehicle in a conspicuous position a Notice which shall include the following particulars:
 - (a) the registration mark of the vehicle or where the vehicle is being used under a trade licence the number of the trade plate carried by the vehicle;
 - (b) the time at which he first noticed that the ticket indicated in the manner specified in Article 10(2) of this Part II of this Order that the period for which payment was made by the charge had expired;
 - (c) a statement that an Additional Parking Charge of the amount specified in Section 2 of Part X of the consolidated order is required to be paid;

- (d) the manner in which, and the time within which, the Additional Parking Charge should be paid; and
- 7.
 - (1) Where a Notice has been attached to a vehicle in accordance with the provisions of Article 6(2) of this Part II of this Order no person not being the driver of the vehicle or a Parking Attendant shall remove the Notice from the vehicle unless authorised to do so by the driver.
 - (2) When a ticket has been exhibited on a vehicle in accordance with the provisions of Article 5(3) and (4) of this Part II of this 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.
- 8. Any Additional Parking Charge due to the Council under Article 6(1) of this Part II of this Order shall be paid to the Council in the same manner as set out in Article 24 of this Part II of this Order or as directed on the Notice.
- 9. There shall be a ticket issuing machine on or in the vicinity of each parking place.
- 10.
 - (1) Payment of the parking charge for a vehicle left in a parking place shall be indicated by the issue by the ticket issuing machine relating to the parking bay in which the vehicle is left of a numbered ticket indicating that the charge has been paid and the date of payment of the charge, together with an expiry time and by exhibition of that ticket on the vehicle in the manner specified in Article 5 of this Part II of this Order.
 - (2) The expiry of the initial period for which the parking charge has been paid shall be indicated when there is exhibited on the vehicle a ticket issued by the ticket machine showing the day of payment of the charge together with an expiry time.
- 11. If at any time while a vehicle is left in a parking place during the permitted hours no ticket is exhibited on that vehicle in accordance with the provisions of Article 5 of this Part II of this Order it shall be presumed unless the contrary is proved that the parking charge has not been duly paid.
- 12. No person shall insert in a ticket issuing machine relating to the parking bay in which a vehicle is left any coins additional to those inserted by way of payment of the parking charge in respect of that vehicle.
- 13. Where in the Fifth Schedule to this Order a parking place is described as available for a vehicle as specified in Article 1 of this Part II of this Order the driver of the vehicle shall not permit it to wait in that parking place unless it is of the specified class.
- 14. Every vehicle left in a parking place in respect of which a charge has been incurred shall stand so that every part of the vehicle is within the limits of a parking bay which shall be the appropriate bay in relation to the ticket machine in which has been or should have been inserted any coin for the purpose of payment of the parking charge.

15. Where any vehicle is standing in a parking place in contravention of the provisions of the last preceding article a Police Constable in uniform or any person duly authorised by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with the provisions.
16. Where a Police Officer in uniform or any person duly authorised by the Council is of the opinion that any of the provisions contained in Part II of this Order, have been contravened or not complied with in respect of a vehicle left in a parking place he may remove or cause to be removed the vehicle from the parking place and when it is so removed shall provide for the safe custody of the vehicle.
17. Any person duly authorised by the Council or a police constable in uniform may move or cause to be moved in case of emergency to any place he thinks fit any vehicle left in a parking place.
18. (1) Any person duly authorised by the Council may suspend the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary:-
 - (a) for the purpose of facilitating the movement of traffic or promoting its safety;
 - (b) 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 of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line, traffic sign or ticket machine;
 - (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture from one office or dwellinghouse to another or the removal of furniture from such premises to a depository or to such premises from a depository;
 - (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
 - (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals or on other special occasions.
- (2) A police officer in uniform or a Parking Attendant may suspend for not longer than twenty-four hours the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.

- (3) Any person suspending the use of a parking place or any part thereof in accordance with the provisions of paragraph (1) or (2) above shall thereupon:
 - (a) in the case of a parking place within which the use of all parking bays relating to a ticket issuing machine has been suspended place or caused to be placed over the ticket issuing machine relating to those parking bays a hood or other cover indicating that the use of bays is suspended and that waiting by vehicles is prohibited; and
 - (b) in the case of a parking place the use of any part or parts of which whether including a parking bay or not has been suspended place or caused to be placed in or adjacent to that part or those parts a traffic sign or traffic signs indicating that waiting is prohibiting.
- (4) On any suspension of the use of a parking place or part of a parking place in accordance with the provisions of paragraph 18(1) above if the use of all the parking bays relating to one ticket issuing machine has been suspended any person duly authorised by the Council may temporarily remove that ticket machine and any post bracket or other support on which such ticket machine is fitted.
- (5) No person shall cause or permit a vehicle to be left in any part of a parking place
 - (a) during such period as there is over the ticket issuing machine relating to that parking place a hood or other cover indicating that the use of all parking bays is suspended;
 - (b) during such period as there is in or adjacent to that part of the parking place a traffic sign placed in pursuance of paragraph (3)(b) above:

Provided that nothing in this paragraph shall render it unlawful or cause or permit any vehicle being used for fire brigade ambulance or police purposes or any vehicle being used for any purpose specified in Article 18(1)(b), (d) or (e) of this Part II of the Order to be left in that part of the parking place during such period referred to in this paragraph or to any other vehicle so left if that vehicle is left with the permission (i) of the person suspending the use of the parking place or part thereof in pursuance of paragraph (i) above (ii) of a police officer in uniform.

19. No person shall use any vehicle while it is in a parking place during the permitted hours 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 of his skill in handicraft or his services in any other capacity. Provided that nothing in this Article shall prevent the sale of goods from a vehicle -
- (a) if the vehicle is one which may be left in a parking place in accordance with Article 1 of this Part II of this Order and the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected; or
 - (b) the vehicle is one to which the provisions of Article 20(1)(i) of this Part II of the Order apply.
20. (1) Without prejudice to the foregoing provisions of this Part II of this Order with respect to vehicles which are left in a parking place in accordance with those provisions of this Part II of this Order any vehicle may wait during the hours permitted under the respective of the Fifth Schedules anywhere in a parking place other than a parking place or part of a parking place the use of which has been suspended if:-
- (a) the vehicle is waiting only for so long as is necessary to enable a person to board or alight from the vehicle or to load thereon or to unload there from his personal luggage;
 - (b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary to avoid an accident;
 - (c) the vehicle is a vehicle used for fire brigade 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 so 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 in the service of or employed by the Post Office and is waiting while postal packets addressed to premises adjacent to the parking place in which the vehicle is waiting are being unloaded from the vehicle, or, having been unloaded there from, are being delivered or while postal packets are being collected from premises or posting boxes adjacent to the parking place in which the vehicle is waiting;
 - (f) the vehicle not being a passenger vehicle is waiting only or so long as may be reasonably necessary to enable it to be used for any purpose specified in Article 18(1)(b) of this Part II of this Order;

- (g) the 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,
 - (h) the vehicle being a goods vehicle is delivering goods to any premises the postal address is in any of the roads or streets specified in the fifth schedule to this Order PROVIDED that such period of waiting does not exceed 30 minutes return prohibited within one hour of leaving;
 - (i) in any other case a vehicle on contracted Bank business is waiting for the purpose of delivering or collecting goods or merchandise including 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 does not wait for such purpose for more than thirty minutes or for such longer period as a police constable in uniform may authorise.
- (2) No charge specified in the foregoing provisions of this Part II of this Order shall be payable in respect of any vehicle waiting in a parking place in accordance with the foregoing provisions of this Article 20.
21. A person causing or permitting a vehicle to wait in a parking place by virtue of the provisions of sub-paragraph (e), (f), (g) or (h) in paragraph (1) of the last preceding Article shall take all steps as are necessary to ensure:
- (a) in the case of a parking place in relation to which special provisions as to the manner of standing of vehicle in that place are specified that the vehicle shall so stand unless the length of the vehicle precludes compliance with this sub-paragraph, as to be in accordance with those provisions and so that every part of the vehicle is within the limits of the parking place.
22. (1) If at the time when a vehicle is left during the hours permitted under the Fifth Schedule in a parking bay there is on the ticket issuing machine relating to that bay or in or adjacent to that bay a notice placed by any person duly authorised by the Council indicating that the machine relating to that bay is out of order that vehicle shall be exempt from the charge provided that it is removed within two hours after the said machine is rectified; if it be not removed within that period the parking charge shall be treated as having been incurred and paid at the time when the vehicle was left in the parking bay and all the provisions of this Part II of the Order shall apply accordingly.
- (2) A disabled person's vehicle which displays in the relevant position a valid disabled person's badge shall be exempt from the payment of any charge or compliance with any limitation of time
- (3) Without prejudice to the generality of this Article a vehicle to which this Article applies shall stand in the parking bay in accordance with the provisions of Article 14 of this Part II of this Order and wholly within the limits of that bay.

23. The Council may:
- (a) install in such positions on or in the vicinity of a parking place as they may think fit such ticket issuing machines as are required by this Order for the purposes of that parking place;
 - and
 - (b) carry out such other work as is authorised by this Order or is reasonably required for the purposes of the satisfactory operation of a parking place.
24. The Additional Parking Charge shall be paid to the Council;
- 1) by post to Corporate Resources Department, Revenue and Benefit Services, IncomeServices Section, PO Box 712, Swann House, Booth Road, Stoke-on-Trent, ST4 4SX, not later than 4.00 p.m. on the fourteenth day following the day on which the Additional Parking Charge was incurred.
 - 2) in person at any Council payment office
 - 3) by debit/credit card at Swann House (as above) or the Directorate of Urban Environment, Parking & Security Group, Regent Road, Hanley, Stoke-on-Trent, ST1 3EG, not later than aforesaid provided
 - 4) by telephone on 01782 232091
 - 5) by internet through the official Stoke on Trent City Council website.
 - 6) that if the said fourteenth day falls on a day on which the said Office is closed the period within which payment of the said charge should be made to the Council shall be extended until 4.00 p.m. on the next full day on which the said Office is open.

The City Council may at its discretion prescribe other manners of payment such details to be set out on the Notice.

25. If payment of the Additional Parking Charges is made within fourteen days following the day on which the said charge was incurred then the amount payable to the Council will be the reduced amount as specified in the Section 2 of Part X of the consolidated Order (as amended).
26. If payment of the Additional Parking Charge is made after fourteen days following the day on which the said charge was incurred and before the issue of the Charge Certificate then the standard amount as specified in Section 2 of Part X of the consolidated order (as amended) shall be payable.

27. Following the issue of the Charge Certificate then the greater amount as specified in Section 2 of Part X of the consolidated order shall be payable.
28. Where a notice has been attached to a vehicle in accordance with the provisions of Article 6 of this Part II of this Order no person not being the driver of the vehicle or a duly authorised representative of the Council shall remove the notice from the vehicle unless authorised to do so by the driver.

PART III GENERAL EXEMPTIONS

1. Nothing in this Order shall apply to anything done upon the direction or with the permission of a Police Officer in uniform.
2. Nothing in Articles 2 and 3 of Part I of this Order shall render it unlawful to cause or permit a vehicle to be wait in the lengths of road referred to in that Article for as long as may be necessary :-
 - a) to enable a person to board or alight from the vehicle;
 - b) to enable goods to be loaded onto or unloaded from a vehicle;
 - c) to enable the vehicle if it cannot conveniently be used for such purposes in any other road, to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of the length of road so referred to, or the laying, erection, alteration or repair in or near to the said road of any sewer or any main, pipe or apparatus for the supply of gas, water or electricity, or of any telecommunication apparatus kept installed for the purposes of a telecommunication code system or with any service provided by means of any such apparatus as defined in the Telecommunication Act, 1984;
 - d) to enable the vehicle if it is in the service of or employed by the Post Office, to be used for the purpose of delivering or collecting postal packets as defined in Section 87 of the Post Office Act, 1953;
 - e) to enable the vehicle if cannot conveniently be used for such purposes in any road, to be used in pursuance of statutory powers and duties
3. Nothing in Article 2 of Part I of this Order shall apply to prevent any disabled person's vehicle from waiting for a period of three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same road or part of road on the same day) provided that:-
 - a) a disabled person's badge is displayed in the relevant position on the vehicle, in accordance with the Disabled Persons (Badges for Motor Vehicles) Regulations, 2000.

and

- b) a disabled persons parking disc issued by a local authority is displayed in a relevant position on the vehicle and the person in charge of the said vehicle marks on the said parking disc the time at which the period of waiting has begun.

4. Nothing in Part II of this order shall apply to prevent any disabled person's vehicle waiting for an unlimited period provided that :-

- a) a disabled person's badge is displayed in the relevant position on the vehicle, in accordance with the Disabled Persons (Badges for Motor Vehicles) Regulations, 2000.

and

- b) a disabled persons parking disc issued by a local authority is displayed in a relevant position on the vehicle and the person in charge of the said vehicle marks on the said parking disc the time at which the period of waiting has begun.

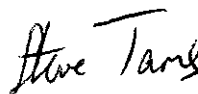
5. To revoke those parts of the Orders specified in the Schedule of Revocations hereto and hereby amend these Orders accordingly

6. The Interpretation Act, 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament

7. This Order shall come into operation on the 16th day of November 2005 and may be cited as "City of Stoke-on-Trent (Traffic Regulation) (Various Roads, Longton) (No.84) Order, 2005".

DATED this 11th day of November 2005.

SIGNED ON BEHALF of the)
COUNCIL OF THE CITY)
OF STOKE-ON-TRENT)



authorised signatory

FIRST SCHEDULE
ALL MOTOR VEHICLES PROHIBITED EXCEPT FOR ACCESS

Commerce Street (access Road Fronting No's 2 To 6)

From its junction with Market Street to its junction with Kingcross Street.

SECOND SCHEDULE
NO WAITING AT ANY TIME

Kingcross Street (North-east Side)

The Whole .

(South-west Side)

- (i) from its junction with commerce street for a distance of 10 metres in a north westerly direction
- (ii) from its north western truncated end for a distance of 10 metres in a south-easterly direction

THIRD SCHEDULE
NO WAITING AT ANY TIME/NO LOADING AND/OR UNLOADING AT ANY TIME

Chancery Lane (Both Sides)

The Whole .

FOURTH SCHEDULE
ONE WAY STREET

Commerce Street (Access Road Fronting No's 2 To 6)

From its junction with Market Street to its junction with Kingcross Street; in a south-westerly direction .

FIFTH SCHEDULE
PAY AND DISPLAY RESTRICTED TO 3 HOURS, NO RETURN WITHIN 1 HOUR
MON-SAT 7AM-6.30PM

Kingcross Street (South-west Side)

from a point 10 metres north-west of its junction with Commerce Street to a point 10 metres south-east of its north western truncated end

Market Street (North-east Side)

from a point 23.6 metres south-east of its junction with Anchor Road for a distance of 74 metres in a south-easterly direction

SIXTH SCHEDULE
SCHEDULE OF CHARGES

Upto ¼ Hour	10p
Upto ½Hour	30p
Upto 1 Hour	50p
Upto 2 Hours	£1.00
Upto 3 Hours	£1.50

Night Time Charge
(6:30pm – 7:00am) Free

SCHEDULE OF REVOCATIONS

Order

Part

City of Stoke on Trent (Traffic Regulation) (No.55) (Making of Remainder) Various Provisions Order, 2003	<u>Fourteenth Schedule</u> Market Street
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City of Stoke-on-Trent (Traffic Regulation) (No.5) Consolidation Order 2002	<u>Sixty First Schedule</u> Chancery Lane Kingcross Street
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Sixty Fifth Schedule
Chancery Lane
Kingcross Street

City of Stoke on Trent (Traffic Regulation)
(No.33) Consolidation Order

In sofar as it relates to the one way systems on
Chancery lane and Kingcross Street.