

City of Stoke-on-Trent (Traffic Regulation) (Meir View, Meir)
(No.36) Order, 2011

THE COUNCIL OF THE CITY OF STOKE-ON-TRENT in exercise of its powers under Sections 1, 2, 4, 45, 46 and 51 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 :-**

GENERAL

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

"Dwelling" means a building or part of a building designed for residential occupation by a single household, the postal address of which is within the list of addresses set out in the First schedule of this Order and for the avoidance of doubt:-

- (a) each flat comprised in a block of flats constitutes a single dwelling
(b) any house or flat divided into or let out as a bedsitting room or rooms constitutes a single dwelling.

"resident" means a person who has as a usual place of abode a Dwelling and who has established this to the satisfaction of the Council.

"resident parking permit" means a permit issued under the provisions of 6 of this Order.

"resident permit holder" means an eligible resident to whom a Residents Permit has been issued under the provisions of this Order.

"vehicle" means a motor vehicle being mechanically propelled vehicle intended or adapted for use on roads.

"zone" shall mean each respective lengths of road specified in the Second Schedule of this Order.

"member" means any resident who has complied with the provisions of Article 5 of this Order.

"parking place" means an area of highway comprising the length of carriageway of a street specified in the Second Schedule and, unless otherwise so specified, bounded on one side of that length by the edge of the carriageway and having a width throughout of 2 metres, is designated as a parking place.

"visitors parking permit" means a Visitors Permit issued under the provisions of Article 10 of this Order.

"visitors permit holder" means a person to whom a Visitors Permit has been issued under the provisions of Article 10 of this Order.

- 2) No person shall cause or permit any vehicle to wait during the Regulated Hours in any parking place regulated by this Order other than in accordance with Articles 4, 19(1) and 20.

- 3) Each length of road described in the Second Schedule hereto is hereby designated as a parking place for the stated Regulated Hours.
- 4) Each parking place may be used, subject to the provisions of Order, for the leaving during the Regulated Hours of the following vehicles:
 - (i) Those which display in the manner specified in Article 12 of this Order a valid residents parking permit issued by the Council in respect of that vehicle or a valid visitors parking permit
 - (ii) Those in respect of which the permit charge set out in the Fourth Schedule of this Order is subsequently paid in the prescribed manner.
- 5) Any resident may apply to the council to become a member relevant to their zone reference upon payment to the Council of a relevant joining fee as set out in the Third Schedule of this Order.

APPLICATION FOR THE ISSUE OF PARKING PERMITS

- 6) (1) Any resident who is a member and who is the owner of a vehicle of the following class that is to say a passenger vehicle, a dual purpose vehicle, a goods vehicle not exceeding 3.5 tonnes gross laden weight or a motor cycle may apply to the Council, for the issue of a parking permit for the leaving of that vehicle in a parking place and any such application shall be made on a form issued and obtainable from the Council and shall include the information required by that form and shall be accompanied by a remittance of such permit charge as specified in the Fourth Schedule of this Order as is appropriate in respect of the parking permit for which application is being made. Residents Parking permits will be limited to two per household.
- (2) The Council may at any time require an applicant for a parking permit to produce to an Officer of the Council such evidence in respect of any application made to them as they may reasonably require to verify any particulars or information given to them or in respect of any parking permit issued by them as they may reasonably require to verify that the parking permit is valid.
- (3) On receipt of the application made under paragraph (1) of this Article and of the appropriate fee specified in the Fourth Schedule of this Order the Council, upon being satisfied that the applicant is a resident and is the owner of a vehicle of the class specified in paragraph (1) of this Article, shall issue to the applicant a resident parking permit for the leaving of a vehicle during the Regulated Hours in any parking place to which such a parking 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 and any such parking permit so issued shall remain the property of the Council at all times.

- 7) (1) A resident parking permit holder may surrender a resident parking permit to the Council at any time and shall surrender a resident parking permit to the Council on the occurrence of any of the events set out in paragraph (3) of this Article and upon such surrender the Council shall not be obliged to make any refund in respect thereof.
 - (2) The Council may, by notice in writing sent by the recorded delivery service served on the parking permit holder at the address shown by that person on the application for the parking permit or affixed to the vehicle to which the parking permit relates, withdraw a parking permit if it appears to the Council that any of the events set out in paragraph 3(a), (b) or (c) of this Article has occurred and the permit holder shall surrender the parking permit within 48 hours of the receipt of such notice.
 - (3) The events referred to in the foregoing provisions of this Article are:
 - (a) the resident parking permit holder ceasing to be a resident;
 - (b) the resident parking permit holder ceasing to be the owner of the vehicle in respect of which the parking permit is issued;
 - (c) the vehicle in respect of which such parking permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 5(1) of this Order;
 - (d) the issue of a duplicate parking permit by the Council under the provisions of Article 8 of this Order;
 - (e) the resident parking permit ceasing to be valid pursuant to the provisions of paragraph (4) of this Article.
 - (4) Without prejudice to the foregoing provisions of this Article a resident parking permit shall cease to be valid at midnight on the expiry date specified thereon or on the occurrence of any one of the events set out in paragraph (3) of this Article whichever is the earlier.
- 8) (1) If a residents parking permit is mutilated or accidentally defaced or the figures or particulars on it have become illegible or the colour of the parking permit has become altered by fading or otherwise the parking permit holder shall surrender it to the Council and may apply to the Council for the issue to him of a duplicate parking permit if such surrender is accompanied by an application for a duplicate parking permit and the Council on the receipt of the above shall issue a duplicate parking permit so marked and upon such issue the original parking permit shall become invalid.
 - (2) If a residents parking permit is lost or destroyed the residents parking permit holder may apply to the Council for the issue to him of a duplicate parking permit and the Council, upon being satisfied as to such loss or destruction, shall issue a duplicate residents parking permit so marked and on such issue the original residents parking permit shall become invalid.
 - (3) The provisions of this Order shall apply to a duplicate residents parking permit and an application for a duplicate residents parking permit as if it were a parking permit or, as the case may be, an application thereafter.

- 9) A residents parking permit issued under Article 6(3) of this Order shall be in a form prescribed by the Council and shall include the following particulars:
- (a) the registration mark of the vehicle in respect of which the parking permit has been issued;
 - (b) the expiry date;
 - (c) an authentication that the parking permit has been issued by the Council and that it relates to the length of road and zone reference and set out in the Second Schedule of this Order.
- 10) (1) Any resident of a property may apply to the Council for the issue of a maximum of two visitors parking permits per property and any such application shall be made on a form, issued and obtainable from the Council and shall include the information required by that form and shall be accompanied by a remittance for such permit charge as specified in Fourth Schedule of this Order.
- (2) Any resident of a property as specified in paragraph (1) of this Article who is a Senior Citizen may apply for one visitors parking permit free of any charge;
- (3) Visitors Parking permits issued free under paragraph (2) of this Article will be limited to one per dwelling. A second visitors permit will be issued for the appropriate charge as specified in the Fourth Schedule of this Order.
- (4) The Council may at any time require an applicant for a visitors parking permit to produce to an Officer of the Council such evidence in respect of an application for a visitors parking permit made to them as they may reasonably require to verify any particulars or information given to them or in respect of any visitors parking permit issued by them as they may reasonably require to verify the validity of the visitors parking permit.
- (5) On receipt of an application made under the foregoing provisions of this Article and of the appropriate fee specified in the Fourth Schedule of this Order. The Council upon being satisfied that the applicant is a resident shall issue to that applicant a visitors parking permit of the description contained in paragraph (8) of this Article and any such visitors parking permit so issued shall remain the property of the Council at all times.
- (6) Where a visitors parking permit is issued to any person upon the receipt of a cheque and the cheque is subsequently dishonoured the visitors parking permit shall cease to be of any effect or cease to be capable of any effect as the case may be and the Council shall by notice in writing sent by the recorded delivery service served on the person to whom such visitors parking permit was issued or affixed any vehicle displaying the visitors parking permit requiring the surrender of the visitors parking permit to the Council within 48 hours of the aforementioned notice.

- (7) Each visitors parking permit issued in accordance with this Article shall be for the leaving during the Regulated Hours in any parking place of a vehicle which:
- (a) is within the following class that is to say a passenger vehicle, a dual purpose vehicle, a goods vehicle not exceeding 3.5 tonnes gross laden weight or a motor cycle and
 - (b) immediately prior to being left in the parking place was used for conveying a bona fide visitor to the usual residence of the resident to whom the visitors parking permit was issued.
- (8) A visitors parking permit shall be in a form prescribed by the Council and shall make provision for:
- (a) a serial number to be shown thereon by which the resident to whom that visitors parking permit was issued may be identified;
 - (b) the expiry date;
 - (c) an authentication that the visitors parking permit has been issued by the Council and that it relates to the areas of highway described in a zone and set out in the First Schedule of this Order.
- (9) A visitors parking permit displayed on a vehicle in a parking place shall, subject to Article 12 of this Order, be valid only if the conditions specified in this Article are met and the visitors parking permit is displayed in accordance with the provisions of Article 12 of this Order.
- (10) A visitors permit holder may surrender a visitors parking permit to the Council at any time and shall surrender a visitors parking permit to the Council on the occurrence of any of the events set out in paragraph (12) of this Article and upon such surrender the Council shall not be obliged to make any refund in respect thereof.
- (11) The Council may by notice in writing sent by the recorded delivery service served on the visitors permit holder or affixed to any vehicle displaying a visitors parking permit withdraw a visitors parking permit if it appears to the Council that an event such as set out in paragraph (12) of this Article has occurred and the visitors parking permit holder shall surrender the visitors permit to the Council within 48 hours of the receipt of such notice.
- (12) The events referred to in paragraph (10) and (11) of this Article are:
- (a) the visitors permit holder ceasing to be a resident;
 - (b) the withdrawal of the visitors parking permit by the Council under the provisions of paragraph (11) of this Article;
 - (c) the issue of a duplicate visitors parking permit by the Council under the provisions of paragraph (14) of this Article;

- (d) the visitors parking permit ceasing to be valid pursuant to the provisions of paragraph (13) of this Article;
 - (e) the visitors permit holder giving the visitors parking permit to a non-bona fide visitor or allowing it to be used by a non-bona fide visitor.
- (13) Without prejudice to the foregoing provisions of this Article a visitors parking permit shall cease to be valid at midnight on the expiry date specified thereon or on the occurrence of any one of the events specified in paragraph (12) of this Article, whichever is the earlier.
- (14) If a visitors parking permit is mutilated or accidentally defaced or the figures or particulars on it have become illegible or the colour of the visitors parking permit has become altered by fading or otherwise the visitors parking permit holder shall surrender it to the Council and may apply to the Council for the issue to him of a duplicate visitors parking permit if such surrender is accompanied by an application for a duplicate visitors parking permit the Council shall issue a duplicate visitors parking permit so marked and upon such issue the original visitors parking permit shall cease to be valid.
- (15) If a visitors parking permit is lost or destroyed the visitors parking permit holder may apply to the Council for the issue to him of a duplicate visitors parking permit and the Council upon being satisfied of such loss or destruction may at its discretion issue a duplicate visitors parking permit so marked and upon such issue the original visitors parking permit shall cease to be valid.
- (16) The provisions of this Order shall apply to a duplicate visitors parking permit and an application for a duplicate visitors parking permit as if it were a visitors parking permit or, as the case may be, an application therefor.
- 11) A residents parking permit or visitors parking permit issued under the provisions of this Order shall not be valid in any parking place other than a parking place within a zone regulated by this Order.
- 12) At all times during which a vehicle is left in a parking place during the Regulated Hours making use of a parking permit or a visitors parking permit there shall be displayed in the relevant position on the front or near side of the vehicle a valid residential parking permit or visitors parking permit issued in respect of that vehicle so that all particulars referred to in Articles 9 or 10(8) of this Order are readily visible from the front or near side of the vehicle.
- 13) Where a residents parking permit, visitors parking permit or Notice has been displayed on or affixed to the vehicle in accordance with the provisions of Articles 11 and 14(1) or any other provision of this Order no person, not being the driver, owner or keeper of the vehicle or a Civil Enforcement Officer, shall remove the permit, or Notice from the vehicle unless authorisation is obtained to do so by the driver, owner or keeper.

14) (1) Where a vehicle is parked in a parking place at any time during the Regulated Hours without a valid parking permit or visitors parking permit displayed in accordance with the provisions of this Order and is not subject to any of the exemptions to this Order the driver of the vehicle shall pay to the Council a Penalty Charge.

(2) Any Penalty Charge due to the Council under paragraph (1) of this Article shall be paid to the Council as directed on the Penalty Charge Notice.

15) (1) Where a Penalty Charge has been incurred in respect of a vehicle under Article 14 this Order, a Civil Enforcement Officer shall complete a Notice and attach it in a conspicuous place to that vehicle or hand or attempt to hand it to the driver of the vehicle.

(2) Any Notice under paragraph (1) of this Article 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 date and time at which the Civil Enforcement Officer first noticed that a Penalty Charge had been incurred under this Order;
- (c) the reason for the Penalty Charge being incurred;
- (d) a statement that a Penalty Charge of the amount specified on the notice is required to be paid;
- (e) the manner in which and the time within which the Penalty Charge should be paid.

16) The Council shall:

- (a) cause the limits of each parking place to be indicated on the carriageway by placing and maintaining thereon the appropriate traffic signs/markings;
- (b) place and maintain on or in the vicinity of each parking place appropriate traffic signs/markings for indicating that such parking place may be used during the Regulated Hours for the leaving only of vehicles specified in Articles 6(1) and 10(7)(a) of this Order, and any charge payable in relation thereto;
- (c) carry out such other work as is reasonably required for the satisfactory operation of a parking place.

17) Every vehicle parked in a parking place in accordance with the provisions of this Order shall be so parked so that every part of the vehicle is within the limits of the parking place.

18) A Police Officer in uniform or a City Council Civil Enforcement Officer may in case of an emergency move or cause to be moved any vehicle left in a parking place to any place that he thinks fit in the circumstances.

19) (1) Any person 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 or at any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line or traffic sign;
 - (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion for 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;
 - (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals or any other special occasions;
 - (f) for the purpose of cleansing the parking place.
- (2) A Police Officer in uniform may suspend for not longer than 24 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 providing for its safety.
- (3) Any person suspending the use of a parking place or any part thereof in accordance with the provisions of paragraphs (1) or (2) of this Article shall thereupon place or cause to be placed in or adjacent to that parking place or the part thereof the use of which is suspended a traffic sign indicating that the waiting of vehicles is prohibited.
- (4) No person shall cause or permit a vehicle to be left in any parking place or part of a parking place during such period as there is in or adjacent to that parking place or part of a parking place a traffic sign placed in pursuance of paragraph (3) of this Article;

Provided that nothing in this paragraph shall render it unlawful to cause or permit any vehicle being used for Fire Brigade, Ambulance or Police purposes or any vehicle being used for the purpose specified in Article 21(1) of this Order to be left in the parking place or part of a parking place during such period, or to any other vehicle so left if that vehicle is left with the permission of (i) the person suspending the use of the parking place or the part thereof in pursuance of paragraph (1) of this Article or (ii) a Police Officer in uniform or (iii) a City Council Civil Enforcement Officer.

20) While any vehicle is in a parking place during the Regulated Hours no person shall use the vehicle in connection with the sale of any article to any person or in connection with the selling or offering for sale of his skill or services:

Provided that nothing in this Article shall prevent the sale of goods from a vehicle if the vehicle is a passenger vehicle, a dual purpose vehicle or a motor cycle and the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is affected.

21) (1) Notwithstanding the foregoing provisions of this Order, any vehicle may wait at any time in the lengths of road specified in the Second Schedule of this Order for so long as may be reasonably necessary if:

- (a) the vehicle is waiting to enable a person to board or alight from the vehicle;
- (b) the vehicle is waiting to enable goods to be loaded or unloaded from the vehicle;
- (c) 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;
- (d) the vehicle is a vehicle being used for Fire Brigade, Ambulance or Police purposes or a vehicle in the service of a local authority which is being used in pursuance of statutory powers or duties;
- (e) the vehicle is waiting to enable it to be used in connection with the removal of any obstruction to traffic;
- (f) the vehicle is in the service of or employed by the Post Office and is waiting while postal packets addressed to premises in the lengths of road in which the vehicle is waiting are being unloaded from the vehicle or, having been unloaded therefrom, are being delivered or while postal packets are being collected from premises or posting boxes in the lengths of road in which the vehicle is waiting;
- (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 such furniture from such premises to a depository or to such premises from a depository;
- (h) the vehicle is being used for any of the purposes referred to in Article 19(1)(b) of this Order and cannot be used for that purpose in any other road.

22) The Council may determine from time to time to exempt any category of person or class of vehicle from any or all of the provisions of this Order in relation to the use of parking places.

- 23) If the resident or contractor requires an amendment to a parking permit by way of a change of vehicle he/she shall make an application to the Council for an amended parking permit and upon payment of an administration fee as set out in the Third Schedule of this Order, the Council shall issue such amended parking permit and the original parking permit shall cease to be of use.
- 24) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the Interpretation of an Act of Parliament.
- 25) This Order shall come into operation on the 16th June 2011 and may be cited as the City of Stoke-on-Trent (Traffic Regulation) (Meir View, Meir) (No.36) Order, 2011.

Dated this 13th day of June 2011.

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



authorised signatory

FIRST SCHEDULE
PROPERTIES ELIGIBLE

ZONE M2 Weston Road (No's 80 – 96 even)

SECOND SCHEDULE
RESIDENT PERMIT HOLDERS ONLY
MONDAY TO SATURDAY, 8AM – 9PM
ZONE REFERENCE M2

Meir View

(North-east Side) from a point 24 metres north-west of its junction with Weston Road to a point 79 metres north-west of its junction with Weston Road.

(South-west side) from a point 22 metres north-west of its junction with Weston Road for a distance of 55 metres in a north-westerly direction

THIRD SCHEDULE
JOINING FEES

Resident with/without a vehicle £70

FOURTH SCHEDULE
ANNUAL PERMIT CHARGES

RESIDENTS PERMIT £18
 VISITORS PERMIT £25