

CITY OF STOKE-ON-TRENT (THE PARKWAY RESIDENTIAL PARKING ZONE)
(ROAD TRAFFIC REGULATION) (NO.19) ORDER, 2021

NOTICE IS HEREBY GIVEN that the Council of the City of Stoke on Trent propose to make an Order under Sections 1, 2, 4, 32, 35, 45, 46 and 51 of the Road Traffic Regulation Act, 1984. The effect of this Order is as follows:-

- 1 To establish a Residential Permit Parking Zone (Zone HP1) in The Parkway from Cleveland Road to Harding Road to operate on all days for all hours.
- 2 Any residential property within No's 1-49 (odd) The Parkway will be eligible to apply for permits to park in the specified Permit Zone HP1.
- 3 To designate the parking places as specified in the schedule below as an Off-Street Parking Place and introduce new parking charges and various terms & conditions so that vehicles park correctly with in the Parking Place and within the designated parking bays during its operating hours.

SCHEDULE
OFF STREET CAR PARK (24 Hour Charging)

Name of Parking Place

Hanley Park North Car Park and
Hanley Park South Car Park

Permitted Waiting Time and Charges

Upto 1 Hour - £1
Upto 3 Hours - £1.50
All Day - £3
Annual Permit - £100

Full details of this proposals are contained in draft Orders which, together with maps showing the roads concerned and a statement of the Council's reasons for proposing to make this Order, may be examined and commented on at by [clicking here to view Stoke Traffweb](#)

If you wish to object to the proposed Order you send comments/objections via the above website with the grounds thereof, or in writing to Directorate of Housing Development and Growth fao Mr David Follows or by e-mail to traffic.orders@stoke.gov.uk, quoting reference: DF/NM/TRO19/2021 in all cases, by the 17th day of November 2021.

DATED this 27th day of October 2021.

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The City Council approved their 2021/22 Budgets in February this year and made provisions for the introduction of parking charges within Hanley Park to satisfy the grant funding terms of the Heritage Lottery Fund which has delivered transformative change to Hanley Park, including:

- Refurbishing the main pavilion, built in 1896, to create a café, toilets and space for meetings, private functions, and restoration of the clock tower
- Revamping the boathouse, which could be used as a second café and boat hire facility, or as a space for education and community use
- Repairs to the bowls pavilions
- Improving the formal terraced garden including restoring the bandstand and connecting which will be connected to power supplies
- Restoring the two canal bridges, including reinstating the decorative iron lighting columns
- Fixing the lake's retaining walls and the rockery and ravine which feed the water
- Restoring the terracotta fountain and pool in the Cauldon Grounds
- Removing 'self-seeded' trees to open up historic views and allow more light in

It was a condition of that funding that managed and charged for car parking be introduced to contribute towards the maintenance of the park and to promote appropriate space turnover.

As a result of the introduction of these parking charges, it is likely that visitors may seek parking in nearby residential areas to avoid the payment of parking charges and be allowed to stay for longer periods.

In the past the City Council has received complaints from local residents near to these public attractions/facilities with regard to the parking in their area of vehicles associated to visitors and as such cause the blocking of driveways and footpaths within residential estates.

To alleviate these issues and negate the possible displacement of parking and inline with the residents wishes, the City Council are offering the residents of The Parkway a residential parking scheme in their area to safeguard their parking and their visitor parking.

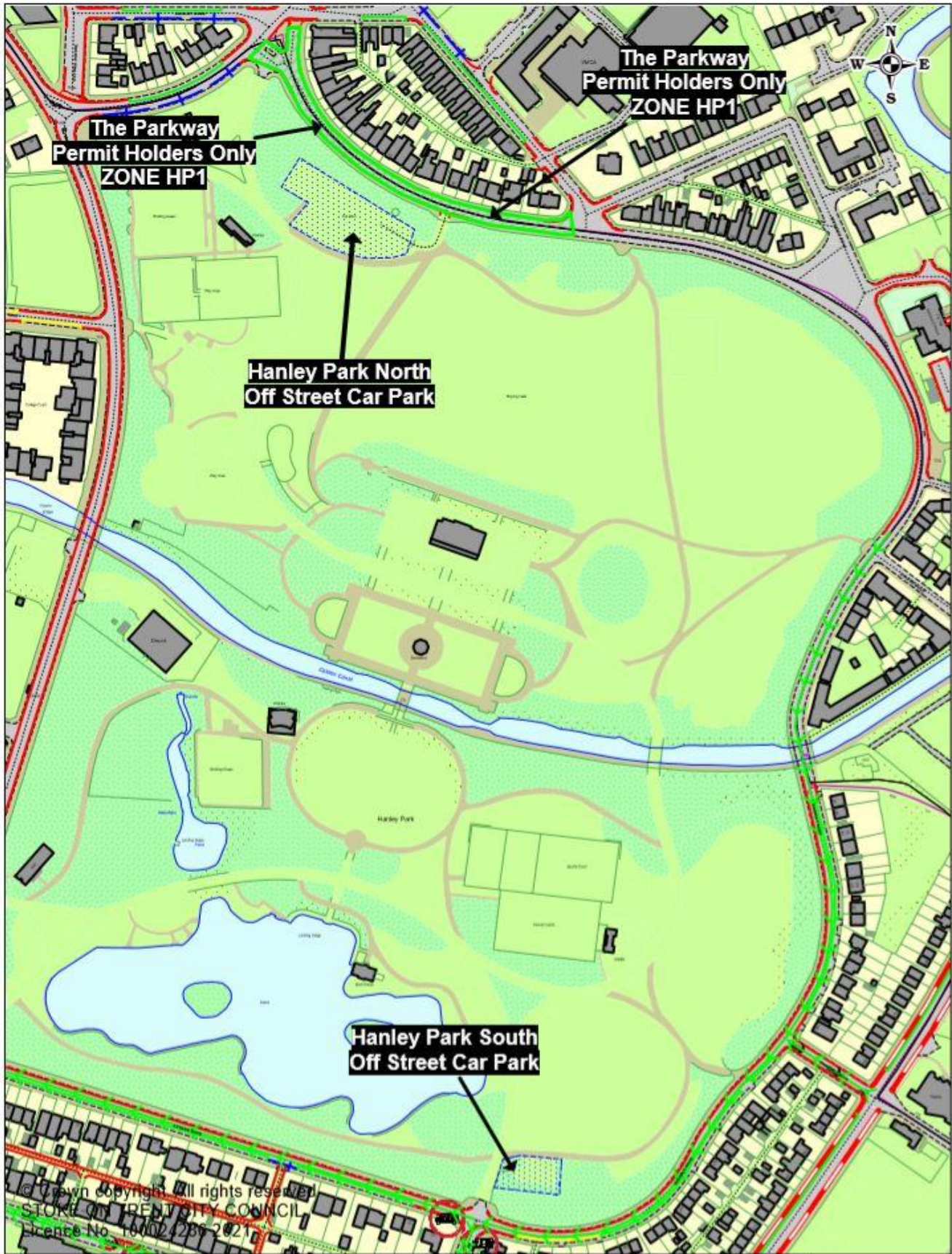
The City Council has a duty under section 122 of the Road Traffic Regulation Act 1984 when making TROs to consider the expeditious, convenient and safe movement of traffic and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.

Therefore, the City Council feel that it is expedient to make this TRO order after determining the level of non-residential parking within the area and receiving additional support from the local residents, Residents Association and local elected members.

Thorough consideration was given to the equalities duty of the City Council under Section 149 of the Equality Act 2010.

Thorough consideration was given to the factors set out in Section 122 of the Road Traffic Regulation Act 1984 in proposing this TRO.

All signing and lining will be in accordance with the Traffic Signs Regulations & General Directions in force at the time of implementation.



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 STOKES ON TRENT CITY COUNCIL
 Licence No. 14/02/2021

	Hanley Park TRO 19 2021	SCALE	1 : 2750
		DATE	19/10/2021
		DRAWING No.	
		DRAWN BY	

CITY OF STOKE-ON-TRENT (THE PARKWAY RESIDENTIAL PARKING ZONE)
(ROAD TRAFFIC REGULATION) (NO.19) ORDER, 2021

THE COUNCIL OF THE CITY OF STOKE-ON-TRENT in exercise of its powers under Sections 1, 2, 3, 4, 32, 35 45, 46, 51 and 122 of the Road Traffic Regulation Act 1984 (“the Act”) and of all other enabling powers and after consultation with the Chief Officer of Police for Staffordshire in accordance with Part III of Schedule 9 to the Act **HEREBY MAKE THE FOLLOWING ORDER:-**

Interpretation

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

“**Council**” shall mean the Council of the City of Stoke-on-Trent;

“**Contractor**” means a person authorised by the property owner to engage in bona fide building works or repairs

in or on a premises, the postal address of which is in any street or part of a street described in the First Schedule of this Order making that person eligible to apply for a contractor’s parking permit in that respective zone only;

“**Regulated Hours**” means those hours regulated in the First Schedule hereto.

“**Relevant Position**” means in relation to a parking permit, is that it is displayed in accordance with the provisions of Article 11 of this Order;

“**Relevant Position**” means in relation to a disabled blue badge, is that it is displayed in accordance with the Disabled Persons (Badges for Motor Vehicles) Regulations, 2000;

“**Resident**” means a person whose usual place of residence is at premises the postal address of which is in any street or part of a street in a zone described in Second Schedule of this Order thereby making that person eligible to apply for a parking permit in that respective zone only;

“**Resident parking Permit**” means a permit issued under the provisions of Article 5 of this Order;

“**Resident Permit Holder**” means a person to whom a permit has been issued under the provisions of Article 5 of this Order;

“**Schedule**” means a Schedule to this Order;

“**Visitors Parking Permit**” means a permit issued under the provisions of Article 9 of this Order;

“**Visitors Permit Holder**” means a person to whom a permit has been issued under the provisions of Article 9 of this Order;

“**Zone**” shall mean each respective lengths of road specified in the First Schedule of this Order;

“**Charging Period**” means, in relation to those Car Parking Places referred to the fourth schedule attached;

“**Civil Enforcement Officer**” has the same meaning as in Part 6, Section 76 of the Traffic Management Act 2004.

“**designated parking bay**” means a marked individual vehicle space in a parking place specified in the fourth schedule.

“Driver” in relation to a vehicle waiting in respect in a parking place, means the person driving the vehicle at the time it is left in the parking place

“Owner” has the same meaning as in Section 142 of “the Act”

“Parking Place” means the area of land which has been designated as a parking place in the schedule of this Order and provided by the council under Section 32 of the Act;

“Relevant Position” in the case of a vehicle fitted with a front windscreen, the ticket or permit is exhibited thereon with the obverse side facing forwards on the nearside of and immediately behind the windscreen

“Specified Class” means a motor car, passenger vehicle or goods vehicle which has a maximum gross weight not exceeding 3.5 tonnes.

“Traffic Sign” has the same meaning as in Section 142 of the Act;

“The Act” means the Road Traffic Regulation Act 1984

DRAFT

General

2. Each lengths of road specified in the First Schedule is also designated as a parking place for vehicles displaying a valid parking permit relevant to that Zone.
3. Each parking place specified in the First Schedule may be used, subject to the provisions of this Order, for the leaving of the following vehicles:
 - (i) Those which display in the manner specified in Article 10 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 Second Schedule of this Order is
Subsequently paid.

Application For and Issue of Parking Permits

4.
 - (i) Any resident 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. 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 Second Schedule of this Order as is appropriate in respect of the parking permit for which application is being made. Residential Parking permits will be issued free of charge for vehicles registered at that applicant's residential address.
 - (ii) The Council may at any time require an applicant for a residential 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.
 - (iii) On receipt of the application made under paragraph (i) of this Article and of any appropriate fee specified in this Order the Council, upon being satisfied that the applicant is a resident and the vehicle is registered at the applicant's address, and that the vehicle of the class specified in paragraph (i) of this Article, shall issue to the applicant a residential parking permit for the leaving of a vehicle at any time 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. Any such parking permit so issued shall remain the property of the Council at all times.
5.
 - (i) A residential parking permit holder may surrender a parking permit to the Council at any time and shall surrender a parking permit to the Council on the occurrence of any of the events set out in paragraph (iii) of this Article and upon such surrender the Council shall not be obliged to make any refund in respect thereof.
 - (ii) 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 5(iii)(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.

- (iii) The events referred to in the foregoing provisions of this Article are:
 - (a) the residential parking permit holder ceasing to be a resident;
 - (b) the residential 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 residential 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(i) of this Order;
 - (d) the issue of a duplicate residential parking permit by the Council under the provisions of Article 6 of this Order;
 - (e) the parking permit ceasing to be valid pursuant to the provisions of paragraph (iv) of this Article.
 - (iv) Without prejudice to the foregoing provisions of this Article a 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 (iii) of this Article whichever is the earlier.
- 6.
- (i) If a residential 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 residents 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.
 - (ii) If a residential parking permit is lost or destroyed the parking permit holder may apply to the Council for the issue to him of a duplicate residential parking permit and the Council, upon being satisfied as to such loss or destruction, shall issue a duplicate residential parking permit so marked and, on such issue, the original residential parking permit shall become invalid.
 - (iii) The provisions of this Order shall apply to a duplicate residential parking permit and an application for a duplicate residential parking permit as if it were a parking permit or, as the case may be, an application thereafter.
- 7.
- A residential parking permit issued under Article 4(iii) 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.

8. (i) 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 any remittance that is specified in this Order.
- (iii) Any resident of a property as specified in paragraph (i) of this Article who is a Senior Citizen may apply for one visitors parking permit free of any charge.
- (iv) Parking permits issued free under paragraph (ii) of this Article will be limited to two per household.
- (v) 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.
- (vi) On receipt of an application made under the foregoing provisions of this Article and of any appropriate fee specified in 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 (vii) of this Article and any such visitors parking permit so issued shall remain the property of the Council at all times.
- (vii) Where a visitors parking permit is issued to any person upon the receipt of a payment and the payment 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.
- (viii) Each visitors parking permit issued in accordance with paragraphs (i), (ii) and (iii) of 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.
- (ix) 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.

- (x) A visitors parking permit displayed on a vehicle in a parking place shall, subject to Article 10 of this Order, be valid only if the conditions specified in paragraph (vii) of this Article are met and the visitors parking permit is displayed in accordance with the provisions of Article 10 of this Order.
- (xi) 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 (xii) of this Article and upon such surrender the Council shall not be obliged to make any refund in respect thereof.
- (xii) 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 (xii) 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.
- (xiii) The events referred to in paragraph (x) and (xi) 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 (xi) of this Article;
 - (c) the issue of a duplicate visitors parking permit by the Council under the provisions of paragraph (xiv) of this Article;
 - (d) the visitors parking permit ceasing to be valid pursuant to the provisions of paragraph (xiii) of this Article;
 - (e) the resident giving the visitors parking permit to a non- bona fide visitor or allowing it to be used by a non-bona fide visitor.
- (xiv) 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 (xii) of this Article, whichever is the earlier.
- (xv) 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.
- (xvi) 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.
- (xvii) 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.

9. A residential 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 referred to on the permit and within a zone regulated by this Order.
10. At all times during which a vehicle is left in a parking place during the Regulated Hours making use of a residential 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 7 or 8(viii) of this Order are readily visible from the front or near side of the vehicle.
11. Where a residential parking permit, visitors parking permit or a Penalty Charge Notice has been displayed on or affixed to the vehicle in accordance with the provisions of Articles 10 and 13(i) 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.
12.
 - (i) Where a vehicle is parked in a parking place at any time during the Regulated Hours without a valid residential 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 be deemed to have caused a contravention and will be requested to pay to the Council a Penalty Charge.
 - (ii) Any Penalty Charge due to the Council under paragraph (i) of this Article shall be paid to the Council as directed on the Penalty Charge Notice.
13.
 - (i) Where a Penalty Charge has been incurred in respect of a vehicle under Article 12 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.
 - (ii) Any Penalty Charge Notice issued under paragraph (i) 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.
14. The Council shall:
 - (i) cause the limits of each parking place to be indicated on the carriageway by placing and maintaining thereon the appropriate traffic signs/markings;
 - (ii) 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 4(i) and 8(vii)(a) of this Order, and any charge payable in relation thereto;

(iii) carry out such other work as is reasonably required for the satisfactory operation of a parking place.

15. 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.

16. (i) 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 dwelling house 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.

(ii) 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.

(iii) Any person suspending the use of a parking place or any part thereof in accordance with the provisions of paragraphs (i) or (ii) 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.

(iv) 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 (iii) 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 19 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 (i) of

this Article or (ii) a Police Officer in uniform or (iii) a City Council Civil Enforcement Officer.

17. 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.

Section 3

Exemptions to Permit Parking Bays

18. (i) Notwithstanding the foregoing provisions of this Order, any vehicle may wait at any time in the lengths of road specified in the First 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 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 there from, 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;
19. 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 place.
20. 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.

21. Nothing in this Order shall apply to anything done upon the direction or with the permission of a Police Officer in uniform.

PART II
DESIGNATION AND USE OF PARKING PLACES

22. The parking place referred to in the Fourth Schedule hereto may be used, subject to the provisions of this Order, as a place to leave vehicles of such classes, in such positions, on such days, during such hours, for such period and on payment of such charges as are specified in relation thereto in the Schedule hereto

Class and Position of vehicle

23. Where in the Schedule a Parking Place is described as available for vehicles of a specified class or vehicles to be left in a specified location, no person shall permit a vehicle to wait in that Parking Place or in any parking bay within the Parking Place,
- (i) unless it is of the specified class
 - (ii) unless it is wholly within a marked parking bay: or
 - (iii) in a position other than that specified

Maximum Period of Stay

24. Where in the Fourth Schedule a Parking Place is described as available on specified days, during specified hours or for a maximum period of stay, no person shall permit a vehicle to wait in that Parking Place on any day, during such hours or for any period other or longer than those specified.

Disabled Person's Parking Bays

25. No person shall cause or permit a vehicle to park in a parking bay marked for Disabled Persons unless the vehicle displays a Disabled Person's Badge in the relevant position and immediately before or immediately after the act of parking the vehicle has been or is about to be used by the person(s) in respect of whom the badge has been issued.

Power to close or suspend Parking Places

26. Nothing in this Order shall prevent the Council by notice, sign or barrier displayed in the Parking Place:
- (i) from closing the Parking Place or any part thereof for any period; and / or
 - (ii) from setting aside the Parking Place or any part or parts thereof on all days or on certain days or during certain parts of days for use only by particular vehicles or organisations.
27. Any person authorised by the Council suspending the use of a Parking Place or any part thereof in accordance with the provisions of Article 26 shall thereupon place or cause to be placed in or adjacent to that Parking Place or that part thereof a notice or traffic sign indicating that the use of that Parking Place or that part thereof is suspended and that waiting by vehicles is prohibited.
28. No person shall cause or permit a vehicle to be left in a Parking Place or any part thereof during such periods that the use of that Parking Place or that part thereof is suspended or during such period as there is in or adjacent thereto a notice or traffic sign placed by or on behalf of the Council in pursuance of the preceding Article.

PART III **CHARGES FOR PARKING**

Payment

29. The driver of a vehicle using a Parking Place shall upon leaving the vehicle in the Parking Place pay the appropriate charge (if any) in accordance with the scale of charges specified in the Fourth hereto.

Pay and Display Parking Places

30. The driver of a vehicle using a Pay and Display Parking Place shall upon leaving the vehicle in the Parking Place, and on payment of a charge, purchase a Pay and Display ticket at the level of charge and for the period required in accordance with the scale of charges specified in the Fourth Schedule.

Means of Payment

31. The charge referred to in the preceding Article shall be payable by the insertion of an appropriate coin, coins or banknotes, or other approved method of payment together making up the amount of the charge into the ticket machine situated in that Parking Place or by payment to a person nominated by the Council.

Display of Ticket

32. The driver of the vehicle shall:
- (i) display the Pay and Display ticket issued on payment of the charge in the relevant position on the vehicle in respect of which it was issued.
 - and
 - (ii) ensure that a Pay and Display ticket is purchased and displayed to cover the entire period that the vehicle is parked in the Parking Place

Validity of pay and Display Tickets

33. A Pay and Display ticket is not transferable from one vehicle to another.
34. A Pay and Display ticket is valid only in the Parking Place in which it was issued. This is defined by the reference code of the parking ticket machine located in that Parking Place printed on the Pay and Display ticket.

Expiry of Parking Period.

35. The expiry of the period for which the charge specified for that Parking Place in the Fourth Schedule has been paid shall be indicated when there is exhibited on the vehicle a parking ticket and the time shown on the clock of the issuing ticket machine is later than the time at which the period for which a charge has been paid expired.

No Ticket Displayed

36. If at any time while a vehicle is left in a Parking Place no Pay and Display Ticket is displayed on that vehicle in the relevant position and in accordance with the provisions of Article 32 it shall be deemed that the charge has not been paid.
37. If at the time when a vehicle is left during the permitted hours in a Parking Place and on the nearest ticket machine in that Parking Place there is a notice placed by any person duly authorised by the Council, indicating that the said ticket machine is out of order, then a ticket should be obtained from another machine in that Parking Place (where provided).
38. Where no valid Pay and Display ticket can be obtained and displayed vehicles may be left in a Parking Place but may not be left for longer than the maximum period of waiting in that Parking Place as specified in the Fourth Schedule.

Restriction on Removal

39. When a Pay and Display ticket or season ticket or permit has been exhibited on a vehicle in the relevant position no person shall remove the Pay and Display ticket or season ticket or permit from the vehicle until the vehicle is removed from the Parking Place.

PART IV

EXEMPTIONS FROM DAILY CHARGES

40. No daily charge shall be payable in respect of:
- (i) a vehicle which displays in the relevant position a valid Disabled Person's Badge provided that the vehicle immediately before or after the act of parking has been used or is about to be used by the person(s) in respect of whom the badge is issued;
 - (ii) a motor cycle which is left in a parking bay specified for such vehicles (if any);
 - (iii) a vehicle left displaying in a relevant position a Season Ticket valid for that Parking Place;
 - (iv) a vehicle left displaying in a relevant position a pass or permit issued by the Council valid for that time and for that Parking Place.

Absence of Ticket Machine

If at the time when a vehicle is left in a Parking Place shown during the charging hours there is no ticket machine at the Parking Place, or all the ticket machines at that Parking Place carry notices placed upon them by a person duly authorised by the Council indicating that they are out of order, the driver of that vehicle shall be exempt from purchasing a parking ticket.

PART V **RELOCATION AND REMOVAL OF VEHICLES**

Relocation of a vehicle

41. Where any vehicle is standing in a Parking Place in contravention of the provisions of this Order, or is left in such a manner so as to cause danger or obstruction a Civil Enforcement Officer or a person authorised by the Council may, using such measures as are appropriate, alter or cause to be altered the position of the vehicle.

Removal of a vehicle

42. Where a Civil Enforcement Officer or a person authorised by the Council is of the opinion that any of the provisions contained in this Order have been contravened or not complied with in respect of a vehicle left in a Parking Place he/she may, using such measures as are appropriate, remove or cause to be removed the vehicle from the Parking Place.

Emergencies

43. A Civil Enforcement Officer, a person authorised by the Council or a Police Constable in uniform may, using such measures as are appropriate, move or cause to be moved in the case of an emergency to any place he/she thinks fit, any vehicle left in a Parking Place.

Safe Keeping

44. Any person removing a vehicle from a Parking Place under the preceding Articles shall make such arrangements as may be reasonably necessary to provide for the safe keeping of the vehicle

PART VI **OTHER PROVISIONS**

Stop engine and apply brakes

45. The driver of a motor vehicle using a Parking Place shall stop the engine as soon as the vehicle is in the parking space and shall not start the engine except when about to change the position of the vehicle in or to depart from the Parking Place:

Manner of parking trailers

46. The driver of a vehicle drawing a trailer shall not permit the vehicle or the trailer to wait in a Parking Place unless they have been disconnected, and for the purposes of this Order the vehicle and the trailer shall be deemed to be separate vehicles and the driver of the leading vehicle shall be deemed to be the driver of both of the vehicles. A valid ticket must be purchased for the trailer in addition to the vehicle.

Repair of vehicles in Parking Places

47. No person shall, while a vehicle is in a Parking Place, permit the carrying out of any work of maintenance or repair thereto except such as may be necessary to enable the vehicle to be moved from the Parking Place.

Vehicle Tax and Insurance

48. No person shall permit any vehicle to wait in a Parking Place:
- (i) unless the vehicle has a current licence which is issued in accordance with the provisions of the Vehicle Excise and Registration Act 1994;
 - (ii) unless there is in relation to the use of the vehicle by the driver such a policy of insurance as complies with requirements of the Road Traffic Act 1988;

Entry and Exit

49. Where signs are erected or surface markings are laid for the purpose of indicating the entrances to or exits from the Parking Place; or indicating that a vehicle proceed in a specified direction, no person shall drive or cause to be driven any vehicle:
- (i) so that it enters the Parking Place otherwise than by an entrance, or leaves the Parking Place otherwise than by an exit;
 - (ii) in a direction other than that specified;
 - (iii) In a manner or at a speed so as to cause danger to other users of the Parking Place.

Use of vehicles and Parking Places

50. No person shall in a Parking Place:
- (i) without the express written permission of the Council, use a vehicle, in connection with the sale of any article, including the vehicle itself, to any person in or near the Parking Place or in connection with the selling or offering for hire of skill or services in any other capacity;
 - (ii) sound any horn or other similar instrument except when about to change the position of the vehicle in or to depart from the Parking Place;
 - (iii) except with the permission or at the direction of a Civil Enforcement Officer or a person authorised by the Council or a police constable in uniform, drive any vehicle other than for the purpose of leaving the vehicle in the Parking Place in accordance with the provisions of this Order or for the purpose of departing from the Parking Place or for the purpose of visiting any amenity site in the Parking Place;
 - (iv) use any part of the Parking Place or a vehicle in a Parking Place without the express written permission of the Council for;
 - a) Sleeping or camping purposes

- b) Cooking purposes
 - c) the purpose of washing, valeting or servicing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from the Parking Place;
- (v) use that Parking Place solely as a means of passage proceeding from one road to another;
- (vi) deposit or leave any vehicle, trailer, or anything which formed part of a vehicle or trailer, or any rubbish, litter or anything with the purpose of abandoning it there;
- (vii) wantonly shout or otherwise make any noise to cause disturbance or annoyance of users of the Parking Place or residents or other occupiers of adjacent premises;
- (viii) act in a manner to cause nuisance or danger to any car park user. resident or other person;
- (ix) erect or cause or permit to be erected, any tent, booth, stand, building or other structure;
- (x) light or cause to be lit a fire.

PART VII

LIABILITIES / PENALTIES

Liability

51. The Council accepts no liability for the loss or damage to vehicles or other property left in Parking Place to which this Order applies.

Wilful Damage

52. Any person who with intent to defraud interferes with the parking ticket machine or operates or attempts to operate it by the insertion of objects other than undamaged and unaltered coins of legal tender and of the appropriate denomination, or other approved method of payment, shall be liable to prosecution.

PART VIII

CONTRAVENTION AND PENALTY CHARGE

Contravention

53. If a vehicle is left in a Parking Place referred to in the Schedule without complying with the requirements of this Order, a contravention shall have occurred and a Penalty Charge shall be payable. A Penalty Charge Notice showing the information required by the 2004 Act may then be issued by a Civil Enforcement Officer in accordance with the requirements of the 2004 Act or any subsequently applicable legislation.

Notice of Penalty Charge

54. In the case of a vehicle in respect of which the Penalty Charge may have been incurred, it shall be the duty of a Civil Enforcement Officer to attach to the vehicle in a conspicuous position a Penalty Charge 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 date and time at which the Civil Enforcement Officer first noticed that a Penalty Charge Notice had been incurred under this Order;

- (c) the reason for the Penalty Charge Notice being incurred;
- (d) a statement that a Penalty Charge Notice is required to be paid;
- (e) the manner in which and the time within which the Penalty Charge Notice should be paid.

Restriction on removal of Notices

55. A Penalty Charge Notice fixed to a vehicle in accordance with the preceding Article shall not be removed or interfered with except by or under the authority of:
- (i) The owner, or person in charge of, of the vehicle;
 - (ii) The council for the place in which the vehicle in question was found

Interpretation

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

Operational Date and Citation

57. This Order shall come into operation on the xx (MONTH) 2021 and may be cited as the CITY OF STOKE-ON-TRENT (THE PARKWAY RESIDENTIAL PARKING ZONE) (ROAD TRAFFIC REGULATION) (NO.19) ORDER, 2021.

Dated this xxth of xxxx 2021.

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

Authorised Signatory

FIRST SCHEDULE

PERMIT HOLDERS ONLY - ZONE REFERENCE HP1

The Parkway

From Cleveland Road to Harding Road

SECOND SCHEDULE

PROPERTIES ELIGIBLE TO APPLY FOR ZONE HP1 PERMITS

The Parkway – No's 1 – 49 (odd)

THIRD SCHEDULE

PERMIT CHARGES

Administration Fee £5.00

FOURTH SCHEDULE

OFF STREET CAR PARK (24 Hour Charging)

Name of parking place

Hanley Park North Car Park and Hanley Park South Car Park

Permitted waiting time and charges

Upto 1 Hour - £1

Upto 3 Hours - £1.50

All Day - £3

Annual Permit - £100