

**City of Stoke-on-Trent (Traffic Regulation) (Lockett Street Resident Parking Scheme) (No.10) Order, 2021 (Amendment No.1) Order, 2022**

**NOTICE IS HEREBY GIVEN** that the Council of the City of Stoke-on-Trent on 23 June 2022 made an Order under Sections 1, 2, 4, 45, 46 and 51 of the Road Traffic Regulation Act, 1984. The Order shall come into operation on Monday 27 June 2022 and the effect of this Order will be as follows: -

To amend the Third Schedule contained within the City of Stoke-on-Trent (Traffic Regulation) (Lockett Street Resident Parking Scheme) (No.10) Order, 2021 so that properties Eligible to apply for permits will read – Lockett Street (ALL) and Moston Street No.109

A copy of this Order may be examined on the City Council's Website or can be emailed upon request. Any request for this information should be submitted to [traffic.orders@stoke.gov.uk](mailto:traffic.orders@stoke.gov.uk) . If you wish to question the validity of this Order or any provision in it on the grounds that it is not within the powers conferred by the above Act or on the grounds that the requirements of that Act or any instrument made under it has not been complied with in relation to the Order you may within six weeks of the date hereof apply to the High Court for this purpose.

DATED this 25th day of June 2022.

# Open Report



City of  
**Stoke-on-Trent**

## **Operational Business Meeting (OBM)**

**27 April 2022**

### **Objections to City of Stoke-on-Trent (Traffic Regulation) (Lockett Street Resident Parking Scheme) (No.10) Order 2021 (Amendment No.1) Order, 2022**

**Report of** Director of Housing, Development and Growth

**Report Author:** David Follows – Traffic Management Officer

**Type of Decision:** Chief Officer Delegated Decision

**Cabinet Member:** Cabinet Member for Regeneration, Infrastructure and Heritage

**Wards Affected:** Birches Head and Central Forest Park

#### **Stronger Together Priorities and how they are applicable:**

- Work with our communities to make them healthier, safer and more sustainable
- The scheme proposes beneficial improvements to the environment of Boughey Road increasing safety of pedestrians and wheeled users and improving pedestrian routes. It is one of a number of linked schemes in a package aimed at improving air quality and promoting active travel in 'a legible city'
- Help businesses to thrive and make our city more prosperous
- The scheme promotes the development of the University, a large employer with a significant contribution to offer the wider economic development of the City

## **1.0 Reason and Purpose of Report:**

**1.1** To outline the objections to the provisions contained within City of Stoke-on-Trent (Traffic Regulation) (Lockett Street Resident Parking Scheme) (No.10) Order 2021 (Amendment No.1) Order, 2022 and to seek approval to make the order as outlined within this report.

## **2.0 Recommendation(s):**

**2.1** That the Director of Housing, Development & Growth in consultation with the Cabinet Member for Regeneration, Heritage & Infrastructure give approval for the City of Stoke-on-Trent (Traffic Regulation) (Lockett Street Resident Parking Scheme) (No.10) Order 2021 (Amendment No.1) Order, 2022 to be made, incorporating any amendments as detailed.

### 3.0 Summary of Main Points:

**3.1** In October 2021, the City Council introduced a residential parking scheme within Lockett Street, Birches Head – This scheme was wholly self-financed through residents' contributions, whose addresses were within Lockett Street. Therefore, making any property within Lockett Street eligible to apply for residential permits and subsequently park their vehicles. The parking scheme currently has 15 No. valid permits in operation. (10 Residential Permits and 5 Visitor Permits)

**3.2** In November 2021, a request was received from a resident of a nearby property to become part of the Lockett Street scheme. The property address is within Moston Street but is situated on a corner of Lockett Street. The property predominantly fronts onto Lockett Street and has a private off-street parking area (driveway) accessed via Lockett Street. There are existing double yellow lines to the front of this property on Moston Street hence the applicant is currently unable to park outside their property on either Moston Street or Lockett Street.

### 3.3 Previous Proposals

In order to assess the applicants request to extend the scheme, parking surveys were undertaken in November 2021 to assess the demand for parking against the available parking space within Lockett Street. This would then enable an understanding of whether there was scope to extend the scheme to include the request received. The survey was undertaken over a weekly period at varying times of the day. The results of which are shown below :-

Date	Time of Survey	No. Parked Vehicles	Percentage parked up	percentage space left
22-Nov	8am	7	46.7%	53.3%
22-Nov	1pm	5	33.3%	66.7%
23-Nov	8am	8	53.3%	46.7%
23-Nov	930pm	10	66.7%	33.3%
24-Nov	1pm	6	40.0%	60.0%
24-Nov	930pm	12	80.0%	20.0%
25-Nov	1pm	4	26.7%	73.3%
25-Nov	930pm	9	60.0%	40.0%
26-Nov	8am	6	40.0%	60.0%
26-Nov	1pm	6	40.0%	60.0%
26-Nov	930pm	8	53.3%	46.7%

**3.4** The parking survey results indicated that there was scope to propose an extension to the permit parking scheme to include an additional property, as figures suggest that the parking rarely exceeds 75% of its parking capacity.

The applicant was advised of these findings and has agreed to self-finance the advertising of a Traffic Order which would amend the previous Order to enable their property to become a property eligible to apply for permits.

In order to comply with 'The Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996' the following steps were taken:

- a) The Traffic Regulation Order proposal was advertised in a local newspaper (The Sentinel) in February 2022, which commenced the statutory objection period of 21 days.
- b) Letters giving notice of these proposals were also delivered to all the properties within Lockett Street as these residents would be the only one's affected by the provisions contained within the advertised Order.

Formal notices were also sent to statutory consultees (Police, Ambulance, Fire Services, British Freight Transport Association and the Road Haulage Association) via email along with the elected members for that area.

One written objection was received relating to the proposals. This objection is detailed in Appendix 1, which outlines the nature and detail of the objection and the appropriate officer comments, recommendations and proposed changes in response.

#### **Technical Appendix:**

#### **List of Background papers (information not already published):**

N/A

#### **List the appendices included as part of this report:**

Appendix 1 – Details of TRO Objections

Appendix 2 – Location Plan

**Implications taken into consideration in this report** *(Please list as separate appendix if required):*

#### **Financial and Commercial:**

The costs associated with advertising this Traffic Regulation Order are £400 and will be fully self-financed and funded by the applicant.

#### **Legal:**

The Traffic Regulation Order process as outlined in this report has been followed as per the requirements of the Road Traffic Regulation Act 1984 (as amended).

#### **Human Resources:**

There are no Human Resources implications as part of this report

#### **Public Health and Public Services (Social Value) Act 2012:**

There are no identified Public Health or Public Services (Social Value) Act 2012 implications associated to this report.

## **Equality Impact or Environmental Impact Assessments:**

An initial equality impact screening has been undertaken and no negative impacts have been identified. No significant negative environmental impacts have been identified.

## **Key Risks:**

There are no key risks associated with this report.

## **Options Considered:**

1. To continue to progress with the recommendations outlined within this report, which have been identified as the most appropriate solution to the parking issues raised, and would have no adverse effect on the current parking within Lockett Street. This is the recommended option.
2. To not progress with the recommendations outlined within this report and abandon the City of Stoke-on-Trent (Traffic Regulation) (Lockett Street Resident Parking Scheme) (No.10) Order 2021 (Amendment No.1) Order, 2022. This would not achieve the preferred outcomes in terms of facilitating the parking need of local residents.

# APPENDIX 1

## Nature of Objection/Comment

One individual email was received :- the reasons for objection are stated below :

- i) The applicant works for the local authority and as such the application has corrupt tendencies.
- ii) The scope to allow additional applications for parking permits may not be realised should Housing of Multiple Occupancy be introduced in the street and additional members of family's start to drive and own vehicles. There will not be enough spaces for US residents who LIVE on Lockett Street
- iii) The applicant already has a space on Lockett street, and has a drive where they park a van.
- iv) The applicant causes various parking issues with all the residents.
- v) If the application is successful what is stopping other corner properties from applying, especially if sold and becomes a HMO or flats.
- vi) If it application is successful the residents of Lockett Street as a collective intend to start legal proceedings as a whole against the council and traffic office for this blatant corruption and favouritism tactics shown against one of its employees.

Even though this email was sent via an individual they wish for it to be considered from the street as a whole.

## Existing Problem, Proposals, Comments and Recommendations

In October 2021 a self-financed permit parking scheme became operational in Lockett Street, which regulated parking for the residents of Lockett Street via a permit. The existing scheme currently has 10 residential permits and five visitor permits in operation.

The objector suggests that because the applicant works for Stoke-on-Trent City Council the process by which the application has been submitted and considered by the Traffic Team has been corrupted. This is not the case and this application has been treated the same as would any other similar request made around the city.

In previous residents' parking schemes introduced around the City, the owners of corner properties whose address is not on the street for which the scheme is being implemented, and are requesting to join a Residents Parking Scheme, are all assessed on an individual basis. A key factor in this assessment is evidence of the availability of parking in that street to accommodate further parking. On this basis a parking survey was carried out by the City Council's Traffic Team to assess the current demand for parking within Lockett Street.

The objector has not outlined the detail of the various parking issues he claims the applicant causes other residents and as such this cannot be considered as part of this assessment.

The results of the parking survey, as shown in this report, indicated that the parking rarely exceeds 75% of its parking capacity and that there was scope for the scheme to accommodate the parking from an additional property.

Also taken into account was that the area located in front of the dropped kerbs on Lockett Street to the applicant's property (giving access to the applicants private parking area) to the rear of their property could not be used by any other permit holder in Lockett Street as this would cause obstruction and a Penalty Charge Notice could be issued if this were to occur.

In addition, it is recognised that there are properties within Lockett Street which also have similar off-street parking provision and the residents of which are also able to obtain permits.

The applicant has confirmed their acceptance to fund the necessary costs of advertising a Traffic Regulation Order which is required in order to amend the scheme.

Each request to change a permit parking scheme across the City, either to amend the number of eligible properties or to amend the number of parking spaces, is considered and assessed entirely on its own merit.

Should the owner of a property within the street propose that their house becomes a House in Multiple Occupancy (HMO) multiple occupancy at a later date, consideration of the impact of this would be assessed, including the local impact on existing on-street parking, either via the planning process or through the issuing of the relevant Licence. Should the outcome of this be considered to result in parking problems caused as a direct result, then the Traffic Regulation Order for the existing scheme could be amended to not include the relevant property.

In terms of the objector's stated intention to commence legal proceedings against the City Council, the traffic order procedures that are followed are such that upon the making of any Order, any person who wishes to question the validity of the order or of any of its provisions on the grounds that they are not within the powers conferred by the Act, or that any requirement of the Act or of any instrument made under the Act has not been complied with, they may, within 6 weeks from the date on which the order is made, apply for the purpose to the High Court. There is then no further recourse on the validity of the Traffic Regulation Order process.

When taking the comments above into account along with the data collected from the parking survey, it is considered that there is scope to extend the scheme to include the applicants property without impacting on the ability for other residents of Lockett Street to park their vehicles. Therefore it is recommended that City of Stoke-on-Trent (Traffic Regulation) (Lockett Street Resident Parking Scheme) (No.10) Order 2021 (Amendment No.1) Order, 2022 be made as originally advertised.

# APPENDIX 2



 City of <b>Stoke-on-Trent</b>	<h2>Lockett Street Permit Parking Zone</h2>	SCALE	1 : 630
		DATE	25/03/2022
		DRAWING No.	PLAN 1
		DRAWN BY	



# **City of Stoke-on-Trent (Traffic Regulation) (Lockett Street Resident Parking Scheme) (No.10) Order 2021 (Amendment No.1) Order, 2022**

**THE COUNCIL OF THE CITY OF STOKE-ON-TRENT** in exercise of its powers under Sections 1, 2, 3, 4, 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:

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

“**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 the Third 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 Second Schedule of this Order;

## **General**

3. Each lengths of road specified in the Second Schedule is also designated as a parking place for vehicles displaying a valid parking permit relevant to that Zone.
4. Each parking area specified in the Second 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 11 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.

### **Application For and Issue of Parking Permits**

5.
  - (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 Fourth 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 on the basis of up to two permits per property and will be valid for a 12 month period.
  - (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 the appropriate fee specified in the Fourth Schedule of 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.

6.
  - (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 6(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 7 of this Order;
    - (e) the parking permit ceasing to be valid pursuant to the provisions of paragraph (iv) of this Article.
    - (f) 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.
7.
  - (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.
8. A residential parking permit issued under Article 5(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.
9. (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 a remittance for such permit charge as specified in Fourth Schedule of this Order. Issued Visitor Permits will be valid for a twelve-month period.
- (ii) 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. An issued Visitors Permit will be valid for a twelve-month period.
- (iii) Parking permits issued free under paragraph (ii) of this Article will be limited to one per household. A second visitors permit will be issued for the appropriate charge as specified in the Fourth Schedule of this Order.
- (iv) 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.
- (v) 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 (vii) of this Article and any such visitors parking permit so issued shall remain the property of the Council at all times.

- (vi) 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.
- (vii) 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.
- (viii) 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 Second Schedule of this Order.
- (ix) A visitors parking permit displayed on a vehicle in a parking place shall, subject to Article 11 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 11 of this Order.
- (x) 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.
- (xi) 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.

- (xii) 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.
- (xiii) 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.
- (xiv) 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.
- (xv) 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.
- (xvi) 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.

10. 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.
11. 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 8 or 9(viii) of this Order are readily visible from the front or near side of the vehicle.
12. 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 11 and 14(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.
13.
  - (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.
14.
  - (i) Where a Penalty Charge has been incurred in respect of a vehicle under Article 13 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.

15. 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;
  - a) 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 5(i) and 9(vii)(a) of this Order, and any charge payable in relation thereto;
  - b) carry out such other work as is reasonably required for the satisfactory operation of a parking place.

16. 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.

17. (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.
- (g) 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.
- (h) 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.
- (i) 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 20 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.

18. 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**

19. (i) 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 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;
20. 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.
21. 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 Fourth Schedule of this Order, the Council shall issue such amended parking permit and the original parking permit shall cease to be of use.
22. Nothing in this Order shall apply to anything done upon the direction or with the permission of a Police Officer in uniform.

### **GENERAL PROVISIONS**

23. Save as provided for in Articles 22, 24 and 25 of this Order no person shall cause or permit any vehicle to waiting in excess of 30 minutes, no return within 1 hour, between the hours of 8am to 8pm inclusive in the lengths of road specified in the First Schedule hereto.

## **EXEMPTIONS TO GENERAL PROVISIONS**

24. Save as provided for in Articles 23 of this order shall render it unlawful to cause or permit a vehicle to wait in the lengths of road referred to in that Article for as long as may be necessary:-
- (i) to enable a person to board or alight from the vehicle;
  - (ii) to enable goods to be loaded onto or unloaded from a vehicle;
  - (iii) 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;
  - (iv) to enable a vehicle of (and bearing a livery used by) a universal service provider within the meaning ascribed by the Postal Services Act 2000 to be used for the purpose of delivering or collecting postal packets in the course of the provision of a universal postal service as defined in that Act
  - (v) to enable the vehicle if it cannot be used for such purposes in any road, to be used in pursuance of statutory powers and duties
25. Nothing in Article 23 of this Order shall apply to prevent any vehicle from waiting for an unlimited period in the same road or part of road providing the vehicle has on display a valid parking permit relating to that parking place in accordance with Article 11 of this Order.

### **Interpretation & Revocations**

26. 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**

27. This Order shall come into operation on the 27 June 2022 and may be cited as the City of Stoke-on-Trent (Traffic Regulation) (Lockett Street Resident Parking Scheme) (No.10) Order 2021 (Amendment No.1) Order, 2022.

Dated this 23rd of June 2022.  
SIGNED ON BEHALF of the)  
COUNCIL OF THE CITY)  
OF STOKE-ON-TRENT)



Authorised Signatory

**FIRST SCHEDULE**  
**LIMITED WAITING 30 MINUTES, NO RETURN WITHIN 1 HOUR 8AM-8PM**

**Lockett Street**

(South Side)

from a point 10 metres from its junction with  
Moston Street for a distance of 12 metres in a  
northerly direction

**SECOND SCHEDULE**  
**PERMIT HOLDERS ZONE (H36)**

**Lockett Street**

The Whole

**THIRD SCHEDULE**  
**PROPERTIES ELIGIBLE TO APPLY FOR PERMITS**

LOCKETT STREET – ALL  
MOSTON STREET – No.109

**FOURTH SCHEDULE**  
**PERMIT CHARGES**

Residents Permit - £35  
Visitors Permit - £35 (OAP Residents receive 1No. free per property)  
Administration Fee - £5