

**CITY OF STOKE-ON-TRENT (TRAFFIC REGULATION)
(LOWER SPRING ROAD COMMUNITY CAR PARK) (NO. 17) ORDER 2022**

NOTICE IS HEREBY GIVEN that the Council of the City of Stoke-on-Trent propose to make an Order under Sections 32, 33, 35 and 122 of the Road Traffic Regulation Act, 1984.

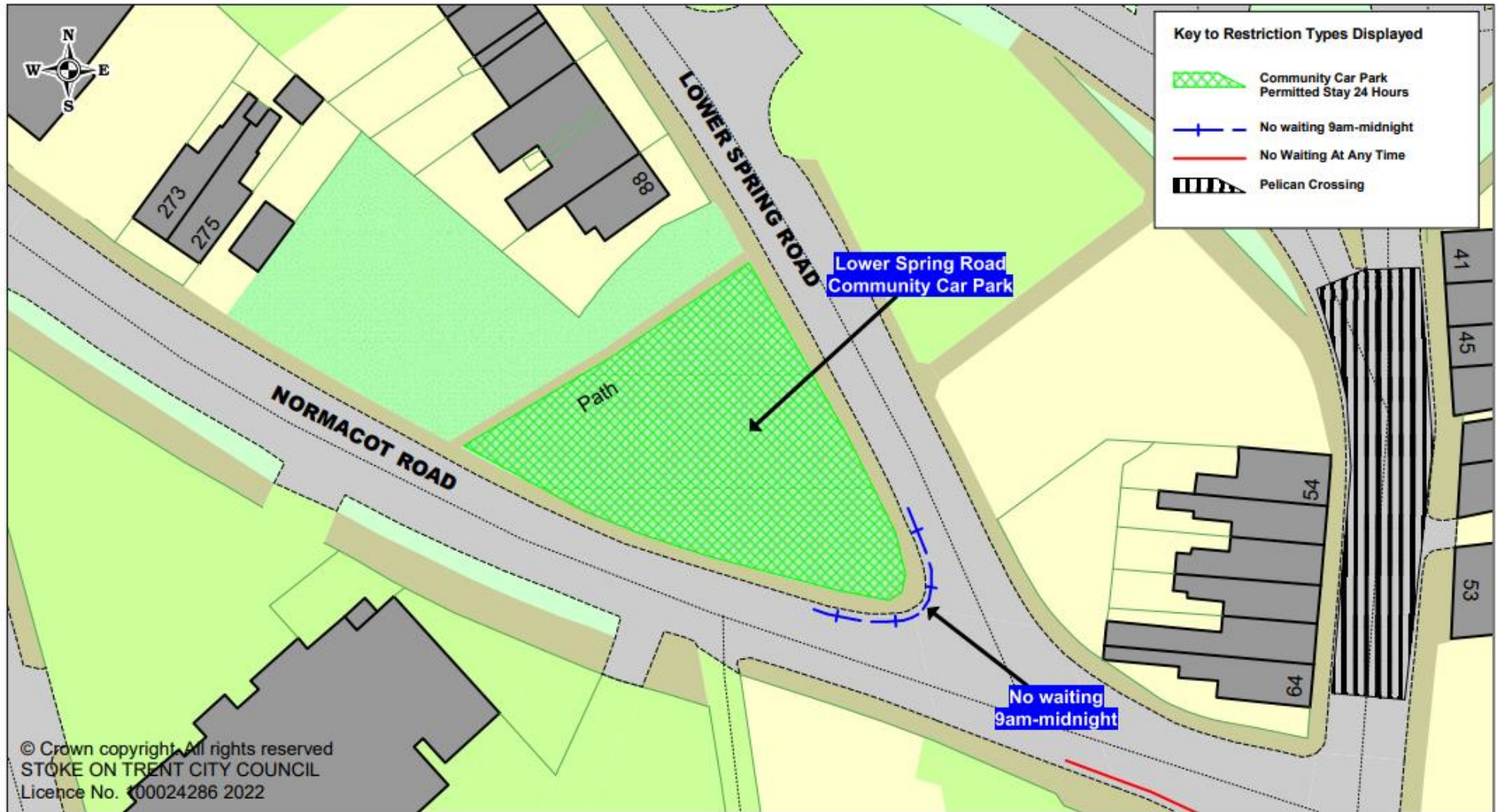
The effect of this Order is as follows:-

1. To designate an area of land at the junction of Lower Spring Road / Normacot Road as a free Off Street Community Car Park accessed off Lower Spring Road.
2. To prohibit the parking between the hours of 9am-midnight at the following locations:
 - (i) Lower spring Road (W) – from Normacot Road for 10 metres
 - (ii) Normacot Road (N) – from Lower Spring Road for 10 metres

Full details of this proposal 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 [by clicking here to view stoke traffweb](#). If you wish to object to the proposed Order you should send your objections, together with the grounds thereof, in writing to Directorate of Housing, Development & Growth, c/o Traffic Section, Glebe Street, Stoke, ST4 1HH or by e-mail to traffic.orders@stoke.gov.uk, quoting reference: DF/NM/TRO17/2022, by the 3rd day of November 2022.

DATED this 12th day of October 2022.

Contact Officer: Dave Follows -Telephone: 01782 234963



Lower Spring Road Car Park

SCALE	1 : 500
DATE	05/10/2022
DRAWING No.	
DRAWN BY	

**CITY OF STOKE ON TRENT (TRAFFIC REGULATION)
(LOWER SPRING ROAD COMMUNITY CAR PARK) (NO. 17) ORDER 2022**

Statement of Council's Reasons

The Highway network around the Normacot Area is heavily congested as many private residential properties have no off road private parking provisions associated to them. Therefore, considerable on-street parking occurs and this when combined with the parking associated to the visitors attending the nearby Mosque during prayer times does cause varying obstructions on the highway network for all types of highway users.

To help alleviate these ongoing parking concerns the Local Authority intends to exercise their functions of s.122 of the Road Traffic Regulation Act (RTRA) so to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) by providing an off street car park off Lower Spring Road for community use.

In addition there is a requirement to protect the junction of Normacot Road/Lower Spring Road from parked vehicles and remove the likelihood of any danger occurring at that location, therefore it is proposed to introduce a single yellow line restriction to prohibit parking between the hours of 9am to Midnight.

The conversion of a green area to a Community Car Park, will accommodate the growing demand for parking within the area and improve the amenities of the area where the car park is situated.

**CITY OF STOKE ON TRENT (TRAFFIC REGULATION) (LOWER
SPRING ROAD COMMUNITY CAR PARK) (NO. 17) ORDER 2022**

The Council of the City of Stoke on Trent (hereinafter referred to as the "the Council") in exercise of its powers under Section 32, 33 and 35(1), (3) and 122 of the Road Traffic Regulation Act 1984 as amended by the Parking Act 1989 (which said Act of 1984 is hereinafter referred to as the "the Act") and Part IV of Schedule 9 to the Act and all other enabling powers and after consulting the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act, HEREBY MAKES the following Order:--

PART I
GENERAL

Interpretation

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

“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 an area of land which has been designated as a parking place in the First schedule of this Order and provided by the Council under Section 3 of the Act;

“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

“the council” means The Council of the City of Stoke –on-Trent.

PART II
Use of Land and Parking Place

1. The area of land specified by name in the First Schedule of this Order may be used, subject to the following provisions of this Order, as a parking place only for such classes of vehicles in such positions, on such days, during such hours and at such charges and subject to such Special Conditions as are specified in relation to that area in the First Schedules PROVIDED THAT:
 - a) The Council may by indication on site temporarily withdraw such parking place or any part thereof from such use;
2. Where in the First Schedule a parking place is described as available for vehicles of a specified class or in a specified position, the driver of a vehicle shall not wait or permit it to be left in that parking place unless it is of the class and in the position so specified.

PENALTY CHARGE AT PARKING PLACE

3. Subject to the provisions contained within this Order should a driver of a vehicle be in contravention of any of these provisions a contravention will be deemed to be caused a penalty charge to be issued and payable by the owner or driver of the vehicle.

USE OF PARKING PLACES

4. 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:
5. (1) Unless the Council's prior written consent is obtained, no person in a parking place shall:-
 - a) drive any vehicle or otherwise than for the purpose of leaving it in the parking place in accordance with the provisions of this Order or for the purpose of departing from the parking place;
 - b) use a vehicle, while it is in the parking place, in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of skills or services;
 - c) erect or cause to be erected any tent, booth, stand, building or structure or other thing;
 - d) light or cause or permit to be lighted any fire;
 - e) display or distribute or cause to be displayed or distributed any notice, leaflet, handbill, booklet, book or other item;
 - f) maintain, repair, service or wash any vehicle or part thereof other than is reasonably necessary to enable the vehicle to depart from the parking place;
- (2) No person in a parking place shall :-
 - a) sound any horn or similar instrument except when necessary for the safety of persons or vehicles in the parking place;
 - b) shout or make or permit any noise or otherwise behave to the disturbance or annoyance to users of the parking place, occupants of neighbouring premises or passers-by;
 - c) use any threatening, abusive or insulting language, gesture or conduct likely to cause, or causing, a breach of the peace;
 - d) use any part of the parking place or any vehicle in it for sleeping, cooking or camping purposes;
 - e) use any part of the parking place for skating, skateboarding or cycling;
 - f) Engage in any other activity which causes disturbance or annoyance to users of the parking place, occupants of neighbouring premises or passers-by.
6. (1) If a vehicle is left in a parking place in contravention of any of the provisions of this Order, or is abandoned, a person authorised by the Council in that behalf may remove the vehicle from that parking place or arrange for such removal and the Council shall be entitled to recover as a civil debt from any person responsible such charges in respect of the

removal, storage and disposal of the vehicle as the Council may require in accordance with Schedule 9 of the Traffic Management Act 2004.

- (2) For the purpose of meeting the requirements of an emergency, a person authorised on that behalf by the Council or a police officer in uniform may alter or cause to be altered the position of a vehicle in a parking place or remove or arrange for the removal of a vehicle from a parking place.
 - (3) Any person altering, or causing the alteration of, the position of a vehicle by virtue of paragraph (1) of this Article, or removing, or causing the removal of, a vehicle by virtue of paragraphs (2) or (3) of this Article, may do so by towing or driving the vehicle or in such other manner as he may think reasonably necessary.
 - (4) Any person removing or arranging for the removal of a vehicle by virtue of paragraphs (2) or (3) of this Article, shall make such arrangements as he considers to be reasonably necessary for the safety of the vehicle in the place to which it is removed.
7. (1) Where in a parking place signs are erected and/or surface markings are laid for the purpose of:-
- a) indicating the entrance to or exit from the parking place, or
 - b) indicating that a vehicle using the parking place shall proceed in a specified direction within the parking place,

no person shall drive or cause or permit 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, so indicated or (ii) in a direction other than that specified, as the case may be.

- (2) Where in a parking place signs are erected and/or surface markings are laid for the purpose of indicating that waiting is prohibited or that access to premises is to be kept clear no person shall cause or permit a vehicle to wait in that part of the parking place.
 - (i) so that it enters the parking place otherwise than by an entrance, or leaves the parking place otherwise than by an exit, so indicated, or
 - (ii) in a direction other than so specified.
 - (3) Any person in a parking place shall comply with any reasonable direction by a person authorised in that behalf by the Council or a police officer in uniform whether as to the driving or positioning of a vehicle or otherwise and shall upon request provide his name and address and the name and address of the owner of the vehicle which he or she is driving.
8. Where in a parking place there are designated parking bays in the parking place reserved for use by –
- (i) a disabled person's vehicle which displays in the relevant position a valid disabled person's badge and parking disc
 - (ii) motor cycles
 - (iii) coaches

no person shall cause or permit a vehicle to wait in that part of the parking place unless the vehicle is of that kind

9. Where in a parking place signs are erected and/or surface markings are laid for the purpose of indicating a parking bay the driver of that vehicle will ensure that the vehicle is parked wholly within the markings of the bay or space.
10. No person shall cause or permit a vehicle to wait in that part of the parking place with one or more wheels over the lines of that marked parking bay.
11. The Driver of a vehicle shall not permit a vehicle to wait or park on any yellow line or hatched area or cause an obstruction.
12. The Council accepts no responsibility for the loss of or damage to vehicles or other property left in any of the Council's parking places.

GENERAL PROVISIONS

13. Save as provided for in Articles 14, 15 and 16 of this Order no person shall cause or permit any vehicle to wait between the hours of 9am to midnight in the lengths of road specified in the Second Schedule hereto.

EXEMPTIONS to GENERAL PROVISIONS

14. Nothing in this Order shall apply to anything done under the direction or with the consent of a Police Officer in uniform.
15. Save as provided for in Article 13 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
16. Nothing in Article 13 of this Order shall apply to prevent any disabled person's vehicle from waiting for a period of three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same road or part of road on the same day) provided that:-
- (i) a disabled person's badge is displayed in the relevant position on the vehicle, in accordance with the Disabled Persons (Badges for Motor Vehicles) Regulations, 2000; and
- (ii) a disabled persons parking disc issued by a local authority is displayed in a relevant position on the vehicle and the person in charge of the said vehicle marks on the said parking disc the time at which the period of waiting has begun.

INTERPRETATION AND CITATION

17. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the Interpretation of an Act of Parliament.
18. This Order shall come into operation on the xx (MONTH) 2022 and may be cited as the City Of Stoke On Trent (Traffic Regulation) (Lower Spring Road Community Car Park) (No. 17) Order 2022.

DATED this xx day of (MONTH) 2022.
SIGNED ON BEHALF of the)
CITY COUNCIL OF THE CITY)
OF STOKE-ON-TRENT)

Authorised signatory

FIRST SCHEDULE **COMMUNITY CAR PARK PERMITTED STAY 24 HOURS**

Lower Spring Road
(North-east Side)
Accessed off Lower Spring Road

SECOND SCHEDULE **NO WAITING 9AM-MIDNIGHT**

Lower Spring Road
(West Side)
From its junction with Normacot Road for a distance of 10 metres in a northerly direction

Normacot Road
(North Side)
From its junction with Lower Spring Road for distance of 10 metres in a westerly direction