

BURY METROPOLITAN BOROUGH COUNCIL

THE METROPOLITAN BOROUGH OF BURY (ON STREET DESIGNATED PARKING PLACES) (CONSOLIDATION) ORDER 2007

The Council of the Metropolitan Borough of Bury ("the Council") in exercise of its powers under Sections 1, 2, 4, 45 and 46 of the Road Traffic Regulation Act 1984 ("the Act of 1984") and Part IV of Schedule 9 to the Act of 1984 and by virtue of the Road Traffic (Permitted Parking Area and Special Parking Area) (Metropolitan Borough of Bury) Order 2002 and of all other enabling powers and after consultation with the Chief Constable of Greater Manchester Police in accordance with Part III of Schedule 9 to the Act of 1984, hereby make the following Order:-

1. This Order may be cited as the Metropolitan Borough of Bury (On Street Designated Parking Places) (Consolidation) Order 2007 and shall come into operation on 7 May 2007.

2. (a) In this Order:-

"disabled person's vehicle" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) (Amendment) Regulations 2000;

"disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

"parking attendant" means a person authorised by or on behalf of the Council under s63A of the Act of 1984 to supervise and enforce the restrictions imposed by this Order; and

"parking disc" means a disc issued by a Local Authority, 125 millimetres square, coloured blue, and capable of showing the quarter hour period during which a period of waiting begins.

"ticket machine" means an apparatus of a type and design approved by the Secretary of State for the purpose of this Order being an apparatus designed to issue parking tickets indicating the payment of the appropriate charge and the name of the parking place and the time the ticket ceases to be valid.

"permit holder" is the owner of a vehicle who has a permit issued by the Council for the use of a parking place which is for the use of that vehicle only so identified on the duly authorised permit.

"parking place" means an area of land designated by this Order as a parking place and specified in the Schedule to this Order.

"parking bay" means a space within a parking place specified in the Schedule to this Order and indicated by markings on the surface of the parking place.

"enforcement hours" means the hours specified in the Schedule to the Order during which the provisions of this Order will be enforced.

"penalty charge" means a charge set by the Council under Section 66 of the Road Traffic Act 1991.

“penalty charge notice” means a penalty charge notice issued by the Council under Section 66 of the Road Traffic Act 1991, the charge amount of which is set in accordance with the guidance given by the Secretary of State as amended from time to time which is to be paid in the manner described in the penalty charge notice.

“vehicle” has the same meaning as in Section 62(1) of the Vehicle Excise and Registration Act 1994.

“owner” in relation to a vehicle has the same meaning as in Section 92 of the Traffic Management Act 2004.

“driver” in relation to a vehicle waiting in a parking place means the person driving the vehicle at the time it was left in the parking place.

“immobilisation device” has the same meaning as in Section 104(9) of the Act of 1984.

- (b) In this Order, any words importing the masculine gender, shall include the feminine gender.
- (c) Unless otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to an Article or Schedule in this Order.

Designation of Parking Places

- 3. Each side and length of road which is described in the Schedule to this Order shall be a parking place for the purposes of this Order, for such classes of vehicles, on such days, during such hours, and for a maximum period of stay as specified in the Schedule to this Order.

Layout and Marking of Parking Places and Parking Bays

- 4. The limits of each parking place and the limits of each parking bay shall be indicated in such a manner as the Council may determine by lines or other indications in accordance with the Traffic Signs and General Directions 2002.

Position in which a Vehicle May Wait

- 5. No driver of a vehicle shall cause or permit the vehicle to wait in a parking place in a position other than that specified in the Schedule to this Order.

Ticket Machines at Parking Places

- 6. There shall be at least one ticket machine in the vicinity of every parking place operated by the method described in Article 8(1) below.

Amount of Parking Charges at Parking Places

- 7. The charges for a vehicle left in a parking place shall be in accordance with the charging zone and the charges specified in the Schedule to this Order and may be varied from time to time under Section 46A of the Act of 1984. Such charge shall hereinafter be referred to as the “initial charge”.

Method of Payment of Initial Charge and Requirement as to Display of Ticket

8. (1) **Methods of Payment**

Payment on arrival by insertion in a ticket machine at the parking place of coins or banknotes of a denomination detailed on the ticket machine, the charge payable being in accordance with the rates specified on the ticket machine.

(2) **Method of Display**

The ticket shall be displayed on the vehicle facing forwards on the inside of the windscreen so that the date, time, payment and other details can easily be seen by a person standing at the front of the vehicle at all times during the enforcement hours.

Amount of Penalty Charge at a Parking Place

9. (1) If a vehicle is left in any parking place described in the Schedule to this Order:-

- (a) where no parking ticket is purchased or displayed on the vehicle;
- (b) for longer than the period for which payment was made and in accordance with the expiry time shown on the ticket;
- (c) where the vehicle was parked outside a marked parking bay;
- and
- (d) in contravention of any other Articles to this Order;

a penalty charge shall be payable to the Council in the manner described on the penalty charge notice.

- (2) In the case of a vehicle, in respect of which a penalty charge has been incurred, it shall be the duty of every parking attendant to attach to the vehicle in a conspicuous position, a penalty charge notice as specified in Section 66 of the Road Traffic Act 1991, or to give such a notice to the person appearing to him to be in charge of the vehicle.

Prohibition of "Meter Feeding" and Transfer of Tickets

10. (1) A ticket shall be valid for a single stay only and no other ticket issued by a ticket machine shall be displayed on that vehicle thereafter at the same time at the same parking place.
- (2) A ticket can only be used on one vehicle and cannot be transferred to another vehicle, whether that vehicle remains in or leaves the parking place.

Period for which a Vehicle may be Left after the Penalty Charge has been Incurred

11. (1) The period for which a vehicle shall be left in a parking place after a penalty charge notice has been incurred shall not exceed 24 hours.
- (2) If a vehicle is left in a parking place for more than 24 hours after a penalty charge has been incurred, a further penalty charge shall be incurred for that parking place.

Restriction on the Removal of Penalty Charge Notices

12. No person, not being the driver of the vehicle, or a person duly authorised by the Council shall remove a penalty charge notice from the vehicle unless authorised to do so by the driver.

Exemption from Charges

13. Any disabled person's vehicle left in a parking place wholly within a marked parking bay and which displays a valid disabled person's badge in accordance with the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 shall be exempt from any charges at any parking places detailed in the Schedule to this Order.

Manner of Standing in a Parking Place

14. Every vehicle left in a parking place shall so stand such that every part of the vehicle is within the limits of the parking bay. Any vehicle parking in contravention of the condition described in this Article shall be subject to a penalty charge.

Alteration of Position of Vehicles in a Parking Place

15. Where any vehicle is standing in a parking place in contravention of the provisions of the last preceding Article, a parking attendant or other person authorised by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

Removal of Vehicle from Parking Places

16. Where a parking attendant or other person authorised by the Council is of the opinion that any of the provisions of this Order have been contravened he may remove or cause to be removed the vehicle from the parking place, and where it is so removed, shall provide for the safe custody of the vehicle; and in the case of an emergency a parking attendant or other person authorised by the Council, a Police Constable in uniform or an officer of the emergency services in uniform may cause to be moved vehicles left in the parking place to any place he thinks fit.

Power to Suspend Parking Places

17. (1) Any person duly authorised by the Council may suspend the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary.
- (2) On any suspension of a parking bay or parking place in accordance with the provisions of the preceding paragraph, any person duly authorised by the Council may use suitable means to indicate that the use of the parking bay or parking place is suspended.
- (3) No person shall cause or permit any vehicle to wait in any part of a parking place which has been suspended in accordance with the provisions of this Article, except with the permission of a person authorised by the Council. A vehicle parked in contravention of this Article shall be subject to a penalty charge.

Restrictions of Use of Parking Places

18. (1) No person shall use any vehicle while it is in a parking place in connection with the sale of any article to any person in or near the parking place or in connection with the selling or offering for sale of his skills in handicraft or his services in any other

capacity other than with the written consent of the Council without prejudice to any planning or health regulations which may require to be met.

- (2) No person shall wash, clean or overhaul any vehicle or execute any mechanical or other alterations or repairs to the vehicle while it is in a parking place, except such repairs as may be essential for the purpose of enabling the vehicle to be towed or driven away from the parking place.

Other Provisions

19. Nothing in this Order shall render it a contravention of this Order to cause or permit any vehicle to wait in any parking place specified in the Schedule to this Order for so long as may be necessary to enable:-

- (1) a person to board or alight from the vehicle;
- (2) goods to be loaded or un loaded from the vehicle;
- (3) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any funeral, building, industrial or demolition operations, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of any of the length(s) of road, of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus as defined in the Telecommunication Act 1984;
- (4) the vehicle if it cannot be conveniently used for such purpose in any other road to be used in pursuance of statutory powers or duties;
- (5) the vehicle if it is in the service of or employed by the Post Office universal service provider, or universal postal service to be used for the purpose of delivering or collecting postal packets as defined in Section 87 of the Post Office Act 1953; or
- (6) any statutory powers or duties of the Local Authority;
- (7) fire brigade, ambulance or police operations to be carried out.

Power to Dispose of Abandoned Vehicles

20. The provisions of the Act of 1984 as amended, shall apply to the disposal of any vehicles removed by the Council.

Use of Immobilisation Devices

21. Where a parking attendant or any person duly authorised by the Council has reason to believe a vehicle has been left in the parking place contrary to any of the provisions of this Order, he or any other person acting under his direction may fix an immobilisation device to the vehicle in accordance with the provisions of Section 69 of the Road Traffic Act 1991. Where an immobilisation device has been fixed to the vehicle, the person fixing the device shall also fix a notice to the vehicle giving details that no attempts should be made to drive or otherwise put the vehicle in motion, specifying steps to be taken to secure release of the vehicle, and any other such information as may be prescribed from time to time.

Duty to Give Information

22. (1) Where a person is alleged to have contravened any provisions of this Order, the owner of the vehicle shall give such information as to the identity of the driver as he may be required to give by or on behalf of the Council.
- (2) Any other person shall, if required as aforementioned, give any information which it is in his power to give which may lead to the identification of the driver.

Revocations

23. All other Traffic Regulation Orders made by the Council relating to on street pay and display parking places are hereby revoked.

SCHEDULE

On Street Parking Places for Charges Monday – Saturday Inclusive Enforcement Hours – 8.00 am – 6.00 pm Except Bank Holidays and Public Holidays

Bury

Location		Charge Zone	Maximum period of stay (hours)
Back Haymarket Street West Side	i) from a point 7 metres north of the northerly kerbline of Moss Street to Broad Street	A	1
Bank Street North Side	i) from a point 16 metres west of its junction with Silver Street to a point 49 metres west of the west kerbline of Silver Street	A	1
	ii) from a point 7 metres west of its junction with Silver Street for a distance of 5 metres in a westerly direction		
Bland Street South Side	i) from the west kerbline of Moor Street for a distance of 82 metres in a westerly direction	G	4
	ii) from a point 103 metres west of the west kerbline of Moor Street to a point 10 metres east of the cul-de-sac end		
Bolton Street North Side	i) from a point 10 metres east of its junction with Castlecroft Road for a distance of 30 metres in an easterly direction	D	2
	ii) from a point 47 metres east of its junction with Castlecroft Road for a distance of 11 metres in an easterly direction		

	iii) from a point 86 metres east of its junction with Castlecroft Road for a distance of 20 metres in an easterly direction		
	iv) from a point 117 metres east of its junction with Castlecroft Road for a distance of 17 metres in an easterly direction		
South Side	i) from a point 68 metres east of its junction with Irwell Street for a distance of 39 metres in an easterly direction		
	ii) from a point 107 metres east of its junction with Irwell Street for a distance of 18 metres in an easterly direction		
	iii) from a point 20 metres west of the west kerbline of Silver Street for a distance of 31 metres in a westerly direction		
Broad Street North Side	i) from a point 3 metres east of the east kerbline of Silver Street for a distance of 52 metres in an easterly direction	A	1
Butcher Lane East Side	i) from a point 15 metres south of the southerly kerbline of The Rock for a distance of 39 metres in a southerly direction	B	2
Castlecroft Road East Side	i) from a point 5 metres north of the northerly kerbline of Bolton Street for a distance of 29 metres in a northerly direction	C	2
	ii) from a point 38 metres north of the northerly kerbline of Bolton Street for a distance of 9 metres in a northerly direction		
West Side	i) from a point 5 metres north of the north kerbline of Bolton Street to a point 5 metres south of the south kerbline of Back Bolton Street North		
	ii) from a point 5 metres north of the north kerbline of Back Bolton Street North for a distance of 36 metres in a northerly direction		
Cecil Street North Side	i) from a point 6 metres west of the west kerbline of Edward Street for a distance of 60 metres in a westerly direction	B	2
South Side	i) from a point 53 metres east of the east kerbline of Edward Street to its junction with Back Spring Street West		

Chapel Street South Side	i) from a point 10 metres east of the easterly kerbline of Rochdale Road to a point 15 metres west of the westerly kerbline of Butcher Lane	B	2
George Street South Side	i) from a point 88 metres south-west of the south-west kerbline of Rochdale Road to a point 15 metres north-east of the north-east kerbline of South Cross Street ii) from a point 15 metres south-west of the south-west kerbline of South Cross Street to a point 15 metres north-east of the north-east kerbline of Spring Street	B	2
Glenmore Street North Side	i) from a point 3 metres east of the easterly kerbline of Knowsley Street for a distance of 24 metres in an easterly direction	C	2
Hornby Street East Side	i) from a point 7 metres north of the kerbline of Bland Street for a distance of 55 metres in a northerly direction	G	4
Irwell Street East Side	i) from a point 15 metres south-west of the south kerbline of Lower Bank Street for a distance of 43 metres in a southerly direction	C	2
Knowsley Street East Side	i) from a point 10 metres north of the northerly kerbline of the Knowsley Street car ramp for a distance of 29 metres in a northerly direction ii) from a point 10 metres south of the southerly kerbline of the Knowsley Street car park ramp for a distance of 48 metres in a southerly direction iii) from a point 7 metres south of the southerly kerbline of Glenmore Street for a distance of 24 metres in a southerly direction iv) from a point 31 metres south of the southerly kerbline of Glenmore Street for a distance of 47 metres in a southerly direction v) from a point 35 metres north-east of the east kerbline of Manchester Road for a distance of 23 metres in a north easterly direction	C	2
West Side	i) from a point 40 metres south of the southerly kerbline of Angouleme Way to a	C	2

point 55 metres south of the southerly kerblines of Angouleme Way

ii) from a point 67 metres south of the southerly kerblines of Angouleme Way to a point 15 metres north of the northerly kerblines of the entrance to the car park immediately south of the Town Hall

iii) from a point 14 metres south of the southerly kerblines of the entrance to the car park immediately south of the Town Hall for a distance of 46 metres in a southerly direction

iv) from the south kerblines of Glenmore Street for a distance of 71 metres in a southerly direction

Manchester Road
East Side

i) from a point 7 metres south of the southerly kerblines of Moss Street to a point 48 metres south of the southerly kerblines of Moss Street

F

2

ii) from a point 54 metres south of the southerly kerblines of Moss Street to a point 77 metres south of the southerly kerblines of Moss Street

iii) from a point 104 metres south of the southerly kerblines of Moss Street to a point 126 metres south of the southerly kerblines of Moss Street

West Side

i) from a point 5 metres north of the northerly kerblines of St Mary's Place to a point 15 metres south of the southerly kerblines of Moss Street

ii) from a point 10 metres south of the southerly kerblines of St Mary's Place for a distance of 43 metres in a southerly direction

Market Place

i) the whole of the parking lay-by on the east side of the road between Bolton Street/Silver Street and Castle Street (road fronting Castle Buildings) which has a width throughout of 2.4 metres or thereabouts

A

1

Market Street

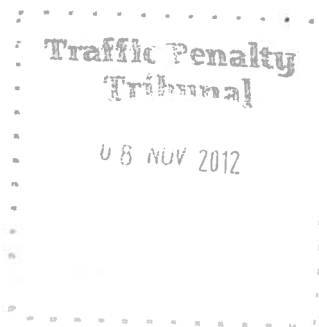
i) from a point 30 metres south of the south

B

2

West Side	kerbline of Trinity Street for a distance of 82 metres in a southerly direction		
	ii) from a point 141 metres south of the south kerbline of Trinity Street for a distance of 80 metres in a southerly direction		
	iii) from a point 60 metres north of the north kerbline of Wellington Road for a distance of 59 metres in a northerly direction		
Moss Street North Side	i) from a point 1 metre west of the westerly kerbline of Back Haymarket Street to the easterly kerbline of Silver Street	A	1
North Back Rock East Side	i) from a point 9 metres south-east of the south-east kerbline of Parsons Lane for a distance of 26 metres in a south-easterly direction	B	2
Parsons Lane North Side	i) from a point 5 metres east of the easterly kerbline of School Brow for a distance of 86 metres in an easterly direction	B	2
Silver Street East Side	i) from a point 14 metres north of the north kerbline of Moss Street to a point 10 metres south of the south kerbline of Broad Street	F	2
	ii) from a point 3 metres north of the north kerbline of Broad Street for a distance of 21 metres in a northerly direction		
West Side	i) from a point 6 metres south of the south kerbline of Parks Yard for a distance of 30 metres in a southerly direction	F	2
	ii) from a point 4 metres north of the north kerbline of Bank Street for a distance of 25 metres in a northerly direction		
St Mary's Place North Side	i) from the west kerbline of Back St Mary's Place for a distance of 63 metres in a westerly direction	F	2
The Rock North Side	From a point 7 metres west of the westerly kerbline of North Back Rock for a distance of 43 metres in a westerly direction	E	1
South Side	i) from a point 22 metres west of the westerly kerbline of Gutter End to a point 5 metres east of the easterly kerbline of Crompton Street		
	ii) from a point 5 metres west of the west kerbline of Crompton Street for a distance of 23 metres in a westerly direction		

The Wylde North Side	i) from a point 2 metres west of the boundary wall of Wilson Hall for a distance of 7 metres in a westerly direction	F	2
South Side	i) from a point 24 metres west of the boundary wall of Wilson Hall for a distance of 2.4 metres in a westerly direction		
West Side	i) from its junction with Castle Street for a distance of 16 metres in a northerly direction ii) from a point 21.5 metres north of its junction with Castle Street for a distance of 21 metres in a northerly direction		
Tithebarn Street East Side	i) from a point 7 metres north of the northerly kerbline of North Back Rock for a distance of 15 metres in a northerly direction	A	1
West Side	i) from a point 26 metres north of the northerly kerbline of The Rock for a distance 27 metres in a northerly direction		



Charges at Parking Places

The following charges shall apply and may be varied from time to time pursuant to S46A of the said Act of 1984

Period	A	B	C	D	E	F	G
Up to 30 mins	75p	75p	65p	65p	75p	70p	30p
Up to 1 hour	£1.45	£1.45	£1.25	£1.25	£1.65	£1.40	50p
Up to 2 hours	N/A	£2.15	£2.05	£2.50	N/A	£2.90	£1.05
Up to 3 hours	N/A	N/A	N/A	N/A	N/A	N/A	£1.55
Up to 4 hours	N/A	N/A	N/A	N/A	N/A	N/A	£2.05

Position in which a Vehicle may Wait, Class of Vehicle and Maximum Period after Penalty Charge incurred

1	2	3
Position in which a vehicle may wait	Class of Vehicle	Maximum period for which vehicles shall be left after Penalty Charge Incurred
Wholly within a parking bay	Motor cars as defined in Section 136(2)(a) of the 1984 Act. Motor cycles as defined in Section 136(5) of the 1984 Act.	24 hours
Wholly within a parking bay	Motor vehicles maximum gross weight not exceeding 3.5 tonnes constructed or adapted solely for the purposes of carrying goods	24 hours

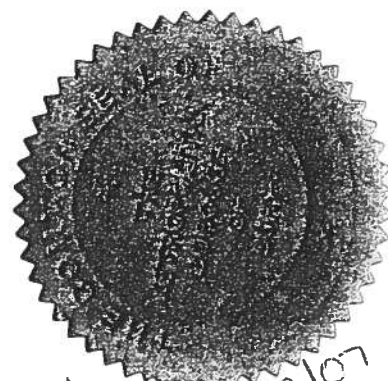
THE COMMON SEAL of THE COUNCIL OF THE

METROPOLITAN BOROUGH OF BURY was

hereunto affixed this 2 day of May 2007

in the presence of:-

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J. Baxendale 429/07

for ^W Council Solicitor