



PORT ST MARY COACH PARKING PLACES ORDER 2013

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Statutory Document No. 0006/2013



Road Traffic Regulation Act 1985

PORT ST MARY COACH PARKING PLACES ORDER 2013

Made: 14 January 2013
Coming into Operation: 5 April 2013

The Department of Infrastructure makes the following Order under section 14 of the Road Traffic Regulation Act 1985.

1 Title

This Order is the Port St Mary Coach Parking Places Order 2013.

2 Commencement

This Order comes into operation on 5 April 2013.

3 Interpretation

In this Order—

“**Act**” means the Road Traffic Regulation Act 1985;

“**coach**” means a public passenger vehicle with the same meaning as in the Road Transport Act 2001;

“**Department**” means the Department of Infrastructure;

“**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;

“**fixed penalty charge**” means the charge set by the Department under the provisions of the Road Traffic Regulation Act 1985;

“**one-way street**” means a highway in which the driving of vehicles otherwise than in one direction is prohibited;

“**parking controllers and traffic wardens**” means a person appointed by or on behalf of the Department for the enforcement of road traffic contraventions under sections 33 and 33A of the Act;

“**parking place**” means any area on a highway designated as a parking place by this Order;

“permitted hours” in relation to a parking place, means the period specified at the beginning of the Schedule relating to that parking place.

4 Designation of parking places

Each area of a highway comprising the length of carriageway of the streets specified in column 2 of the Schedule and bounded on one side of that length by the edge of the carriageway, or as specified in column 3 of that Schedule, and, unless otherwise stated, having a width throughout of 2.7 metres is designated as a parking place.

5 Vehicles for which parking places are designated

- (1) Each parking place may be used, subject to the provisions of this Order, for the leaving during the permitted hours of a coach.
- (2) All vehicles must be registered and licensed in compliance with the Licensing and Registration of Vehicles Act 1985.

6 Limited time of waiting and contraventions in parking places

If, during the permitted hours, a vehicle is left in a parking place designated in the Schedule for a continuous period of more than 3 hours or without complying with any other requirement of this Order, a contravention will have occurred and a fixed penalty will be payable. A fixed penalty notice may then be issued by a parking controller or traffic warden or served by the Department.

7 Interval before a vehicle may again be left in a parking place

Without prejudice to the provisions of article 6 of this Order, no vehicle which has been taken away from a parking place during the permitted hours shall until the expiration of two hours from the time it was taken away again be left in the parking place during the permitted hours.

8 Manner of standing in a parking place

Every vehicle left in a parking place in accordance with the foregoing provisions of this Order must so stand that every part of the vehicle is within the limits of the parking place.

9 Power to suspend the use of a parking place

- (1) The Department may suspend the use of a parking place or any part thereof whenever it considers such suspension is 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 adjacent to the parking place, the maintenance,

- improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the parking place, the laying, erection, alteration or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or any electronic communications apparatus or in the placing, maintenance or removal of any traffic sign;
- (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture to or from one office or dwelling house adjacent to the parking place from or to a depository, another office or dwelling house;
 - (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
 - (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions.
- (2) A police officer in uniform may suspend for not longer than seven days the use of a parking place or part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (3) Any person or police officer suspending the use of a parking place or any part thereof in accordance with the provisions of paragraph (1), or, as the case may be, paragraph (2) of this article must thereupon place or cause to be placed in or adjacent to that parking place or that part thereof as the case may be, a traffic cone, indicating that waiting by vehicles is prohibited.
- (4) No person must cause or permit a vehicle to wait in any part of a parking place during such period as there is in or adjacent to that part of the parking place a traffic sign placed in pursuance of paragraph (3) of this Article.
- Provided that nothing in this paragraph shall apply—
- (i) in respect of any vehicle being used for fire brigade, ambulance or police purposes or any vehicle which is waiting for any reason specified in Article 11 (c) of this Order; or
 - (ii) to anything done with the permission of the person suspending the use of the parking place or part thereof in pursuance of paragraph (1) or paragraph (2) of this Article, a police officer in uniform, a traffic warden or a parking controller.

10 Restriction on the use of a parking place

During the permitted hours no person must use any parking place or any vehicle whilst it is in a parking place in connection with the sale or offering or exposing for sale of any goods to any person in or near the parking place or in

connection with the selling for sale of his skill in handicraft or his services in any other capacity;

Provided that nothing in this article shall prevent the sale or offering or exposing for sale of goods from a vehicle if the vehicle is one to which the provisions of article 11(1)(h).

11 Restriction on waiting by a vehicle in a parking place

(1) Notwithstanding the foregoing provisions of this Order, any vehicle may wait during the permitted hours in any part of a parking place if the use of that part has not been suspended and if:

- (a) the vehicle is waiting for a period not exceeding two minutes or such longer period as a traffic warden or parking controller may approve to enable a person to board or alight from the vehicle or load thereon or unload there from his personal luggage;

Provided that if the said person is a person suffering from any disability or injury which seriously impairs his ability to walk, or who is blind, the vehicle may wait for so long as may be necessary to enable that person to board or alight from the vehicle or load thereon or unload there from his personal luggage;

- (b) 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;
- (c) the vehicle is being used for fire brigade, ambulance or police purposes or, not being a passenger vehicle, is being used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers or the performance of such duties for the vehicle to wait in the place in which it is waiting;
- (d) the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;
- (e) the vehicle is waiting—
 - (i) while postal packets addressed to premises adjacent to the parking place in which the vehicle is waiting are being unloaded from the vehicle or, having been unloaded there from, are being delivered; or
 - (ii) while postal packets are being collected for loading on the vehicle from premises or posting boxes adjacent to the parking place in which the vehicle is waiting or, having been so collected, are being loaded thereon;

- (f) the vehicle, not being a passenger vehicle, is waiting only for so long as may be necessary to enable it to be used for any purpose specified in Article 9(1)(b) of this Order;
 - (g) the vehicle is in actual use in connection with the removal of furniture to or from one office or dwelling house adjacent to the parking place from or to a depository, another office or dwelling house; or
 - (h) in any other case the vehicle is waiting for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is waiting and the vehicle does not wait for a period exceeding twenty minutes or for such longer period as a parking enforcement officer may approve.
- (2) Except as provided by this Order, the driver or person in charge of a vehicle must not cause or permit a vehicle to wait in a parking place during the permitted hours.

12 Manner of waiting in a parking place

No person must cause or permit a vehicle to wait in a parking place by virtue of the provisions of paragraph (1)(e), (f), (g) or (h) of the last preceding Article otherwise than:

- (1) in the case of a parking place in relation to which special provisions as to the manner of standing of a vehicle in that parking place are specified in column 3 of the Schedule so that the vehicle will stand in accordance with those provisions and so that every part of the vehicle is within the limits of the parking place;
- (2) in the case of any other parking place, so that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and the distance between the said edge and the nearest wheel of the vehicle is not more than 300 millimetres; and
- (3) so that no part of the vehicle obstructs any vehicular means of ingress or egress from any premises adjacent to the side of the road on which the vehicle is waiting.

For the purpose of the last foregoing sub-paragraph, the expression “premises” will not include any premises to or from which any furniture is being removed by virtue of the provisions of paragraph (1)(g) of the last preceding article or to or from which goods are being delivered or collected by virtue of the provisions of paragraph (1)(h) of that article.

13 Movement of a vehicle in a parking place in an emergency

A police constable in uniform, a traffic warden or a parking controller may move or cause to be moved, in case of emergency, to any place he thinks fit, any vehicle left in a parking place.

14 Installation and placing of traffic signs, etc.

The Department will—

- (1) cause the limits of each parking place to be indicated on the carriageway by placing and maintaining thereon traffic signs of any size, colour and type prescribed or authorised under Section 24 of the Traffic Signs Regulations Order 2002;
- (2) place and maintain in or in the vicinity of each parking place referred to in a Schedule to this Order traffic signs of any size, colour and type prescribed or authorised under Section 24 of the Traffic Signs Regulations Order 2002 indicating that such parking place may be used during the permitted hours for the leaving only of the vehicles specified in Article 5 of this Order; and
- (3) carry out such other work as is reasonably required for the purposes of the satisfactory operation of a parking place.

Signed by authority of the Minister of Infrastructure

MADE 14 JANUARY 2013

R D PEARSON
Director of Highways

SCHEDULE

(Article 4)

COLUMN 1	COLUMN 2	COLUMN 3
Item No	Street	Special manner of standing
1	Clifton Road From a point 7 metres from its junction with Queens Road for a distance of 30 metres in a north-easterly direction	

In relation to a parking place referred to in this Schedule the expression "Permitted Hours" means a period not exceeding 3 hours between 8.00 am and 6.00 pm on Monday to Sunday inclusive.

Parking places in respect of which the maximum parking period for which a vehicle may be left during the permitted hours is three hours.

EXPLANATORY NOTE***(This note is not part of the Order)***

This Order allows an on-street parking place on Clifton Road, Port St Mary to be used as a parking place by coaches and buses during specified permitted hours for a limited period of 3 hours, no return being permitted within two hours of the time when the coach or bus was taken away from that parking place.