

BURY METROPOLITAN BOROUGH COUNCIL

THE METROPOLITAN BOROUGH OF BURY (HEATON FOLD, BURY) (PROHIBITION OF WAITING) ORDER 2012

The Council of the Metropolitan Borough of Bury in exercise of the powers under Sections 1(1), 2(1) to (3) and 4(2) of the Road Traffic Regulation Act 1984 (hereinafter called "the said Act of 1984") and of all other enabling powers and after consultation with the Chief Officer of Police for the County of Greater Manchester in accordance with Part III of Schedule 9 of the said Act of 1984, hereby make the following Order:-

1. (1) 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;

"civil enforcement officer" has the same meaning as in the Traffic Management Act 2004;

"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.

(2) For the purposes of Article 4 of this Order a vehicle shall be regarded as displaying:-

(a) a disabled person's badge in the relevant position, when:-

(i) in the case of a vehicle fitted with a dashboard or facia panel, the badge is exhibited thereon so that Part I of the badge is legible from outside the vehicle; or

(ii) in the case of a vehicle not fitted with a dashboard or facia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part I of the badge is legible from outside the vehicle.

(b) a parking disc in the relevant position if -

(i) in the case of a vehicle fitted with a dashboard or facia panel, the disc is exhibited thereon so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle; or

(ii) in the case of a vehicle not so fitted, the disc is exhibited in a conspicuous position on the vehicle so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle.

- (3) (i) any reference to Post Office vehicle shall be deemed to be a reference to a vehicle of a universal service provider
 - (ii) any reference to a vehicle bearing Royal mail livery shall be deemed to include a reference to a vehicle bearing a livery which is used by a universal service provider
 - (iii) any reference to the carrying out of a statutory duty of the Post Office shall be deemed to be a reference to the provision of a universal postal service"
 - (4) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
2. Save as provided in Articles 3 and 4 of this Order no person shall except upon the direction or with the permission of a police constable in uniform or of a civil enforcement officer, cause or permit any vehicle to wait at any time in the side(s) and length(s) of road(s) specified in the Schedule.
3. Nothing in Article 2 of this Order shall render it unlawful to cause or permit any vehicle to wait in the side(s) and length(s) of road(s) referred to in that Article 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 unloaded 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 referred to or the laying, erection, alteration or repair in or near the said 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 Telecommunications 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, 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) the vehicle to take in petrol, oil, water or air from any garage situate on or adjacent to the said length(s) of road.
 - (7) fire brigade, ambulance or police operations to be carried out.
4. Nothing in Article 2 of this Order shall render it unlawful to cause or permit any disabled person's vehicle which displays in the relevant position a disabled person's badge, and a parking disc (on which the driver or other person in charge of the vehicle has marked the time at which the period of waiting began), to wait on the side(s) and length(s) of road(s) referred to in that Article for a period not exceeding three hours not being a period separate

by an interval of less than one hour from a previous period of waiting by the same vehicle in same side and length of road.

5. The prohibition imposed by this Order shall be in addition to and not in derogation from any regulations made or having effect as if made under the Act of 1984 by or under any other enactment.
6. This Order shall come into operation on the day of 2012 and may be cited as the Metropolitan Borough of Bury (Heaton Fold, Bury) (Prohibition of Waiting) Order 2012.

SCHEDULE

Length(s) of Road in the Metropolitan Borough of Bury in the County of Greater Manchester

Heaton Fold, Bury

- West side, from a point 53.0 metres of the northerly kerbline of Heaton Fold for a distance of 8.5 metres in a northerly direction.

THE COMMON SEAL of THE COUNCIL OF THE)

METROPOLITAN BOROUGH OF BURY was)

hereunto affixed this 8 day of March 2012)

in the presence of:-)

Angela Stanton
for

Council Solicitor



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