

CITY OF MANCHESTER (RUSHOLME DISTRICT CENTRE) (REVOCATION, DISABLED PERSONS' PARKING PLACES, LOADING PARKING PLACES AND HACKNEY CARRIAGE STANDS) ORDER 2004

The Council of the City of Manchester in exercise of its powers under Sections 32 (1) and 35(1) of the Road Traffic Regulation Act 1984 ("the Act") and Part IV of Schedule 9 to the Act 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 to the Act, hereby makes the following Order:-

Interpretation

1. In this Order:-

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

"disabled person's vehicle" means a vehicle lawfully displaying a disabled person's badge being a vehicle which, immediately before or after any period of waiting allowed by virtue of a provision of a kind required by the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 to be included in an order under the Act, has been or is to be used for carrying disabled persons as passengers;

"driver" in relation to a vehicle left at or waiting at a parking place means the person driving the vehicle at the time it was left at or is waiting at the parking place;

"dual purpose vehicle" means a vehicle constructed or adapted for the carriage both of passengers and of goods or burden of any description being a vehicle of which the unladen weight does not exceed 2 tonnes;

"goods vehicle" means a motor vehicle constructed or adapted for use for the carriage of goods or burden of any description or a trailer so constructed or adapted;

"hackney carriage" has the same meaning as in the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976;

"hackney carriage stand" means a part of a road authorised by Article 22 of this Order for use as a stand for hackney carriages;

"invalid carriage" has the same meaning as in Section 136 of the Act of 1984;

"loading parking place" means the parts of road specified in Column 1 of Schedule 2 to this Order to be used as a parking place for the purpose of the loading and unloading of goods and unless otherwise so specified bounded on one side by the edge of the carriageway and on the other side by a road marking complying with Diagram 1028.3 in Schedule 6 to the Traffic Signs Regulations and General Directions 2002;

"motor cycle" means a mechanically propelled vehicle (not being an invalid carriage) fewer than 4 wheels of which the weight unladen does not exceed 410 kilograms and not having a side car attached;

"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, which has not ceased to be valid.

"postal packet" shall have the same meaning as in Postal Services Act 2000;

"trailer" means a vehicle other than a motor vehicle.

"traffic sign" means any sign of any size, colour and type prescribed or authorised under or having effect as though prescribed or authorised under Section 64 of the Act of 1984.

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

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

- (i) the badge is exhibited on the dashboard or fascia of the vehicle, or
- (ii) where the vehicle is not fitted with a dashboard or fascia, the badge is exhibited in a conspicuous position on the vehicle,

so that the front of the badge is clearly legible from the outside of the vehicle;

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

- (i) the disc is exhibited on the dashboard or fascia of the vehicle; or
- (ii) where the vehicle does not have a dashboard or fascia, the disc is exhibited in a conspicuous position on the vehicle,

so that, when marked to show the quarter-hour period during which a period of waiting began, that period is clearly legible from the outside of the vehicle.

(3) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Designation of disabled person's parking places

2. The parts of road specified in Column 1 of Schedule 1 to this Order are authorised to be used subject to the following provisions of this Order as a parking place for such classes of vehicles in such positions on such days and during such hours as are specified in relation to that part of road in Column 2, 3, 4 and 5 of Schedule 1.
3. Where in Columns 2 and 3 of Schedule 1 to this Order 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 permit it to wait in the parking place:-
 - (a) unless it is of the specified class; or
 - (b) if it is in a position other than that specified.
4. The driver of a vehicle shall not use a parking place so as to unreasonably prevent access to any premises adjoining the road or the use of the road by any other person so as to be a nuisance.
5. The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in a position in the parking place and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.

6. No person shall use the vehicle whilst it is in a 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 his skill or services.
7. When a vehicle is left in a parking place in contravention of any of the provisions of Articles 3 and 4 of this Order a person authorised in that behalf may remove the vehicle or arrange for it to be removed from that parking place Provided That when a vehicle is waiting in a parking place in contravention of the provisions of Article 3(b) of this Order a person authorised in that behalf may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.
8. Any person removing the vehicle or altering its position by virtue of Article 7 of this Order may do so by towing or driving the vehicle or in such other manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position as the case may be.
9. When a person removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 7 of this Order he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
10. Nothing in Articles 3 and 4 of this Order shall prevent any person to cause or permit any vehicle to wait in a parking place for so long as may be necessary in connection with any building operation or demolition in or adjacent to the said parking place, the removal of any obstruction to traffic, the maintenance, cleansing, improvement or reconstruction of the parts of road authorised to be used as parking places or the laying, erection, alteration or repair in or adjacent to any of the said parking places of any sewer or of any main pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in the Telecommunications Act 1984.

Designation of loading parking places

11. Each part of road specified in Column 1 of Schedule 2 to this Order is authorised to be used, subject to the provisions of Articles 12 to 21 of this Order, as a loading parking place for use by such classes of vehicles, in such positions, on such days and during such hours and within such time limits as is specified in Columns 2, 3 and 4 of Schedule 2 to this Order.
12. Save as provided in Article 19 of this Order where in Schedule 3 to this Order a loading parking place is described as available for vehicles of a specified class or in a specified position the driver of a vehicle shall not permit it to wait in the length of road specified in Column 1 of Schedule 2 to this Order:-
 - (a) unless it is of the specified class;
 - (b) unless it is waiting for the purpose of continuous loading and unloading in connection with any trade or business situated in the road in which the said parking place is located; and
 - (c) is in position wholly within the limits of the loading parking place.
13. The driver of a vehicle shall not use a loading parking place so as to unreasonably prevent access to any premises adjoining the road or the use of the road by any other person or so as to be a nuisance.

14. The driver of a motor vehicle using a loading parking place shall stop the engine as soon as the vehicle is in position in the parking place and shall not start the engine again except when about to change the position of the vehicle in or to depart from that parking place.
15. When a vehicle is left in a loading parking place in contravention of Articles 12 to 13 of this Order a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from the loading parking place Provided That when a vehicle is waiting in a loading parking place in contravention of the provisions of Article 12(c) of this Order a person authorised in that behalf may alter or cause to be altered the position of the vehicle in order that it shall comply with that provision.
16. Any person removing the vehicle or altering its position by virtue of Article 15 of this Order may do so by towing or driving the vehicle or in such other manner as he may think fit in relation to the vehicle as he may think necessary to enable him to remove it or alter its position as the case may be.
17. When a person removes or makes arrangements for the removal of a vehicle from a loading parking place by virtue of Article 15 of this Order he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
18. Any person authorised in that behalf by the Council may in the case of emergency move or cause to be moved to any place he thinks fit any vehicle left in a loading parking place.
19. Notwithstanding the provisions contained in Articles 12 to 18 of this Order any vehicle may wait in any part of the loading parking place if the use has not been suspended and:-
 - (a) the vehicle is waiting only for so long as may be necessary to enable a person to board or alight from the vehicle;
 - (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 is being used in the service of a local authority in pursuance of statutory powers or duties;
 - (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; or
 - (e) the vehicle is waiting:-
 - (i) while postal packets addressed to premises adjacent to the loading parking place in which the vehicle is waiting are being unloaded from the vehicle or having been unloaded therefrom are being delivered; or
 - (ii) while postal packets are being collected for loading on the vehicle from premises or posting boxes adjacent to the loading parking place in which the vehicle is waiting or having been so collected are being loaded thereon;
 - (f) in connection with any building operation or demolition in or adjacent to the loading parking place, the maintenance, cleansing, improvement or

reconstruction of the roads authorised to be used as loading parking places or the laying, erection, alteration or repair in or adjacent to any of the said loading parking places of any sewer or of any main pipe or apparatus for the supply of gas, water, electricity or of any telecommunications apparatus as defined in the Telecommunications Act 1984.

20. Any person authorised by the Council or a police constable in uniform may suspend subject to such conditions or exceptions as he considers appropriate, the use of a loading parking place or any part thereof, use of which is suspended, a traffic sign indicating that waiting by vehicles is not permitted.
21. No person shall cause or permit a vehicle to be left in a loading parking place or any part thereof as the case may be during such period as there is in or adjacent to the loading parking place, a traffic sign placed in pursuance of Article 20 of this Order.

Authorisation of hackney carriage stands

22. Each part of road specified in Column 1 of Schedule 3 to this Order is authorised to be used, subject to the following provisions of this Order, as a hackney carriage stand during such days and hours as specified in Column 3 and 4 of Schedule 3.

Conduct at Hackney Carriage Stands

23. No hackney carriage shall wait in a hackney carriage stand in a position other than as specified in Column 2 of Schedule 3.
24. No hackney carriage shall enter upon a hackney carriage stand when the stand is occupied by the number of hackney carriages specified opposite thereto in Column 5 of Schedule 3.

Revocation of Existing Orders

25. The Orders specified in Column 1 of Schedule 4 to this Order are hereby revoked to the extent as specified in Column 2 of Schedule 4.

Commencement

26. This Order shall come into operation on 29 October 2004 and may be cited as the City of Manchester (Rusholme District Centre) (Revocation, Disabled Persons' Parking Places, Loading Parking Places and Hackney Carriage Stands) Order 2004.

SCHEDULE 1

Disabled persons parking places

Column 1	Column 2	Column 3	Column 4	Column 5
Parts of road authorised to be used as parking place	Class of vehicle	Manner of Standing in parking place	Days of Operation of parking place	Hours of Operation of the parking place
All that part of the east side of Wilmslow Road which is bounded on the east side by so much of the carriageway of that highway as extends from a point 41 metres south of its junction with Walmer Street East for a distance of 8 metres in an easterly direction having a width throughout of 1.8 metres	Disabled person's vehicle displaying in the relevant position a disabled person's badge	Wholly within the limits of the parking place and parallel to the kerb with the nearside of the vehicle adjacent to the edge of the carriageway	Monday to Sunday	24 hours
All that part of the west side of Wilmslow Road which is bounded on the west side by so much of the carriageway of that highways as extends from a point 116 metres south-east of its junction with Claremont Road	Disabled Person's vehicle displaying in the relevant position a valid disabled person's badge	Wholly within the limits of the parking place and parallel to the kerb with the nearside of the vehicle adjacent to the edge of the carriageway	Monday to Sunday	24 hours

Column 1	Column 2	Column 3	Column 4	Column 5
Parts of road authorised to be used as parking place	Class of vehicle	Manner of Standing in parking place	Days of Operation of parking place	Hours of Operation of the parking place
for a distance of 6 metres in a south-easterly direction having a width throughout of 1.8 metres				
All that part of the west side of Wilmslow Road which is bounded on the west side by so much of the carriageway of that highway as extends from a point 32 metres south of its junction with Moss Lane East for a distance of 8 metres in a southerly direction having a width throughout of 1.8 metres	Disabled Person's vehicle displaying in the relevant a disabled person's badge	Wholly within the limits of the parking place and parallel to the kerb with the nearside of the vehicle adjacent to the edge of the carriageway	Monday to Sunday	24 hours
All that part of the west side of Wilmslow Road which is bounded on the westerly side by so much of the carriageway of that highway as extends from a point 50 metres south of its junction with	Disabled person's vehicle displaying in the relevant position a disabled person's badge	Wholly within the limits of the parking place and parallel to the kerb with the nearside of the vehicle adjacent to the edge of the carriageway	Monday to Sunday	24 hours

Column 1	Column 2	Column 3	Column 4	Column 5
Parts of road authorised to be used as parking place	Class of vehicle	Manner of Standing in parking place	Days of Operation of parking place	Hours of Operation of the parking place
Great Western Street from a distance of 6 metres in a south-easterly direction with a width of throughout of 1.8 metres				
All that part of the north side of Park Crescent which is bounded on the north side by so much of the edge of the carriageway of that highway as extends from a point 5 metres east of its junction with Wilmslow Road for a distance of 7 metres in an easterly direction and with a width throughout of 1.8 metres	Disabled person's vehicle displaying in the relevant position a disabled person's badge	Wholly within the limits of the parking place and parallel to the kerb with the nearside of the vehicle adjacent to the edge of the carriageway	Monday to Sunday	24 hours

SCHEDULE 2

Loading Parking Places 7.00am to 7.00pm Monday to Saturday

Column 1 Parts of road authorised to be used as loading parking place	Column 2 Manner of Standing in loading parking place	Column 3 Days of Operation of loading parking place	Column 4 Hours of operation of loading parking place	Column 5 Maximum number of bays within the loading parking place
All that part of the east side of Wilmslow Road which is bounded on the east side by so	Wholly within the limits of the parking place and parallel to the kerb with the	Monday to Saturday	7.00am to 7.00pm	4

Column 1 Parts of road authorised to be used as loading parking place	Column 2 Manner of Standing in loading parking place	Column 3 Days of Operation of loading parking place	Column 4 Hours of operation of loading parking place	Column 5 Maximum number of bays within the loading parking place
much of the carriageway of that highway as extends from a point 85 metres south-east of its junction with Thurloe Street for a distance of 24 metres in a south-easterly direction having a width throughout of 1.8 metres	nearside of the vehicle adjacent to the edge of the carriageway			
All that part of the east side of Wilmslow Road which is bounded on the east side by so much of the carriageway of that highway as extends from a point 2 metres south-west of its junction with Denison Street for a distance of 16 metres in a south-westerly direction having a width throughout of 1.8 metres	Wholly within the limits of the parking place and parallel to the kerb with the nearside of the vehicle adjacent to the edge of the carriageway	Monday to Saturday	7.00am to 7.00pm	2
All that part of the west side of Wilmslow Road which is bounded on the west side by so much of the carriageway of that highway as extends from a point 35 metres south-east of its junction with Claremont Road	Wholly within the limits of the parking place and parallel to the kerb with the nearside of the vehicle adjacent to the edge of the carriageway	Monday to Saturday	7.00am to 7.00pm	4

Column 1
Parts of road
authorised to be
used as
loading parking place

Column 2
Manner of
Standing in
loading parking
place

Column 3
Days of
Operation
of
loading
parking
place

Column 4
Hours of
operation
of
loading
parking
place

Column 5
Maximum
number
of bays
within the
loading
parking
place

for a distance of 23
metres in a
south-easterly direction
having a width
throughout of 1.8 metres

SCHEDULE 3

Hackney Carriage Parking Places

Column 1
Parts of road
authorised to be
used as
Hackney Carriage
stand

Column 2
Manner of
Standing in
Hackney Carriage
stand

Column 3
Days of
Operation
of
Hackney
Carriage
stand

Column 4
Hours of
operation
of
Hackney
Carriage
stand

Column 5
Maximum
number
of
Hackney
Carriages
within the
stand

All that part of the east
side of Wilmslow Road
which is bounded on the
east side by so much of
the carriageway of that
highway as extends from
a point 2 metres south-
west of its junction with
Denison Street for a
distance of 16 metres in
a south-westerly
direction having a width
throughout of 1.8 metres

Wholly within the limits
of the parking place and
parallel to the kerb with
the nearside of the
vehicle adjacent to the
edge of the carriageway

Monday to
Saturday

7.00pm to
midnight
and
midnight to
7.00am

2

Column 1 Parts of road authorised to be used as Hackney Carriage stand	Column 2 Manner of Standing in Hackney Carriage stand	Column 3 Days of Operation of Hackney Carriage stand	Column 4 Hours of operation of Hackney Carriage stand	Column 5 Maximum number of Hackney Carriages within the stand
All that part of the east side of Wilmslow Road which is bounded on the east side by so much of the carriageway of that highway as extends from a point 85 metres south-east of its junction with Thurloe Street for a distance of 24 metres in a south-easterly direction having a width throughout of 1.8 metres	Wholly within the limits of the parking place and parallel to the kerb with the nearside of the vehicle adjacent to the edge of the carriageway	Monday to Saturday	7.00pm to midnight and midnight to 7.00am	4
All that part of the west side of Wilmslow Road which is bounded on the west side by so much of the carriageway of that highway as extends from a point 35 metres south-east of its junction with Claremont Road for a distance of 32 metres in a south-easterly direction having a width throughout of 1.8 metres	Wholly within the limits of the parking place and parallel to the kerb with the nearside of the vehicle adjacent to the edge of the carriageway	Monday to Saturday	7.00pm to midnight and midnight to 7.00am	4

SCHEDULE 4

Existing Orders

Column 1

City of Manchester
(Claremont Road
and Park Crescent,
Manchester)
(Disabled Person's
Parking Places)
Order 1994

City of Manchester
(Various Locations)
(Prohibition of
Stopping) (Hackney
Carriage Stands)
Consolidation Order
2001

Column 2

In the Schedule to the Order:

All that part of the north side of Park Crescent which is bounded on the north by so much of the edge of the carriageway of that highway as extends from a point 10 metres east of its junction with Wilmslow Road for a distance of 8 metres in an easterly direction

All that part of the south side of Park Crescent which is bounded on the south by so much of the edge of the highway as extends from a point 8.5 metres from its junction with Wilmslow Road for a distance of 8.5 metres in an easterly direction.

In Schedule 2 to the Order:

19. Walmer Street, Rusholme, north side which is bounded on the north by so much of the edge of the carriageway of that highway as extends from a point 8 metres west of the western kerbline of Wilmslow Road in a westerly direction for a distance of 20 metres and which has a width throughout of 2 metres.

Dated this 28th day of October 2004

THE COMMON SEAL of THE COUNCIL

OF THE CITY OF MANCHESTER was

hereunto affixed in pursuance of an Order

of the Council of the said City:-

J. R. Lund

Authorised Signatory

01023595

