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OLDHAM BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE OLDHAM - MARKET PLACE (SHAW)  
PROHIBITION OF WAITING ORDER 2001

The Oldham Borough Council in exercise of its powers under Sections 1(1), 2(1), 2(2) and 4(2) of the Road Traffic Regulation Act 1984, as amended, ("the Act") and of all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby makes the following Order:-

1. This Order shall come into operation on 11th May 2001 and may be cited as the Oldham - Market Place (Shaw) Prohibition of Waiting Order 2001.

2. (1) In this Order:-

"disabled person's badge" in respect of a badge issued by a local authority before 2nd March 1992 has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) Regulations 1982.

"disabled person's badge" in respect of a badge issued by a local authority after 2nd March 1992 has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) Regulations 1982, as amended by The Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations 1991.

"disabled person's vehicle" has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986;

"parking disc" in respect of a disc issued by a local authority before 2nd March 1992 means a disc, complying with the requirements of the British Standard Specification for Parking Discs (BS No.4631:1970) but coloured orange and capable of showing the quarter hour period during which a period of waiting begins.

"parking disc" in respect of a disc issued by a local authority after 2nd March 1992 means a disc being 125mm square coloured orange and capable of showing the quarter hour period during which a period of waiting begins.

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

(i) a disabled person's badge issued before 2nd March 1992 in the relevant position if -

(a) in the case of a vehicle fitted with a front windscreen, the badge is exhibited thereon on the near side of and immediately behind the windscreen and with its front facing forward so as to be legible from outside the vehicle; or

(b) in the case of a vehicle not fitted with a front windscreen, the badge is exhibited in a conspicuous position on the vehicle.

(ii) a disabled persons badge issued on or after 2nd March 1992 in the relevant position if -

(a) in the case of a vehicle fitted with a dashboard or facia panel, the badge is exhibited thereon so that Part 1 of the badge is legible from outside the vehicle; or

- (b) 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 1 of the badge is legible from outside the vehicle.
  - (iii) A vehicle displays a parking disc in the relevant position if -
    - (a) in the case of a parking disc issued before 2nd March 1992, the disc is exhibited thereon with the side which shows the time facing forwards or outwards and immediately behind the windscreen or side windscreen or side window nearest to the kerb;
    - (b) in the case of a parking disc issued after 2nd March 1992:-
      - (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) Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.
- 3. Save as provided in Article 4 no person shall, except upon the direction or with the permission of a police constable in uniform or of a traffic warden, cause or permit any vehicle to wait at any time in the sides of length of road specified in the Schedule to this Order.
- 4. (1) Nothing in Article 3 shall render it unlawful to cause or permit any vehicle to wait in the sides of length of road referred to therein for so long as may be necessary to enable:-
  - (a) a person to board or alight from the vehicle;
  - (b) goods to be loaded onto or unloaded from the vehicle;
  - (c) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely:-
    - (i) building or demolition operations;
    - (ii) the removal of any obstruction to traffic;
    - (iii) the maintenance, improvement or reconstruction of the length of road or any other adjacent length of road;
    - (iv) the laying, erection, alteration or repair in, or in land adjacent to, the sides of length of road 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 Schedule 2 to the Telecommunications Act 1984;

- (d) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority or a water authority in pursuance of statutory powers or duties;
  - (e) the vehicle to wait at or near to any premises situated on or adjacent to the sides of length of road for so long as is reasonably necessary in connection with any wedding or funeral; or
  - (f) the vehicle to be used for fire brigade, ambulance or police purposes.
- (2) Nothing in Article 3 shall render it unlawful to cause or permit a 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 in the sides of length of road referred to in that Article, for a period not exceeding 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 length of road on the same day).
5. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulations made or having effect as if made under the Act or by or under any other enactment.

SCHEDULE

Length of road at Shaw  
in the Borough of Oldham

<u>Road</u>	<u>No Waiting at Any Time</u> <u>Length</u>	<u>Side(s)</u>
Market Place	From its junction with Farrow Street East for a distance of 25 metres in a northerly direction	Both

THE COMMON SEAL of )  
THE OLDHAM BOROUGH )  
COUNCIL was hereunto )  
 affixed this 9th )  
 day of May 2001 )  
 in the presence of:- )

