

OLDHAM BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE OLDHAM - DUNKERLEY STREET OLDHAM
PROHIBITION OF WAITING ORDER 2002

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 20th January 2003 and may be cited as the Oldham - Dunkerley Street Prohibition of Waiting Order 2002.

2. (1) In this Order:-

"a disabled person's badge" in respect of a badge issued by a local authority means a badge in the form prescribed by Regulation 11 to the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 for display on a motor vehicle driven by a disabled person, or used for the carriage of a disabled person and includes a replacement badge issued in accordance with Regulation 7.

"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" means a 125mm square coloured blue if issued on or after 1st April, 2000 or orange if issued before that date, and issued by a local authority and has not ceased to be valid, and is capable of showing the quarter hour period during which a waiting has begun.

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

(i) a disabled persons badge in the relevant position if -

- (a) the badge is exhibited on the dashboard or fascia of the vehicle, or
- (b) 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 badge is clearly legible from the outside of the vehicle.

(ii) A vehicle displays a parking disc in the relevant position if:-

- (a) the disc is exhibited on the dashboard or fascia of the vehicle; or
- (b) 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) 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, traffic warden or a parking attendant authorised by the Local Authority, cause or permit any vehicle to wait at any time in the 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 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 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 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 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 Dunkerley Street Oldham
in the Borough of Oldham

<u>Road</u>	<u>Length</u>	<u>Side(s)</u>
Dunkerley Street	From its junction with Greenwood Street to its junction with Percy Street	Both

THE COMMON SEAL of)
THE OLDHAM BOROUGH)
COUNCIL was hereunto)
affixed this 20th)
day of January 2003)
in the presence of:-)

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P.A. Entwistle

Doc Ref: traffic/301/24dtdsjh6m PAUL A. ENTWISTLE
SENIOR SOLICITOR

