

O. 639.M.
Read in conjunction
with O. 639.

ROAD TRAFFIC REGULATION ACT 1984
AND ROAD TRAFFIC ACT 1991

OLDHAM BOROUGH COUNCIL -
BELL STREET (OLDHAM) MINOR ORDER 2001

OLDHAM BOROUGH COUNCIL

REGULATION TRAFFIC REGULATION ACT 1984 AND
ROAD TRAFFIC ACT 1991

OLDHAM BOROUGH COUNCIL - BELL STREET (OLDHAM)
MINOR ORDER 2001

O.639M
read in conjunction
with O.63

The Oldham Borough Council (hereinafter referred to as "the Council") in exercise of the powers conferred by Sections 1(1), 2(1) to (3), 4(2), 32, 35 and 124 and part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act of"), as amended 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 of 1984 and the Road Traffic Act 1991 hereby make the following Order:-

1. This Order shall come into operation on the Twenty Sixth day of November 2001 and may be cited as the "Borough of Oldham - Bell Street (Oldham) Minor Order 2001".
2. The Order specified in Schedule 1 is varied as follows:-
 - (a) the following expressions and the meanings assigned to them are inserted in appropriate alphabetical order in that Article in the Order which deals with the meanings of expressions and interpretations used in the Order;

"Immobilisation device" has the same meaning as in Section 104(9) of the Road Traffic Regulation Act 1984;

"Penalty charge" and "reduced penalty charge" means a charge set by the Council under the provisions of Section 74 of the Road Traffic Act 1991 in accordance with guidance given by the Secretary of State for Transport, Local Government and the Regions which is to be paid in the manner described in the penalty charge notice within 28 days of the date of the notice and 14 days of the date of the notice in the case of a reduced penalty charge;

"Penalty charge notice" means a notice issued by a parking attendant pursuant to the provisions of Section 66 of the Road Traffic Act 1991.
 - (b) The Articles contained in Schedule 2 to this Order are inserted as the final Articles of the Order referred to in Schedule 1;
3. Where the text of Articles in the Order referred to in Schedule 1 to this Order gives effect to parking controls or waiting and loading restrictions in car parks or roads within the Council's area, any reference in that Article to "Police Constable in uniform or Traffic Warden" is replaced by "Parking Attendant", except where required to retain powers of direction as to the use of a waiting restriction area or permitted parking area by a Police Officer in uniform or a Traffic Warden.
4. Where a provision of this Order conflicts with a provision of the Order specified in Schedule 1 to this Order or any other Order giving effect to parking controls or waiting and loading restrictions in car parks or roads within the Oldham Borough Council's area, that provision of this Order shall prevail.

SCHEDULE 1

The Greater Manchester County (Bell Street, Oldham) (Restriction of Waiting) (County) Order 1982

SCHEDULE 2

1. If a vehicle is left at any time in contravention of this Order a penalty charge shall be payable.
2. In the case of a vehicle in respect of which a penalty charge is payable a penalty charge notice showing the information required by Section 66 of the Road Traffic Act 1991 may then be issued by a parking attendant in accordance with the requirements of Section 66 of that Act.
3. If a vehicle is left in a designated parking place in contravention of Section 66(2)(a), (b) or (c) a parking attendant or a person acting on his behalf may fix an immobilisation to that vehicle in accordance with the requirements of Section 66 of the Road Traffic Act 1991.
4. If a vehicle is parked in contravention of this Order then the Council will have all the powers contained in Sections 99 - 103 of the Road Traffic Regulation Act 1984 in relation to the removal and disposal of such vehicles.
5. Notwithstanding the foregoing provisions of this Order, the Council may at its discretion issue a discretionary Notice allowing a specific vehicle to wait in a road or a parking place during the hours of operation of any restriction or prohibition to the contrary

THE COMMON SEAL of the OLDHAM
BOROUGH COUNCIL was hereunto
affixed this 12th day of November
2001 in the presence of:-

5

P.A. Entwistle

PAUL A. ENTWISTLE
SENIOR SOLICITOR



Number in Seal Book
2493/01

**Internal
Memorandum**

Your reference: SJP/GB/478/12
Our reference: DB/TO.22/01
Ask for: Mr Bond
Extension No: 4844
Date: 21st November 2001

FROM: CHIEF EXECUTIVE'S DEPARTMENT (LEGAL & DEMOCRATIC SERVICES) - PROPERTY SECTION
TO: EXECUTIVE DIRECTOR, ENVIRONMENT AND TRANSPORTATION
FAO TRAFFIC SECTION

ROAD TRAFFIC REGULATION ACT 1984
THE OLDHAM BOROUGH COUNCIL - BELL STREET (OLDHAM) MINOR ORDER
2001

I refer to your memorandum concerning the above matter dated the 22nd October last.

Please find a copy of the Order which was made on the 12th November 2001 and which becomes operative on the 26th November next.

If I can be of further assistance to you, please let me know.

DB

Doc Ref: legal/3052/53dbmesb2w

ENVIRONMENT AND TRANSPORTATION HENSHAW HOUSE		
RECEIVED.....	22 NOV 2001	
REFERRED TO.....	<i>GB</i>	
REQUIREMENT		
COMMENT		
REPLY DATE	INITIALS	FILE-REF
<i>NR</i>	<i>Sj</i>	<i>478/12</i>

OLDHAM BOROUGH COUNCIL

REGULATION TRAFFIC REGULATION ACT 1984 AND
ROAD TRAFFIC ACT 1991

OLDHAM BOROUGH COUNCIL - BELL STREET (OLDHAM)
MINOR ORDER 2001

O.639M
read in conjuncture
with O.63c

The Oldham Borough Council (hereinafter referred to as "the Council") in exercise of the powers conferred by Sections 1(1), 2(1) to (3), 4(2), 32, 35 and 124 and part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act of"), as amended 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 of 1984 and the Road Traffic Act 1991 hereby make the following Order:-

1. This Order shall come into operation on the Twenty Sixth day of November 2001 and may be cited as the "Borough of Oldham - Bell Street (Oldham) Minor Order 2001".
2. The Order specified in Schedule 1 is varied as follows:-
 - (a) the following expressions and the meanings assigned to them are inserted in appropriate alphabetical order in that Article in the Order which deals with the meanings of expressions and interpretations used in the Order;

"Immobilisation device" has the same meaning as in Section 104(9) of the Road Traffic Regulation Act 1984;

"Penalty charge" and "reduced penalty charge" means a charge set by the Council under the provisions of Section 74 of the Road Traffic Act 1991 in accordance with guidance given by the Secretary of State for Transport, Local Government and the Regions which is to be paid in the manner described in the penalty charge notice within 28 days of the date of the notice and 14 days of the date of the notice in the case of a reduced penalty charge;

"Penalty charge notice" means a notice issued by a parking attendant pursuant to the provisions of Section 66 of the Road Traffic Act 1991.
 - (b) The Articles contained in Schedule 2 to this Order are inserted as the final Articles of the Order referred to in Schedule 1;
3. Where the text of Articles in the Order referred to in Schedule 1 to this Order gives effect to parking controls or waiting and loading restrictions in car parks or roads within the Council's area, any reference in that Article to "Police Constable in uniform or Traffic Warden" is replaced by "Parking Attendant", except where required to retain powers of direction as to the use of a waiting restriction area or permitted parking area by a Police Officer in uniform or a Traffic Warden.
4. Where a provision of this Order conflicts with a provision of the Order specified in Schedule 1 to this Order or any other Order giving effect to parking controls or waiting and loading restrictions in car parks or roads within the Oldham Borough Council's area, that provision of this Order shall prevail.

SCHEDULE 1

The Greater Manchester County (Bell Street, Oldham) (Restriction of Waiting) (County) Order 1982

SCHEDULE 2

1. If a vehicle is left at any time in contravention of this Order a penalty charge shall be payable.
2. In the case of a vehicle in respect of which a penalty charge is payable a penalty charge notice showing the information required by Section 66 of the Road Traffic Act 1991 may then be issued by a parking attendant in accordance with the requirements of Section 66 of that Act.
3. If a vehicle is left in a designated parking place in contravention of Section 66(2)(a), (b) or (c) a parking attendant or a person acting on his behalf may fix an immobilisation to that vehicle in accordance with the requirements of Section 66 of the Road Traffic Act 1991.
4. If a vehicle is parked in contravention of this Order then the Council will have all the powers contained in Sections 99 - 103 of the Road Traffic Regulation Act 1984 in relation to the removal and disposal of such vehicles.
5. Notwithstanding the foregoing provisions of this Order, the Council may at its discretion issue a discretionary Notice allowing a specific vehicle to wait in a road or a parking place during the hours of operation of any restriction or prohibition to the contrary

THE COMMON SEAL of the OLDHAM
BOROUGH COUNCIL was hereunto
affixed this 12th day of November
2001 in the presence of:-

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P.A. Entwistle

PAUL A. ENTWISTLE
SENIOR SOLICITOR



Number in Seal Book
2493/01

Confirmed @ NPAS

D.639

THE GREATER MANCHESTER COUNTY
(BELL STREET, OLDHAM) (RESTRICTION OF WAITING)
(COUNTY) ORDER 1982

The Greater Manchester County Council in exercise of their powers under Section 1(1) (2) and (3) of the Road Traffic Regulation Act 1967, as amended by Part 1X of the Transport Act 1968, Schedule 19 to the Local Government Act 1972 and Schedule 6 to the Road Traffic Act 1974 and of all other enabling powers and after consultation with the Chief Officer of Police for the County of Greater Manchester in accordance with Section 84C(1) of the said Act of 1967, hereby make the following Order:-

1(1) In this Order:-

"disabled person's badge" has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) Regulations 1982;

"disabled person's vehicle" has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) (Amendment) Regulations 1975;

"parking disc" means a disc, issued by a local authority, 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.

(2) For the purpose 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 front windscreen, the badge is exhibited thereon with the obverse side facing forwards on the nearside of and immediately behind the windscreen; and

(ii) in the case of a vehicle not fitted with a front windscreen, the badge is exhibited in a conspicuous position on the front or nearside of the vehicle; and

(b) a parking disc in the relevant position, when the disc is exhibited thereon with the side which shows the time facing forwards or outwards and immediately behind the windscreen or side window nearest to the kerb.

(3) 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 Article 3 of this Order no person shall, except upon the direction or with the permission of a constable in uniform or of a traffic warden, cause or permit any vehicle to wait between the hours of 8.00am and 6.00pm on Monday to Saturday inclusive on the sides of lengths of road specified in the schedule to this Order.

3(1) Nothing in Article 2 of this Order shall render it unlawful to cause or permit any vehicle to wait on the sides of lengths of road referred to in that Article for so long as may be necessary to enable:-

- (a) a person to board or alight from the vehicle;
- (b) 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, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of the said sides of lengths of road, or
 - (iv) the laying, erection, alteration or repair, in or in land adjacent to the said sides of lengths of road, of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line as defined in the Telegraph Act 1878;
- (c) the vehicle, if it cannot be conveniently 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;
- (d) the vehicle to be used for the purpose of delivering or collecting postal packets as defined in Section 87 of the Post Office Act 1953;
- (e) the vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said sides of lengths of road;
- (f) the vehicle to wait at or near to any premises situated on or adjacent to the said sides of lengths of road for as long as such waiting by the vehicle is reasonably necessary in connection with any funeral;
- (g) the vehicle to be used for fire brigade, ambulance or police purposes;
- (h) goods to be loaded onto or unloaded from the vehicle.

- (2) Nothing in Article 2 of this Order 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 on any of the sides of lengths of road referred to in that Article for a period not exceeding 2 hours (not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle on the same side of length of road on the same day).

- 4 This Order shall come into operation on the 30th January 1984 and may be cited as The Greater Manchester County (Bell Street, Oldham) (Restriction of Waiting) (County) Order 1982.

SCHEDULE

Roads in the Borough of Oldham in the County of Greater Manchester

✓ Bell Street

west side from its junction with Wallshaw Place to its junction with Bower Street

south west side from a point 25 metres north west of its junction with Lennox Street to a point 5 metres south east of its junction with Waste Street

north east side from a point 15 metres north west of Willow Street to a point 25 metres south east of Willow Street

east side from its junction with Mumps to a point 5 metres north west of its junction with Waste Street

✓ Garden Street

south west side for its whole length

✓ Willow Street

both sides from its junction with Bell Street for a distance of 15 metres in a north easterly direction

✓ Lennox Street

both sides from its junction with Bell Street for a distance of 15 metres in a south westerly direction

Waste Street

both sides from its junction
with Bell Street for a distance
of 5 metres in a north easterly
direction.

Dated this 14th day of December 1983

THE COMMON SEAL of THE
GREATER MANCHESTER COUNTY
COUNCIL was hereunto affixed
in the presence of:-

DAVID BRINDLE

SEAL NO. 11263

Solicitor, for County Legal Officer