

Dated 28 November 2023

THE METROPOLITAN BOROUGH COUNCIL OF STOCKPORT

**THE METROPOLITAN BOROUGH COUNCIL OF STOCKPORT (GREAT
UNDERBANK AND MARKET PLACE, STOCKPORT) (PROHIBITION AND
RESTRICTION OF WAITING/LOADING/UNLOADING) (REVOCATION) ORDER
2023**

**V. Bates Assistant Director
(Legal & Democratic Governance)
Town Hall
Stockport
SK1 3XE**

**THE METROPOLITAN BOROUGH COUNCIL OF STOCKPORT (GREAT
UNDERBANK AND MARKET PLACE, STOCKPORT) (PROHIBITION AND
RESTRICTION OF WAITING/LOADING/UNLOADING) (REVOCATION) ORDER
2023**

The Council of the Metropolitan Borough of Stockport ("the Council") in exercise of its powers under Section 1 (1), 2(1) to (3) and 4(2) of the Road Traffic Regulation Act 1984 as amended ("the 1984 Act"), and the Road Traffic Act 1991 as amended ("the 1991 Act"), the Traffic Management Act 2004 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 1984 Act and with 1991 Act, hereby makes the following Order:-

Interpretation

1. (1) In this Order:-

"Civil Enforcement Officer" means a person employed in accordance with section 63A of the 1984 Act as amended by the 2004 Act to carry out the functions referred to therein

"Disabled Persons" and "Disabled Person's Badge" have the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

"Disabled Persons' Vehicle" has the same meaning as section 142 of the 1984 Act and which is a vehicle, which immediately before or after any period of waiting, has been or is to be driven by a disabled person or, as the case may be, used for carrying Disabled Person(s) as passenger(s);

"Higher Level Contravention" means the contravention of this Order in respect of any of the Waiting and Loading restrictions of this Order.

"Lower Level Contravention" means the contravention of this Order in respect of any Articles of this Order other than the Waiting and Loading restrictions

"Owner" in relation to a vehicle means the person by whom the vehicle is kept. In determining who was the Owner at any time it shall be presumed that the Owner was the person who is named in the vehicle registration document as the registered keeper of a goods light goods or passenger vehicle or the person who has the use of such a vehicle in the course of his / her employment and who is entitled to use such a vehicle as though he / she were the registered keeper thereof;

"Parking Disc" means a disc, issued by a Local Authority, 125 millimetres square, coloured blue or orange and capable of showing the quarter hour period during which a period of waiting begins.

"Penalty Charge" has the same meaning as in section 82(1) of the 1991 Act and is £70 in respect of a Higher Level Contravention and £50 in respect of a Lower Level Contravention or such other charges as may be set by the Council under the provisions of

section 77 of the 2004 Act in accordance with guidance given by the Secretary of State for Transport;

"Penalty Charge Notice" means a notice issued or served by a Civil Enforcement Officer pursuant to the provisions of section 72 of the 2004 Act;

"Relevant Position" in respect of a Disabled Person's Badge and Parking Disc has the same meaning as in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000.

- (2) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
- (3) Unless the context otherwise requires any reference in this Order to a numbered Article or Schedule is a reference to an Article or Schedule so numbered in this Order
- (4) Any reference in this Order to any Act or Regulation shall be construed as a reference to that Act or Regulation as amended, applied, consolidated, re-enacted or as having effect by virtue of any subsequent Act or Regulation;
- (5) Words of the masculine gender shall include the feminine gender.

Prohibition of Waiting

2. Save as provided in Articles 5 and 6 no person shall, except upon the direction or with the permission of a constable in uniform or of a Civil Enforcement Officer, cause or permit any vehicle to wait at any time on the sides of lengths of road specified in Schedule 1 to this Order.

Restriction of Waiting

3. Save as provided in Articles 5 and 6, no person shall, except upon the direction or with the permission of a constable in uniform or of a Civil Enforcement Officer, cause or permit any vehicle to wait between the hours and days specified in Schedule 1 to this Order and on the sides of and on the length of road specified in Schedule 1 to this Order.

Prohibition and Restriction of Loading/Unloading

4. No person shall, except upon the direction or with the permission of a constable in uniform or of a Civil Enforcement Officer cause or permit any vehicle to load or unload at any time or between the hours and days specified in schedule 1 to this Order on the sides of lengths of roads specified in Schedule 1 to this Order.

Exemptions

5. Nothing in Articles 2 and 3 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 on 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 telecommunications apparatus as defined in the Telecommunications Act 1984;
 - (c) 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;
 - (d) the vehicle to be used for the purpose of delivering or collecting postal packets as defined in Section 125 Postal Services Act 2000;
 - (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 so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral;
 - (g) the vehicle to be used for fire brigade, ambulance or police purposes;
6. Nothing in Article 2 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 the side of lengths of road referred to in that Article for a period not exceeding 3 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).
7. Nothing in Article 3 of the 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 to wait on the sides of lengths of road referred to therein.

CONTRAVENTION OF ORDER

8. Contravention

If a vehicle is left in a parking place during the permitted hours or in any road or length of road in contravention or without complying with the requirements of this Order a contravention shall have occurred and the Penalty Charge shall be payable and/or the vehicle may be removed from that location.

9. Penalty Charge Notice

In the case of vehicle in respect of which a Penalty Charge may have been incurred, it shall be the duty of a Civil Enforcement Officer to issue a Penalty Charge Notice which shall include the information required by the 1991 Act.

10 Manner of payment of Penalty Charge

The Owner of the vehicle in respect of which the Penalty Charge has been incurred shall pay the Penalty Charge to the Council as indicated on the Penalty Charge Notice.

11. Indications as evidence

The particulars given in the Penalty Charge Notice attached to a vehicle in accordance with this Article shall be treated as evidence in any proceedings relating to failure to pay such Penalty Charge.

12. Removal of vehicle

Where a Civil Enforcement Officer has removed or caused to be removed a vehicle in accordance with Article 8 or any other Article:-

11.1 he / she shall provide for the safe custody of the vehicle;

11.2 the Council shall be entitled to recover from the person responsible such charges in respect of the removal, storage and disposal of the vehicle as it might prescribe from time to time;

11.3 the provisions of the 1984 Act as amended shall apply to the disposal of such vehicles removed by or on behalf of the Council pursuant to this Article.

11.4 Nothing in Article 7 or any other Article shall apply in respect of a vehicle displaying in a relevant position a valid Disabled Person's Badge.

13. Restriction on removal of notices

Where a Penalty Charge Notice has been attached to a vehicle in accordance with the provisions of Article 9 no person, not being the driver of the vehicle, a police constable in uniform, a Civil Enforcement Officer or some other person duly authorised by the Council, shall remove the notice from the vehicle unless authorised to do so by the driver.

14. The restrictions in Schedule 2 to this Order are hereby revoked

COMMENCEMENT & CITATION

15. This Order shall come into operation on the 29 November 2023 and may be cited as The Metropolitan Borough Council of Stockport (Great Underbank and Market Place, Stockport) (Prohibition and Restriction of Waiting/Loading/Unloading) (Revocation) Order 2023.

SCHEDULE 1
NO WAITING AT ANY TIME, RESTRICTION OF WAITING, PROHIBITION AND
RESTRICTION OF LOADING

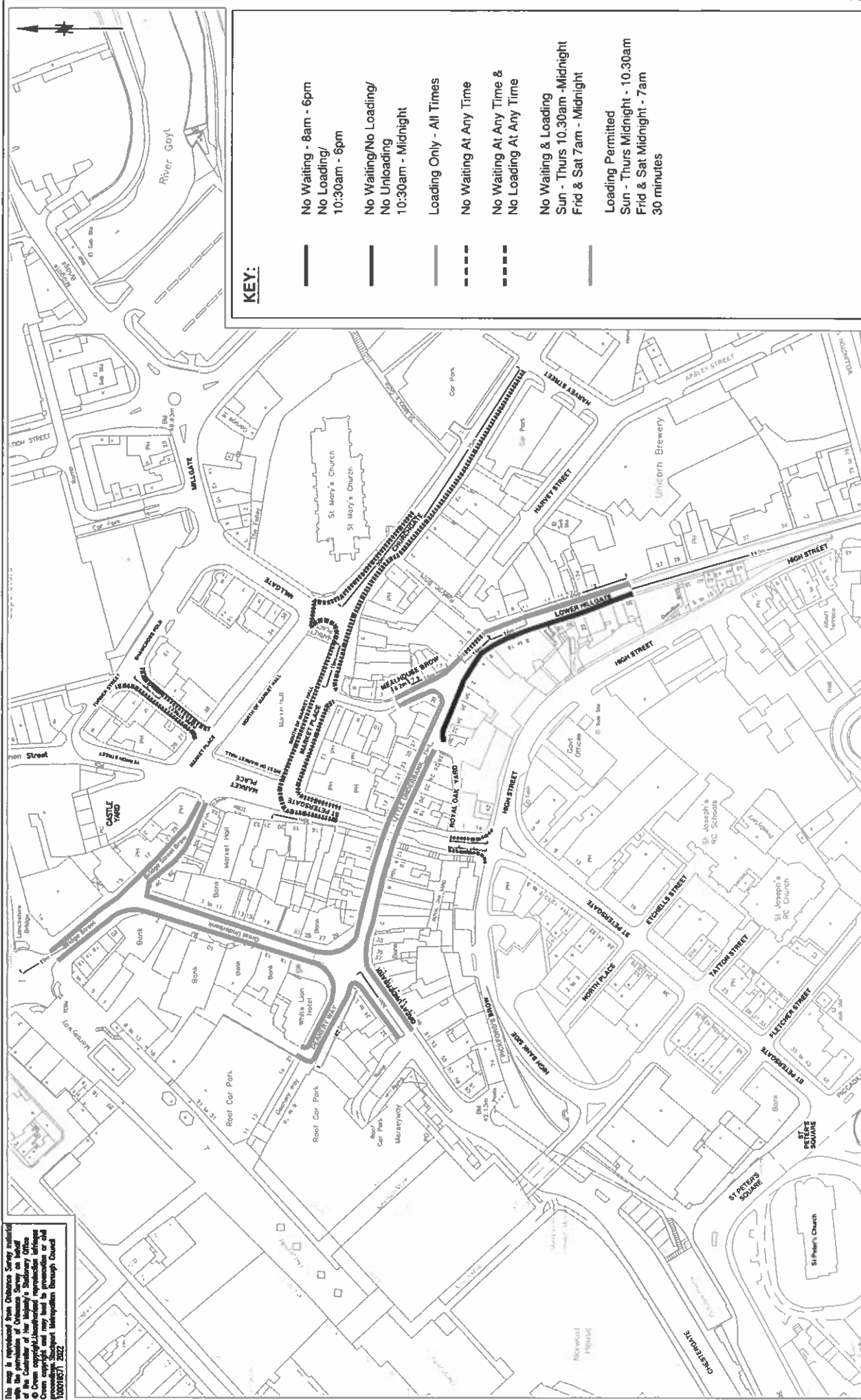
No Waiting At Any Time Park Street, North West Side; For its full length. Park Street, South East Side; From its intersection with the south western kerbline of Shawcross Fold in a south westerly direction for a distance of 7 metres. Park Street South East Side; From a point 14 metres south west from its intersection with the south western kerbline of Shawcross Fold to its intersection with the north eastern kerbline of Market Place (North section adjacent to Market Hall). Churchgate, South West Side; From its junction with the southern kerbline of Market Place (South Section adjacent to Market Hall) to a point 75 metres north west from the projected north western kerbline of Harvey Street. Churchgate, North East Side; From its junction with the projected eastern kerbline of Millgate in a south easterly direction to its junction with the north western kerbline of Harvey Street. Market Place (South section adjacent to Market Hall), Stockport, North Side; From its intersection with the eastern kerbline of Market Place (West section adjacent to Market Hall) in a south easterly direction to its intersection with the projected north western kerbline of Millgate (Including turning Head). Market Place (South section adjacent to Market Hall), Stockport, South Side; From its intersection with the eastern kerbline of St Petersgate in a south easterly direction to where it joins the south western kerbline of Churchgate. Lower Hillgate, North East Side; From a point 6.5 metres south east from the projected eastern kerbline of Mealhouse Brow in a south easterly direction for a distance of 14 metres. St Petersgate, Both Sides; From its intersection with the projected northern kerbline of Market Place in a south westerly direction for a distance of 30 metres. St Petersgate, East Side; From its intersection with the northern kerbline of High Street in a northerly direction for a distance of 16 metres. St Petersgate, West Side; From its intersection with the northern kerbline of High Street in a northerly direction for a distance of 6 metres. St Petersgate, West Side; From a point 12.5 metres north of its intersection with the northern kerbline of High Street in a northerly direction for a distance of 4 metres. Churchgate, south west side from its junction with Market Place to its junction with Harvey Street, **No Waiting at any time/No Loading at any time** Park Street, North west side, for its full length. **No Waiting – Sunday – Thurs 10.30am – Midnight, Friday and Saturday 7am – Midnight** Park Street, South East Side; From a point 7 metres from its intersection with the south westerly kerbline of Shawcross Fold in a south westerly direction for a distance of 7 metres. **No Waiting 8am – 6pm** Lower Hillgate, North East Side; From a point 110 metres north west from the projected northern kerbline of Wellington Street for a distance of 46 metres in a north westerly direction. Lower Hillgate, North East Side; From its intersection with the eastern kerbline of Millhouse Brow in a south easterly direction for a distance of 6.5 metres. Lower Hillgate, South West Side; From a point 110 metres north west from the projected northern kerbline of Wellington Street in a north westerly direction to its junction with the south westerly kerbline of Little Underbank. Little Underbank, South West Side; From its junction with the south westerly kerbline of Lower Hillgate in a north westerly direction to a point 3 metres north west of the western kerbline of Royal Oak Yard. Little Underbank, North West Side; From its intersection with the western kerbline of Mealhouse Brow in a north westerly direction to a point 3 metres north west from the projected western kerbline of Royal Oak Yard. Mealhouse Brow, East Side; From its intersection with the north eastern kerbline of Lower Hillgate for a distance of 16 metres in a north westerly direction. Mealhouse Brow, West Side; From its intersection with the northern

kerbline of Little Underbank for a distance of 25 metres in a north westerly direction. Coopers Brow, Both Sides; For its entire length. **No Waiting 10.30am – Midnight** Little Underbank, Both Sides; From a point 3 metres north west from the projected western kerbline of Royal Oak Yard in a north westerly direction to its intersection with the projected south eastern kerbline of Great Underbank. Great Underbank, Both Sides; From a point 30 metres south west from the projected southern kerbline of Little Underbank to its junction with Bridge Street. Bridge Street, Both Sides; From its junction with Great Underbank to a point 19 metres south east from its intersection with the projected southern kerbline of Warren Street. Deanery Way, Both Sides; From its intersection with the north western kerbline of Great Underbank in a north westerly direction for a distance of 42.5 metres. Bridge Street Brow; Both Sides; For its entire length. **No Waiting – Sunday – Thurs 10.30am – Midnight, Friday and Saturday 7am – Midnight** Park Street, South East Side; From a point 7 metres from its intersection with the south westerly kerbline of Shawcross Fold in a south westerly direction for a distance of 7 metres.

No loading/unloading at any time Park Street, North West Side; For its full length. Park Street, South East Side; From its intersection with the south western kerbline of Shawcross Fold in a south westerly direction for a distance of 7 metres. Park Street) South East Side; From a point 14 metres south west from its intersection with the south western kerbline of Shawcross Fold to its intersection with the north eastern kerbline of Market Place (North section adjacent to Market Hall). Churchgate, South West Side; From its junction with the southern kerbline of Market Place (South Section adjacent to Market Hall) to a point 75 metres north west from the projected north western kerbline of Harvey Street. Churchgate, North East Side; From its junction with the projected eastern kerbline of Millgate in a south easterly direction for a distance of 50 metres. Market Place (South section adjacent to Market Hall), Stockport, North Side; From a point 19 metres east of the projected eastern kerbline of Mealhouse Brow to its junction with the north eastern kerbline of Churchgate (Including turning head). Market Place (South section adjacent to Market Hall), Stockport, South Side; From a point 19 metres east of the projected eastern kerbline of Mealhouse Brow to its junction with the south western kerbline of Churchgate. St Petersgate, East Side; From its intersection with the northern kerbline of High Street in a northerly direction for a distance of 16 metres. St Petersgate, West Side; From its intersection with the northern kerbline of High Street in a northerly direction for a distance of 6 metres. St Petersgate, West Side; From a point 12.5 metres north of its intersection with the northern kerbline of High Street in a northerly direction for a distance of 4 metres.

No Loading/Unloading 10.30am – midnight – all days Little Underbank, Both Sides; From a point 3 metres north west from the projected western kerbline of Royal Oak Yard in a north westerly direction to its intersection with the projected south eastern kerbline of Great Underbank. Great Underbank, Both Sides; From a point 30 metres south west from the projected southern kerbline of Little Underbank to its junction with Bridge Street. Bridge Street, Both Sides; From its junction with Great Underbank to a point 19 metres south east from its intersection with the projected southern kerbline of Warren Street. Deanery Way, Both Sides; From its intersection with the north western kerbline of Great Underbank in a north westerly direction for a distance of 42.5 metres. **No Loading/Unloading 10.30am – 6pm – all days** Lower Hillgate, North East Side; From a point 110 metres north west from the projected northern kerbline of Wellington Street for a distance of 46 metres in a north westerly direction. Lower Hillgate, North East Side; From its intersection with the eastern kerbline of Millhouse Brow in a south easterly direction for a distance of 6.5 metres. Lower Hillgate, North East Side; From a point 6.5 metres south east from the projected eastern kerbline of Mealhouse Brow in a south easterly direction for a distance of 14 metres. Lower Hillgate, South West Side; From a

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KEY:

- No Waiting - 8am - 6pm
— No Loading/
10:30am - 6pm
- No Waiting/No Loading/
No Unloading
10:30am - Midnight
- Loading Only - All Times
- No Waiting At Any Time
- No Waiting At Any Time &
No Loading At Any Time
- No Waiting & Loading
Sun - Thurs 10.30am - Midnight
Frid & Sat 7am - Midnight
- Loading Permitted
Sun - Thurs Midnight - 10.30am
Frid & Sat Midnight - 7am
30 minutes

JOB TITLE

0291A MARKET PLACE

DRAWING TITLE

PROPOSED STATIC TRO'S

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STOCKPORT
METROPOLITAN BOROUGH COUNCIL
HIGHWAYS AND TRANSPORTATION
STOCKPORT, MANCHESTER
STOCKPORT, S11 3JF
Tel: 0161 275 1000



MARK CLYNE
DIRECTOR OF PLACE MANAGEMENT

Drawn	SA	Engineer	SA	Checked	EPS	Approved	EPS
Date	04/04/2023	Date	04/04/2023	Date	04/04/2023	Date	04/04/2023
Scale	NTS	Scale	A3				
Drawing No.	0291A/TR03/Static/001	Revision	D				

point 110 metres north west from the projected northern kerblines of Wellington Street in a north westerly direction to its junction with the south westerly kerblines of Little Underbank. Little Underbank, South West Side; From its junction with the south westerly kerblines of Lower Hillgate in a north westerly direction to a point 3 metres north west of the western kerblines of Royal Oak Road. Little Underbank, North West Side; From its intersection with the western kerblines of Mealhouse Brow in a north westerly direction to a point 3 metres north west from the projected western kerblines of Royal Oak Yard. Mealhouse Brow, East Side; From its intersection with the north eastern kerblines of Lower Hillgate for a distance of 16 metres in a north westerly direction. Mealhouse Brow, West Side; From its intersection with the northern kerblines of Little Underbank for a distance of 25 metres in a north westerly direction. Coopers Brow, Both Sides; For its entire length. **No Loading/Unloading - Sunday – Thurs 10.30am – Midnight, Friday and Saturday 7am – Midnight** Park Street, South East Side; From a point 7 metres from its intersection with the south westerly kerblines of Shawcross Fold in a south westerly direction for a distance of 7 metres.

SCHEDULE 2 **REVOCATIONS**

Revocation of No waiting at any Time, No Loading 10.30am – 4pm Bridge Street/Great Underbank, from a point 19 metres south east from the projected southern kerblines of Warren Street to a point 30 metres south west from the projected southern kerblines of Little Underbank. **Deanery Way**, from its junction with Great Underbank in a north westerly direction for a distance of 42.5 metres. **Revocation of No waiting 8am-6pm Mealhouse Brow – Both sides** for its full length. **Market Place (South section adjacent to Market Hall)**, Both sides from its junction with St Petersgate in an easterly direction for a distance of 75 metres. **Churchgate –** From its junction with the southern kerblines of Market Place (Section South adjacent to Market Hall) to a point 75 metres north west from the projected north western kerblines of Harvey Street. **Park Street**, North West side, from a point level with the projected South Westerly building line of No.27 Market Place for a distance of 3 metres in a South Westerly direction. **Park Street**, North West side, from a point 16 metres North East of the projected South Westerly building line of No.27 Market Place for a distance of 19 metres in a North Easterly direction. **Park Street**, South Easterly side from a point 5.5 metres North East of the North Easterly kerb line of Market Place (Northerly Part) in a North Easterly direction for a distance of 33 metres to the junction with Shawcross Fold. **St Petersgate**, From its intersection with the projected northern kerblines of Market Place in a south westerly direction to its intersection with the projected northern kerblines of High Street. **Revocation of No waiting 8am – 6pm, No Loading 10.30am – 4pm Lower Hillgate**, from a point 88 metres north west from the southern kerblines of High Street to its junction with Little Underbank; Little Underbank, from its junction with Lower Hillgate to its junction with Great Underbank. **Revocation of No Loading Mon – Sun 10.30am -6pm Churchgate**, Both sides, from its intersection with the south eastern kerblines of Millgate in a south easterly direction for a distance of 50 metres. **Market Place (South section adjacent to Market Hall)**, Both sides from a point 19 metres south east from the projected eastern kerblines of Millhouse Brow in a south easterly direction to its junction with Churchgate.

The COMMON SEAL of the COUNCIL)
of the METROPOLITAN BOROUGH OF)
STOCKPORT was hereunto affixed)
this 28 November 2023)
in the presence of:-)



David Hopkins
.....
~~Assistant Director Legal & Democratic Governance~~ / Designated Authorised Signatory
(legal officer)

DAVID HOPKINS
.....
Print Name

[Signature]
.....
Authorised Signatory (legal officer)

EMMA HUGHES
.....
Print Name