

Dated: 31 October 2024

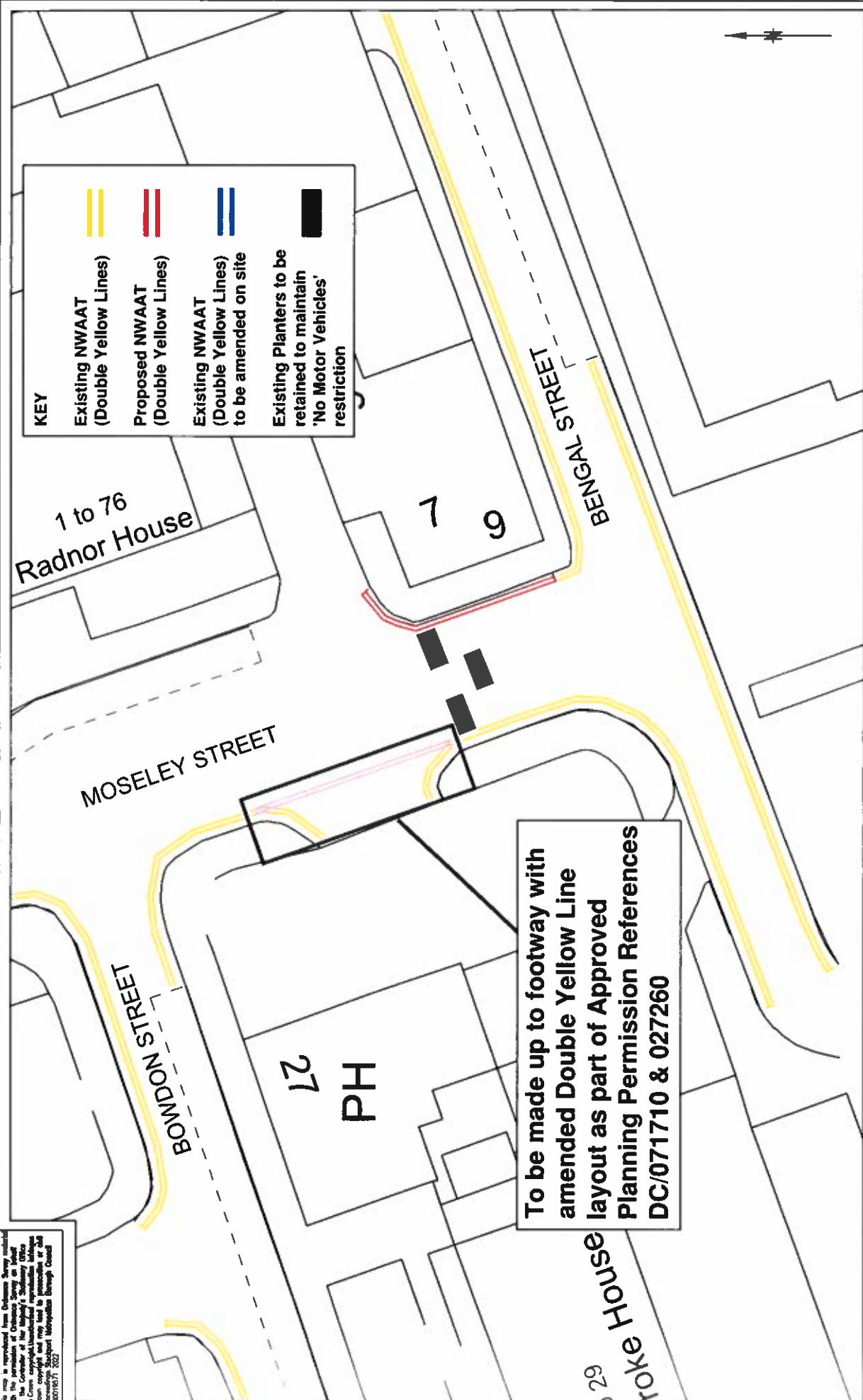
THE METROPOLITAN BOROUGH COUNCIL OF STOCKPORT

**THE METROPOLITAN BOROUGH COUNCIL OF STOCKPORT (MOSELEY
STREET, EDGELEY) (PROHIBITION OF ENTRY TO MOTORISED VEHICLES)
ORDER 2024**

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

PLA005.2967

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STOCKPORT METROPOLITAN BOROUGH COUNCIL <small>MEMBERS AND TRANSPORTATION SERVICES</small> STOCKPORT SK1 1RE	AMENDMENTS <table border="1"> <thead> <tr> <th>DRAWN</th> <th>CHECKED</th> <th>DATE</th> <th>NO.</th> <th>AMENDMENT</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>				DRAWN	CHECKED	DATE	NO.	AMENDMENT						JOB TITLE Mosley Street, Edgeley Proposed Permanent Road Closure and Waiting Restrictions		Drawing No. NMB-5209-01	Revision A
	DRAWN	CHECKED	DATE	NO.	AMENDMENT													
Drawn SA Date 16/11/22	Engineer GO Date 16/11/22	Checked EPS Date 16/11/22	Approved EPS Date 16/11/22	Scale NTS	Drawing No. NMB-5209-01	Revision A												

THE METROPOLITAN BOROUGH COUNCIL OF STOCKPORT (MOSELEY STREET, EDGELEY) (PROHIBITION OF ENTRY TO MOTORISED VEHICLES) ORDER 2024

THE METROPOLITAN BOROUGH COUNCIL OF STOCKPORT ("the Council") in exercise of the powers conferred by Sections 1(1) and (2), 2(1) to (3) and 3(2) of the Road Traffic Regulations Act 1984 as amended ("the 1984 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 1984 Act, hereby makes the following Order:-

1. 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 Articles 3 and 4 of this Order no person shall, except under the direction or with the permission of a constable in uniform or of a Civil Enforcement Officer, cause or permit any motorised vehicle to enter the highway referred to in the schedule to this Order.
3. Nothing in Article 2 of this order shall apply if the vehicle is being used for Fire Brigade, Ambulance or Police purposes.
4. Nothing in Article 2 of this order shall render it unlawful to cause or permit any mechanical road cleansing vehicle or any refuse collection vehicle to enter the highway from its junction with for so long as may be necessary to enable the vehicle to be used in the service of a Local Authority in pursuance of statutory powers or duties.

COMMENCEMENT & CITATION

6. This Order shall come into operation on the 1 November 2024 and may be cited as The Metropolitan Borough Council of Stockport (Moseley Street, Edgeley) (Prohibition of Entry to Motorised Vehicles) Order 2024.

SCHEDULE

. PROHIBITION OF ENTRY TO MOTORISED VEHICLES

Moseley Street, Edgeley both directions from a point 5m north west of its junction with Bengal Street for a distance of 6m in a north westerly direction.

Dated this 31 October 2024

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



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

.....
SARAH CONNELL
Print Name

.....
Authorised Signatory (legal officer)

.....
MALCOLM JONES
Print Name

Dated: 13 July 2023

THE METROPOLITAN BOROUGH COUNCIL OF STOCKPORT

**THE METROPOLITAN BOROUGH COUNCIL OF STOCKPORT
(MOSELEY STREET, EDLELEY) (PROHIBITION OF WAITING) ORDER 2023**

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

**THE METROPOLITAN BOROUGH COUNCIL OF STOCKPORT
(MOSELEY STREET, EDGELEY) (PROHIBITION OF WAITING) 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), 4(2) of the Road Traffic Regulation Act 1984 ("the 1984 Act"), the Road Traffic Act 1991 ("the 1991 Act") and the Traffic Management Act 2004 ("the 2004 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 1984 Act and with the 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 employment and who is entitled to use such a vehicle as though he 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 3 and 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 wait at any time on the sides of length of roads specified in the Schedule.

Exemption

3. Nothing in Article 2 shall render it unlawful to cause or permit any vehicle to wait on the sides of length of road referred to in that Article for so long as may be necessary to enable:-
 - 3.1 a person to board or alight from the vehicle;
 - 3.2 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:-
 - 3.2.1 building, industrial or demolition operations;
 - 3.2.2 the removal of any obstruction to traffic;
 - 3.2.3 the maintenance, improvement or reconstruction of the said sides of lengths of road; or
 - 3.2.4 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;
 - 3.3 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 of duties;
 - 3.4 the vehicle to be used for the purpose of delivering or collecting postal packets as defined in Section 125 Postal Services Act 2000.

- 3.5 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;
 - 3.6 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;
 - 3.7 the vehicle to be used for fire brigade, ambulance or police purposes; or
 - 3.8 goods to be loaded onto or unloaded from the vehicle.
4. 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).

CONTRAVENTION OF ORDER

5. Contravention

If a vehicle is left in a parking place during the permitted hours or in any road or length of road in contravention of 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.

6. 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.

7. 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.

8. Indications as evidence

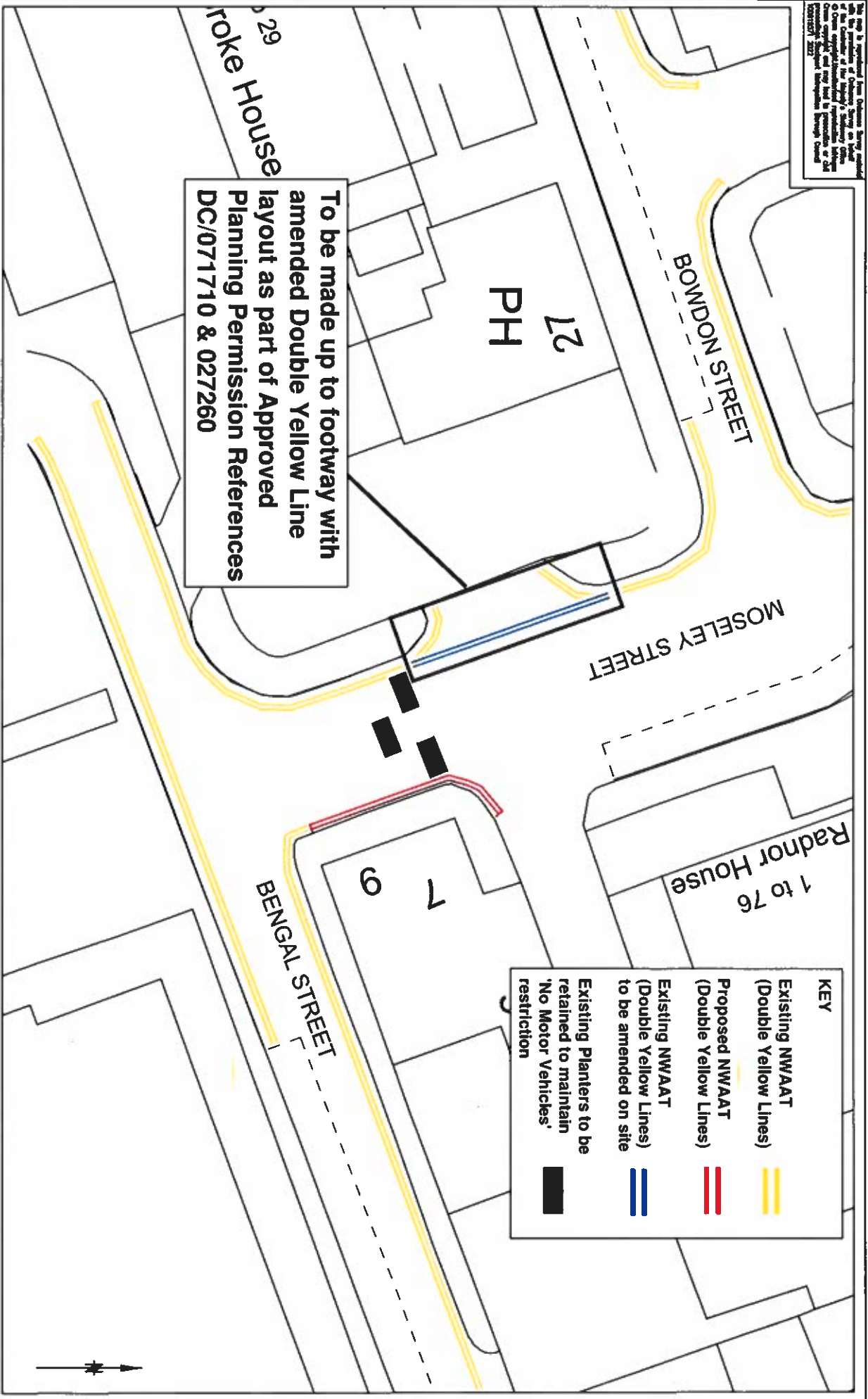
The particulars given in the Penalty Charge Notice attached to a vehicle in accordance with this Article shall be treated as evidence in any proceedings relating to failure to pay such Penalty Charge.

9. Removal of vehicle

Where a Civil Enforcement Officer has removed or caused to be removed a vehicle in accordance with Article 5 or any other Article,

- 9.1 he shall provide for the safe custody of the vehicle;

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To be made up to footway with amended Double Yellow Line layout as part of Approved Planning Permission References DC/071710 & 027260

KEY

- Existing NW/AAT (Double Yellow Lines)
- Proposed NW/AAT (Double Yellow Lines)
- Existing NW/AAT (Double Yellow Lines) to be amended on site
- Existing Planters to be retained to maintain 'No Motor Vehicles' restriction

STOCKPORT
METROPOLITAN BOROUGH COUNCIL
HIGHWAYS AND TRANSPORTATION
STOCKPORT SERVICE CENTRE
STOCKPORT SK11 7HE

AMENDMENTS				
DRAWN	CHECKED	DATE	NO	AMENDMENT

JOB TITLE
Moseley Street, Edgeley
Proposed Permanent Road Closure and Waiting Restrictions

Drawn	Engineer	Checked	Approved
SA	GO	EPS	EPS
Date	Date	Date	Date
16/11/22	16/11/22	16/11/22	16/11/22

Scale: NTS
Drawing No: NMB-5209-01
Revision: A



- 9.2 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;
- 9.3 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.
- 9.4 Nothing in Article 5 or any other Article shall apply in respect of a vehicle displaying in a relevant position a valid Disabled Person's Badge.

10. Restriction on removal of notices

Where a Penalty Charge Notice has been attached to a vehicle in accordance with the provisions of Article 6, 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.

COMMENCEMENT & CITATION

- 11. This Order shall come into operation on the 4 August 2023 and may be cited as The Metropolitan Borough Council of Stockport (Moseley Street, Edgeley) (Prohibition of Waiting) Order 2023.

**SCHEDULE
No Waiting at any Time**

Moseley Street, Edgeley north east side from its junction with Bengal Street in a north westerly direction for a distance of 10m

The COMMON SEAL of the COUNCIL)
of the METROPOLITAN BOROUGH)
OF STOCKPORT was hereunto affixed)
this: 13 July 2023)
in the presence of:-)



V Bates

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

VICTORIA BATES

.....
Print Name

R. Maffei.....

Authorised Signatory (legal officer)

REBECCA MAFFEI.....

Print Name