

TAMESIDE METROPOLITAN BOROUGH COUNCIL

THE TAMESIDE METROPOLITAN BOROUGH
(CLARENDON STREET, MARKET PLACE, HYDE) (RESTRICTION OF WAITING
AND LOADING, TAXI RANK AND LOADING BAY) ORDER 2007

THE TAMESIDE METROPOLITAN 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 ("the Act") and of Part IV of Schedule 9 to the said Act and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 hereby makes 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)(England) Regulations 2000, or the Chronically Sick & Disabled Persons Act 1970.

"parking disc" means a disc issued by a local authority, 125 millimetres square, coloured blue and capable of showing the quarter hour period during which a period of waiting begins;

"designated loading bay" means an area of carriageway set aside purely for the purpose of loading and unloading, which is comprised within and indicated by a road marking complying with diagram 1028.3 in Schedule 6 of the Traffic Signs Regulations and General Directions 2002; and with sign (s) complying with diagram 660.4 in Schedule 2 of the Traffic Signs Regulations and General Directions 2002.

"authorised taxi rank" means an area of the carriageway which is comprised within and indicated by a road marking complying with diagram 1028.2 in Schedule 6 of the Traffic Signs Regulations and General Directions 2002

"taxi" means a vehicle licensed under Section 37 of the Town Police Clauses Act 1847 or under any similar enactment;

(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 near side 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 near side 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.

HND 317

- (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.
2. Save as provided in Article 5 to this Order no person shall except upon the direction or with the permission of a police constable in uniform or of a parking attendant, cause or permit any vehicle to wait at any time on the sides of length of roads specified in Schedules 1 and 2 to this Order.
3. Save as provided in Article 5 to this Order no person shall except upon the direction or with the permission of a police constable in uniform or of a parking attendant, cause or permit any vehicle to wait at any time on the designated loading bay on the sides of length of roads specified in Schedule 3 to this Order.
4. Save as provided in Article 6 to this Order no person shall except upon the direction with the permission of a police constable in uniform or a parking attendant, cause or permit any vehicle other than a taxi, to stop on the authorised taxi rank on the sides of lengths of roads specified in Column 1 of Schedule 4 to this Order, during the hours of operation specified in Column 2 of that Schedule.
5. (1) Nothing in Article 2 and 3 shall render it unlawful to cause or permit any vehicle to wait on the sides of lengths of roads referred to therein for so long as may be necessary to enable: -
- (a) persons to board or alight from a 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 roads; or
 - (iv) the laying, erection, alteration or repair in, or the land adjacent to, the sides of lengths of roads of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or 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 any other Authority in the pursuance of statutory powers or duties;
 - (d) the vehicle, to be used for the purpose of delivering or collecting postal packets as defined in the Postal Services Act 2000;

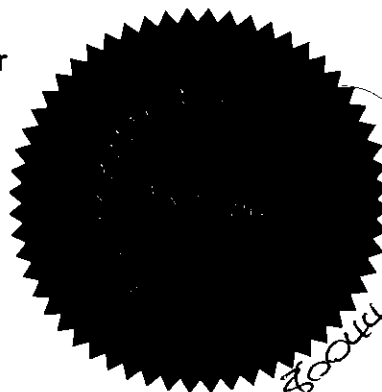
- (e) the vehicle to wait at or near to any premises situated on or adjacent to the sides of lengths of roads for so long as such waiting is reasonably necessary in connection with any wedding or funeral; or
 - (f) the vehicle to be used for Fire Brigade, Ambulance or Police purposes.
 - (2) Nothing in Article 2 to this Order shall render it unlawful to cause or permit any vehicle to wait for so long as may be necessary for the purpose of enabling goods to be loaded onto or unloaded from the vehicle on the sides of lengths of roads specified in Schedule 1 to this Order, except between the hours of 8.00am to 6.00pm.
 - (3) Nothing in Article 3 to this Order shall render it unlawful to cause or permit any vehicle to wait for so long as may be necessary for the purpose of enabling goods to be loaded onto or unloaded from the vehicle on the sides of lengths of roads specified in Schedule 3 to this Order, at any time.
 - (4) Nothing in Article 2 to 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 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 roads referred to in Schedule 1 to this Order 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 on the same side of length of road on the same day) Provided that such period lies entirely within the period during which the exemption as to loading and unloading specified in Article 5(2) to this Order applies
6. (1) Nothing in Article 4 shall render it unlawful for a person to cause or permit a vehicle to stop in the authorised taxi rank for so long as may be necessary to enable:-
-
- (a) 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 roads; or
 - (iv) the laying, erection, alteration or repair in, or the land adjacent to, the sides of lengths of roads of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or any telecommunications apparatus as defined in the Telecommunications Act 1984.

- (b) 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 any other Authority in the pursuance of statutory powers or duties;
 - (c) the vehicle, to be used for the purpose of delivering or collecting postal packets as defined in the Postal Services Act 2000;
 - (d) the vehicle to be used for Fire Brigade, Ambulance or Police purposes.
7. The Council are satisfied that for facilitating the passage of vehicular traffic on the specified road, it is requisite that Section 3(1) of the said Act of 1984 shall not apply in relation to the sides of lengths of road specified in schedule 4 to this Order.
8. THE TAMESIDE METROPOLITAN BOROUGH COUNCIL (HYDE TOWN CENTRE) (PROHIBITION AND RESTRICTION OF WAITING) ORDER 1990 shall have effect as though in Schedule 1 to that Order the sides of lengths of road "Clarendon Street" were deleted therefrom.
9. THE TAMESIDE METROPOLITAN BOROUGH (MARKET PLACE, HYDE) (PROHIBITION OF WAITING AND LOADING) ORDER 2007 shall have the effect as though in Schedule 2 to that Order the whole of Part 2 to that Schedule were deleted therefrom.
10. The prohibitions and restrictions imposed by this order shall be in addition to and not in derogation from any restrictions or requirement imposed by any regulations made or having effect as if made under the said Act of 1984 or by or under any other enactment.

The Order shall come into operation on the 12th December 2007 and may be cited as "THE TAMESIDE METROPOLITAN BOROUGH (CLARENDON STREET, MARKET PLACE, HYDE) (RESTRICTION OF WAITING AND LOADING, TAXI RANK AND LOADING BAY) ORDER 2007".

THE COMMON SEAL OF TAMESIDE
METROPOLITAN BOROUGH COUNCIL
was hereunto affixed on the 5th day of December
2007 in the presence of


Borough Solicitor



SCHEDULE 1

No waiting at any time & No loading 8am - 6pm

- | | | |
|---------------------------------|---|---|
| Market Place (north side) | - | from its junction with Market Street for a distance of 8 metres in an easterly direction. |
| Market Place (north side) | - | from a point 33 metres east of its junction with Market Street to its junction with Clarendon Street. |
| Clarendon Street (east side) | - | from a point 25 metres north of the building line of No.7 Market Place to its junction with New Beech Street. |
| Clarendon Street (west side) | - | from its junction with Market Place to a point 12 metres north of its junction with Borough Arcade. |
| Clarendon Street (west side) | - | from a point 4 metres south of its junction with the Clarendon Street public car park access road to its junction with the Hyde Bus Station entrance. |

SCHEDULE 2

No waiting at any time & No loading at any time

- | | | |
|---------------------------------|---|---|
| Market Place (south side) | - | from a point 48 meters east of its junction with Market Street to its junction with Clarendon Street. |
| Clarendon Street (east side) | - | from its junction with Market Place in a northerly direction to a point 2 metres north of the building line of No.7 Market Place. |

SCHEDULE 3

Loading Only

-
- | | | |
|---------------------------------|---|--|
| Clarendon Street (east side) | - | from a point 2 metres north of the building line of No.7 Market Place for a distance of 23 metres in a northerly direction |
| Clarendon Street (west side) | - | from a point 12 metres north of its junction with Borough Arcade for a distance of 18 metres in a northerly direction. |

SCHEDULE 4

Authorised taxi rank

COLUMN 1

COLUMN 2

- | | | |
|---|---|--------------|
| Clarendon Street (west side) - from a point 30 metres north of its junction with Borough Arcade to a point 4 metres south of its junction with Clarendon Street Car Park access road. | - | At all times |
|---|---|--------------|

SEALING NUMBER80044.....
(To be completed by Sealing Officer)

TAMESIDE LEGAL SERVICES

SEALING AUTHORITY

I certify that this document should be sealed under the following authority:- (*delete as necessary*)

1. ~~Resolution of~~ Committee on

OR

2. ~~Delegated Power exercised by~~ Cabinet Deputy
~~On~~ Technical Services
7th May 2005.

SignedJohn Joseph.....
Nominated Officer

Dated

