

**TAMESIDE METROPOLITAN BOROUGH COUNCIL**  
**THE TAMESIDE METROPOLITAN BOROUGH**  
**(MARKET PLACE & CLARENDON PLACE, HYDE)**  
**(PROHIBITION OF WAITING & LOADING) ORDER 2009**

**THE TAMESIDE METROPOLITAN BOROUGH COUNCIL** in exercise of its powers under Sections 1(1), 2(1), 2(2) and 4(2) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("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. (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.

"disabled person's vehicle" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"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;

(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.

(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 Articles 4, 5 and 6 to this Order no person shall except upon the direction or with the permission of a police 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 roads specified in Schedule 1 to this Order.

3. (1) Nothing in Article 2 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 electronic communications network as defined in the Communications Act 2003.
  - (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.
4. (1) 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, at any time.
- (2) 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).
5. (1) 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 2 to this Order, at any time, except between the hours of 8.00am – 6.00pm Monday to Saturday.
- (2) 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

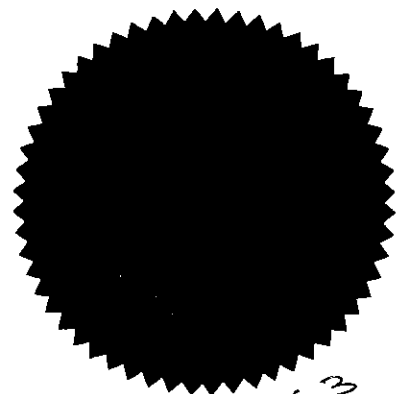
the vehicle, has marked the time at which the period of waiting began) to wait on any of the sides of lengths of roads referred to in Schedule 2 to this Order for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle on the same side of length of road on the same day). Providing that such period lies entirely within the period during which the exemption as to loading and unloading specified in Article 5(1) applies.

6. THE TAMESIDE METROPOLIATAN BOROUGH COUNCIL (RUSSEL STREET, MARKET PLACE AND MARKET PLACE SERVICE AREA, HYDE) (PROHIBITION OF WAITING AND RESTRICITION OF LOADING) ORDER 1999 shall have the effect as though in Schedule 1 to that Order the sides of lengths of roads specified in Schedule 3 to this Order were deleted therefrom.
7. THE TAMESIDE METROPOLIATAN BOROUGH COUNCIL (RUSSEL STREET, MARKET PLACE AND MARKET PLACE SERVICE AREA, HYDE) (PROHIBITION OF WAITING AND RESTRICITION OF LOADING) ORDER 1999 shall have the effect as though in Schedule 2 Part 2 to that Order the sides of lengths of roads specified in Schedule 4 to this Order were deleted therefrom.
8. THE TAMESIDE METROPOLITAN BOROUGH COUNCIL (HYDE TOWN CENTRE) (PROHIBITION AND RESTRICTION OF WAITING) ORDER 1990 shall have the effect as though in Schedule 1 to that Order the sides of lengths of roads specified in Schedule 5 to this Order were deleted therefrom.
9. 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 16<sup>th</sup> day of March 2009 and may be cited as **"THE TAMESIDE METROPOLITAN BOROUGH (MARKET PLACE & CLARENDON PLACE, HYDE) (PROHIBITION OF WAITING) ORDER 2009"**

THE COMMON SEAL OF TAMESIDE  
METROPOLITAN BOROUGH COUNCIL  
was hereunto affixed on the 16<sup>th</sup> March 2009  
in the presence of

  
Borough Solicitor



86263

## SCHEDULE 1

- **No Waiting at Any Time: -**

### CLARENDON PLACE

- (east side) From its junction with Hoviley to the south easterly kerb line of the service road to the rear of 44 – 54 Rutherford Way.
- (west and north side) From its junction with Hoviley to its junction with Market Place.
- (west side) From a point 37 metres east of its junction with Market Place to the south easterly kerb line of the service road to the rear of 44 – 54 Rutherford Way.

## SCHEDULE 2

- **No Waiting at Any Time and No Loading 8am – 6pm Mon – Sat inclusive: -**

### MARKET PLACE

- (south side) From its junction with the Market Place Service Area to its junction with Clarendon Place.

### CLARENDON PLACE

- (south side) From its junction with Market Place for a distance of 37 metres in an easterly direction.

## SCHEDULE 3

- **Deletion: -**

### MARKET PLACE

- (south side) From its junction with the Market Place Service Area for a distance of 15 metres in an easterly direction.

## SCHEDULE 4

- **Deletion: -**

### MARKET PLACE

- (south sides) From a point 15 metres east of its junction with the Market Place Service Area to its junction with Clarendon Place.

## SCHEDULE 5

- **Deletion: -**

### CLARENDON PLACE

- (both sides) From its junction with Hoviley to its junction with Market Place and to the south easterly kerb line of the service road to the rear of 44 – 54 Colmar Way.

SEALING NUMBER 81263  
(To be completed by Sealing Officer)

**TAMESIDE LEGAL SERVICES**

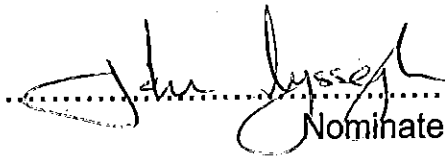
**SEALING AUTHORITY**


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 Mike Thompson  
On 14/10/2008

Signed   
Nominated Officer

Dated  12-3-09

