

TAMESIDE METROPOLITAN BOROUGH COUNCIL

**THE TAMESIDE METROPOLITAN BOROUGH
(GLOUCESTER ROAD & MARLBOROUGH ROAD, HYDE)
(PROHIBITION & RESTRICTION OF WAITING) ORDER 2009**

THE TAMESIDE METROPOLITAN BOROUGH COUNCIL in exercise of its powers under Sections 1(1), 2(1) and 2(2) 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;

"disabled person's vehicle" means a vehicle which displays a disabled person's badge in accordance with the provisions of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 as amended, or under any succeeding legislation, and shall include a badge issued under regulations having effect in Scotland or Wales under Section 21 of the Chronically Sick and Disabled Person's Act 1970, and a recognised badge under Section 21A and B of the 1970 Act.

"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) the badge is exhibited on the dashboard or fascia of the vehicle so that the front of the badge is clearly legible from the outside of the vehicle or;
- (ii) where a vehicle is not fitted with a dashboard or fascia, the badge is exhibited in a conspicuous position on the vehicle, so that the front of the badge is clearly legible from the outside of the vehicle.

(a) a parking disc in the relevant position if;

- (i) the disc is exhibited on the dashboard or fascia of the vehicle and shows the quarter hour period during which a period of waiting began and that period is clearly legible from the outside of the vehicle or;
- (ii) where the vehicle does not have a dashboard or fascia, the disc is exhibited in a conspicuous position on the vehicle, so that, when marked to show the quarter hour period during which a period of waiting began and that period is clearly legible from the outside of the vehicle.

- (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 and 5 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. Save as provided in Articles 4 and 5 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 between the hours of 8.00am and 5.00pm on Monday to Friday inclusive on the sides of lengths of roads specified in Schedule 2 to this Order:-
- (1) for a period longer than 30 minutes; or
- (2) if a period less than one hour has elapsed since the termination of the last period of waiting, if any, by that vehicle on the same side of length of road.
4. (1) Nothing in Article 2 or 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 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.

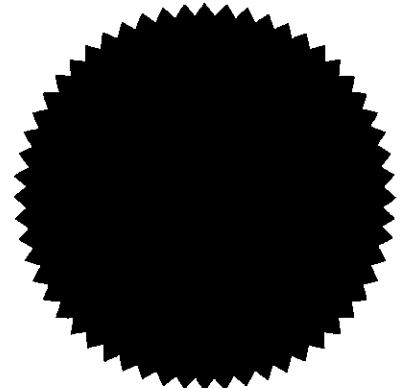
5. (1) Nothing in Articles 2 and 3 to this Order shall render it unlawful to cause or permit any vehicle to wait for so long as may be necessary or the purpose of enabling goods to be loaded onto or unloaded from the vehicle on the sides of lengths of road specified in Schedules 1 and 2 to this Order at any time.
- (2) Nothing in Article 2 and 3 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 and 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).
6. 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 9th day of April 2010 and may be cited as
"THE TAMESIDE METROPOLITAN BOROUGH (GLOUCESTER ROAD & MARLBOROUGH ROAD, HYDE) (PROHIBITION & RESTRICTION OF WAITING) ORDER 2009"

THE COMMON SEAL OF TAMESIDE
METROPOLITAN BOROUGH COUNCIL
was hereunto affixed on the 1st April 2010
in the presence of


Borough Solicitor





82123

SCHEDULE 1

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

GLOUCESTER ROAD

(north side) From its junction with Marlborough Road for a distance of 23 metres in a south easterly direction.

(south side) From its junction with Marlborough Road for a distance of 15 metres in a south easterly direction.

MARLBOROUGH ROAD

(east side) From a point 12 metres south of its junction with Gloucester Road to a point 7 metres north of that junction.

SCHEDULE 2

- **Limited Waiting 30 minutes, No return within 1 hour, Mon – Fri 8am – 5pm: -**

MARLBOROUGH ROAD

(east side) From a point 7 metres north of its junction with Gloucester Road for a distance of 47 metres in a northerly direction.

SEALING NUMBER82123.....
(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)*

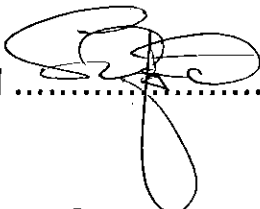
1. Resolution of ~~SPEAKERS PANEL~~ Committee on

7th November 2007
(07/01278/RSD)

OR

2. Delegated Power exercised by
On

Signed



Nominated Officer

Dated

25.03.10

Case X2929

