

THE TAMESIDE METROPOLITAN BOROUGH
(MARKET STREET, STOCKPORT ROAD, JAMES DRIVE
AND COTTON CLOSE, HYDE)
(PROHIBITION AND RESTRICTION OF WAITING) ORDER 2010

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 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 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.

(b) 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.

2. Save as provided in Article 4 to this Order no person shall except upon the direction or with the permission of a police constable in uniform or a civil enforcement officer, cause or permit any vehicle to wait at any time on the sides of lengths of roads specified in the Schedule 1 to this Order.

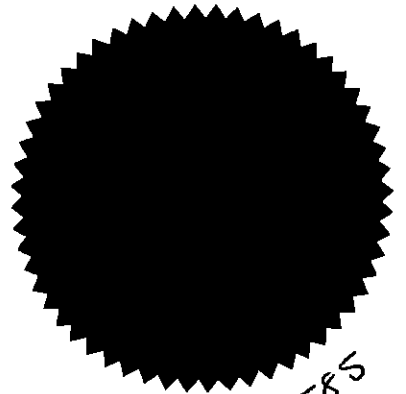
HYD 349

3. Save as provided in Article 4 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 6.00pm on Monday to Saturday inclusive on the sides of lengths of roads specified in Schedule 2 to this Order.
- (1) for a longer period than 2 hours; or
- (2) if a period of less than 1 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 Articles 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 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.
- (2) 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 for the purpose of enabling goods to be loaded onto or unloaded from the vehicle on the sides of lengths of roads specified in the Schedules to this Order, at any time.
- (3) Nothing in Articles 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 those Articles 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).

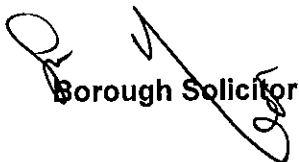
5. THE TAMESIDE METROPOLITAN BOROUGH (STOCKPORT ROAD AND MARKET STREET, HYDE) (PROHIBITION AND RESTRICTION OF WAITING)(AMENDMENT) ORDER 2007 shall have effect as though Article 4 and Part 8 of the schedule to that Order were deleted therefrom.
6. THE TAMESIDE METROPOLITAN BOROUGH (STOCKPORT ROAD AND MARKET STREET, HYDE) (PROHIBITION AND RESTRICTION OF WAITING AND LOADING) ORDER 1998 shall have effect as though in Schedule 2 to that Order the side of length of road "Stockport Road" were deleted therefrom.
7. 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 20th day of October 2010 and may be cited as "THE TAMESIDE METROPOLITAN BOROUGH (MARKET STREET, STOCKPORT ROAD, JAMES DRIVE AND COTTON CLOSE, HYDE) (PROHIBITION AND RESTRICTION OF WAITING) ORDER 2010".

THE COMMON SEAL OF TAMESIDE
METROPOLITAN BOROUGH COUNCIL
was hereunto affixed on the 13th day of October 2010
in the presence of



82585


Borough Solicitor

SCHEDULE 1

No waiting at any time

- JAMES DRIVE (east side) - from a point 28 metres south of its junction with Cotton Close to a point 10 metres north of that junction.
- JAMES DRIVE (west side) - from its junction with Market Street to a point 10 metres north of its junction with Cotton Close.
- COTTON CLOSE (both sides) - from its junction with James Drive for a distance of 5 metres in an easterly direction.

SCHEDULE 2

Limited waiting 2 hours no return within 1 hour, Monday to Saturday, 8am to 6pm.

- MARKET STREET (south side) - from a point 54 metres south-east of its junction with Dawson Street for a distance of 29 metres in a south-easterly direction.
- STOCKPORT ROAD (east side) - from a point 23 metres south-east of its junction with Smithy Lane to a point 45 metres south-east of that junction.

SEALING NUMBER 8258 S
(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 *Hyde District Assembly* Committee on *2nd August 2010.*

OR

2. ~~Delegated Power exercised by~~
~~On~~

Signed *John J. Hamilton*
Nominated Officer

Dated