

TAMESIDE METROPOLITAN BOROUGH COUNCIL

THE TAMESIDE METROPOLITAN BOROUGH
(HIGHER TAME STREET & KNOWL STREET, STALYBRIDGE.)
(PROHIBITION OF WAITING & PARKING PLACE) ORDER 2004

THE TAMESIDE METROPOLITAN BOROUGH COUNCIL in exercise of its powers under Sections 1(1), 2(1), 2(2) and 4(2), 32 and 35 of the Road Traffic Regulation Act 1984 ("the Act") and of Part IV of Schedule 9 to the said Act of 1984 and 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:-

"authorised parking place" means any parking place on a road authorised or designated by an Order made or having effect as if made under the Act of 1984; and indicated by a road marking complying with diagram 1028.4 in Schedule 6 of the Traffic Signs Regulations and General Directions 2002 accompanied by an appropriate sign.

"disabled person's badge" has the same meaning as in the Disabled Persons (Badges For Motor Vehicles)(England) Regulations 2000, or the Chronically Sick and 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;

"driver" in relation to a vehicle in a parking place means the person driving the vehicle at the time it was left in the parking place.

"motor car" and "motor cycle" have the same meaning as in Section 136 of the Road Traffic Regulations Act 1984.

(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 Article 3 to this Order no person shall except upon the direction or with the permission of a police constable in uniform or of a traffic warden, 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 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;
 - (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, at any time.

- (3) 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 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).
4. The part of road specified in Column 1 of Schedule 2 to this Order is authorised to be used, subject to the following provisions of this Order, as an authorised parking place for such classes of vehicle in such position, for such period of time as are specified in relation to that part of road in the said Schedule.
5. Where in Schedule 2 to this Order, the authorised parking place is described as available for vehicles of a class or in a specific position for a specific period of time, the driver of a vehicle shall not allow it to wait in the authorised parking place:-

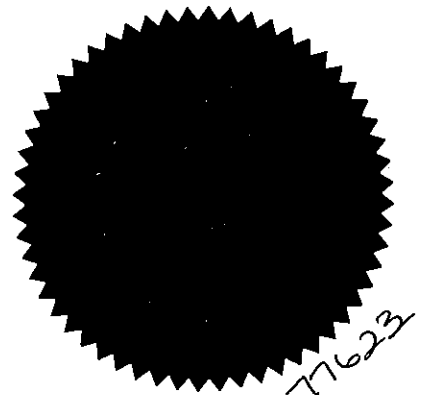
 - (a) unless it is of the specified class;
 - (b) if it is in a position other than specified;
 - (c) for a period of time greater than that specified.
6. The driver of a vehicle shall not use the authorised parking so as to unreasonably prevent access to any premises adjoining the road, or the use of the road by any other person, or so as to be a nuisance.
7. The driver of a vehicle using the authorised parking place shall stop the engine as soon as the vehicle is in position in the parking place and shall not start the engine except when about to change the position of the vehicle in or about to depart from the authorised parking place.
8. No person shall use the vehicle whilst it is in the authorised parking place in connection with the sale of any article to persons in or near the authorised parking place or in connection with the selling or offering for hire of their skills or services.
9. When a vehicle is left in the authorised parking place in contravention of any of the provisions of Articles 5 & 6 to this Order a person authorised in that behalf may remove the vehicle or arrange for it to be removed from that authorised parking place; provided that when a vehicle is waiting in the authorised parking place in contravention of the provisions of Article 5(b) of this Order, a person authorised in that behalf may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.
10. Any person removing the vehicle or altering its position by virtue of the last preceding Article of this Order may do so by towing or driving the vehicle or in such other manner as they may think necessary and take such measures in relation to the vehicle as they may consider necessary to enable them to remove it or alter its position as the case may be.

11. When a person removes or makes arrangements for the removal of a vehicle from the authorised parking place by virtue of Article 9 of this Order, they shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
12. THE TAMESIDE METROPOLITAN BOROUGH (HIGHER TAME STREET, STALYBRIDGE)(RESTRICTION OF WAITING) ORDER 1997 is hereby revoked.
13. THE TAMESIDE METROPOLITAN BOROUGH (KNOWL STREET, HIGHER TAME STREET, NORTHEND ROAD, STALYBRIDGE) (PROHIBITION OF WAITING) ORDER 1990 shall have effect as though in Schedule 2 to that Order, the sides of lengths of road specified in Part 1 of Schedule 3 to this Order were deleted and the sides of lengths of road specified in Part 2 of Schedule 3 to this Order were substituted therefore.
14. 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 11th day of June 2005 and may be cited as **"THE TAMESIDE METROPOLITAN BOROUGH (HIGHER TAME STREET & KNOWL STREET, STALYBRIDGE.) (PROHIBITION OF WAITING & PARKING PLACE) ORDER 2004"**.

THE COMMON SEAL OF TAMESIDE
METROPOLITAN BOROUGH COUNCIL
was hereunto affixed on the 1st. day of June 2005
in the presence of


Borough Solicitor



SCHEDULE 1

NO WAITING AT ANY TIME.

HIGHER TAME STREET
(north side)

from the junction with Knowl Street to a point 25 metres east of the westerly gable of No. 19. Higher Tame Street.

(south side)

from the junction with Knowl Street for a distance of 10 metres in a westerly direction.

from the westerly gable of No. 19. Higher Tame Street for a distance of 10 metres in an easterly direction.

KNOWL STREET
(north-west side)

from a point 5 metres north of the junction with Higher Tame Street to a point 10 metres south of that street.

SCHEDULE 2

Column 1	Column 2	Column 3	Column 4	Column 5
SITUATION OF PARKING PLACE	POSITION IN WHICH VEHICLES MAY WAIT	CLASS OF VEHICLE	DAYS & HOURS OF OPERATION OF PARKING PLACE.	MAXIMUM PERIOD OF WHICH VEHICLES MAY WAIT
HIGHER TAME STREET (north side footway)	Wholly within the limits of the authorised parking place.	Motor car & Motor cycle	All days & hours	No limit

SCHEDULE 3

Part 1 (Deletion) (No Waiting 8.00am – 6.00pm Monday to Friday)

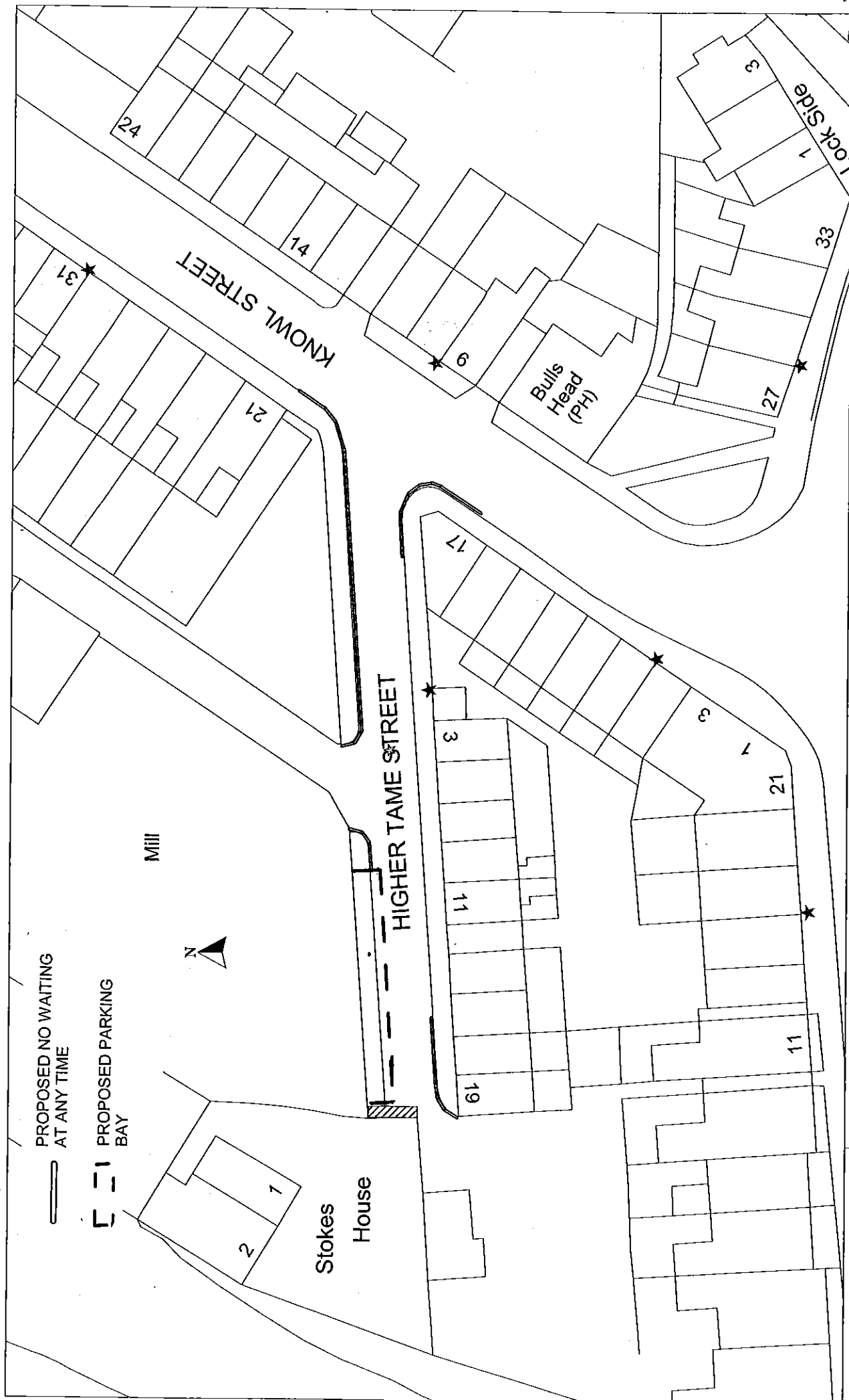
KNOWL STREET.
(west side)

from a point 25 metres north of its junction with Mottram Road to its junction with Higher Tame Street.

Part 2 (Substitution) (No Waiting 8.00am – 6.00pm Monday to Friday)

KNOWL STREET
(west side)

from a point 25 metres north of its junction with Mottram Road to a point 10 metres south of its junction with Higher Tame Street.



PROPOSED WAITING RESTRICTIONS. HIGHER TAME STREET. STALYBRIDGE

Engineering Service
Tameside MBC
Council Offices
Wellington Road, Ashton-Under-Lyne
Tameside, OL6 6DL

Drawn By : AHS

Scale : 1/500

Date : 1/9/2004

Report : T/11/3204/R/01

SEALING NUMBER.....77623.....

Issue No: 3

(To be completed by Sealing Officer)

Issue Date: 1.4.98

TAMESIDE LEGAL SERVICES

SEALING AUTHORITY

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

1. Resolution of STANBRIDGE DA Committee on 8/12/04.

OR

2. Delegated Power exercised by
on

igned
Nominated Officer

ated 27.05.05