

TAMESIDE METROPOLITAN BOROUGH COUNCIL

THE TAMESIDE METROPOLITAN BOROUGH
(MOTTRAM ROAD, STALYBRIDGE)
(PROHIBITION OF WAITING AND LOADING AND LIMITED WAITING) ORDER 2011

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

"authorised parking place" means any area of carriageway 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, together with a sign complying with diagram 661.1 in Schedule 2 of the Traffic Signs Regulations and General Directions 2002 authorised or designated by an Order made or having effect as made under the Act of 1984;

"disabled person's badge" has the same meaning as in the Disabled Person (Badges for Motor Vehicles) (England) Regulations 2000; or the Chronically Sick & Disabled Persons Act 1970.

"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) (Vehicles) 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 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 facia 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 facia, the disc is exhibited in a conspicuous position of 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 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 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 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 civil enforcement officer, cause or permit any vehicle to wait between the hours of 7:30am to 9:30 am and 4pm to 6:30pm Monday to Friday inclusive on the sides of lengths of roads specified in Schedule 2 to this Order.
- 4. 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 civil enforcement officer, cause or permit any vehicle to wait within the authorised parking place between the hours of 9.30am and 4.00pm on Monday to Friday inclusive on the sides of lengths of roads specified in Schedule 3 to this Order:-
 - (1) for a longer period than 30 minutes; 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 a length of road.
- 5. (1) Nothing in Articles 2, 3 and 4 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 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 7:30am to 9:30am and 4pm to 6:30pm on Monday to Friday inclusive.
 - (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 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 outside the hours 7:30am to 9:30am and 4pm to 6:30pm on Monday to Friday inclusive.
 - (4) Nothing in Articles 3 and 4 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 Schedules 2 and 3 to this Order at any time.
 - (5) Nothing in Articles 3 and 4 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 Schedules 2 and 3 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 Greater Manchester Council (Mottram Road/Huddersfield Road/Acres Lane, Stalybridge) (Prohibition and Restriction of Waiting) (County) Order 1981. Shall have the effect as though:-

- (a) In Schedule 1 to that order the side of length of road "Mottram Road" item (a) was deleted therefrom;
 - (b) In Schedule 2 to that Order, Part 2 was deleted therefrom;
 - (c) Schedule 3 to that order was 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 23rd day of July 2012 and may be cited as

**"THE TAMESIDE METROPOLITAN BOROUGH (MOTTRAM ROAD, STALYBRIDGE)
(PROHIBITION OF WAITING AND LOADING AND LIMITED WAITING) ORDER 2011".**

THE COMMON SEAL OF TAMESIDE
METROPOLITAN BOROUGH COUNCIL
was hereunto affixed on the 18th day of
July 2012 in the presence of


Borough Solicitor

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SCHEDULE 1

- **No Waiting at any time and no Loading Monday to Friday 7:30am to 9:30am and 4pm to 6:30pm:-**

MOTTRAM ROAD

(north east side)

from a point 15 metres north west of junction with Taylor Street to a point 15 metres south east of that junction.

MOTTRAM ROAD

(north east side)

from a point 15m south east of Compton Street to a point 10m north west of that junction.

TAYLOR STREET

(both sides)

from its junction with Mottram Road for a distance of 10 metres in a north easterly direction.

GREY STREET

(both sides)

from its junction with Mottram Road for a distance of 10 metres in a north easterly direction.

MOTTRAM ROAD

(north east side)

from a point 15 metres north west of its junction with Grey Street to a point 15 metres south east of that junction.

SCHEDULE 2

- **No Waiting Monday to Friday 7:30am to 9:30am and 4pm to 6:30pm:-**

MOTTRAM ROAD

(east side)

from a point 10m north west of its junction with Compton Street to its junction with Stocks Lane.

SCHEDULE 3

- **Limited waiting 30 minutes Monday to Friday 9:30am – 4:00pm no return within 1 hour restrictions on:-**

MOTTRAM ROAD

(east side)

from a point 10m north west of its junction with Compton Street to its junction with Stocks Lane.