

**TAMESIDE METROPOLITAN BOROUGH COUNCIL**

**TAMESIDE METROPOLITAN BOROUGH**  
**(CASTLE STREET, STALYBRIDGE)**

**(PROHIBITION AND RESTRICTION OF WAITING AND LOADING ONLY) ORDER 2015**

**THE TAMESIDE METROPOLITAN BOROUGH COUNCIL** in exercise of its powers under Sections 1(1), 2(1), 2(2) and 4(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.

"A designated loading bay" is a section of carriageway set aside purely for the purposes of loading and unloading, and 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; and with a sign(s) complying with diagram 660.4 in Schedule 2 of the Traffic Signs Regulations and General Directions 2002.

(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.

- (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 to 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 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.
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 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 1 hour; or
- (2) if a period of less than 2 hours 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. 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 within the designated loading bay on the sides of lengths of road as specified in Schedule 3 to this Order except for the purpose of enabling goods to be loaded onto or unloading from the vehicle.
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 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 Schedules 1 and 2 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) Nothing in Article 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 badge, to wait on any of the sides of lengths of roads referred to in that Article

6. THE TAMESIDE METROPOLITAN BOROUGH (STALYBRIDGE TOWN CENTRE, STALYBRIDGE)(PROHIBITION AND RESTRICTION OF WAITING AND LOADING) ORDER 2007 shall have the effect as though:

- a, 'Castle Street, north and east side, from its junction with Caroline Street to a point 110 metres west of its junction with Melbourne Street',
- b, 'Castle Street, north side, from its junction with Melbourne Street to its junction with Back Melbourne Street'
- c, 'Castle Street, north side, from a point 110 metres west of its junction with Melbourne Street to its junction with Back Melbourne Street'

were deleted from Schedules 2 and 3 to that Order.

7. THE TAMESIDE METROPOLITAN BOROUGH (CASTLE STREET, STALYBRIDGE) (PROHIBITION AND RESTRICTION OF WAITING AND LOADING) ORDER 2011 shall have the effect as though:

'Castle Street, north side, from its junction with Caroline Street to a point 110 metres west of its junction with Melbourne Street' is deleted from Schedule 1 to that Order.

8. 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 27<sup>th</sup> July 2015 and may be cited as "**TAMESIDE METROPOLITAN BOROUGH (CASTLE STREET, STALYBRIDGE) (PROHIBITION AND RESTRICTION OF WAITING AND LOADING ONLY) ORDER 2015**"

THE COMMON SEAL OF TAMESIDE  
METROPOLITAN BOROUGH COUNCIL  
was hereunto affixed on the 20<sup>th</sup> day  
of July 2015 in the presence of

Borough Solicitor

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### SCHEDULE 1

- No Waiting at Any Time**

Castle Street north side	from its junction with Caroline Street for 76 metres in an easterly direction
Castle Street north side	from a point 88 metres east of its junction with Caroline Street for a distance of 49 metres
Castle Street north side	from a point 177 metres east of its junction with Caroline Street <del>to its junction with Melbourne Street</del> for a distance of 9 metres in an easterly direction.

### SCHEDULE 2

- Limited Waiting, 1 hour, Monday – Saturday, 8am – 6pm, no return within 2 hours**

Castle Street north side	from a point 137 metres east of its junction with Caroline Street for a distance of 49 metres in an easterly direction
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### SCHEDULE 3

- Loading Only**

Castle Street north side	from a point 76 metres east of its junction with Caroline Street for a distance of 12 metres in an easterly direction.
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