

THE TAMESIDE METROPOLITAN BOROUGH COUNCIL

(ST MICHAELS SQUARE, ASHTON UNDER LYNE)

(RESTRICTION OF ACCESS AND TRAFFIC REGULATION) ORDER 1992

THE TAMESIDE METROPOLITAN BOROUGH COUNCIL in exercise of its powers under Sections 1(1) and (2), 2(1) to (3), 4(2), 32(1) and 35(1) 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 of 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) Regulations 1982

"disabled person's vehicle" has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986

"parking disc" means a disc, issued by a local authority, complying with the requirements of the British Standard Specification for Parking Discs (BS No. 4631:1970), but coloured orange, and capable of showing the quarter hour period during which a period of waiting begins

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

"parking place" means any part of a road authorised by this Order to be used as a parking place

"motor car" has the same meaning as in Section 136(2)(a) of the Road Traffic Regulations Act 1984

"motor cycle" has the same meaning as in Section 136(4) of the Road Traffic Regulation 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

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- 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
2. 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.
 3. Save as provided in Articles 6 and 8 of 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 enter or proceed in any of the lengths of road specified in Schedule 1 to this Order.
 4. Any person causing any vehicle to enter St Michaels Square shall from its junction with Old Street travel around the circulatory service road in a clockwise direction.
 5. Save as provided in Article 7 of 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 vehicles to wait at any time on the sides of lengths of roads specified in Schedule 2 to this Order.
 6. (1) Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to enter or proceed in the lengths of road specified in Schedule 1 to this Order so far as such entry or proceeding is reasonably necessary to enable the vehicle to be used for any of the purposes specified in paragraph (2) of this Article or to wait in the said lengths of road for so long as may be necessary for any of these purposes.

(2) The purposes referred to in paragraph (1) of this Article are :-
 - (a) the removal of any obstruction to traffic;
 - (b) police, fire brigade or ambulance purposes;
 - (c) in the service of any local authority or any other authority in pursuance of statutory powers or duties, the maintenance, cleansing, improvement or reconstruction of the said lengths of road or the laying, erection, alteration or repair in or adjacent to the said lengths of road, of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in the Telecommunications Act 1984; and
 - (d) any building or demolition operations;
 - (e) the delivery or collection of postal packets as defined in Section 87 of the Post Office Act 1953

(f) the vehicle to wait at or near to any premises situated on or adjacent to the said sides of lengths of road for as long as such waiting by the vehicle is reasonably necessary in connection with any wedding or funeral;

(g) goods to be loaded onto or unloaded from the vehicle

7. Nothing in Article 5 of this Order shall render it unlawful to cause or permit any vehicle to wait on the sides of lengths of road referred to therein for so long as may be necessary to enable :-

(a) 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 the lengths of roads; or

(iv) the laying, erection, alteration or repair in, or in 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

(b) 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 pursuance of statutory powers or duties;

(c) 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 by that vehicle is reasonably necessary in connection with any wedding or funeral;

(d) the vehicle to be used for the purpose of delivering or collecting postal packets as defined in Section 87 of the Post Office Act 1953; or

(e) the vehicle to be used for fire brigade, ambulance or police purposes.

8. Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle specified in column 3 of Schedule 3 to this Order to enter or proceed in the lengths of road referred to in Schedule 1 to this Order for the purpose of accessing a parking place.

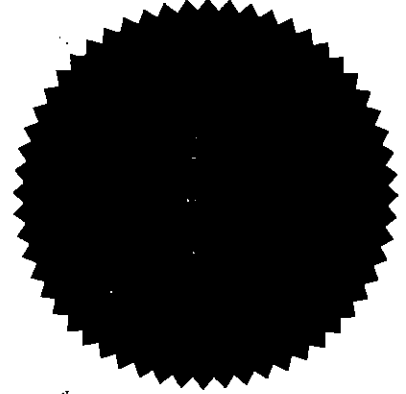
9. (a) Each of the parts of road specified in column 1 of Schedule 3 to this Order or as more clearly indicated on the attached plan, is authorised to be used as a parking place for such classes of vehicles, in such positions and on such days and during such hours as are specified in relation to that part of road in the said Schedule.
- (b) Nothing in paragraph (a) of this Article shall restrict the power of the Council, for preventing obstruction of the streets, by order on the occasion of any public procession, rejoicing or illumination, or where the streets are thronged or liable to be obstructed, to close any parking places.
10. Where in Schedule 3 to this Order a parking place is described as available for vehicles of a specified class or in a specified position, the driver of a vehicle shall not permit it to wait in that parking place :-
- (a) unless it is of the specified class; or
- (b) in a position other than that specified
11. (a) Save as provided in Article 12 of this Order the driver of a vehicle shall not permit it to wait in a parking place for longer than the maximum period permitted for waiting specified in Schedule 3 to this Order in relation to that parking place.
- (b) Save as provided in Article 12 of this Order when a vehicle has left a parking place after waiting thereon the driver thereof shall not within one hour after its leaving permit it wait again upon the parking place.
12. Nothing in Article 11 of 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 road referred to in that Article for a period not exceeding 3 hours (not being a period separated by an interval of less than 1 hour from a previously period of waiting by the same vehicle on the same side of length of road on the same day).
13. A driver of a vehicle shall not use a parking place :-
- (a) so as unreasonably to prevent access to any premises adjoining the road, or the use of the road by other persons, or so as to be a nuisance;
- (b) when for preventing obstruction of the streets the Council shall by order, made on the occasion of any public procession, rejoicing or illumination, or when the streets are thronged or liable to be obstructed have closed that parking place and exhibited Notice of such closing on or near the parking place.

14. The driver of a motor vehicle using a 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 to depart from the parking place.
15. No person shall use a vehicle while it is in a parking place, in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his skill or services.
16. Subject to the proviso hereto, and to Article 12 of this Order when a vehicle is left in a parking place in contravention of any of the provisions contained in Article 10, Article 11 or Article 13 of this Order a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place, provided that when a vehicle is waiting in a parking place in contravention of the provision of Article 10(b) of this Order, a person authorised in that behalf by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.
17. Any person removing a 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 he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position, as the case may be.
18. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 16 of this Order, he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
19. THE GREATER MANCHESTER COUNTY (VARIOUS STREETS, ASHTON TOWN CENTRE) (PROHIBITION AND RESTRICTION OF WAITING) (COUNTY) ORDER 1981 shall have effect as though :
 - a) in Schedule 1 to that Order the sides of lengths of road specified in Schedule 4 to this Order were deleted therefrom
 - b) Part 2 of Schedule 8 to that Order was deleted therefrom
20. THE BOROUGH OF ASHTON UNDER LYNE (VARIOUS ROADS) (ONE-WAY TRAFFIC) (CONSOLIDATION) ORDER 1973 shall have effect as though Item 10 of Schedule 3 to that Order was deleted therefrom.
21. BOROUGH OF ASHTON UNDER LYNE, THE ASHTON UNDER LYNE (ST MICHAELS SQUARE AND HENRY SQUARE) (CONSOLIDATION) PARKING PLACE ORDER 1972 shall have effect as though Item 8 of Schedule 1 to that Order was deleted therefrom.
22. 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.

This Order shall come into operation on the 5th day of November 1992 and may be cited as "THE TAMESIDE METROPOLITAN BOROUGH COUNCIL (ST MICHAELS SQUARE, ASHTON UNDER LYNE) (RESTRICTION OF ACCESS AND TRAFFIC REGULATION) ORDER 1992

THE COMMON SEAL OF THE
TAMESIDE METROPOLITAN BOROUGH COUNCIL
was hereunto affixed in the
presence of


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Borough Solicitor



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SCHEDULE 1

St Michaels Square

- the area bounded by Old Street, Stamford Street and the road linking Old Street with Stamford Street

SCHEDULE 2

St Michaels Square

- the area bounded by Old Street, Stamford Street and the road linking Old Street with Stamford Street excluding the designated parking places

SCHEDULE 3

1. SITUATION OF PARKING PLACE	2. POSITION IN WHICH VEHICLES MAY WAIT	3. CLASS OF VEHICLE	4. DAYS AND HOURS OF OPERATION OF PARKING PLACE	5. MAXIMUM PERIOD OF WHICH VEHICLE MAY WAIT
1. St Michaels Square between the easterly carriageway linking Old Street with Stamford Street and the circulatory service road. Approximately 5 metres south of Old Street for 23 metres in a southerly direction	The vehicle must wait wholly within the defined area at an angle of approx- imately 110° to the circulatory service road	Motor car and motor cycle	All days and hours	30 minutes during the period Monday - Saturday 8 am to 6 pm All other times no limit
2. St Michaels Square 3 metre wide strip to the westerly side of the central island to the circulatory service road. Approx- imately 10 metres south of Old Street for a distance of 24 metres in a southerly direction	The vehicle must wait wholly within the defined area parallel to the circulatory carriageway	Motor car and motor cycle	All days and all hours	30 minutes during the period Monday - Saturday 8 am to 6 pm At other times no limit

SCHEDULE 3 cont'd

1. SITUATION OF PARKING PLACE	2. POSITION IN WHICH VEHICLES MAY WAIT	3. CLASS OF VEHICLE	4. DAYS AND HOURS OF OPERATION OF PARKING PLACE	5. MAXIMUM PERIOD OF WHICH VEHICLE MAY WAIT
3. St Michaels Square. Approximately 3 metres to the east of 114 Stamford Street to the line where it joins the circulatory service road	The vehicle must wait wholly within the defined area in a line parallel to Stamford Street	Motor car and motor cycle	All days and all hours	30 minutes during the period Monday - Saturday 8 am to 6 pm At other times no limit

SCHEDULE 4

- St Michaels Square
(westerly carriageway
cul-de-sac)
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- a) west side from a point 40 metres north of Stamford Street
central for a distance of 4.5 metres in a northerly direction
 - b) across the cul-de-sac end