

TAMESIDE METROPOLITAN BOROUGH COUNCIL

**THE TAMESIDE METROPOLITAN BOROUGH
(MACKESON ROAD, ASHTON-UNDER-LYNE)
(PROHIBITION AND RESTRICTION OF WAITING AND LOADING) ORDER 1999**

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 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 taxi rank" means any area of carriageway which is comprised within and indicated by a road marking complying with diagram 1028.2 in Schedule 6 of the Traffic Signs Regulations and General Directions 1994;

"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;

"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;

"hackney carriage" has the same meaning as in Section 38(1) of the Vehicles (Excise) Act 1971;

"parking disc" means a disc issued by a local authority, complying with the requirements of the British Standard Specification for Parking Discs (B.S. 4631:70), but coloured orange, and capable of showing the quarter hour period during which a period of waiting begins;

"a recognised timing point" is the location where a bus may wait to ensure adherence to a published timetable or local service registration and includes departure and terminal points, provided that this Order shall only apply to those bus timing points which have been approved, in writing, by the police and Highway Authority.

(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 Articles 4 and 5 to this Order no person shall except upon the direction or with the permission of a police officer 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. Save as provided in Articles 4 and 5 to this Order no person shall except upon the direction or with the permission of a police officer in uniform or of a traffic warden, 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.
4. (1) Nothing in Articles 2 and 3 to this Order 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 Section 87 of the Post Office Act 1953;
 - (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, except between the hours of 8.00am to 10.00am and 4.00pm to 6.00pm on Mondays to Saturdays inclusive.

(3) Nothing in Articles 2 and 3 to this Order shall render it unlawful to cause or permit any vehicle:

- (a) being a hackney carriage, to wait upon an authorised taxi rank; or
- (b) to wait upon an authorised parking place
- (c) being a bus to wait upon a recognised timing point

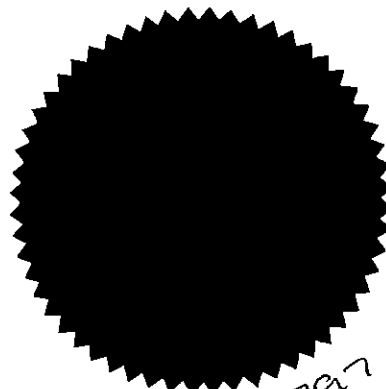
Provided that such waiting lies entirely within the period during which the exemption as to loading and unloading specified in this Article applies.

5. 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, 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 side of the length of road 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). Provided that such period lies entirely within the period during which the exemption as to loading and unloading specified in Article 4 applies.
6. 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 2nd day of June 2000, and may be cited as "**THE TAMESIDE METROPOLITAN BOROUGH (MACKESON ROAD, ASHTON-UNDER-LYNE) (PROHIBITION AND RESTRICTION OF WAITING AND LOADING) ORDER 1999**".

THE COMMON SEAL OF TAMESIDE
METROPOLITAN BOROUGH COUNCIL
was hereunto affixed on the 25th day of May
2000 in the presence of


Borough Solicitor



(No waiting at any time & No loading Mon-Sat, 8am-10am and 4pm-6pm)

Mackeson Road - from its junction with Queens Road for a distance of 15 metres in an easterly direction.

SCHEDULE 2

(No waiting Mon-Sat, 8am-6pm & No loading Mon –Sat, 8am-10am and 4pm-6pm)

Mackeson Road (north side) - from a point 15 metres east of its junction with Queens Road to its cul-de-sac end.

SEALING NUMBER.....72797.....

Issue No: 3

Mackeson Rd.
17 & 18 of Wd L.

(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 E & E S Committee on

4/1/2001

OR

2. ~~Delegated Power exercised by~~

~~on~~

~~19~~

Signed


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A GOODACRE

Nominated Officer

Dated

22nd May

19

2000