

TAMESIDE METROPOLITAN BOROUGH COUNCIL

**THE TAMESIDE METROPOLITAN BOROUGH
(PORTLAND STREET SOUTH, DALE STREET EAST ASHTON-UNDER-LYNE)
(PROHIBITION OF WAITING AND LOADING ONLY) ORDER 2002**

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 of 1984 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:-

"designated loading bay" 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 1994; and with a sign complying with diagram 660.4 in Schedule 2 of the Traffic Signs and General Directions 1994.

"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 (B.S. 4631:70), but 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) 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.

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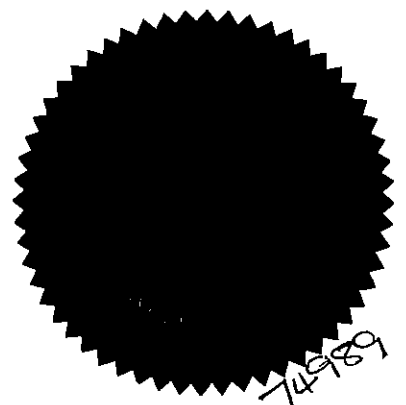
2. Save as provided in Articles 3, 4 and 5 to this Order no person shall except upon the direction or with the permission of a police constable in uniform or of a traffic warden, cause or permit any vehicle to wait at any time on the sides of lengths of roads specified in Schedule 1 to this Order.
3. (1) Nothing in Article 2 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.
4. (1).. 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 or 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).

5. (1) 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 and 2 to this Order, at any time.
- 6 The loading bay specified in Schedule 2 to this Order is for the purpose of loading and unloading of goods and merchandise to or from premises situated on or adjacent to the length of road, and the position in which vehicles may wait shall be wholly within the designated loading bay.
- 7 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restrictions or requirements 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 1st day of August 2002 and may be cited as
**"THE TAMESIDE METROPOLITAN BOROUGH (PORTLAND STREET SOUTH,
DALE STREET EAST, ASHTON-UNDER-LYNE)
(PROHIBITION OF WAITING AND LOADING ONLY) ORDER 2002".**

THE COMMON SEAL OF TAMESIDE
METROPOLITAN BOROUGH COUNCIL
was hereunto affixed on the 18th day of July 2002
in the presence of


Borough Solicitor



SCHEDULE 1

(No waiting at any time)

Portland Street South.

- | | | |
|-------------|---|--|
| (east side) | - | from the northerly kerb line of Old Street for a distance of 5 metres in a northerly direction and from a point 5 metres south of Dale Street East up to and including the cul-de-sac end. |
| (west side) | | from the northerly kerb line of Old Street for a distance of 10 metres in a northerly direction. |

Dale Street East.

- | | | |
|--------------|---|--|
| (north side) | - | from the junction with Portland Street South to the junction with Back Portland Street. |
| (south side) | - | from the easterly kerb line of Portland Street South for a distance of 31 metres in an easterly direction. |

SCHEDULE 2

(Loading only)

Dale Street East.

- | | | |
|--------------|---|--|
| (south side) | - | from a point 5 metres east of the easterly kerb line of Portland Street East for a distance of 12 metres in an easterly direction. |
|--------------|---|--|

SEALING NUMBER.....74989.....

Issue No: 3

3-34

(To be completed by Sealing Officer)

Issue Date: 1.4.98

TAMESIDE LEGAL SERVICES

SEALING AUTHORITY

(PORTLAND ST. SOUTH / DALE ST. EAST - ASHTON.)
(PROHIBITION OF WAITING & LOADING ONLY) ORDER 2002.

I certify that this document should be sealed under the following authority:- (Delete as necessary)
ON THE 18TH JULY 2002.

1. Resolution of DISTRICT ASSEMBLY Committee on 14/03/01.

OR

2. Delegated Power exercised by

on

Signed John Lysser 

Nominated Officer

Dated 09/07/02