

TAMESIDE METROPOLITAN BOROUGH COUNCIL

**THE TAMESIDE METROPOLITAN BOROUGH (DELAMERE STREET ASHTON
UNDER LYNE) (PROHIBITION AND RESTRICTION OF WAITING AND PROHIBITION
OF LOADING) ORDER 2008**

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 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 2000.

"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, 125 millimetres square and coloured blue if issued on or after 1st April 2001 or coloured orange if issued before that date 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.

2. Save as provided in Article 4 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.

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3. Save as provided in Article 4 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 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 length of road.
4. (1) Nothing in Articles 2, or 3 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 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, at any time, except between the hours of 8.00am to 6.00pm, Monday to Saturday inclusive on the sides of lengths of road specified in Schedule 2 to this Order.
- (3) Nothing in Article 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 3 to this Order, at any time.

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

(a) to wait upon an authorised parking place.

- (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 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 1, 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) provided that in respect of the sides of the lengths of roads specified in Schedule 2 to this Order such period lies entirely within the period during which the exemption as to loading and unloading specified in paragraph (2) of this Article applies.

5 THE TAMESIDE METROPOLITAN BOROUGH (OLD STREET, DELAMERE STREET, ASHTON-UNDER-LYNE) (PROHIBITION AND RESTRICTION OF WAITING) ORDER 1992 is hereby revoked in its entirety.

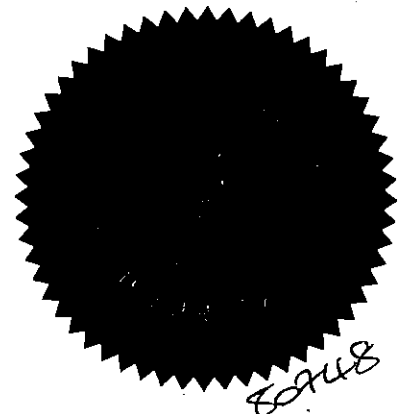
The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restrictions or requirement imposed by any regulations made or having effect as if made under the said Act of 1984 or by or under any other enactment.

The Order shall come into operation on the 16th day of October 2008 and may be cited as

"THE TAMESIDE METROPOLITAN BOROUGH (DELAMERE STREET ASHTON UNDER LYNE) (PROHIBITION AND RESTRICTION OF WAITING AND PROHIBITION OF LOADING) ORDER 2008".

THE COMMON SEAL OF TAMESIDE
METROPOLITAN BOROUGH COUNCIL
was hereunto affixed on the 16th day of October 2008
in the presence of


Borough Solicitor



SCHEDULE 1

No waiting at any time

- | | |
|-----------------------------|---|
| Delamere Street (east side) | (a) From its junction with Stamford Street Central to its junction with Old Street |
| Delamere Street (west side) | (a) From its junction with Stamford Street Central to a point 3 metres north of its junction with Wellington Street
(b) From its junction with Old Street for a distance of 20 metres in a southerly direction |

SCHEDULE 2

No loading or unloading 8.00am to 6.00pm Monday to Saturday

- | | |
|-----------------------------|---|
| Delamere Street (east side) | (a) From its junction with Old Street for a distance of 15 metres in a southerly direction
(b) From its junction with Wellington Street to its junction with Wood Street |
| Delamere Street (west side) | (a) From its junction with Old Street for a distance of 20 metres in a southerly direction
(b) From its junction with Wellington Street to its junction with Wood Street |

SCHEDULE 3

Waiting Limited to 30 minutes, No Return within 1 Hour Monday -Saturday 8.00am - 6.00pm

- | | |
|-----------------------------|---|
| Delamere Street (west side) | (a) From point 20 metres south of its junction with Old Street to a point 3 metres north of its junction with Wellington Street |
|-----------------------------|---|

SEALING NUMBER80748.....
(To be completed by Sealing Officer)

TAMESIDE LEGAL SERVICES

SEALING AUTHORITY

I certify that this document should be sealed under the following authority:- *(delete as necessary)*

1. Resolution of Committee on

OR

2. Delegated Power exercised by *Councillor A. Whitehead*
On *11/9/06*

Signed
Nominated Officer

Dated13/10/08.....

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