

TAMESIDE METROPOLITAN BOROUGH COUNCIL

THE TAMESIDE METROPOLITAN BOROUGH
(OLD STREET AREA, ASHTON-UNDER-LYNE)

(PROHIBITION OF WAITING AND LOADING AND RESTRICTION OF WAITING AND
LOADING ONLY) ORDER 2012

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.

"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;

(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;

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- (ii) where the vehicle does not have a dashboard or facia, 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 6 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 6 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, (Monday – Friday) 8am – 6pm inclusive on the sides of lengths of roads specified in the Schedule 2 to this Order.

4. Save as provided in Article 6 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.

5. Save as provided in Article 6 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 only bay on the sides of lengths of road as specified in Schedule 5 to this Order except for the purpose of enabling goods to be loaded onto or unloading from the vehicle.

6. (1) Nothing in Articles 2, 3, 4 and 5 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, 3 and 4 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 the Schedules to this Order, at any time.
- (3) 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 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 4 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
7. THE TAMESIDE METROPOLITAN BOROUGH (VARIOUS LOCATIONS, TAMESIDE) (TAXI RANK) ORDER 2007 shall have effect as though in Schedule 3 to that Order the side of length of road "Swan Street, Ashton under Lyne" were deleted therefrom.
8. THE GREATER MANCHESTER COUNTY (BOOTH STREET, DELAMERE STREET, WIMPOLE STREET, ENVILLE STREET, AND NEWTON STREET, ASHTON UNDER LYNE) PROHIBITION AND RESTRICTION OF WAITING (COUNTY) ORDER 1985 shall have the effect as though in Schedule 1 & 2 to that Order the side of length of road "Newton Street, Ashton under Lyne" were deleted therefrom.
9. THE TAMESIDE BOROUGH COUNCIL (HOWARD COURT AND GEORGE STREET ASHTON UNDER LYNE) (PROHIBITION OF WAITING) (AMENDMENT) ORDER 2008 is hereby revoked.
10. THE TAMESIDE BOROUGH COUNCIL (OLD STREET) (ASHTON UNDER LYNE) (PROHIBITION AND RESTRICTION OF WAITING AND PROHIBITION OF LOADING) ORDER 2006 shall have the effect as though Schedule 5 & 6 to that Order were deleted therefrom.
11. THE TAMESIDE BOROUGH COUNCIL (WELLINGTON STREET, ASHTON-UNDER-LYNE) (PROHIBITION OF WAITING) ORDER 2000 is hereby revoked
12. 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 November 2012 and may be cited as "THE TAMESIDE METROPOLITAN BOROUGH (OLD STREET AREA, ASHTON-UNDER-LYNE) (PROHIBITION OF WAITING AND LOADING AND RESTRICTION OF WAITING AND LOADING ONLY) ORDER 2012"

THE COMMON SEAL OF TAMESIDE
METROPOLITAN BOROUGH COUNCIL
was hereunto affixed on the 29th day
of October 2012 in the presence of



84088

Ag
Borough Solicitor
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SCHEDULE 1

- **No Waiting at Any Time**

Howard Court (both sides)	from its junction with George Street up to and including its cul de sac end
George Street (east side)	from its junction with Old Square to its junction with Howard Court
Newton Street (west side)	From its junction with Wimpole Street for a distance of 10 metres in a northerly direction
Newton Street (east side)	from its junction with Wimpole Street up to and including its cul de sac end
Wellington Street (north side)	From its junction with Old Street for a distance of 25 metres in an easterly direction
Wellington Street (north side)	From a point 50 metres east of its junction with Old Street to its junction with Oldham Road
Wellington Street (south side)	From its junction with Old Street to its junction with Oldham Road
Old Street (south side)	From its junction with George Street for a distance of 20 metres in an easterly direction
Old Street (south side)	From a point 50 metres east of its junction with George Street for a distance of 25 metres in an easterly direction
Old Street (south side)	From a point 100 metres east of its junction with George Street to a point 7 metres east of the extended eastern kerbline of Old Cross Street

SCHEDULE 2

- **No Waiting Mon- Fri, 8am -6pm**

Swan Street (west side)	from a point 10 metres south of its junction with Penny Meadow for a distance of 20 metres in a southerly direction
Newton Street (east side)	from a point 5 metres north of its junction with Penny Meadow to its junction with Wimpole Street

SCHEDULE 3

- **Limited Waiting Mon – Sat, 8am – 6pm, 30 minutes No Return within 1 hour**

Old Street (south side)	from a point 20 metres east of its junction with George Street for a distance of 30 metres in an easterly direction
	from a point 75 metres east of its junction with George Street for a distance of 25 metres in an easterly direction
Wellington Street (north side)	From a point 35 metres east of its junction with Old Street for a distance of 15 metres in an easterly direction

SCHEDULE 4

- **No Loading at Any Time**

Old Street (south side)	from its junction with Booth Street for a distance of 10 metres in an easterly direction
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SCHEDULE 5

- **Loading Only**

Wellington Street (north side)	from a point 25 metres east of its junction with Old Street for a distance of 10 metres in an easterly direction
Newton Street (west side)	from a point 10 metres north of its junction with Wimpole Street up to its cul de sac end
Wimpole Street (north side)	From a point 4 metres east of Cowhill Lane for a distance of 18 metres in an easterly direction