

TAMESIDE METROPOLITAN BOROUGH COUNCIL

TAMESIDE METROPOLITAN BOROUGH
(VARIOUS ROADS, ASHTON UNDER LYNE)
(24 HOUR CLEARWAY) ORDER 2014

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 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:-

"carriageway" means a way constituting or comprised in a highway being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles;

"lay-by" means any area of carriageway intended for the waiting of vehicles and bounded partly by a road marking of the type shown in diagram 1010 in Schedule 6 of the Traffic Signs Regulations and General Directions 2002, and partly by the outer edge of the carriageway on the same side of the road as that on which the marking is placed;

"main carriageway" means any carriageway used primarily by through traffic, includes any verge, but excludes any lay-by;

"verge" means any part of a road which is not a carriageway;

"bus stop area" means any area of carriageway intended for the waiting of buses, which is comprised within and indicated by a road marking complying with diagram 1025.1, 1025.3, or 1025.4 in Schedule 6 of the Traffic Signs Regulations and General Directions 2002, and with signs complying with diagram 970, 974 or 975 in Schedule 5 of the Traffic Signs Regulations and General Directions 2002.

"bus" has the same meaning as in Regulation 22 of the Traffic Signs Regulations and General Directions 2002.

(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.

2. Save as provided in Article 3 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 on any of the main carriageways comprised in the roads specified in the Schedule to this Order.
3. Nothing in Article 2 to this Order shall render it unlawful to cause or permit any vehicle to wait on any of the main carriageways referred to therein for so long as may be necessary to enable:-

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- (a) the vehicle if it cannot be conveniently 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 road comprising or including that carriageway; 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.
 - (v) 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;
 - (vi) the vehicle, to be used for the purpose of delivering or collecting postal packets as defined in the Postal Services Act 2000.
 - (vii) the vehicle to be used for Fire Brigade, Ambulance or Police purposes;
 - (b) the marked vehicle to be used by a universal service provider in the course of the provision of a universal postal service for the purpose of delivering or collecting postal packets as defined in the Postal Services Act 2000;
 - (c) the vehicle waiting on any main carriageway referred to in that Article while any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged is opened or closed, if it is not reasonably practicable for the vehicle to wait otherwise than on that carriageway; or
 - (d) in any case where when the person in control of the vehicle:-
 - (a) is required by law to stop;
 - (b) is obliged to stop in order to avoid an accident; or
 - (c) is prevented from proceeding by circumstances outside his control
4. No person shall cause or permit any vehicle to wait on any verge or lay-by immediately adjacent to any of the main carriageways comprised in the roads specified in Schedule 1 to this Order for the purpose of selling goods from that vehicle unless the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected.

5. THE GREATER MANCHESTER COUNTY (PARK PARADE AND CAVENDISH STREET, ASHTON-UNDER-LYNE)(CLEARWAY) ORDER 1976 is hereby revoked.
6. THE GREATER MANCHESTER COUNTY (CAVENDISH STREET / KING STREET / VICTORIA ROAD / DUKINFELD ROAD AND SIDE STREETS, ASHTON-UNDER-LYNE / DUKINFELD / HYDE) (PROHIBITION AND RESTRICTION OF WAITING) (COUNTY) ORDER 1985 shall have the effect as though Schedule 4 to that order were deleted therefrom.
7. 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 will come into operation on the 30th day of January 2015 and may be cited as **"TAMESIDE METROPOLITAN BOROUGH (VARIOUS ROADS, ASHTON UNDER LYNE) (24 HOUR CLEARWAY) ORDER 2014"**.

THE COMMON SEAL OF TAMESIDE
METROPOLITAN BOROUGH COUNCIL
was hereunto affixed on the 26 day of
January 2015 in the presence of


Borough Solicitor
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SCHEDULE

24 Hour Clearway

Cavendish Street (both sides)	From its junction with Old Street to its junction with Bank Street
Link road between Mossley Road and Park Parade (both sides)	From its junction with Mossley Road to its junction with Park Parade
Mossley Road (both sides)	From its junction with Stamford Street Central to its junction with the unnamed link road between Mossley Road and Park Parade.
Oldham Road (both sides)	From its junction with Park Parade up to and its junction with Stamford Street Central
Park Parade (both sides)	From its junction with Grafton Street to its junction with Chester Square / Margaret Street / Stockport Road / Manchester Road
Scotland Street (both sides)	From its junction with Park Parade up to and including its junction with Crickets Lane North
Stamford Street Central (both sides)	From its junction with Mossley Road up to and including its junction with Scotland Street.
Link Road between Park Parade and Stamford Street East (both sides)	From its junction with Park Parade to its junction with Stamford Street East.
Crickets Lane North (both sides of the southbound carriageway)	From its junction with Stamford Street Central for a distance of 50 metres in a northerly direction.