

TAMESIDE METROPOLITAN BOROUGH COUNCIL

**THE TAMESIDE METROPOLITAN BOROUGH
(SWAN STREET, ASHTON UNDER LYNE)
(PROHIBITION OF STOPPING AND TAXI RANK) ORDER 2015**

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 all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 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;

"authorised taxi rank" means an area of the 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 2002

"taxi" means a vehicle licensed under Section 37 of the Town Police Clauses Act 1847 or under any similar enactment;

"hours of operation" means the days and times specified on any of the suffixed signs to diagram 650.1, 650.2 or 650.3 in Schedule 2 of the Traffic Signs Regulations and General Directions 2002 as displayed on the authorised taxi rank;

2. Save as provided in Article 3 to this Order no person shall except upon the direction of or with the permission of a police constable in uniform or a civil enforcement officer, cause or permit any vehicle other than a taxi, to stop on the authorised taxi rank on the sides of lengths of roads specified in Schedule 1 to this Order at any time.

3. (1) Nothing in Article 2 shall render it unlawful for a person to cause or permit a vehicle to stop in the authorised taxi rank for so long as may be necessary to enable:-

(a) 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.
- (b) 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;
 - (c) the vehicle, to be used for the purpose of delivering or collecting postal packets as defined in the Postal Services Act 2000.
 - (d) 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
 - (e) the vehicle to be used for Fire Brigade, Ambulance or Police purposes.
 - (f) In any case where the person in control of the vehicle
 - (i) Is required by law to stop
 - (ii) Is obliged to stop so as to prevent an accident; or
 - (iii) Is prevented from proceeding by circumstances beyond their control
4. The Council are satisfied that for facilitating the passage of vehicular traffic on the specified road, it is requisite that Section 3(1) of the said Act of 1984 shall not apply in relation to the sides of lengths of road specified in Schedule 1 to this Order.
5. THE TAMESIDE METROPOLITAN BOROUGH (OLD CROSS STREET, GLEBE STREET, MULBERRY STREET, SWAN STREET, FLETCHER STREET, CORK STREET, GEORGE STREET AND WELLINGTON ROAD, ASHTON-UNDER-LYNE) (RESTRICTION OF WAITING AND LOADING, ONE-WAY TRAFFIC, TAXI RANK AND LOADING BAY) ORDER 2007 shall have the effect as though Schedule 5 to that Order were deleted therefrom.
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 28th day of September 2015 and may be cited as **THE TAMESIDE METROPOLITAN BOROUGH (SWAN STREET, ASHTON UNDER LYNE) (PROHIBITION OF STOPPING AND TAXI RANK) ORDER 2015"**

THE COMMON SEAL OF TAMESIDE
METROPOLITAN BOROUGH COUNCIL
was hereunto affixed on the 21st day of September
2015 in the presence of


Borough Solicitor



SCHEDULE 1

Authorised taxi rank (No stopping at any time except taxis)

Swan Street (west side) - from a point 5 metres south of its junction with Fletcher Street for a distance of 17 metres in a southerly direction.