

TAMESIDE METROPOLITAN BOROUGH COUNCIL

**TAMESIDE METROPOLITAN BOROUGH (WHITEACRE ROAD, CURZON ROAD AND
RUSSELL STREET, ASHTON-UNDER-LYNE) (PROHIBITION OF WAITING AND
LOADING) 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 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:-

"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)(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;

(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;

- (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 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, at any time, on the sides of lengths of roads specified in Schedule 1 and 2 to this Order.

3. Nothing in Article 2 and 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 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 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 2 to this Order, at any time, except between the hours of 8.00am to 9.30am Monday to Saturday and 4.00pm to 6.00pm Monday to Friday inclusive.

(3) 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.

(4) 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 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 and 2 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 (WHITEACRE ROAD, ASHTON-UNDER-LYNE) (PROHIBITION AND RESTRICTION OF WAITING AND LOADING) ORDER 2013 shall have the effect as though to following sides of lengths of roads were deleted therefrom

Schedule 1

Whiteacre Road (north west side)	from a point 7 metres south west of its junction with Rodney Street for a distance of 86 metres in a north easterly direction
Russell Street (both sides)	from its junction with Whiteacre Road for a distance of 15 metres in a south easterly direction
Curzon Road (north side)	from a point 15 metres north west of Whiteacre Road for a distance of 15 metres in a north westerly direction.

Schedule 3

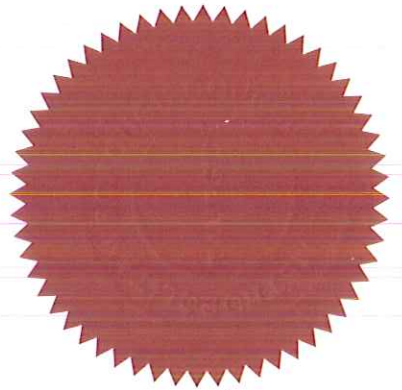
Whiteacre Road (both sides)	from a point 20 metres south west of its junction with Curzon Road to a point 20 meters north east of that junction.
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6. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation 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 22 day of January 2016 and may be cited as "TAMESIDE METROPOLITAN BOROUGH (WHITEACRE ROAD, CURZON ROAD AND RUSSELL STREET, ASHTON-UNDER-LYNE) (PROHIBITION OF WAITING AND LOADING) ORDER 2015".

THE COMMON SEAL OF TAMESIDE
METROPOLITAN BOROUGH COUNCIL
was hereunto affixed on the 22 day
of January 2016 in the presence of


Borough Solicitor
M



87113

SCHEDULE 1

No Waiting at Any Time

Curzon Road (south west side)	From a point 15 metres south east of its junction with Whiteacre Road to its junction with Hulme Street
Curzon Road (both sides)	From a point 15 metres north west of its junction with Whitacre Road for a distance of 15 metres in a north westerly direction.
Russell Street (north side)	From its junction with Whiteacre Road for a distance of 20 metres in an easterly direction.
Russell Street (south side)	From its junction with Whiteacre Road for a distance of 17 metres in an easterly direction.
Whiteacre Road (north westerly side)	From a point 20 metres north east of its junction with Curzon Road to appoint 26 metres south of its junction with Arlies Street.

SCHEDULE 2

No Waiting at Any Time and No Loading, Monday – Saturday 8am – 9.30am and Monday – Friday 4pm – 6pm.

Whiteacre Road (north west side)	From a point 20 metres south west of its junction with Curzon Road to a point 20 meters north east of that junction.
Whiteacre Road (south easterly side)	From a point 20 metres south west of its junction with Curzon Road to its junction with Russell Street.

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Tameside MBC - Sealing Authority Form

About the Document

Title of document (or description)	TAMESIDE METROPOLITAN BOROUGH (WHITEACRE ROAD, CURZON ROAD AND RUSSELL STREET, ASHTON-UNDER-LYNE) (PROHIBITION OF WAITING AND LOADING) ORDER 2015
Other main parties (if any)	

About the Sealing Authority

Date of decision	Traffic Regulation Order Programme 2012/13 - 2014/15 7 th August 2012
Type of authority	<p>Delegated decision of <u>Robin Monk</u> *</p> <p>Key/Executive Decision of Cllr _____</p> <p>*If the decision is a delegated decision, the person making the decision must sign the form or other evidence that they have taken the decision must be attached..</p>

Contact details

Please return documents/send queries to:	Clare Kenyon x3929
Address to return to	Traffic Operations, Tame Street Depot

Special Sealing Requirements

Insert any special requirements here (eg requirements to seal plans initial etc).

Signed.....*Robin Monk*.....*

Date.....*11/1/16*.....

*If the decision has been taken by an officer, the officer taking the decision must sign the form or other evidence that they have taken the decision must be attached.

NUMBER IN SEAL REGISTER.....*87153*..... (to be completed by Sealing Officer)