

TAMESIDE METROPOLITAN BOROUGH COUNCIL

**THE TAMESIDE METROPOLITAN BOROUGH
(WINDMILL LANE, DENTON)
(DISABLED PERSONS' PARKING PLACE) ORDER 2005**

THE TAMESIDE METROPOLITAN BOROUGH COUNCIL in exercise of its powers under Sections 32 and 35(1) 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 area of carriageway which 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, together with a sign complying with diagram 661A. in Schedule 2 of the Traffic Signs Regulations and General Directions 2002, authorised or designated by an Order made or having effect as if made under the Act of 1984;

"driver" in relation to a vehicle waiting in a parking place means the person driving the vehicle at the time it was left in the parking place.

"disabled person's badge" has the same meaning as in the Disabled Persons (Badges For Motor Vehicles)(England) Regulations 2000, or the Chronically Sick & Disabled Persons Act 1970.

"disabled person's vehicle" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"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. The part of road specified in Column 1 of the Schedule to this Order is authorised to be used, subject to the following provisions of this Order, as a parking place for such classes of vehicles in such positions as are specified in relation to that part of road in the said Schedule.
 3. Where in the Schedule to this Order, the parking place is described as available for vehicles of a specified class or in a specified position, the driver of a vehicle shall not permit it to wait in the parking place:-
 - (1) unless it is of the specified class; or
 - (2) if it is in a position other than that specified.
 4. (1) The driver of a vehicle shall not permit it to wait in a parking place for longer than the maximum period permitted for waiting specified in the Schedule to this Order in relation to that parking place.

(2) When a vehicle has left the parking place after waiting thereon the driver thereof shall not within 1 hour after its leaving permit it to wait again upon that parking place.
 5. The driver of a vehicle shall not use the parking place so as unreasonably to prevent access to any premises adjoining the road, or the use of the road by any other person, or so as to be a nuisance.
 6. The driver of a vehicle using the parking place shall stop the engine as soon as the vehicle is in position in the parking place and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.
 7. No person shall use the vehicle whilst it is in the parking place in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his skill or services.
 8. When a vehicle is left in the parking place in contravention of any of the provisions of Articles 3 and 4 of this Order a person authorised in that behalf may remove the vehicle or arrange for it to be removed from that parking place: Provided that when a vehicle is waiting in the parking place in contravention of the provisions of Article 3(2) of this Order, a person authorised in that behalf may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.
 9. Any person removing the vehicle or altering its position by virtue of the last preceding Article of this Order may do so by towing or driving the vehicle or in such a manner as he may think necessary and take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position as the case may be.
 10. When a person removes or makes arrangements for the removal of a vehicle from the parking place by virtue of Article 8 of this Order, he shall make such arrangements as may be necessary for the safe custody of the vehicle.

11. Nothing in this Order shall render it unlawful to cause or permit any vehicle to wait in the parking place for so long as may be necessary to enable:-

(1) 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:-

(a) building, industrial or demolition operations;

(b) the removal of any obstruction to traffic;

(c) the maintenance, improvement or reconstruction of the said parking place; or

(d) the laying, erection, alteration or repair in, or the land adjacent to, the parking place 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.

(2) 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;

(3) the vehicle, to be used for the purpose of delivering or collecting postal packets as defined in the Postal Services Act 2000;

(4) 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

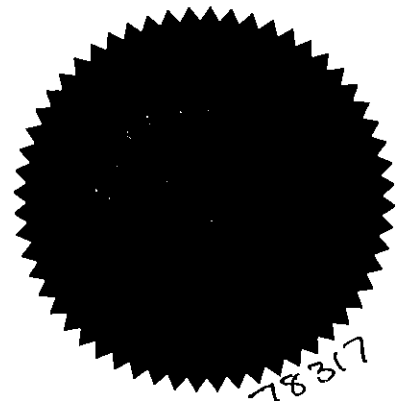
(5) the vehicle to be used for Fire Brigade, Ambulance or Police purposes.

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 16th day of February 2006 and may be cited as **"THE TAMESIDE METROPOLITAN BOROUGH (WINDMILL LANE, DENTON) (DISABLED PERSONS' PARKING PLACE) ORDER 2005"**.

THE COMMON SEAL OF TAMESIDE
METROPOLITAN BOROUGH COUNCIL
was hereunto affixed on the 16th day of February 2006
in the presence of


Borough Solicitor



SCHEDULE

(Disabled Persons Parking Bay)

Column 1	Column 2	Column 3	Column 4	Column 5
Parts of road in Tameside Metropolitan Borough	Position in which Vehicle may wait	Class of Vehicle	Days and Hours of Operation Parking Place	Maximum Period that Vehicle may wait
Windmill Lane, Denton, (south east side) from a point 94 metres south west of the southerly kerb line of Windsor Road for a distance of 6 metres in a southerly direction.	Wholly within the limits of the parking persons' place, parallel to the kerb	Disabled persons vehicle	All days and hours	3 hours

SEALING NUMBER.....78317.....

Issue No: 3

(To be completed by Sealing Officer)

Issue Date: 1.4.98

TAMESIDE LEGAL SERVICES

SEALING AUTHORITY

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

1. Resolution of DENTON DA Committee on 26th JANUARY 2006

OR

2. Delegated Power exercised by
on

Signed

John Lyssell
Nominated Officer

Dated

14-2-06