

TAMESIDE METROPOLITAN BOROUGH COUNCIL

THE TAMESIDE METROPOLITAN BOROUGH
(TOWN LANE, CIRCULAR ROAD & CHESTNUT GARDENS, DENTON)
(PROHIBITION & RESTRICTION OF WAITING) ORDER 2010

THE TAMESIDE METROPOLITAN BOROUGH COUNCIL in exercise of its powers under Sections 1(1), 2(1), 2(2) and Part IV of Schedule 9 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:-

"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 or that period is clearly legible from outside of the vehicle or;
- (ii) where the vehicle does not have a dashboard or fascia, 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, that period is clearly legible from the outside of the vehicle.

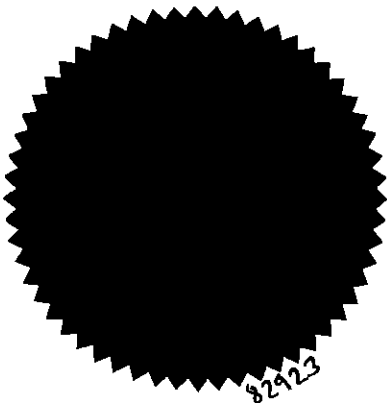
- (3) except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.
2. Save as provided in Articles 4 and 5 to this Order no person shall except upon the direction or with the permission of a police 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 to this Order.
3. Save as provided in Articles 4 and 5 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 between the hours of 8.00am and 7pm on Monday to Saturday inclusive, on the sides of lengths of roads specified in Schedule 2 to this Order.
4. (1) Nothing in Articles 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 Articles 2 and 3 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 Schedules 1 and 2 to this Order, at any time.

5. 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 Schedules 1 and 2 to this Order 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).
6. "THE TAMESIDE METROPOLITAN BOROUGH (VARIOUS ROADS, DENTON) (PROHIBITION AND RESTRICTION OF WAITING, LOADING AND UNLOADING) ORDER 2008" shall have the effect as though in Schedule 5 to that Order, the sides of lengths of roads specified in Schedule 3 to this Order were deleted therefrom.
7. "THE TAMESIDE METROPOLITAN BOROUGH (TOWN LANE AND CIRCULAR ROAD, DENTON) (PROHIBITION OF WAITING) ORDER 2007" is hereby revoked.
8. 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.

This Order shall come into operation on the 25th day of March 2011 and may be cited as "THE TAMESIDE METROPOLITAN BOROUGH (TOWN LANE, CIRCULAR ROAD & CHESTNUT GARDENS, DENTON) (PROHIBITION & RESTRICTION OF WAITING) ORDER 2010"

THE COMMON SEAL OF TAMESIDE
METROPOLITAN BOROUGH COUNCIL
was hereunto affixed on the 23rd day of
March 2011 in the presence of


Borough Solicitor



SCHEDULE 1

“No Waiting at Any Time”: -

TOWN LANE
(North side)

From a point 28 metres south west of its junction with Circular Road to a point 5 metres north east of its junction with Chestnut Gardens.

TOWN LANE
(South side)

From a point 15 metres south west of its junction with Circular Road to a point 46 metres north east of that junction.

CIRCULAR ROAD
(Both sides)

From its junction with Town Lane for a distance of 15 metres in a southerly direction.

CHESTNUT GARDENS
(Both sides)

From its junction with Town Lane for a distance of 10 metres in a northerly direction.

SCHEDULE 2

“No Waiting, Monday – Saturday, 8am – 7pm inclusive”:-

TOWN LANE
(North side)

From a point 5 metres north east of its junction with Chestnut Gardens to a point 15 metres south west of its junction with Acre Street.

TOWN LANE
(South side)

From a point 46 metres north east of its junction with Circular Road to a point 15 metres south west of its junction with Acre Street.

SCHEDULE 3

“Revoke”:-

TOWN LANE
(North side)

From a point 15 metres west of its junction with Acre Street to its junction with Circular Road.

TOWN LANE
(South side)

From a point 15 metres west of its junction with Acre Street to a point 15 metres east of its junction with Circular Road.

SEALING NUMBER
(To be completed by Sealing Officer)

TAMESIDE LEGAL SERVICES

SEALING AUTHORITY

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

1. Resolution of Committee on

OR

2. Delegated Power exercised by ROBIN MONK
On 15/10/2010

Signed *John Lysser*
Nominated Officer

Dated *21st March 2011*