

TAMESIDE METROPOLITAN BOROUGH COUNCIL

**THE TAMESIDE METROPOLITAN BOROUGH
(OFF STREET HIGHWAY, MANOR ROAD AREA, DROYLSDEN)
(PROHIBITION OF WAITING, DISABLED PERSONS PARKING PLACE & LIMITED
WAITING PARKING PLACE) ORDER 2012**

THE TAMESIDE METROPOLITAN BOROUGH COUNCIL in exercise of its powers under Sections 1(1), 1(2), 2(1), 2(2), 2(3), 4(2), 32, 35(1) and 35(3) 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:-

"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;

"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;

"owner" means the person by whom the vehicle is kept; and for the purpose of determining who was the owner of the vehicle at any time, it shall be presumed that the owner was the person who was the registered keeper of the vehicle at that time;

"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;

- (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 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 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 13 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. The parts of road specified in Column 1 of Schedules 2 and 3 to this Order are 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 Schedules.
4. Where in Schedule 2 and 3 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.
5. A disabled person's vehicle must display in the relevant position a disabled person's badge.
6. 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 2 and 3 to this Order in relation to that parking place.

7. 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.
8. 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.
9. 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.
10. 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 5(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.
11. 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.
12. When a person removes or makes arrangements for the removal of a vehicle from the parking place by virtue of Article 10 of this Order, he shall make such arrangements as may be necessary for the safe custody of the vehicle.
13. (1) Nothing in this order shall render it unlawful to cause or permit any vehicle to wait 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 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 the Schedules 1 and 3 to this Order, at any time.
 - (3) 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 Schedule 1 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)
 - (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, to wait on any of the sides of lengths of roads referred to in those Schedule 3.
15. Pursuant to section 35A(3)(a) of the Road Traffic Regulation Act 1984, the person responsible for any contravention or non compliance with this Order shall be the person who was the Owner of the vehicle involved in the contravention at the material time.
 16. THE TAMESIDE METROPOLITAN BOROUGH COUNCIL WINDSOR ROAD/MANOR ROAD, DROYLSDEN (PROHIBITION OF WAITING) ORDER 1989 is hereby revoked.
 17. THE TAMESIDE METROPOLITAN BROUGH COUNCIL (WINDSOR ROAD/MANOR ROAD, DROYLSDEN) (PROHIBITION OF WAITING) (AMENDMENT) ORDER 2007 is hereby revoked.
 18. 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 14th day of December 2012 and may be cited as **"THE TAMESIDE METROPOLITAN BOROUGH (OFF STREET HIGHWAY, MANOR ROAD AREA, DROYLSDEN) (PROHIBITION OF WAITING, DISABLED PERSONS PARKING PLACE & LIMITED WAITING PARKING PLACE) ORDER 2012"**

THE COMMON SEAL OF TAMESIDE
METROPOLITAN BOROUGH COUNCIL
was hereunto affixed on the 10th day of
December 2012 in the presence of


Borough Solicitor
M



84163

SCHEDULE 1

No Waiting at Any Time

Road name	Extent
Area of highway located to the south of Manor Road bounded on the east side by Cooper Street and the south side by Manchester Road (eastern side)	- From a point 26.9 metres east from its junction with Manor Road measured along the kerbline and in front of limited waiting parking places for a distance of 6 metres in a southerly direction and more accurately defined on the attached drawing (MPT3A-EM5-16-TGD-631).
Area of unnamed 'off street' highway located to the south of Manor Road bounded on the east side by Cooper Street and on the south side by Manchester Road (eastern side of access)	- From its junction with Manor Road for a distance of 12.5 metres in a southerly then easterly direction measured along its kerbline and more accurately defined on the attached drawing (MPT3A-EM5-16-TDG-631)
Windsor Road (west side)	- From a point 9 metres north of its junction with Manor Road for a distance of 66 metres in a northerly direction.
Windsor Road (east side)	- From a point 13 metres north of its junction with Manor Road for a distance of 18 metres in a northerly direction.

SCHEDULE 2

Disabled Persons Parking Place 24 hours

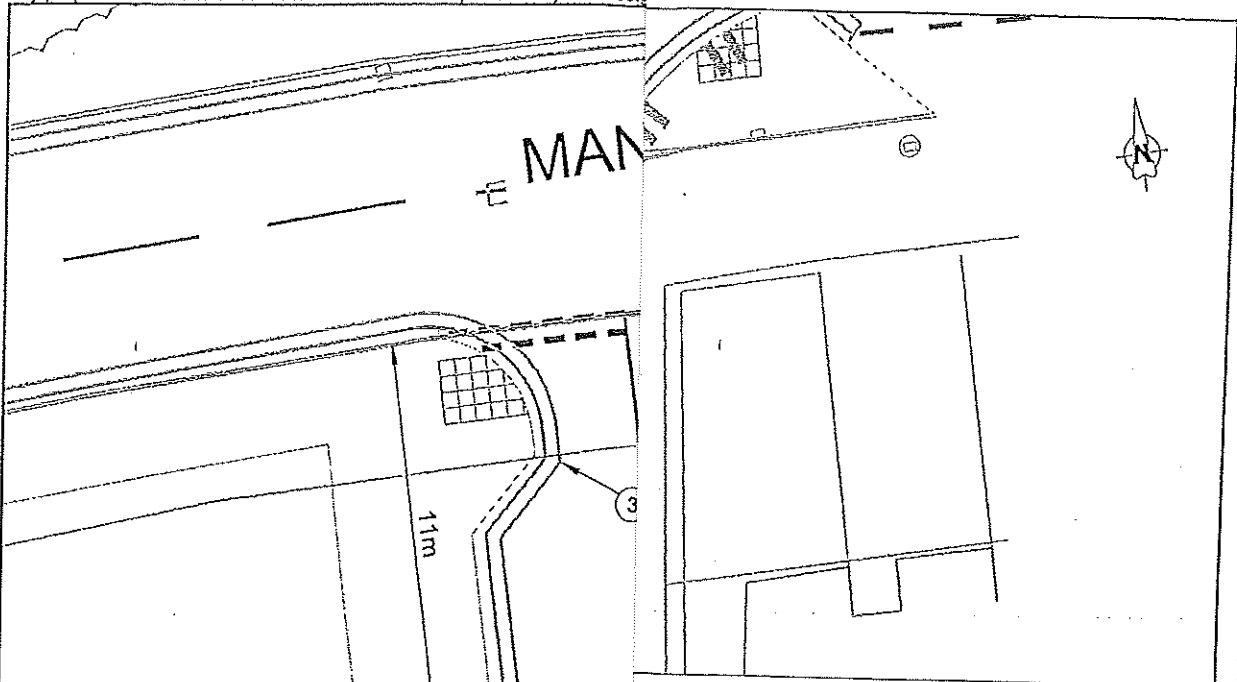
Column 1 Parts of the road authorised to be used as parking place	Column 2 Class of vehicle	Column 3 Manner of standing in the parking place	Column 4 Days of operation of the parking place	Column 5 Hours of operation of the parking place	Column 6 Maximum number of bays within the disabled parking place
All that part of the south east area of unnamed 'off street' highway located to the south of Manor Road bounded on the east side of Cooper Street and on the south side by Manchester Road which is bounded on the south east side by so much of the carriageway of that off street highway as extends from a point 29 metres south of its junction with Manor Road measured along the kerbline for a distance of 7.2 metres in an easterly direction having a width throughout of 6 metres and more accurately defined on the attached drawing (MPT3A-EM5-16-TDG-631)	Disabled person's vehicle displaying in the relevant position a disabled person's badge	Wholly within the limits of the parking place	Monday to Sunday	24 hours	2
All that part of the south east area of unnamed 'off street' highway located to the south of Manor Road bounded on the east side by Cooper Street and on the south side by Manchester Road which is bounded on the south east side by so much of the carriageway of that off street highway as extends from a point 38.8 metres south of its junction with Manor	Disabled person's vehicle displaying in the relevant position a disabled person's badge	Wholly within the limits of the parking place	Monday to Sunday	24 hours	1

Road measured along its
kerbline for a distance of
4.6 metres in an easterly
direction having a width
throughout of 6 metres
and more accurately
defined on the attached
drawing (MPT3A-EM5-
16-TDG-613)

SCHEDULE 3

Limited waiting 1 hour, No Return within 2 hours, Monday – Saturday 8.00am – 6.00pm

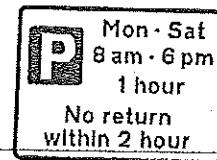
Column 1 Parts of the road authorised to be used as parking place by any motor vehicle	Column 2 Manner of standing in the parking place	Column 3 Days of operation of the parking place	Column 4 Hours of operation of the parking place and maximum period permitted for waiting	Column 5 Maximum number of bays within the disabled parking place
All that part of the north area of unnamed 'off street' highway located to the south of Manor Road bounded on the east side by Cooper Street and on the south side by Manchester Road which is bounded on the north side by so much of the carriageway of that off street highway as extends from a point 12.5 metres south of its junction with Manor Road measured along its kerbline for a distance of 14.4 metres in an easterly direction having a width throughout of 4.8 metres and more accurately defined on the attached drawing (MPT3A-EM5-16-TDG-631).	Wholly within the limits of the parking place	Monday to Saturday	8am -6pm 1 hour maximum stay, no return within 2 hours	6
All that part of the south area of unnamed 'off street' highway located to the south of Manor Road bounded on the east side by Cooper Street and on the south side by Manchester Road which is bounded on the north side by so much of the carriageway of that off street highway as extends from a point 11 metres south of its junction with Manor Road measured along its kerbline for a distance of 18 metres in an easterly direction having a width throughout of 4.8 metres and more accurately defined on the attached drawing (MPT3A-EM5-16-TDG-631).	Wholly within the limits of the parking place	Monday to Saturday	8am -6pm 1 hour maximum stay, no return within 2 hours	6



SIGN DETAILS



S01
diag 661A



S02
diag 661.1

KEY

2

ITEM NUMBER (SEE ORDER SCHEDULE)

NO WAITING AT ANY TIME

LIMITED WAITING BAYS
MONDAY TO SATURDAY
8AM - 6PM 1 HOUR,
NO RETURN WITHIN 2 HOURS

DISABLED PERSONS PARKING
PLACE
MONDAY TO SUNDAY (7 DAYS)
24 HOURS A DAY



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DISABLED

TER METROLINK PHASE 3A
AST MANCHESTER

HIGHWAY RESTRICTIONS
AFFIC REGULATION ORDERS
TER ROAD/MANOR ROAD)

Rev	Date	Description
D03	20/04/12	TAXI RANK
D02	14.12.10	TRO'S ITEM
D01	19.04.10	FIRST ISSUE

15-16-TDG-631

Rev:

D03

A3

Tameside MBC - Sealing Authority Form

About the Document

Title of document (or description)	THE TAMESIDE METROPOLITAN BOROUGH (OFF STREET HIGHWAY, MANOR ROAD AREA, DROYLSDEN) (PROHIBITION OF WAITING, DISABLED PERSONS PARKING PLACE & LIMITED WAITING PARKING PLACE) ORDER 2012
Other main parties (if any)	

About the Sealing Authority

Date of decision	Executive Decision Report – Promotion of Metrolink related Traffic Regulation Orders (Amendments) – 26/10/12
Type of authority	Key/Executive Decision of Cllr Peter Robinson 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..

Contact details

Please return documents/send queries to:	Clare Kenyon
Address to return to	X3929

Special Sealing Requirements

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

Please seal attached plan

Signed.....

Date.....5th December 2012

*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.....88163..... (to be completed by Sealing Officer)