

TAMESIDE METROPOLITAN BOROUGH COUNCIL

THE TAMESIDE METROPOLITAN BOROUGH
(STOCKPORT ROAD AND MARKET STREET, HYDE)
(PROHIBITION AND RESTRICTION OF WAITING AND LOADING) ORDER 1998

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 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 said Act of 1984, hereby makes the following Order.

1.(1) In this Order:-

"authorised taxi rank" means any area of 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 1994:

"disabled person's badge" has the same meaning as in the Disabled Persons (Badges For Motor Vehicles) Regulations 1982:

"disabled person's vehicle" has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986:

"taxi" has the same meaning as in Section 37 of the Towns Police Clauses Act 1847 or any similar enactment:

"parking disc" means a disc, issued by a local authority, complying with the requirements of the British Standard Specification for Parking Discs (B.S.4631:70), but coloured orange, 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.

(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.

(c) 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, 5 and 7 to this Order no person shall except upon the direction or with the permission of a Police Constable in uniform or of a traffic warden, 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, 6 and 8 to this Order no person shall except upon the direction or with the permission of a Police Constable in uniform or of a traffic warden, cause or permit any vehicle to wait between the hours of 8.00am and 6.30pm on Monday to Saturday inclusive on the sides of lengths of roads specified in Schedule 2 to this Order:-
 - (a) for a longer period than 30 minutes; or
 - (b) if a period of less than 1 hour has elapsed since the termination during the said hours of the last period of waiting, if any, by that vehicle on the same side of length of road.
- 4.(1) Nothing in Articles 2 and 3 to this Order 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) a person 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 telecommunications apparatus as defined in the Telecommunications Act 1984.
 - (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 Section 87 of the Post Office Act 1953;
 - (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 being a taxi, to wait upon an authorised taxi rank.
5. 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 the person in charge of the vehicle, has marked the time at which the period of waiting began) to wait on any side of length of road referred to in Schedule 1 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 such period lies entirely within the period during which the exemption as to loading and unloading specified in Article 7 applies.

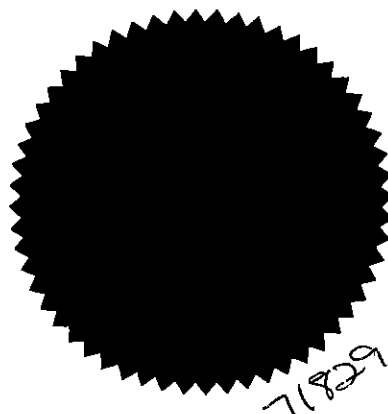
6. Nothing in Article 3 to this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge to wait on the sides of lengths of roads referred to in that Article.
7. Nothing in Article 2 to this Order shall render it unlawful to cause or permit any vehicle to wait for so long as it 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 except between the hours of 8.00am to 9.30am and 4.30pm to 6.30pm, Monday to Friday inclusive;
8. Nothing in Article 3 to this Order shall render it unlawful to cause or permit any vehicle to wait for so long as it 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.
9. THE GREATER MANCHESTER COUNTY (MARKET STREET/STOCKPORT ROAD, HYDE) (PROHIBITION OF WAITING) (COUNTY) ORDER 1982 shall have effect as though in Schedule 1 to that Order the side of length of Stockport Road referred to therein is deleted therefrom.
10. BOROUGH OF HYDE (MARKET STREET/STOCKPORT ROAD/LUMN ROAD/SMITHY LANE) (PROHIBITION OF WAITING) ORDER 1967 shall have effect as though in the Schedule to that Order:-
 - (a) item 2 was deleted therefrom;
 - (b) the side of length of road specified in item 3 was deleted therefrom and the following side of length of road substituted therefor:-

Stockport Road, on its north easterly side from a point 45 metres south east of its junction with Smithy Lane for a distance of 60 metres in a south easterly direction.
- 11 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 July 1999 and may be cited as "**THE TAMESIDE METROPOLITAN BOROUGH (STOCKPORT ROAD AND MARKET STREET, HYDE) (PROHIBITION AND RESTRICTION OF WAITING AND LOADING) ORDER 1998**"

THE COMMON SEAL OF TAMESIDE
METROPOLITAN BOROUGH COUNCIL
was hereunto affixed on the 14th day of July
1999 in the presence of


Borough Solicitor



SCHEDULE 1

(No waiting at any time and no loading Mon-Fri 8.00-9.30am and 4.30-6.30pm)

Stockport Road - from its junction with Smithy Lane for a distance of 23 metres in a
(easterly side) south easterly direction.

SCHEDULE 2

(Limited waiting, Mon-Sat, 8.00am-6.30pm, 30 mins no return within 1 hour)

Market Street - from a point 55metres south east of its junction with Dawson Street for a
(southerly side) distance of 34 metres in a south easterly direction.

Stockport Road - from a point 23 metres south east of its junction with Smithy Lane to a
(easterly side) point 45 metres south east of that junction.

SEALING NUMBER.....71829.....

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 HYDE DA Committee on 26th
October 1998

OR

- 2. Delegated Power exercised by
on 19

Signed  A. GOODACRE,
Nominated Officer

Dated 2ND JULY 1999