

# APPENDIX 3

## TAMESIDE METROPOLITAN BOROUGH COUNCIL

### **TAMESIDE METROPOLITAN BOROUGH (CLARE STREET AND PALATINE STREET AREA, DENTON) (PROHIBITION OF DRIVING) ORDER 2023**

Tameside Metropolitan Borough Council, in exercise of its powers under Sections 1, 2 and 4 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;

"authorised permit," means a permit issued by the Council authorising the driver of the vehicle to enter or proceed in any of the lengths of roads specified in the Schedule to this order at any time.

(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.

(3) For the purpose of this Order a vehicle shall be regarded as displaying:-

(a) an authorised permit in the relevant position, when:-

- (i) in the case of a vehicle fitted with a front windscreen, the permit 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 permit is exhibited in a conspicuous position on the front or near side of the vehicle.

2 Save as provided in Articles 3 and 4 of 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 enter or proceed in any of the lengths of roads specified in the Schedule to this order, between the hours of 07.45 – 09.15 and 15.00 – 15.45 Monday to Friday each school term time unless that vehicle is displaying in the relevant position an authorised permit issued by the Council.

- 3 (1) Nothing in Article 2 of this Order shall apply so as to prevent any person from causing any vehicle to proceed in the roads referred to in that article, if the vehicle is being used:-
- a) for building, industrial or demolition operations;
  - b) for the maintenance, improvement or reconstruction of the said sides of lengths of roads;
  - c) in the service of a local authority or any other Authority in the pursuance of statutory powers or duties;
  - d) for 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;
  - e) for the purpose of delivering or collecting postal packets as defined in the Postal Services Act 2000;
  - f) for Fire Brigade, Ambulance or Police purposes.
  - g) for any wedding or funeral
- (2) 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 enter or proceed in any of the lengths of roads referred to in that Article.
- 4 The prohibitions and restrictions imposed by this order shall not apply to drivers in possession of an authorised permit which allows access to premises adjacent to the roads in this order, within the times the order is in force.
- 5 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 will come into operation on the **x day of [month][year]** and may be cited as THE TAMESIDE METROPOLITAN BOROUGH (CLARE STREET AND PALATINE STREET AREA, DENTON) (PROHIBITION OF DRIVING) ORDER 2023

THE COMMON SEAL OF TAMESIDE  
METROPOLITAN BOROUGH COUNCIL  
was hereunto affixed on the **[day/month/year]**  
in the presence of

**Authorised Signatory**

## SCHEDULE

### Prohibition of Driving (except authorised permit holders) when Temporary Road Signage is in place

<b>Name of Road</b>	<b>Effective Length</b>	<b>Effective Time</b>
Clare Street	Its entire <b>length</b>	07.45 – 09.15 and 15.00 – 15.45 Monday to Friday each school term time.
Palatine Street	From a point 40 metres south of its junction with Clare Street to a point 15 metres north of its junction with Palatine Court	07.45 – 09.15 and 15.00 – 15.45 Monday to Friday each school term time.
Palatine Court	Its entire length	07.45 – 09.15 and 15.00 – 15.45 Monday to Friday each school term time.
Palatine Mews	Its entire length	07.45 – 09.15 and 15.00 – 15.45 Monday to Friday each school term time.