

Network Planning, Safety & Management  
Highways & Engineering  
4<sup>th</sup> Floor, The Wellsprings  
Civic Centre  
Bolton BL1 1US  
01204 33 66 77

**Bolton  
Council**

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## **Experimental Traffic Regulation Order**

Order No. **937108**

Ref. **JF/JPJ/PDH**

Subject **Bolton Town Centre – Pedestrian Priority Zone / Restricted Parking Zone**

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### **Statement of reasons**

1. To facilitate the expeditious, convenient and safe movement of traffic in the town centre and to preserve and improve the amenities in the area.
2. To close the eastern end of Corporation Street in order to create a pedestrian only area. Deansgate between Knowsley Street and Mealhouse Lane would become a pedestrian only area.
3. Introduction of a bus gate on Deansgate to prevent traffic short cutting through Deansgate from Bradshawgate.
4. To create two service loops for delivery vehicles.

### **Attached**

1. Legal notice
2. Plans
3. Draft orders

**[bolton.gov.uk/trafficorders](https://bolton.gov.uk/trafficorders)**  
**[highways@bolton.gov.uk](mailto:highways@bolton.gov.uk)**

## **What is an Experimental Traffic Order?**

An experimental order is much like a permanent traffic regulation order in that it is a legal document which imposes traffic and parking restrictions such as road closures, one-way streets, weight restrictions, width restrictions, banned turns, bus/cycle lanes, controlled parking and on-street parking places.

An Experimental Traffic Order is made under Sections 9 and 10 of the Road Traffic Regulation Act 1984 ("the Act") and all other enabling powers after consultation with the chief officer of police in accordance with Schedule 9 to the 1984 Act.

Unlike a permanent order an experimental order can only stay in force for a maximum of 18 months while the effects of the ban are monitored and assessed (and changes made if necessary), before the Council decides whether or not to continue the experimental order on a permanent basis.

## **Is it possible to object to an experimental traffic regulation order?**

It is not possible to lodge a formal objection to an experimental traffic regulation order until it is in force. Once it is in force, objections may be made to the order being made permanent and these must be made within six months of the day that the experimental order comes into force.

If the experimental order is changed, then objections may be made within six months of the day that the experimental order is changed.

# **BOROUGH COUNCIL OF BOLTON**

**1. THE BOLTON (BOLTON TOWN CENTRE) (PEDESTRIAN PRIORITY ZONE) (EXPERIMENTAL) (NO. 42) ORDER 2011**

**2. THE BOLTON (BOLTON TOWN CENTRE) (RESTRICTED PARKING ZONE) (EXPERIMENTAL) (NO. 43) ORDER 2011**

**3. THE BOLTON (DEANSGATE, BOLTON) (BUS GATE PROHIBITION OF DRIVING) (EXPERIMENTAL) (NO. 44) ORDER 2011**

**4. THE BOLTON (DEANSGATE, BOLTON) (PROHIBITION OF WAITING AND PROHIBITION OF LOADING AND UNLOADING) (EXPERIMENTAL) (NO. 45) ORDER 2011**

The Borough Council of Bolton have made Orders under Sections 9, 10 and 11 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, the effect of the Orders which will be operative from 7<sup>th</sup> November 2011, will be to establish:

## **Order 1:**

Pedestrian Priority Zone:

Prohibition of Motorised Vehicles 9.30am to 5.00pm:

Loading/Unloading Only 5.00pm to 9.30am:

Corporation Street from Knowsley Street to Market Street;

Market Street from Corporation Street to Hotel Street;

Hotel Street from Victoria Square to Mealhouse Lane;

Mealhouse Lane from Hotel Street to Deansgate;

Millwell Lane from Corporation Street to 3m north of Deansgate;

Lorne Street for its full length

Back Hotel Street for its full length;

Deansgate from Market Street for 32m in a westerly direction

During the Orders period of operation it will suspend the following restrictions:

Prohibition of Driving – except buses and pedal cycles (except for access and blue badge holders between 4.30pm and 11.00am):

Deansgate (southern carriageway) from Bradshawgate to Crown Street

Deansgate from Crown Street to Bridge Street;

Bridge Street from Deansgate to Corporation Street;

Bridge Street from Corporation Street to Bow Street

Prohibition of Driving – (except for access and blue badge holders between 4.30pm and 11.00am):

Deansgate from Knowsley Street to Market Street:

Bridge Street (eastern carriageway) from Bow Street to Corporation Street;

Corporation Street for its full length;

Market Street for its full length;

Hotel Street for its full length;

Back Hotel Street for its full length;

Mealhouse Lane for its full length;

Lorne Street for its full length;

Woods Court from Deansgate for 36m in a northerly direction;

Un-named passageway between 15 and 17 Deansgate for its full length;

Millwell Lane from Corporation Street to 3m north of Deansgate;

One Way Traffic for Permit Holders Only:

Deansgate from Knowsley Street to Market Street;

Market Street from Deansgate to Hotel Street;

Hotel Street for its full length;

Back Hotel Street for its full length;

Mealhouse Lane for its full length;

Bridge Street from Deansgate to Corporation Street;

Bridge Street (western carriageway) from Corporation Street to Bow Street;  
Corporation Street for its full length;

Deansgate from Bradshawgate to Bridge Street;

Entry between 15 and 17 Deansgate for its full length

One Way Traffic:

Deansgate between Knowsley Street and Knowsley Street from Knowsley Street towards Market Street;

Deansgate between Crown Street and Bridge Street from Crown Street towards Bridge Street;

#### **Order 2:**

Restricted Parking Zone:

Loading/Unloading Only in signed bays:

Crown Street from Deansgate for 16m in a northerly direction;

Deansgate from Crown Street to Bridge Street;

Bridge Street from Deansgate to Bow Street;

Un-named passageway between 15 and 17 Deansgate for its full length

Loading/Unloading Only:

Bridge Street east side from 6m south of the extended southern kerb-line of Bow Street to 81m south of the extended southern kerb-line of Bow Street

One Way Only:

Corporation Street from Knowsley Street to Market Street. Permitted direction of travel – eastbound;

Market Street from Corporation Street to Hotel Street. Permitted direction of travel – southbound;

Hotel Street from Market Street to Mealhouse Lane. Permitted direction of travel – eastbound;

Mealhouse Lane from Hotel Street to Deansgate. Permitted direction of travel – northbound

Lorne Street from Bridge Street to Market Street. Permitted direction of travel – westbound;

Crown Street from Deansgate for a distance of 13m in a northerly direction. Permitted direction of travel – southbound;

Deansgate from Bradshawgate to Bridge Street. Permitted direction of travel – westbound;

Bridge Street from Deansgate to Bow Street. Permitted direction of travel – northbound

Prohibition of Driving:

Deansgate for its full width from Bridge Street to Market Street;

Deansgate for its full width from 32m west of Market Street to Knowsley Street;

Woods Court for its full width from Deansgate for 3m in a northerly direction;

Corporation Street for its full width from Bridge Street to Market Street

#### **Order 3:**

Bus Gate:

Buses, Pedal Cycles and Taxis Only:

Deansgate from Bradshawgate to Crown Street

#### **Order 4:**

No Waiting At Any Time:

No Loading/Unloading At Any Time:

Deansgate from Bradshawgate to Crown Street

It is the Council's intention that if within a period of 6 months from the coming into force of these Orders, no objections have been received, then under Sections 84(1) to (4) and Schedule 9 of the Road Traffic Regulation Act 1984, of the Road Traffic Regulation Act 1984, the Council will make permanent Orders to continue the restrictions in force indefinitely.

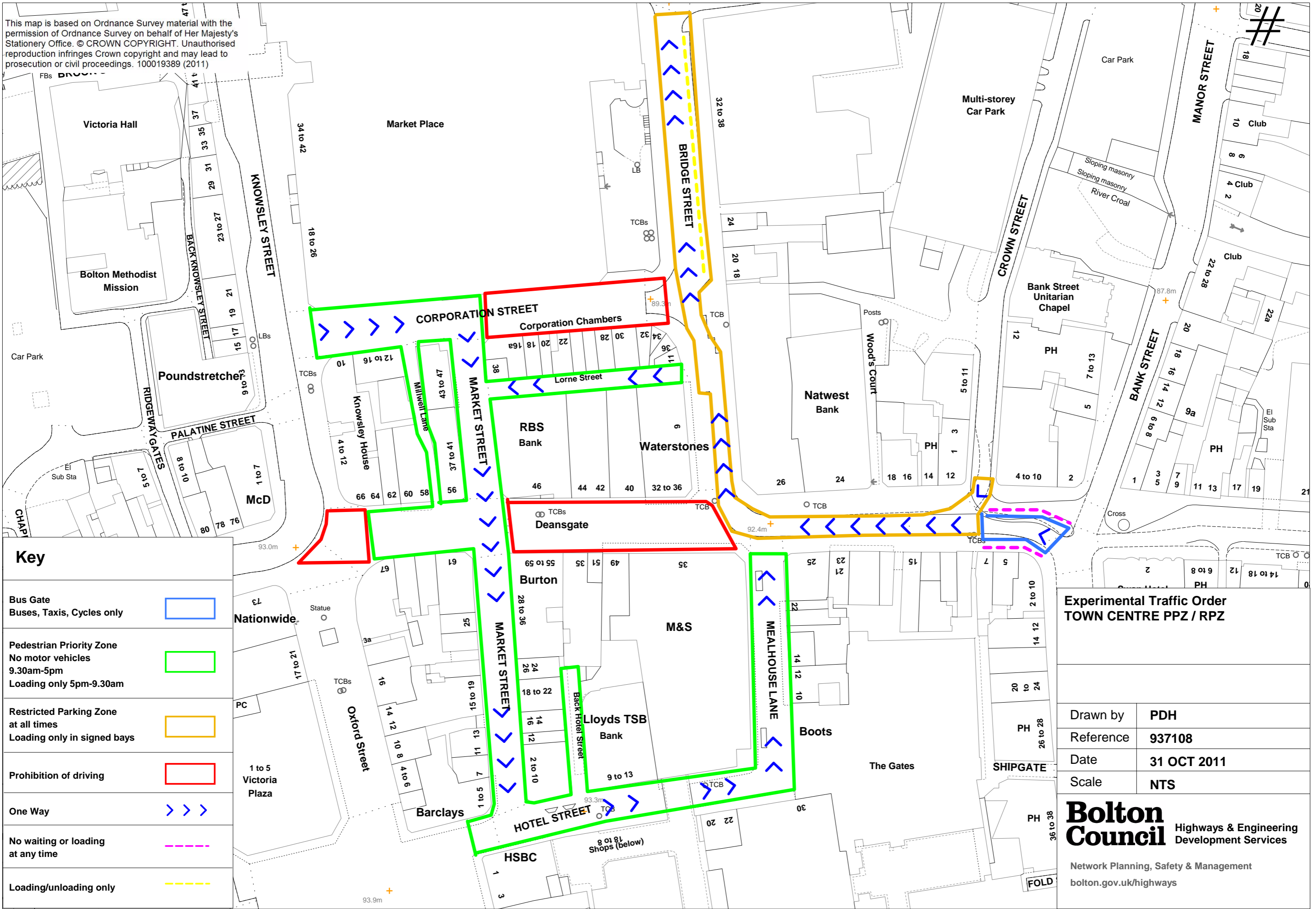
Copies of the Orders, together with relevant documentation and a statement of the Council's reasons for the Orders may be inspected at the office of the Highways and Engineering Development Services, 4<sup>th</sup> Floor, Civic Centre, Bolton, during normal office hours.

Objections or representations to the Orders should state the grounds on which they are made, the Order to which they refer and sent either by e-mail to [highways@bolton.gov.uk](mailto:highways@bolton.gov.uk) or by writing to Highways and Engineering Development Services 4<sup>th</sup> Floor, The Wellsprings, Civic Centre, Bolton BL1 1US.

Dated 31<sup>st</sup> October 2011

A. R. Eastwood  
Director of Legal & Democratic Services  
Town Hall  
Bolton  
BL1 1RU

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**Key**

- Bus Gate**  
 Buses, Taxis, Cycles only
- Pedestrian Priority Zone**  
 No motor vehicles  
 9.30am-5pm  
 Loading only 5pm-9.30am
- Restricted Parking Zone**  
 at all times  
 Loading only in signed bays
- Prohibition of driving**
- One Way**
- No waiting or loading at any time**
- Loading/unloading only**

**Experimental Traffic Order  
TOWN CENTRE PPZ / RPZ**

Drawn by	PDH
Reference	937108
Date	31 OCT 2011
Scale	NTS

**Bolton Council** Highways & Engineering  
Development Services  
Network Planning, Safety & Management  
bolton.gov.uk/highways

BOROUGH COUNCIL BOLTON

THE BOLTON (BOLTON TOWN CENTRE) (PEDESTRIAN PRIORITY ZONE)  
(EXPERIMENTAL) (NO. 42) ORDER 2011

The Borough Council of Bolton, in exercise of their powers under Section 9, 10 and 11, of the Road Traffic Regulation Act 1984, and Part 1V of Schedule 9 to the said Act of 1984, and of all other enabling powers and after consultation with the Chief Officer of Greater Manchester Police in accordance with Part 111 of Schedule 9 to the said Act of 1984, hereby make the following Order.

1. (1) In this Order

“the Act of 1980” means the Highways Act 1980;

“the Act of 1984” means the Road Traffic Regulation Act 1984;

“the Regulations 1986” means the Road Vehicles (Construction and Use) Regulations 1986;

“the Act of 1988” means the Road Traffic Act 1988;

“the Act of 1994” means the Vehicle Excise and Registration Act 1994;

“the General Directions 2002” The Traffic Signs Regulations and General Directions 2002;

“motor vehicle” has the same meaning as in Section 136 of the Act of 1984;

“motor-cycle” has the same meaning as in the Regulations 1986;

“ambulance” has the same meaning as in paragraph 6(2) of Schedule 2 to the Act of 1994;

“police vehicle” has the same meaning as in regulation 4 of the Regulations 2002;

“contravention” has the same meaning as in Section 58(1) of the Act of 1995;

“causes” includes permitting.

(2) Any reference in this Order, to an enactment shall include any Act, or subordinate legislation as defined in Section 21(1) of the Interpretation Act 1978.

(3) Any reference in this Order, to an enactment shall be construed as reference to that enactment as amended, applied, consolidated, re-enacted by, or having effect by virtue of a subsequent enactment;

(4) Any reference in this Order, to a numbered Article, Paragraph or Schedule shall,

unless the context otherwise requires, be construed as a reference to the Article, Paragraph, or Schedule bearing that number in this Order.

- (5) The Interpretation Act 1978, shall apply for the interpretation of this Order, as it applies for the interpretation of an Act of Parliament.
- (6) For the purposes of this Order, a vehicle shall be regarded as displaying a dispensation if:
  - (a) the dispensation is used only in accordance with the current conditions specified by the Council;
  - (b) the whole dispensation is displayed only on the vehicle of the named resident, individual, relevant Department, business, or organisational holder, to whom it was issued and only on the vehicle it was issued in respect of;
  - (c) the vehicle displaying the whole dispensation is either being used directly in the service of a specific business, organisational, or relevant Department function, or in connection with the commercial activity, or works, or a purpose approved by the Council for which it was issued and the vehicle only stops, stands, waits, loads and or unloads, or otherwise remains at rest (other than in the case of a general dispensation), on the length of road specified in the Schedule to this Order, for which it was issued;
  - (d) the whole dispensation is continuously displayed face up in a conspicuous position on the vehicles' dashboard, in the relevant position and with the length of road specified in the Schedule to this Order, clearly legible to a person standing on the kerb, adjacent to the front of the vehicle and is in force and valid;
  - (e) the whole dispensation displayed as referred to in (d) above is valid for that length of road specified in the Schedule to this Order, and the purpose for which it was issued, at that time, on that day.
2. Save as provided in Articles 4, 5 and 6, of this Order no person shall except upon the direction of, or with the permission of, a police constable in uniform cause any motor vehicle to enter, drive through or stop, stand, wait, load and or unload or otherwise remain at rest in the lengths of roads specified in Part 1 of the Schedule to this Order between the hours of 9.30am and 5.00pm.
3. Save as provided in Articles 4,5 and 6, of this Order no person shall cause any vehicle to load and or unload other than in the lengths of roads specified in Part 2 of the Schedule to this Order and then only between the hours of 5.00pm (on one day) and 9.30am (on the following day).
4. Nothing in this Order shall render it unlawful to cause any vehicle which is a liveried vehicle or an unmarked vehicle of a police force and being used by a police officer

either in plain clothes or in uniform and on duty, to enter, drive through, stop, stand, wait, load and or unload, or otherwise remain at rest in any length of road specified in Part 1 and Part 2 of the Schedule to this Order, but only for so long as is necessary to enable that police officer to complete a duty assigned to him, by and or as directed by a senior police officer;

5. Nothing in Articles 2 and 3 shall render it unlawful to cause a vehicle which is either an ambulance, or a vehicle (mechanically propelled, or otherwise) used by a registered paramedic on duty, attending at the scene of an accident, or similar incident, to enter, drive through, stop, stand, wait, load and or unload, or otherwise remain at rest in any length of road, referred to in those said Articles.

6. Nothing in this Order shall render it unlawful to cause any vehicle to enter, drive through, stop, stand, wait, load and or unload, or otherwise remain at rest in the lengths of road specified in Part 1 and Part 2 of the Schedule, but only for so long as is necessary to enable:

(a) the removal of any obstruction to traffic;

or to stop, stand, wait, load and or unload, or otherwise remain at rest if the vehicle is:

(b) used in the service of a fire brigade;

(c) used by a civil enforcement officer in uniform and on duty, or is used by an employee of the Council's Parking Services only for so long as is necessary to enable the completion of designated duties, or used by the Council's authorised agent in performance of assigned duties;

(d) employed directly in the service of a local authority or local highway authority and owned by them;

(e) employed directly in the service of a statutory undertaker or water undertaker;

(f) employed directly in the service of an operator as defined in 1(2) of Schedule 2 of the Telecommunications Act 1984, in respect of the alteration as defined in 1(2) of Schedule 2, to that 1984 Act, of any telecommunications apparatus as defined in 1(1) of Schedule 2, to that 1984 Act;

(g) a liveried or marked vehicle which, whilst used by a universal service provider in the course of the provision of a universal postal service, is stationary only for as long as is necessary for the purpose of delivering or collecting postal packets;

7. Nothing in this Order, shall render it unlawful to cause a vehicle which continuously displays face up in a conspicuous position on the vehicles' dashboard, in the relevant position, a whole valid dispensation issued by the Council in accordance with the provisions of this Order, to stop, stand, wait, load and or unload, or otherwise remain at rest on a length of road, referred to in the schedule to this Order, providing that the whole dispensation is continuously displayed face up in a conspicuous position on the

vehicles' dashboard, in the relevant position and in accordance with Article 1(6) and is clearly legible to a person standing on the kerb, adjacent to the front of the vehicle.

8. (1) A person or persons, may apply to the Council for a dispensation, or dispensations for a specific vehicle or vehicles', for use directly in connection with a stated relevant Department function, business or organisational purpose, or commercial activity, or works at, or in an adjoining, or adjacent premises to any side of length of road specified in the Schedule to this Order, for a specific purpose and period of time. Any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form. Any dispensation issued by the Council shall be at its sole discretion and subject to such terms, conditions and or charge, as the Council may from time to time decide.
  - (2) A dispensation shall be in writing and at the sole discretion of the Council, may be numbered and also include any, all, or none of the following particulars:
    - (a) the registration or index mark of the vehicle in respect of which the dispensation was issued;
    - (b) the length of road, specified in the Part 2 of the Schedule to this, or either a side of length of road and the purpose for which the dispensation is valid;
    - (c) the period for which the dispensation shall remain valid;
    - (d) an authentication that the dispensation has been issued by the Council
  - (3) At all times during which a vehicle referred to in paragraph (1) above stops, stands, waits, loads and or unloads, or otherwise remains at rest, in a length of road specified in Part 2 of the Schedule there shall be continuously displayed face up in a conspicuous position on the vehicles' dashboard, in the relevant position and in accordance with Article 1(6), a whole valid dispensation issued in respect of the vehicle, valid for that specific purpose, time, length of road, specified in Part 2 of the Schedule, when loading and or unloading only is permitted and clearly legible to a person standing on the kerb, adjacent to the front of the vehicle.
  - (4) A dispensation issued by the Council under and in accordance with the provisions of this Order, remains the property of the Council and may be revoked or withdrawn by the Council, without entitlement to any refund in respect of the amount paid for the dispensation, at any time in circumstances of miss-use, or for operational, or other reasons.
9. Any stationary vehicle caused to stop, stand, wait, load and or unload, or otherwise remain at rest on any length of road specified in Part 2 of the Schedule to this Order in circumstances specified in Regulation 5C of the (SI No. 183) Regulations 1986, may be removed or caused to be removed and when a vehicle is so removed, the removal, storage and disposal charges shall be those as published in accordance with the (SI No. 3487 Order 2007.

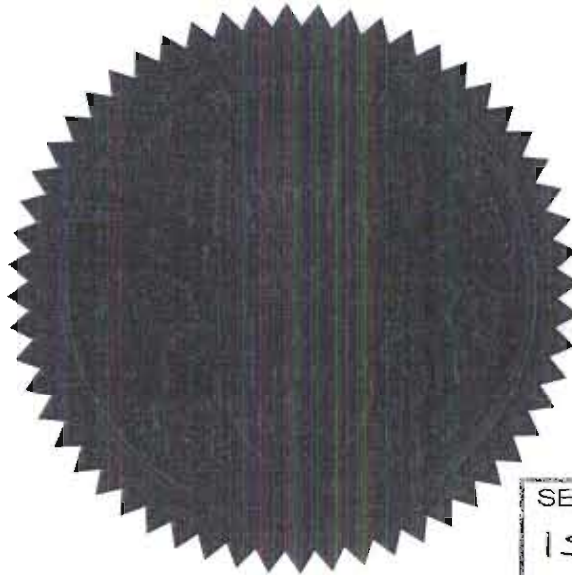
10. Any vehicle which is observed and recorded by a civil enforcement officer in uniform, that has been caused to stop, stand, wait, load and or unload, or otherwise remain at rest, on a length of road specified in Part 2 of the Schedule to this Order, in circumstances specified in paragraph 4 of Part 1 of Schedule 7 to the Act of 2004, may have in accordance with regulation 12 of the (SI No. 3483) General Regulations 2007 affixed to it by a civil enforcement officer in uniform, or another person acting under his direction, an immobilisation device.
11. When an immobilisation device is affixed to a stationary vehicle in circumstances referred to in Article 10 above the release charge shall be as published in accordance with the (SI No 3487) Order 2007.
12. Any vehicle, which is observed and recorded by a civil enforcement officer in uniform, or observed and recorded by an approved device, that has been caused to stop, stand, wait, load and or unload, or otherwise remain at rest, on a length of road, specified in Part 2 of the Schedule to this Order in such circumstances as specified in paragraph 4 of Part 1 of Schedule 7 to the Act of 2004, shall be subject to the service of a penalty charge notice in accordance with regulation 8 of the (SI No. 3483) General Regulations 2007.
13. (a) An authorised officer of the Council with a title specified below is hereby authorised to act in accordance with Section 116 of the Act of 1984:
  - (i) Head of Parking Services;
  - (ii) Finance and Performance Manager;
  - (iii) Operations and Performance Manager;
  - (iv) Assistant Operations and Performance Manger
- (b) A civil enforcement officer in uniform is hereby authorised to act in accordance with Section 94 of the Traffic Management Act 2004.
14. Where road or property names have been changed following reclassification, renaming renaming or numbering, the descriptive names within the Order may be changed without changing the effect of the Order.
15. Where parts of the is Order (and any subsequent Amendment or Consolidation Orders) have been mis-quoted, mis-transposed, omitted or are subject to typographical errors during the compilation process, the text of the Order may be amended without changing the effect of the Order and without the need for re-advertisement. The errors, omissions and other alterations covered in this item should be listed in an errata sheet and appended to the Order.

16. During the operation of this Order the provisions contained in Parts 1, 2, 3 and 4 of Schedule 1 and Schedule 2 to the Bolton (Deansgate and Market Place Area) (Prohibition of Driving and Traffic Regulation) (No. 17) Order 1988 will be suspended.
17. This Order shall come into operation on the 7<sup>th</sup> November 2011 and may be cited as The Bolton (Bolton Town Centre) (Pedestrian Priority Zone) (Experimental) (No.42) Order 2011

COMMON SEAL of THE  
BOROUGH COUNCIL OF  
BOLTON was hereto affixed  
on the 31<sup>st</sup> day of October 2011, in  
the presence of:-

A. R. 

Authorised Sealing Officer



SEALING NO. 15635
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(LS/DH 10.11)

## SCHEDULE

### PART 1

#### Prohibition of Motor Vehicles 9.30am to 5.00pm:

Corporation Street from its junction with Knowsley Street to its junction with Market Street;

Market Street from its junction with Corporation Street to Hotel Street;

Hotel Street from Victoria Square to its junction with Mealhouse Lane;

Mealhouse Lane from Hotel Street to its junction with Deansgate;

Millwell Lane from Corporation Street to a point 3 metres north of Deansgate;

Lorne Street for its full length;

Back Hotel Street for its full length;

Deansgate from Market Street for a distance of 32 metres in a westerly direction

### Part 2

#### Loading /Unloading Only 5.00pm to 9.30am:

Corporation Street from its junction with Knowsley Street to its junction with Market Street;

Market Street from its junction with Corporation Street to Hotel Street;

Hotel Street from Victoria Square to its junction with Mealhouse Lane;

Mealhouse Lane from Hotel Street to its junction with Deansgate;

Millwell Lane from Corporation Street to a point 3 metres north of Deansgate;

Lorne Street for its full length;

Back Hotel Street for its full length;

Deansgate from Market Street for a distance of 32 metres in a westerly direction

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**BOROUGH COUNCIL BOLTON****THE BOLTON (BOLTON TOWN CENTRE) (RESTRICTED PARKING ZONE)**  
**(EXPERIMENTAL) (NO. 43) ORDER 2011**

The Borough Council of Bolton, in exercise of their powers under Section 9, 10 and 11, of the Road Traffic Regulation Act 1984, and Part 1V of Schedule 9 to the said Act of 1984, and of all other enabling powers and after consultation with the Chief Officer of Greater Manchester Police in accordance with Part 111 of Schedule 9 to the said Act of 1984, hereby make the following Order.

## 1. (1) In this Order

“the Act of 1980” means the Highways Act 1980;

“the Act of 1984” means the Road Traffic Regulation Act 1984;

“the Regulations 1986” means the Road Vehicles (Construction and Use) Regulations 1986;

“the Act of 1988” means the Road Traffic Act 1988;

“the Act of 1994” means the Vehicle Excise and Registration Act 1994;

“the Act of 2000” means the Postal Services Act 2000;

“the Act of 2004” means the Traffic Management Act 2004;

“the ( SI No. 183) Regulations 1986” means The Removal and Disposal of Vehicles Regulations 1986;

“the (SI No. 25 ) Regulations 2001” means the Motor Vehicles (Approval) Regulations 2001;

“the General Directions 2002” The Traffic Signs Regulations and General Directions 2002;

“the (SI No. 3483) General Regulations 2007” means The Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

“the (SI No. 3487) Order 2007” means The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007;

“Penalty Charge” has the same meaning as in regulation 2(1) of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

“Penalty Charge Notice” means a Penalty Charge Notice served by the Council, in accordance with regulation 8 of the (SI No. 3483), General Regulations 2007, the penalty charge amount of which will be as set in the current notification, published under Part 3 of Schedule 9 to the Act of 2004 and in accordance with the (SI No. 3487) Order 2007;

“Council” means the Borough Council of Bolton, or its authorised agent;

“civil enforcement officer” has the same meaning as in Section 76 of the Act of 2004;

“approved device” has the same meaning as in Section 92 of the Act of 2004;

“owner” in relation to a vehicle has the same meaning as in Section 92 of the Act of 2004 ;

“owner” in relation to a vehicle subject to a hiring agreement or hire purchase agreement has the same meaning as in Section 192(1) of the Act of 1988;

“registered paramedic” has the same meaning as in the (SI No. 1590) Order 2003;

“local authority” and “local highway authority” have the same meaning as in Section 329 of the Act Of 1980;

“statutory undertaker” and “water undertaker” have the same meaning as in Section 329 of the Act of 1980;

“universal service provider” , “provision of a universal postal service” and “postal packet” have the same meanings as in the Act of 2000;

“road” has the same meaning as in Section 142(1)(a) of the Road Traffic Regulation Act 1984;

“carriageway” means the way constituting or comprised in a highway being a way (other than a cycle track) over which the public have the right of way for the passage of vehicles;

“motor vehicle” has the same meaning as in Section 136 of the Act of 1984;

“ambulance” has the same meaning as in paragraph 6(2) of Schedule 2 to the Act of 1994;

“police vehicle” has the same meaning as in regulation 4 of the Regulations 2002;

“enforcement officer” has the same meaning as in Section 94 of the Act of 2004;

“driver” in relation to a vehicle which stops, stands, waits, loads and or unloads, or otherwise remains at rest on a side of length of road specified in Part 3 of the Schedule to this Order, in specifically signed and or marked bays means the person driving the vehicle at the time it was caused to stop, stand, wait, load and or unload, or otherwise remain at rest on a side of length of road specified in Part 3 to the Schedule to this Order in specifically signed and or marked bays or stops, stands, waits, or otherwise remains at rest upon a side or sides of a length of road when loading and or unloading only is permitted, specified in Part 4 of the Schedule to this Order;

“junction” means the meeting point of the respective kerb-lines of the roads referred to and where appropriate, measurements shall be taken from the point of the intersection of the respective kerb-lines as projected;

“dispensation” means an authorisation in writing, issued by the Council in accordance with Article 1(6);

“goods” has the same meaning as in Section 58(1) of the Act of 1995;

“immobilisation device” has the same meaning as in Section 104(9) of the Act 1984;

“contravention” has the same meaning as in Section 58(1) of the Act of 1995;

“causes” includes permitting.

- (2) Any reference in this Order, to an enactment shall include any Act, or subordinate legislation as defined in Section 21(1) of the Interpretation Act 1978.
- (3) Any reference in this Order, to an enactment shall be construed as reference to that enactment as amended, applied, consolidated, re-enacted by, or having effect by virtue of a subsequent enactment;
- (4) Any reference in this Order, to a numbered Article, Paragraph or Schedule shall, unless the context otherwise requires, be construed as a reference to the Article, Paragraph, or Schedule bearing that number in this Order.
- (5) Where a linear restriction applies to a length of carriageway not being a clearway, the restriction shall have the effect that the carriageway and footway shall be restricted from the centre line to the rear of the appropriate footway, verge or grass verge including the entrance to any side road.
- (6) For the purposes of this Order, a vehicle shall be regarded as displaying a dispensation if:
  - (a) the dispensation is used only in accordance with the current conditions conditions specified by the Council;
  - (b) the whole dispensation is displayed only on the vehicle of the named resident, individual, relevant Department, business, or organisational holder, to whom it

was issued and only on the vehicle it was issued in respect of

- (c) the vehicle displaying the whole dispensation is either being used directly in the service of a specific business, organisational, or relevant Department function, or in connection with the commercial activity, or works, or a purpose approved by the Council for which it was issued and the vehicle only stops, stands, waits, loads and or unloads, or otherwise remains at rest (other than in the case of a general dispensation), on the length of road and or specifically signed and marked bay specified in Part 3, or on the side of the length of road when loading and or unloading only is permitted specified in Part 4 of the Schedule to this Order, for which it was issued;
- (d) the whole dispensation is continuously displayed face up in a conspicuous position on the vehicles' dashboard, in the relevant position and with the side of length of road and or specifically signed and marked bay specified in Part 3, or the side of the length of road when loading and or unloading only is permitted specified in Part 4 of the Schedule to this Order, clearly legible to a person standing on the kerb, adjacent to the front of the vehicle and is in force and valid;
- (e) the whole dispensation displayed as referred to in (d) above is valid for that side of length of road or specifically signed and marked bay specified in Part 3 or the side of the length of road when loading and or unloading only is permitted specified in Part 4 of the Schedule to this Order and the purpose for which it was issued, at that time, on that day.

(7) The Interpretation Act 1978, shall apply for the interpretation of this Order, as it applies for the interpretation of an Act of Parliament.

2. Save as provided in Article 9 no person shall, except upon the direction or with the permission of a constable in uniform or of a traffic warden, cause any motor vehicle to proceed in the length of road specified in column 1 of Part 1 of the Schedule to this Order, in a direction other than that specified in relation to that length of road specified in column 2 of Part 1 of the Schedule to this Order.
3. Save as provided in Article 9 no person shall except upon the direction of, or with the permission of a police constable in uniform or a traffic warden cause any motor vehicle, to proceed in the lengths of road specified in Part 2 of the Schedule to this Order.
4. For the purposes of this Order, any vehicle stopping, standing, waiting, or otherwise remaining at rest and loading and or unloading within either a specifically signed and or marked bay during its permitted hours for loading and or unloading specified in Part 3 of the Schedule to this Order, or upon a side of length of road when loading and or unloading only is permitted, specified in Part 4 of the Schedule to this Order, shall be deemed to stop, stand, wait, load and or unload, or otherwise remain at rest for more than two minutes in the same place if any one part of the road or bay specified in Part 3 and Part 4 of the Schedule to this Order, is below any part of the vehicle or its load (if any) throughout a period exceeding two minutes, whether or not the vehicle is moved during that period.

5. (1) (a) No person shall, except upon the direction of, or with the permission of a police constable or civil enforcement officer in uniform, cause any vehicle, during the permitted hours for loading and or unloading, to stop, stand, wait, or otherwise remain at rest in a specifically signed and or marked bay provided for the loading and or unloading of vehicles specified in Part 3 of the Schedule to this Order, except for the purposes of loading and or unloading goods;
- (b) No person shall, except upon the direction of, or with the permission of a police constable or civil enforcement officer in uniform, cause any vehicle, during the permitted hours for loading and or unloading, to stop, stand, wait, or otherwise remain at rest on the side of length of road provided for the loading and or unloading only of vehicles specified in Part 4 of the Schedule to this Order, except for the purposes of loading and or unloading goods;
- (2) No person shall, except upon the direction of, or with the permission of a police constable or civil enforcement officer in uniform, cause a vehicle to stop, stand, wait, or otherwise remain at rest within either a specifically signed and or marked bay referred to in paragraph (1)(a) above, during its permitted hours for loading and or unloading or upon the side of length of road when loading and or unloading only is permitted referred to in paragraph 1(b) above, during the permitted hours for loading and or unloading only, other than for the purpose of allowing pre-determined goods to be loaded on, or pre-ordered goods to be unloaded from a vehicle and their conveyance into an adjacent or adjoining premises.
- (3) (a) Such loading and or unloading referred to in paragraph (2) above must be a constant and continuous operation and the vehicle must only stop, stand, wait, and load and or unload, within either a specifically signed and or marked bay referred to in paragraph (1)(a) above, or upon the side of length of road when loading and or unloading only is permitted, referred to in paragraph (1)(b) above for a maximum period of 40 minutes;
- (b) A vehicle referred to in paragraph (1)(a) and (1)(b) above shall be deemed to stop, stand, wait, load and or unload or otherwise remain at rest within a specifically signed and or marked bay upon a side or sides of length of road when loading and or unloading only is permitted, referred to in paragraph (1)(a) or on the side of length of road when loading and or unloading only is permitted referred to in paragraph (1)(b) above for more than the maximum period referred to in paragraph (3)(a) above, if either any one part of a specifically signed and or marked bay or length of the side of length of road, where loading and or unloading only is permitted, is below any part of the vehicle or its load (if any) throughout a period exceeding 40 minutes whether or not the vehicle is moved during that period.
- (6) Except upon the direction of, or with the permission of, a police constable or civil enforcement officer in uniform, every vehicle caused to stop, stand, wait, load and or unload, within either a specifically signed and or marked bay during the permitted hours for loading and or unloading, or upon a side or sides of length of road when loading and or unloading only is permitted, during its permitted hours for loading and or unloading only, referred to in paragraph (1) above, shall do so in accordance with

the provisions of this Order and with its wheels wholly within either a specifically signed and or marked bay, or within a marked space on the side of length of road where loading and or unloading only is permitted.

7. (1) Nothing in this Order, shall restrict either the power of the Council by notice, or the power of the Chief Constable of Greater Manchester Police, to suspend the operation of a specifically signed and or marked bay during its permitted hours for loading and or unloading, or any part thereof, referred to in Article 5(1), in order to prevent the obstruction of either the road within which that specifically signed and or marked bay, referred to above, or adjoining or adjacent roads, on an occasion when such road, or roads are thronged or liable to be obstructed and when the operation of such a specifically signed and or marked bay is suspended, either in whole or in part, the Council shall display a notice or notices to that effect at the specifically signed and or marked bay, or part thereof.

(2) When any specifically signed and or marked bay during its permitted hours for loading and or unloading, or any part thereof, specified in Part 3 of the Schedule, has its operation suspended pursuant to paragraph (1) above, no person shall cause a vehicle to stop, stand, wait, load and or unload, or otherwise remain at rest within a specifically signed and or marked bay or any part thereof, for the duration of the suspension, except for an ambulance attending at the scene of an accident or similar incident, or a vehicle (mechanically propelled, or otherwise) used by a registered paramedic on duty, or any vehicle which is a liveried vehicle of a police force and being used by a police officer in uniform and on duty and only for so long as is necessary to enable that police officer to complete a duty assigned to him, by and or as directed by a senior police officer, or any vehicle being used in the service of a fire brigade, or any vehicle being used by a civil enforcement officer in uniform and on duty, or any other vehicle so left with the permission, written or otherwise of:

(a) a police constable in uniform;

(b) an authorised officer of the Council, with a title specified below:

(i) Head of Parking Services;

(ii) Finance and Performance Manager;

(iii) Operations and Performance Manager;

(iv) Assistant Operations and Performance Manger;

or

(c) a civil enforcement officer in uniform

(3) Nothing in this Order, shall restrict the power of the Council, at its absolute discretion to temporarily suspend the operation of, either in whole or in part, any specifically signed and or marked bay, during its permitted hours for loading and or unloading, or to permanently or temporarily suspend a condition of its use, for

either operational, or other reasons and when such a specifically signed and or marked bay referred to above has its operation either in whole or in part suspended and or, a condition of its use suspended, the Council shall display a notice or notices to that effect, at that specifically signed and or marked bay, or part thereof, excepting in the case of a permanent suspension of a condition of use of a specifically signed and or marked bay, referred to above, when the Council may display a notice for an initial period of seven days only.

- (4) When a specifically signed and or marked bay situated in the lengths of road, specified in Part 3 of the Schedule, during its permitted hours for loading and or unloading, or any part thereof, has its operation or a condition of its use suspended pursuant to paragraph (3) above, no person shall cause a vehicle to stop, stand, wait, load and or unload, or otherwise remain at rest and or, contravene a condition of its use during the operation of the suspension, unless that vehicle continuously displays face up in a conspicuous position on the vehicles' dashboard in the relevant position and in accordance with Article 1(6) a whole valid dispensation which has been issued by the Council, for that vehicle and that specifically signed and or marked bay, at that time and for that purpose, or is allowed to stop, stand, wait, load and or unload, or otherwise remain at rest with the general, or specific agreement of an authorised officer of the Council, with a title specified Article 8(2)(b)(i) to (iv) and (c)
  - (5) When a specifically signed and or marked bay specified in Part 3 of the Schedule, during its permitted hours for loading and unloading, or any part thereof, has its operation either in whole or in part and or a condition of its use suspended pursuant to paragraph (3) above, the Council may at the end of such period of suspension (save when that suspension is a permanent suspension of a condition of use), display a notice or notices to that effect at the specifically signed and or marked bay, or part thereof.
8. Nothing in this Order shall render it unlawful to cause an ambulance, police vehicle, or any vehicle used in the service of a fire brigade or police force, to proceed contrary to Articles 2 and 3, in an emergency.
  9. Nothing in this Order shall render it unlawful to cause any vehicle to stop, stand, wait, load and or unload, or otherwise remain at rest within any specifically signed and or marked bay within a road specified in Part 3 or upon the side of length of road when loading and or unloading only is permitted, specified in Part 4, of the Schedule to this Order, during the prescribed hours but only for so long as is necessary to enable:
    - (a) the removal of any obstruction to traffic;or to stop, stand, wait, load and or unload, or otherwise remain at rest if the vehicle is:
    - (b) used by a civil enforcement officer in uniform and on duty, or is used by an employee of the Council's Parking Services only for so long as is necessary to enable the completion of designated duties, or used by the Council's authorised agent in performance of assigned duties;

- (c) used in the service of a fire brigade;
  - (d) employed directly in the service of a local authority or local highway authority and owned by them;
  - (e) employed directly in the service of a statutory undertaker or water undertaker;
  - (f) employed directly in the service of an operator as defined in 1(2) of Schedule 2 of the Telecommunications Act 1984, in respect of the alteration as defined in 1(2) of Schedule 2, to that 1984 Act, of any telecommunications apparatus as defined in 1(1) of Schedule 2, to that 1984 Act;
  - (g) a liveried or marked vehicle which, whilst used by a universal service provider in the course of the provision of a universal postal service, is stationary only for as long as is necessary for the purpose of delivering or collecting postal packets;
10. Nothing in this Order, shall render it unlawful to cause a vehicle which continuously displays face up in a conspicuous position on the vehicles' dashboard, in the relevant position, a whole valid dispensation issued by the Council, in accordance with the provisions of this Order, to stop, stand, wait, load and or unload, or otherwise remain at rest during the prescribed hours, in any specifically signed and or marked bay, on a side of length of road for loading and or unloading, or the side of length of road where loading and or unloading only is permitted, specified in Part 3 and Part 4 of the Schedule, providing that the whole dispensation is continuously displayed face up in a conspicuous position on the vehicles' dashboard, in the relevant position and in accordance with Article 1(6) and is clearly legible to a person standing on the kerb, adjacent to the front of the vehicle.
11. (1) A person or persons, may apply to the Council for a dispensation, or dispensations for a specific vehicle or vehicles', for use directly in connection with stated relevant Department function or business or organisational purpose, or commercial activity, or works at, or in an adjoining, or adjacent premises to any specifically signed and or marked bay, or the sides of lengths of road specified in Part 3 or 4 of the Schedule to this Order for a specific purpose and period of time. Any such application shall be made on a on a form issued by and obtainable from the Council and shall include the particulars and information required by such form. Any dispensation issued by the Council shall be at its sole discretion and subject to such terms, conditions and terms, conditions and or charge, as the Council may from time to time decide.
- (2) A dispensation shall be in writing and at the sole discretion of the Council, may be numbered and also include any, all, or none of the following particulars:
- (a) the registration or index mark of the vehicle in respect of which the dispensation was issued;
  - (b) the specifically signed and or marked bay, length road or the side of a length of road specified in Part 3 and Part 4 of the Schedule to this Order, and the purpose for which the dispensation is valid;

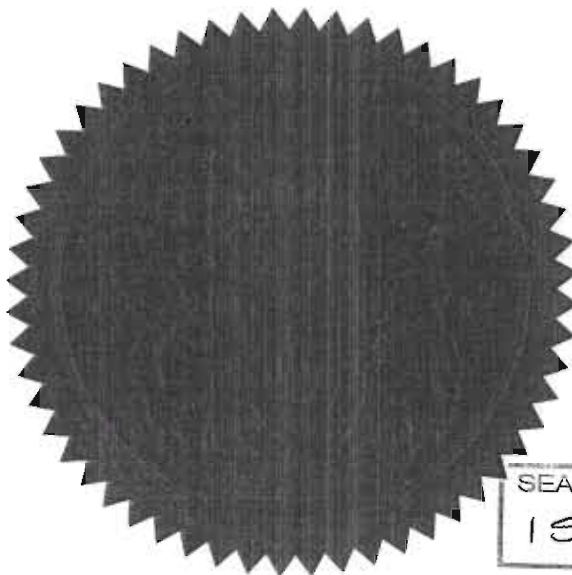
- (c) the period for which the dispensation shall remain valid;
  - (d) whether or not a condition of use of a specifically signed and or marked bay is involved;
  - (e) an authentication that the dispensation has been issued by the Council
- (3) At all times during which a vehicle referred to in paragraph (1) above stops, stands, waits, loads and or unloads, or otherwise remains at rest, within any specifically signed and or marked bay or side of length of road, or is used in connection commercial activity, within any specifically signed and or marked bay or side of length of road specified in Part 3 and Part 4 of the Schedule, there shall be continuously displayed face up in a conspicuous position on the vehicles' dashboard, in the relevant position and in accordance with Article 1(6), a whole valid dispensation issued in respect of the vehicle, valid for that specific purpose, time, specifically signed and or marked bay, and side of length of road specified in Part 3 and Part 4 of the Schedule, clearly legible to a person standing on the kerb, adjacent to the front of the vehicle.
- (4) A dispensation issued by the Council under and in accordance with the provisions of this Order, remains the property of the Council and may be revoked or withdrawn by the Council, without entitlement to any refund in respect of the amount paid for the dispensation, at any time in circumstances of miss-use, or for operational, or other reasons.
12. (1) When a police constable or civil enforcement officer in uniform, has reason to believe that a provision of this Order has not been complied with in respect of a vehicle he may alter or cause the position of the vehicle to be altered, in order that its position should comply with those provisions;
- (2) For the purposes of meeting the requirements of an emergency in respect of any side of length of road specified in Part 3 and Part 4 of the Schedule, a police constable or civil enforcement officer in uniform, may alter the position of a vehicle or may remove a vehicle from a side of length of road specified in Part 3 and Part 4 of the Schedule, or arrange for its removal and when it is so removed he shall make such arrangements as he may believe reasonably necessary for the safe custody of the vehicle in the place to which it has been removed.
13. Any stationary vehicle caused to stop, stand, wait, load and or unload, or otherwise remain at rest in circumstances specified in regulation 5C of the (SI No. 183) Regulations 1986, may be removed or cause to be removed and when a vehicle is so removed, the removal, storage and disposal charges shall be as those published in accordance with the (SI No. 3487) Order 2007

14. Any vehicle which is observed and recorded by a civil enforcement officer in uniform, that has been caused to stop, stand, wait, load and or unload, or otherwise remain at rest, within any specifically signed and or marked bay or side bay or side of length of road on any side of a length of road specified in Part 3 and Part 4 of the Schedule, in circumstances specified in paragraph 4 of Part 1 of Schedule 7 to the Act of 2004, may have in accordance with regulation 12 of the (SI No. 3483) General Regulations 2007 affixed to it by a civil enforcement officer in uniform, or another person acting under his direction, an immobilisation device.
15. When an immobilisation device is affixed to a stationary vehicle in circumstances referred in Article 14 above, the release charge shall be as published in accordance with (SI No. 3487) Order 2007.
16. Any vehicle, which is observed and recorded by a civil enforcement officer in uniform, or observed and recorded by an approved device, that has been caused to stop, stand, wait, load and or unload, or otherwise remain at rest, within any specifically signed and or marked bay or side of length of road specified in Part 3 and Part 4 of the Schedule, in such circumstances as specified in paragraph 4 of Part 1 of Schedule 7 to the Act of 2004, shall be subject to the service of a penalty charge notice in accordance with regulation 8 of the (SI No. 3483) General Regulations 2007.
17. (a) An authorised officer of the Council with a title specified below is hereby authorised to act in accordance with Section 116 of the Act of 1984:
  - (i) Head of Parking Services;
  - (ii) Finance and Performance Manager;
  - (iii) Operations and Performance Manager;
  - (iv) Assistant Operations and Performance Manger
- (b) A civil enforcement officer in uniform is hereby authorised to act in accordance with Section 94 of the Traffic Management Act 2004.
18. Where road or property names have been changed following reclassification, renaming or numbering, the descriptive names within the Order may be changed without changing the effect of the Order.
19. This Order during its period of operation will suspend Parts 1, 2 and 3 of Schedule 1 to The Bolton (Deansgate and Market Place Area) (Prohibition of Driving and Traffic Regulation) (No. 17) Order 1988
21. This Order shall come into operation on the 7<sup>th</sup> November 2011 and may be cited as The Bolton ( Bolton Town Centre) (Restricted Parking Zone) (Experimental) (No. 43) Order 2011

COMMON SEAL of THE  
BOROUGH COUNCIL OF  
BOLTON was hereto affixed  
on the 31<sup>st</sup> day of October 2011,  
in the presence of:-

A. R. S. H.

Authorised Sealing Officer



SEALING NO.

15636

(LS/DH 10.11)

## SCHEDULE

### Part 1

<u>Column 1</u>	<u>Column 2</u>
<b>Length of road</b>	<b>Permitted direction of travel</b>
Corporation Street, from its junction with Knowsley Street, to its junction with Market Street;	eastbound
Market Street, from its junction with Corporation Street, to its junction with Hotel Street;	southbound
Hotel Street, from its junction with Market Street to its junction with Mealhouse Lane;	eastbound
Mealhouse Lane, from its junction with Hotel Street, to its junction with Deansgate;	northbound
Lorne Street, from its junction with Bridge Street, to its junction with Market Street;	westbound
Crown Street, from its junction with Deansgate, for a distance of 13 metres in a northerly direction;	southbound
Deansgate, from its junction with Bradshawgate, to its junction with Bridge Street;	westbound
Bridge Street, from its junction with Deansgate, to its junction with Bow Street;	northbound

### Part 2

Deansgate, for its full width from its junction with Bridge Street, to its junction with Market Street;

Deansgate, for its full width from a point 32 metres west of its junction with Market Street, to its junction with Knowsley Street;

Woods Court, for its full width from its junction with Deansgate, for a distance of 3 metres in a northerly direction;

Corporation Street, for its full width from its junction with Bridge Street, to its junction with Market Street

### **Part 3**

Crown Street, from its junction with Deansgate, for a distance of 16 metres in a northerly direction;

Deansgate, from its junction with Crown Street, to its junction with Bridge Street;

Bridge Street, from its junction with Deansgate, to its junction with Bow Street;

Un-named passageway between 15 and 17, Deansgate, for its full length

### **Part 4**

Bridge Street, east side from a point 6 metres south of the extended southern kerb-line of Bow Street, to a point 81 metres south of the extended southern kerb-line of Bow Street

AR 511

**BOROUGH COUNCIL BOLTON****THE BOLTON (DEANSGATE, BOLTON) (BUS GATE PROHIBITION OF  
DRIVING) (EXPERIMENTAL)  
(NO. 44) ORDER 2011**

The Borough Council of Bolton, in exercise of their powers under Section 9, 10 and 11, of the Road Traffic Regulation Act 1984, and Part 1V of Schedule 9 to the said Act of 1984, and of all other enabling powers and after consultation with the Chief Officer of Greater Manchester Police in accordance with Part 111 of Schedule 9 to the said Act of 1984, hereby make the following Order.

1. (1) In this Order

“the Act of 1847” means the Town Police Clauses Act 1847;

“the Act of 1980” means the Highways Act 1980;

“the Act of 1984” means the Road Traffic Regulation Act 1984;

“the Act of 1988” means the Road Traffic Act 1988;

“the Act of 1994” means the Vehicle Excise and Registration Act 1994;

“the General Directions 2002” The Traffic Signs Regulations and General Directions 2002;

“bus gate” means a length of road which is specified in the Schedule to this Order with access permitted only for buses and in respect of which traffic signs and markings in accordance with the General Directions 2002;

“bus” has the same meaning as in Regulation 22(2) of the 1994 Regulations;

“hackney carriage” has the same meaning as in Section 38 of the Act of 1847;

“cycle” has the same meaning as in Section 192(1) of the Act of 1988;

“motor vehicle” has the same meaning as in Section 136 of the Act of 1984;

“ambulance” has the same meaning as in paragraph 6(2) of Schedule 2 to the Act of 1994;

“police vehicle” has the same meaning as in regulation 4 of the Regulations 2002;

“contravention” has the same meaning as in Section 58(1) of the Act of 1995;

“causes” includes permitting.

- (2) Any reference in this Order, to an enactment shall include any Act, or subordinate legislation as defined in Section 21(1) of the Interpretation Act 1978.
  - (3) Any reference in this Order, to an enactment shall be construed as reference to that enactment as amended, applied, consolidated, re-enacted by, or having effect by virtue of a subsequent enactment;
  - (4) Any reference in this Order, to a numbered Article, Paragraph or Schedule shall, unless the context otherwise requires, be construed as a reference to the Article, Paragraph, or Schedule bearing that number in this Order.
  - (5) The Interpretation Act 1978, shall apply for the interpretation of this Order, as it applies for the interpretation of an Act of Parliament.
2. Save as provided in Article 3 and 4 of this Order, no person shall except upon the direction of, or with the permission of, a police constable cause any motor vehicle to be in and or proceed in either direction on the bus gate as specified in the Schedule to this Order.
  3. Nothing in this Order shall apply to:
    - (a) a bus;
    - (b) a hackney carriage;
    - (c) a cycle;
    - (d) a vehicle being used for police, fire brigade or ambulance purposes during an emergency;
    - (e) any vehicle under the direction or with the permission of a police constable in Uniform;
    - (f) street cleansing and gritting vehicles in execution of their duties
  4. Nothing in Article 2 of this Order shall render it unlawful for a vehicle to proceed in the said road if the vehicle is being used in connection with:
    - (a) the maintenance or reconstruction of the length of road; or
    - (b) the laying, erection, alteration or repair in, or in land adjacent to, the said length of road, of any sewer or of any main pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in the Telecommunications Act 1984
  5. This Order shall come into operation on the 7<sup>th</sup> November 2011 and may be cited as The Bolton (Deansgate, Bolton) (Bus Gate Prohibition of Driving) (Experimental) (No. 44) Order 2011.

COMMON SEAL of THE  
BOROUGH COUNCIL OF  
BOLTON was hereto affixed  
on the 31<sup>st</sup> day of October 2011,  
in the presence of:-

A. R. 

Authorised Sealing Officer



SEALING NO.  
15634

(LS/DH 10.11)

## SCHEDULE

### Length of Road to be reserved as a bus gate

Deansgate from its junction with Bradshawgate to its junction with Crown Street

BOROUGH COUNCIL OF BOLTON

A R 

THE BOLTON ( DEANSGATE, BOLTON )  
(PROHIBITION OF WAITING AND PROHIBITION OF LOADING AND  
UNLOADING ) (EXPERIMENTAL) (NO. 45) ORDER 2011

The Borough Council of Bolton in exercise of their powers under Sections 9, 10 and 11, of the Road Traffic Regulation Act 1984 and Part IV of Schedule 9 to the said Act of 1984 and by virtue of paragraph 8(4) of Part 2 of Schedule 8 to the Traffic Management Act 2004 and of all other enabling powers and after consultation with the Chief Constable of Greater Manchester Police, in accordance with Part III of Schedule 9 to the said Act of 1984, hereby make the following Order:

1. (1) In this Order:

“the Act of 1980” means the Highways Act 1980;

“the Act of 1984” means the Road Traffic Regulation Act 1984;

“the Act of 1988” means the Road Traffic Act 1988;

“the Act of 1994” means the Vehicle Excise and Registration Act 1994;

“the Act of 1995” means the Goods Vehicles (Licensing of Operators) Act 1995;

“the Act of 2000” means the Postal Services Act 2000;

“the Act of 2004” means the Traffic Management Act 2004;

“the ( SI No. 183 ) Regulations 1986” means The Removal and Disposal of Vehicles Regulations 1986;

“the ( SI No. 25 ) Regulations 2001” means the Motor Vehicles (Approval) Regulations 2001;

“the ( SI No. 3113 ) Regulations 2002” means the Traffic Signs Regulations and General Directions 2002;

“the ( SI No. 1590 ) Order 2003” means the Health Professions Order 2001 (Consequential Amendments) Order 2003;

“the ( SI No. 3483 ) General Regulations 2007” means The Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

“the ( SI No. 3487 ) Order 2007” means The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007;

“Penalty Charge Notice” means a Penalty Charge Notice served by the Council, in accordance with regulation 8 of the (SI No. 3483), General Regulations 2007, the penalty charge amount of which will be as set in the current notification, published under Part 3 of Schedule 9 to the Act of 2004 and in accordance with the (SI No. 3487) Order 2007;

“Council” means the Borough Council of Bolton, or its authorised agent;

“civil enforcement officer” has the same meaning as in Section 76 of the Act of 2004;

“approved device” has the same meaning as in Section 92 of the Act of 2004;

“owner” in relation to a vehicle has the same meaning as in Section 92 of the Act of 2004 ;

“owner” in relation to a vehicle subject to a hiring agreement or hire purchase agreement has the same meaning as in Section 192(1) of the Act of 1988;

“registered paramedic” has the same meaning as in the (SI No. 1590) Order 2003;

“local authority” and “local highway authority” have the same meanings as in Section 329 of the Act of 1980;

“statutory undertaker” and “water undertaker” have the same meanings as in Section 329 of the Act of 1980;

“universal service provider”, “provision of a universal postal service” and “postal packet” have the same meanings as in the Act of 2000;

“Health Emergency Badge” means a badge issued by the Council, either to Doctors on the recommendation of the Bolton Local Medical Committee, or to the Bolton Primary Care Trust, for redistribution by a person so authorised within the said Trust’s area to District Nurses and Midwives. To be used by those persons issued with them while away from their base visiting a patient in their own home, or in attendance at the scene of an accident, in order to provide scheduled, emergency, or urgent, medical, or health care and (in circumstances other than an accident on the road), for a period of stopping, standing, waiting, loading and or unloading, or otherwise remaining at rest of their vehicle, of no longer than 30 minutes and only in circumstances when no restricted waiting on the road or legal parking place is available nearby;

“dispensation” means an authorisation in writing, issued by the Council in accordance with Article 7;

“immobilisation device” has the same meaning as in Section 104(9) of the Act 1984;

“prescribed hours” means those hours on those days during which there are restrictions and or limitations on the stopping, standing, waiting, loading and or unloading, or otherwise remaining at rest of a vehicle on any side of length of road specified in the Schedule to this Order

“driver” in relation to a vehicle which stops, stands, waits, or otherwise remains at rest on a side of length of road, specified in the Schedule to this Order, means the person driving the vehicle at the time it was caused to stop, stand, wait, or otherwise remain at rest on the side of length of road.

“relevant position” in relation to the display of a Health Emergency Badge, or any dispensation issued by the Council in accordance with a provision of this Order, means continuously displayed face up in a conspicuous position on the vehicles’ dashboard so that the whole of the Health Emergency Badge, or dispensation, ( whichever the case may be) is clearly legible to a person standing on the kerb, adjacent to the front of the vehicle;

“relevant Department” in relation to a dispensation, means a Department of the Borough Council of Bolton, on behalf of which an application for a dispensation, or dispensations has been made and to which a dispensation, or dispensations has been issued;

“junction” means the meeting point of the respective kerb-lines of the roads referred to and where appropriate, measurements shall be taken from the point of the intersection of the respective kerb-lines as projected;

“road” has the same meaning as in Section 142(1) of the Act of 1984;

“footway” has the same meaning as in Section 329 of the Act of 1980;

“restricted road” means the road specified in the Schedule to this Order;

“prescribed hours” in relation to a road specified in the Schedule to this Order, means the period of the restriction;

“dashboard” means the facia and or instrument panel of a vehicle which contains dials and controls;

“vehicle” has the same meaning as in Section 62(1) of the Act of 1994;

“ambulance” has the same meaning as in paragraph 1 of Schedule 2 to the (SI No. 25) Regulations 2001;

“contravention” has the same meaning as in Section 58(1) of the Act of 1995;

“causes” includes permitting.

- (2) Any reference in this Order, to an enactment shall include any Act or subordinate legislation as defined in Section 21(1) of the Interpretation Act 1978.
- (3) Any reference in this Order, to an enactment shall be construed as reference to that enactment as amended, applied, consolidated, re-enacted by, or having effect by virtue of, a subsequent enactment;
- (4) Any reference in this Order, to a numbered Article, Paragraph, or Schedule shall, unless the context otherwise requires, be construed as a reference to the Article, Paragraph, or Schedule bearing that number in this Order.
- (5) For the purposes of this Order, any vehicle shall be deemed to stop, stand, wait, or otherwise remain at rest on any side of length of road, for more than two minutes in the same place if any one part of the road is below any part of the vehicle or its load (if any) throughout a period exceeding two minutes, whether or not the vehicle is moved during that period.
- (6) For the purposes of this Order, a vehicle shall be regarded as displaying a Health Emergency Badge if:
  - (a) the badge is used only in accordance with the current conditions specified by the Council;
  - (b) the badge is displayed only on the vehicle of the named badge holder to whom it was issued;
  - (c) ( in circumstances other than an accident on the road ), the address at which the named badge holder is in attendance is clearly specified;
  - (d) the named badge holder is the driver of the vehicle at the time and is directly involved in scheduled, emergency, or urgent, medical, or health care and (in circumstances other than an accident on the road), at the address specified on the badge;
  - (e) the whole badge is continuously displayed face up in a conspicuous position on the vehicles' dashboard, in the relevant position and with the name of the badge holder and address being visited, clearly legible to a person standing on the kerb, adjacent to the front of the vehicle;
  - (f) the badge is in force and valid.
- (7) For the purposes of this Order, a vehicle shall be regarded as displaying a dispensation if:
  - (a) the dispensation is used only in accordance with the current conditions specified by the Council;

- (b) the whole dispensation is displayed only on the vehicle of the named resident, individual, relevant Department, business, or organisational holder, to whom it was issued and only on the vehicle it was issued in respect of;
- (c) the vehicle displaying the whole dispensation is either being used directly by a resident for a purpose approved by the Council, or in the service of a specific business, organisational, or relevant Department function, or in connection with the commercial activity, or works, or a purpose approved by the Council for which it was issued and the vehicle only stops, stands, waits, loads and or unloads, or otherwise remains at rest (other than in the case of a general dispensation), on the length of footway, or side of length of road, for which it was issued;
- (d) the whole dispensation is continuously displayed face up in a conspicuous position on the vehicles' dashboard, in the relevant position and with the length of footway, or side of length of road, clearly legible to a person standing on the kerb, adjacent to the front of the vehicle and is in force and valid;
- (e) the whole dispensation displayed as referred to in (d) above is valid for that length of footway, or side of length of road, and the purpose for which it was issued, at that time, on that day.

(8) The Interpretation Act 1978, shall apply for the interpretation of this Order, as it applies for the interpretation of an Act of Parliament.

2. Save as provided in Article 4 and Article 6, no person shall, except upon the direction of, or with the permission of, a police constable or civil enforcement officer in uniform, cause any vehicle to stop, stand, wait, or otherwise remain at rest on any side of length of restricted road specified in the Schedule to this Order, during the prescribed hours for no waiting.
3. Save as provided in Article 4 and Article 6 no person shall, except upon the direction of, or with the permission of, a police constable or civil enforcement officer in uniform, cause any vehicle to stop, stand, wait, or otherwise remain at rest and allow goods to be loaded on, or unloaded from the vehicle, on any side of length of specified in the Schedule to this Order, during the prescribed hours for no loading and or unloading, specified in the Schedule, in relation to any side of length of road specified in the Schedule to this Order.
4. (1) Nothing in Article 2 and 3, shall render it unlawful to cause a vehicle which is either an ambulance, or a vehicle (mechanically propelled, or otherwise) used by a registered paramedic on duty, attending at the scene of an accident, or similar incident, to stop, stand, wait, or otherwise remain at rest on any side of length of road, referred in those said Articles;

- (2) Nothing in this Order shall render it unlawful to cause any vehicle which is either a liveried vehicle or an unmarked vehicle of a police force and being used by a police officer either in plain clothes or in uniform and on duty, to stop, stand, wait, or otherwise remain at rest on any side of length of road specified in the Schedule to this Order only for so long as is necessary to enable that police officer to complete a duty assigned to him, by and or as directed by a senior police officer.
- (3) Nothing in this Order shall render it unlawful to cause any vehicle to stop, stand, wait, or otherwise remain at rest on a side of a length of road, specified in the Schedule to this Order, during the prescribed hours specified in relation to a side of length of road, specified in the Schedule to this Order but only for so long as is necessary to enable:
- (a) the removal of any obstruction to traffic;
- or to stop, stand, wait, or otherwise remain at rest if the vehicle is:
- (b) used by a civil enforcement officer in uniform and on duty, or is used by an employee of the Councils' Parking Services and on duty, or used by the Councils' authorised agent,
  - (c) used in the service of a fire brigade;
  - (d) employed directly in the service of a local authority or local highway authority and owned by them;
  - (e) employed directly in the service of a statutory undertaker or water undertaker;
  - (f) employed directly in the service of an operator as defined in 1(2) of Schedule 2 of the Telecommunications Act 1984, in respect of the alteration as defined in 1(2) of Schedule 2, to that 1984 Act, of any telecommunications apparatus as defined in 1(1) of Schedule 2, to that 1984 Act;
  - (g) a liveried or marked vehicle which, whilst used by a universal service provider in the course of the provision of a universal postal service, is stationary only for as long as is necessary for the purpose of delivering or collecting postal packets;
- (4) Nothing in Article 2 and Article 3, shall render it unlawful to cause a vehicle which continuously displays a Health Emergency Badge face up in a conspicuous position on the vehicle's dashboard in the relevant position, to stop, stand, wait, load and or unload, or otherwise remain at rest on any side of length of road referred to in those Articles, during the prescribed hours specified in relation to any side of length of road referred to in that Article (in circumstances other than an accident on the road), for a limited period of 30 minutes only, providing that the whole of the Health Emergency Badge is

continuously displayed face up in a conspicuous position on the vehicles' dashboard, in the relevant position and in accordance with Article 1(6) and is clearly legible to a person standing on the kerb, adjacent to the front of the vehicle.

4. Nothing in this Order, shall render it unlawful to cause a vehicle which continuously displays face up in a conspicuous position on the vehicle's dashboard, in the relevant position, a whole valid dispensation issued by the Council in accordance with the provisions of this Order, to stop, stand, wait, or otherwise remain at rest during the prescribed hours, on a length of road, specified in the Schedule to this Order, providing that the whole dispensation is continuously displayed face up in a conspicuous position on the vehicles' dashboard, in the relevant position and in accordance with Article 1(7) and is clearly legible to a person standing on the kerb, adjacent to the front of the vehicle.
5. (1) A person or persons, may apply to the Council for a dispensation, or dispensations for a specific vehicle or vehicles', for used directly in connection with a stated relevant Department function, business or organisational purpose, or commercial activity, or works at, or in an adjoining, or adjacent premises to any side of length of road, specified in the Schedule to this Order, for a specific purpose and period of time. Any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form. Any dispensation issued by the Council shall be at its sole discretion and subject to such terms, conditions and or charge, as the Council may from time to time decide.
  - (2) A dispensation shall be in writing and at the sole discretion of the Council, may be numbered and also include any, all, or none of the following particulars:
    - (a) the registration or index mark of the vehicle in respect of which the dispensation was issued;
    - (b) the length of footway alongside the carriageway of the side of length of road, side of length of road and the purpose for which the dispensation is valid;
    - (c) the period for which the dispensation shall remain valid;
    - (d) an authentication that the dispensation has been issued by the Council.
  - (3) At all times during which a vehicle referred to in paragraph (1) above stops, stands, waits, or otherwise remains at rest, on a length of footway alongside the carriageway of a side of length of road, or is used in connection with a commercial activity, on any side of length of road, specified in the Schedule to this Order, there shall be continuously

displayed face up in a conspicuous position on the vehicles' dashboard, in the relevant position and in accordance with Article 1(7), a whole valid dispensation issued in respect of the vehicle, valid for that specific purpose, time, length of footway alongside a carriageway of a side of length of road, side of length of road, and clearly legible to a person standing on the kerb, adjacent to the front of the vehicle.

- (5) A dispensation issued by the Council under and in accordance with the provisions of this Order, remains the property of the Council and may be revoked or withdrawn by the Council, at any time in circumstances of miss-use, or for operational or other reasons.
6. (1) When a police constable or civil enforcement officer in uniform, has reason to believe that a provision of this Order has not been complied with in respect of a vehicle he may alter or cause the position of the vehicle to be altered, in order that its position should comply with those provisions;
- (2) For the purposes of meeting the requirements of an emergency in respect of any length of road, specified in the Schedule to this Order, a police constable or civil enforcement officer in uniform, may alter the position of a vehicle or may remove a vehicle from a side of length of road, specified in the Schedule to this Order, or arrange for its removal and when it is so removed he shall make such arrangements as he may believe reasonably necessary for the safe custody of the vehicle in the place to which it has been removed.
7. Any stationary vehicle caused to stop, stand, wait, load and or unload, or otherwise remain at rest in circumstances specified in regulation 5C of the (SI No. 183) Regulations 1986, may be removed or caused to be removed and when a vehicle is so removed, the removal, storage and disposal charges shall be as those published in accordance with the (SI No. 3487) Order 2007.
8. Any vehicle which is observed and recorded by a civil enforcement officer in uniform, that has been caused to stop, stand, wait, load and or unload, or otherwise remain at rest, in circumstances specified in paragraph 4 of Part 1 of Schedule 7 to the Act of 2004, may have in accordance with regulation 12 of the (SI No. 3483) General Regulations 2007 affixed to it by a civil enforcement officer in uniform, or another person acting under his direction, an immobilisation device.
9. When an immobilisation device is affixed to a stationary vehicle in circumstances referred to in Article 8 above, the release charge shall be as published in accordance with the (SI No. 3487) Order 2007.
10. Any vehicle which is observed and recorded by a civil enforcement officer in uniform, or observed and recorded by an approved device that has been caused to stop, stand, wait, load and or unload, or otherwise remain at rest, in

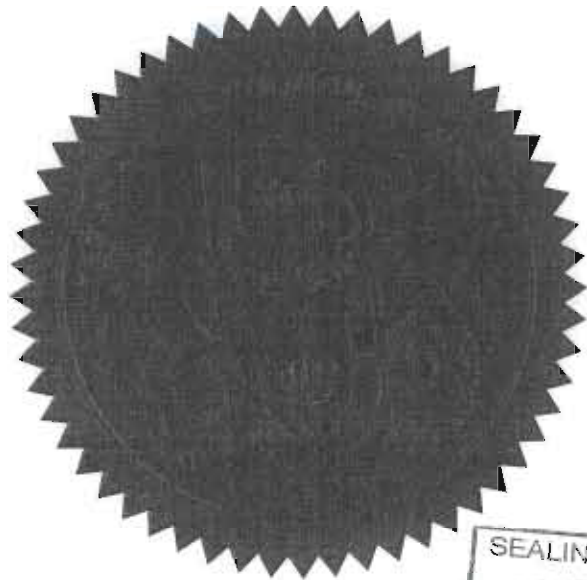
such circumstances as specified in paragraph 4 of Part 1 of Schedule 7 to the Act of 2004, on a footway alongside a carriageway of a side of length of road, or on a side of length of road, specified in the Schedule to this Order, shall be subject to the service of a penalty charge notice in accordance with regulation 8 of the (SI No. 3483) General Regulations 2007.

11. (a) An authorised officer of the Council with a title specified below is hereby authorised to act in accordance with Section 116 of the Act of 1984:
    - (i) Head of Parking Services
    - (ii) Finance and Performance Manager
    - (iii) Operations and Performance Manager
    - (iv) Assistant Operations and Performance Manger
  - (b) A civil enforcement officer in uniform is hereby authorised to act in accordance with Section 94 of the Traffic Management Act 2004.
12. This Order shall come into operation on the 7<sup>th</sup> November 2011 and may be cited as The Bolton (Deansgate Bolton) (Prohibition of Waiting and Loading and Unloading) (Experimental) (No. 45) Order 2011

COMMON SEAL of THE  
BOROUGH COUNCIL OF  
BOLTON was hereto affixed  
on the 31<sup>st</sup> day of October 2011,  
in the presence of:-

A. R. *Sto*

Authorised Sealing Officer



SEALING NO.  
15633

(LS/DH 10.09)

## SCHEDULE

### No Waiting At Any Time:

Deansgate from its junction with Bradshawgate, to its junction with Crown Street

### No Loading/Unloading At Any Time:

Deansgate from its junction with Bradshawgate, to its junction with Crown Street