

## ROAD TRAFFIC REGULATION ACT 1984

### LANCASHIRE COUNTY COUNCIL

#### **(UNION ROAD, MARKET STREET, OSWALDTWISTLE, HYNDBURN BOROUGH)(REVOCAION AND PROHIBITION OF WAITING, RESTRICTION OF WAITING, LIMITED WAITING PARKING PLACE AND PROHIBITION OF STOPPING ON SCHOOL KEEP CLEAR MARKINGS) ORDER 2016**

The County Council of Lancashire ("the Council") in exercise of its powers under Sections 1, 2 and 4 of, and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, as amended ("the Act") and of all other enabling powers, after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act, hereby make the following Order: -

#### **1. Definitions and Interpretation**

For all the purposes of this Order the terms described in this Article shall have the meanings specified:

- a) "**Centreline**" means the centre line of a highway as shown on Ordnance Survey graphical information systems at the time that the Order was prepared
- b) "**Civil Enforcement Officer**" means a person authorised by or on behalf of Lancashire County Council in accordance with Section 76 of the Traffic Management Act 2004.
- c) "**Disabled Person's Vehicle**" means a Vehicle displaying a Disabled Person's Badge in the circumstances prescribed in Regulations 13, 14, 15 or 16 of The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.
- d) "**Disabled Person's Badge**" means a badge which was -
  - i) issued, or has effect as if issued, to a disabled person or an institution under The Disabled Persons (Badges for Motor Vehicles) (England) Regulations or under regulations having effect in Scotland or Wales under Section 21 of the Chronically Sick and Disabled Persons Act 1970; and
  - ii) has not ceased to be in force.
- e) "**Parking Disc**" means a device which -
  - i) is 125 millimetres square and coloured blue, if issued on or after 1<sup>st</sup> April, 2000 or orange if issued before that date;
  - ii) has been issued by a local authority and has not ceased to be valid; and
  - iii) is capable of showing the quarter hour period during which a period of waiting has begun.
- h) "**Penalty Charge Notice**" means a notice served by a Civil Enforcement Officer pursuant to the provisions of section 78 of the 2004 Act and supporting regulations.
- i) A Vehicle displays a Disabled Person's Badge or parking disc in the "**Relevant Position**" if -
  - i) the badge/disc is exhibited on the dashboard or fascia of the Vehicle, or
  - ii) where the Vehicle is not fitted with a dashboard or fascia the badge/disc is exhibited in a conspicuous position on the Vehicle, so that the front of the badge/disc is clearly legible from the outside of the Vehicle.
- j) "**Vehicle**" means a motor vehicle, a passenger vehicle, a dual-purpose vehicle, a goods vehicle, a motorcycle or an invalid carriage or any other vehicle of any description whether drawn or propelled along a road by animal or mechanical power;

## **2. Revocation**

- a) Those parts of the "Lancashire County Council (Hyndburn Area)(On Street Parking Places, Prohibition and Restriction of Waiting) Consolidation Order 2009", as set out in Schedule 1 to this Order, are hereby revoked.
- b) That part of the "Hyndburn Borough Amendment Order 2006" as set out in Schedule 1A to this Order is hereby revoked.

## **3. Prohibition of Waiting**

Save as is hereinafter provided, no person shall, except upon the direction or with the permission of a police constable in uniform, or a Civil Enforcement Officer, cause or permit any Vehicle to wait at any time, on any day, in the lengths of road set out in Schedule 2 to this Order.

## **4. Restriction of Waiting**

- a) Save as is hereinafter provided, no person shall, except upon the direction or with the permission of a police constable in uniform, or a Civil Enforcement Officer, cause or permit any Vehicle to wait from Monday until Saturday inclusively, between 8am and 6pm, in the lengths of road set out in Schedule 3 to this Order.
- b) Save as is hereinafter provided, no person shall, except upon the direction or with the permission of a police constable in uniform, or a Civil Enforcement Officer, cause or permit any Vehicle to wait between 8am and 6pm, in the lengths of road set out in Schedule 3A to this Order.

## **5. Limited Waiting Parking Place**

Save as is hereinafter provided, no person shall, except upon direction or with the permission of a Police Constable in uniform or a Civil Enforcement Officer cause or permit any Vehicle to wait for a period exceeding 1 Hour, with no return within 1 Hour, from Monday to Saturday inclusively from 8am until 6pm in the lengths of road set out in Schedule 4 to this Order.

## **6. Prohibition of Stopping on School Keep Clear Markings**

Save as is hereinafter provided, no person shall, except upon the direction or with the permission of a police constable in uniform, or a Civil Enforcement Officer, cause or permit any Vehicle, to stop or wait from Monday to Friday inclusively, between 8am and 6pm, in the lengths of road set out in Schedule 5 to this order.

## **7. Exception to Prohibition of Waiting**

Nothing in Articles 3, 4, 5 or 6 of this Order shall render it unlawful to cause or permit any Vehicle to wait in the lengths of road referred to therein for so long as may be necessary to enable :-

- a) A person to board or alight the Vehicle;
- b) Goods to be loaded onto or unloaded from the Vehicle;
- c) If it cannot conveniently be used for such purpose in any other road to be used in connection with any of the following:-
  - i) building, industrial or demolition operations;
  - ii) the removal of any obstruction to traffic;
  - iii) the maintenance, improvement or reconstruction of the said lengths of road;

- iv) the laying, erection, alteration or repair in or in land adjacent to the said lengths of road of any sewer or of any main, pipe or apparatus or the exercise of any other statutory power or duty for the maintenance and supply of gas, water or electricity or of any telecommunications system as defined in Section 4 of the Telecommunications Act 1984;
- d) The Vehicle to be used for the purposes of a local authority in pursuance of statutory powers or duties if it cannot conveniently be used for such purpose in any other road;
- e) A Royal Mail liveried Vehicle engaged in the collection and/or delivery of letters in accordance with the statutory provisions as defined in the Postal Services Act 2000;
- f) The Vehicle to be used for fire brigade, ambulance or police purposes in pursuance of statutory powers or duties;
- g) The Vehicle to wait at or near to any premises situated on or adjacent to the said lengths of road for so long as such waiting by the Vehicle is reasonably necessary in connection with any wedding or funeral.

#### **8. Exemption for disabled person's Vehicle**

Nothing in Articles 3 or 4 of this Order shall render it unlawful to cause or permit any Vehicle to wait in the lengths of road referred to therein 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 in the same length of road on the same day) if the Vehicle is a Disabled Person's Vehicle which displays in the relevant position both a Disabled Person's Badge and a parking disc marked to show the quarter hour period during which the period of waiting began.

#### **9. Emergency Exemptions**

Nothing in Articles 3, 4, 5 or 6 of this Order shall render it unlawful to cause or permit any Vehicle to wait in the lengths of road referred to therein when the person in control of the Vehicle:-

- i. Is required by law to stop
- ii. Is obliged to stop in order to avoid an accident; or
- iii. Is prevented from proceeding along the road due to circumstances beyond his/her control

#### **10. Manner of standing in a Parking Place**

- a) The driver of a motor Vehicle using a Parking Place shall stop the engine as soon as the Vehicle is in a position in the Parking Place and shall not start the engine except when about to change the position of the Vehicle in or, or depart from, the Parking Place.
- b) Every Vehicle left in a Parking Place in accordance with the foregoing provisions of this Order shall be left so that every part of the Vehicle is within the limits of the Parking Place.
- c) A driver of a Vehicle shall not use a Parking Place so as unreasonably to prevent access to any premises adjoining a road or the use of a road by other persons or so as to be a nuisance.

#### **11. Alteration of position of a Vehicle in a Parking Place**

Where any Vehicle is left standing in a Parking Place in contravention of the provisions of Article 10 of this Order, a police constable in uniform or a Civil Enforcement Officer may alter or cause to be altered the position of the Vehicle in order that its position shall comply with those provisions.

## **12. Removal of a Vehicle from a Parking Place**

Where a police constable in uniform or a Civil Enforcement Officer is of the opinion that any of the provisions contained in Article 10 of this Order have been contravened or not complied with in respect of a Vehicle left in a Parking Place, he/she may remove or cause to be removed the Vehicle from the said Parking Place, and where it is so removed, shall provide for the safe custody of the said Vehicle.

## **13. Movement of a Vehicle in a Parking Place in an Emergency**

- a) A police constable in uniform or a Civil Enforcement Officer may in case of emergency move or cause to be moved any Vehicle left in a Parking Place to any place he thinks fit and shall provide for the safe custody of the Vehicle.
- b) A person causing or permitting a Vehicle to wait in a Parking Place by virtue of the provisions of this Order shall take all such steps as are necessary to ensure that in the case of a Parking Place it shall stand in accordance with Article 10 so that every part of the Vehicle is within the limits of the Parking Place.

## **14. Power to suspend use of Parking Places**

- a) The Council's Duly Authorised Officer may suspend the use of a Parking Place or any part thereof whenever he/she considers such suspensions reasonably necessary and make such charge for the administration of this service, as may from time to time be determined by the Council.
- b) A police constable in uniform may suspend for not longer than 7 days the use of a Parking Place or any part thereof whenever he/she considers such suspension reasonably necessary for the purpose of mitigating congestion or obstruction of traffic or a danger to or from traffic in consequence of extraordinary circumstances.
- c) Any persons suspending the use of a Parking Place or any part thereof in accordance with the provisions of paragraph a) or b) of this Article shall thereupon place or cause to be placed in or adjacent to any part of that Parking Place the use of which is suspended, an authorised Traffic Sign or cone indicating that waiting by Vehicles is prohibited.
- d) No person shall cause or permit a Vehicle to be left in any part of a Parking Place during such period when an authorised Traffic Sign or cone is placed in or adjacent to that part of the Parking Place pursuant to paragraph c) of this Article provided that this paragraph shall not apply to a Vehicle:
  - i) being used by the respective Fire or Police Authority or Ambulance Health Trust to deal with an emergency; or
  - ii) being used for any purpose specified in Article 9; or
  - iii) left in such Parking Place with the permission of the person suspending the use of the Parking Place.

## **15. Restriction of use of a Vehicle in a Parking Place**

While any Vehicle is in the lengths of road specified in Article 5, no person shall use the said Vehicle in connection with the sale of any article to any person in or near the Parking Place or in connection with the selling of or offering for sale of his/her skills or services.

## **16. Miscellaneous**

The prohibition imposed by this Order shall be in addition to and not in derogation of any restrictions or requirements imposed by any regulations made, or having effect as if made, under the Act or by or under any other enactment.

## **17. Effect of Contravention**

Failure by a person to comply with any prohibition or restriction contained within this order or any subsequent orders shall constitute a contravention of the same and shall result in the issue by Lancashire County Council and/or its agents of a Penalty Charge Notice which shall be payable by such persons in accordance with the legislation.

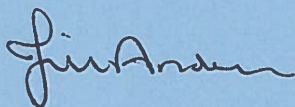
## **18. Commencement of Order**

This Order shall come into force on the 1<sup>st</sup> April 2016 and may be cited as the "Lancashire County Council (Union Road, Market Street, Oswaldtwistle, Hyndburn Borough)(Revocation and Prohibition of Waiting, Restriction of Waiting, Limited Waiting Parking Place and Prohibition of Stopping on School Keep Clear Markings) Order 2016".

Dated this 23<sup>rd</sup> day of March 2016.

THE COMMON SEAL of the Lancashire County Council was hereunto affixed pursuant to the Scheme of Delegation to Chief Officers

Authorised Signatory



## **Schedule 1 – Revocations**

- 1) Item 1(a) of Schedule 11.007, Market Street, Church, the north-west side that length of Market Street, B 6231 from a point 2 metres south-west of the south-west side of Straits to a point 4 metres north-east of the north-east side of Dale Street.
- 2) Item 1(b) of Schedule 11.007, Market Street, Church, the south-east side, that length of Market Street, B 6231 from its junction with Jackson Street to its junction with Moscow Mill Street.
- 3) Item 17(a)(i) of Schedule 12.066, Union Road, Oswaldtwistle, the north side, from a point 37 west of the Centreline of Spring Street to the west side of Spring Street.
- 4) Item 17(a)(v) of Schedule 12.066, Union Road, Oswaldtwistle, the north side, from a point 6 metres south west of the Centreline of Dale Street for a distance of 36 metres in a south westerly direction.
- 5) Item 87 of Schedule 11.075, Simpson Street, Oswaldtwistle, both sides from Union Road for a distance of 14 metres.
- 6) Item 99(i) of Schedule 11.075, Union Road, the south-east side, from its junction with Moscow Mill, Street to a point 40 metres north-east, of the Centreline of St. Paul's Street

- 7) Item 99(ii) of Schedule 11.075, Union Road, the south-east side from a point 30 metres south west of the Centreline of Rhyddings Street to its junction with John Street.
- 8) Item 214(a)(iii) of Schedule 10.01, Union Road, Oswaldtwistle, the north side, from a point 30 metres west of the west side of Bent Street to the east side of Bent Street.
- 9) Item 214(a)(iv) of Schedule 10.01, Union Road, Oswaldtwistle, the north side, from a point 55 metres east of the east side of Simpson Street for a distance of 15 metres in an easterly direction.
- 10) Item 214(a)(vi) of Schedule 10.01, Union Road, Oswaldtwistle, the north side, from the west side of Simpson Street to the east side of Simpson Street.
- 11) Item 214(a)(x) of Schedule 10.01, Union Road, the north side, from a point 6 metres south-west of the Centreline of Dale Street, for a distance of 12 metres in a north easterly direction.
- 12) Item 214(a)(xii) of Schedule 10.01, Union Road, the north side, from a point 14 metres south west of the Centreline of Harvey Street for a distance of 41 metres in a north easterly direction.
- 13) Item 214(b)(i) of Schedule 10.01, Union Road, Oswaldtwistle, the north-west side, from a point opposite the Centreline of Melbourne Street for a distance of 130 metres in a north easterly direction.
- 14) Item 214(b)(ii) of Schedule 10.01, Union Road, Oswaldtwistle, the north west side, from a point 35 metres south-west of the Centreline of Thomas Street for a distance of 75 metres in a south-easterly direction.

#### **Schedule 1A - Revocation**

The "Hyndburn Borough Amendment Order 2006" insofar as it relates to Schedule 18.01 to that Order.

#### **Schedule 2 – Prohibition of Waiting**

- 1) Badge Brow, both sides, from the Centreline of Union Road in a westerly direction to a point 8.7 metres from the Centreline of Union Road.
- 2) Union Road:
  - (a) The north west side, from a point 11.5 metres south west of its junction with the Centreline of Simpson Street in a north easterly direction to a point 6.5 metres north east of its junction with the Centreline of Simpson Street for a distance of 19 metres.
  - (b) The north west side, from a point 40 metres south of its junction with the Centreline of Harvey Street in a southerly and then westerly direction to a point 43.5 metres east of its junction with the Centreline of Simpson Street.
  - (c) The north west side, 11.4 metres south west of the Centreline of Spring Street running in a north easterly direction to a point 7.5 metres north east of the Centreline of Spring Street.
  - (d) The north west side, from a point 24 metres south west of the Centreline of Harvey Street for a distance of 51 metres in a north easterly direction.
  - (e) The north west side, from a point 10 metres south west of the Centreline of Dale Street for a distance of 16 metres in a north easterly direction.

- (f) The north west side, between the Centreline of Moscow Mill Street, to a point 10.5 metres south-west of the Centreline of Badge Brow.
  - (g) The north west side, from a point 35 metres south west of its junction with the Centreline of Thomas Street in a north easterly direction to a point 7.5 metres north east of its junction with the Centreline of Thomas Street, for a distance of 43 metres.
  - (h) The north west side, from a point 39 metres south west of its junction with the Centreline of Bent Street in a north easterly direction to a point 6 metres north east of its junction with the Centreline of Bent Street, for a distance of 44.5 metres.
  - (i) The south side, from the Centreline of Brook Street for a distance of 65 metres in a south westerly direction to its junction with Shed Street.
  - (j) The south east side, between the Centreline of Colliers Street and the Centreline of Moscow Mill Street for a distance of 42 metres.
- 3) Market Street,
- (a) The south east side between the Centreline of Moscow Mill Street and 38.5m north of the Centreline of Moscow Mill Street.
  - (b) The north west side, between the Centreline of Moscow Mill Street and 11.7 north of the Centreline of Moscow Mill Street.
- 4) Moscow Mill Street,
- (a) The north side, from its junction with the Centreline of Union Road in an easterly direction to its junction with the Centreline of Wesley Street, for a distance of 111 metres.
  - (b) The south side, from its junction with the Centreline of Union Road in an easterly direction to its junction with the unnamed access road adjacent to Orchard drive, for a distance of 230 metres.

### **Schedule 3 – Restriction of Waiting, Monday to Saturday, 8am to 6pm**

#### 1) Union Road:

- (a) The south east side, from its junction with Shed Street to its junction with John Street.
- (b) The south east side, from a point 30 south west of the Centreline of Rhyddings Street for a distance of 29 metres in a south westerly direction.
- (c) The south east side, from the Centreline of Colliers Street in a south-westerly direction to a point 40 metres north-east of the Centreline of St. Paul's Street.

#### 2) Simpson Street:

- (i) The east side, from its junction with the Centreline of Union Road, in a northerly direction for a distance of 21 metres.
- (ii) The west side from its junction with the Centreline of Union Road in a northerly direction for a distance of 56 metres.

### **Schedule 3A – Restriction of Waiting, 8am to 6pm**

#### Market Street, Church,

- (a) The north west side that length of Market Street, B 6231 from the Centreline of Woods St in a northerly direction for 47m.
- (b) The south east side that length of Market Street, B 6231 from the Centreline of Devon Place to the Centreline of Alleytroys.

**Schedule 4 – Limited Waiting Parking Place 1 Hour, No Return Within 1 Hour, from Monday to Saturday 8am to 6pm**

Union Road:

- (a) The north side, from a point 6.5 metres north east of its junction with the Centreline of Simpson Street in an easterly direction for a distance of 37 metres.
- (b) The north west side, from a point 6 metres north east of its junction with the Centreline of Bent Street in a north easterly direction to a point 11.5 metres south west of its junction with the Centreline of Simpson Street for a distance of 32 metres.
- (c) The north west side, from a point 7.5 metres north east of its junction with the Centreline of Thomas Street in a north easterly direction to a point 39 metres south west of its junction with the Centreline of Bent Street for a distance of 28 metres.
- (d) The north west side, from 37 metres south west of the Centreline of Spring Street to a point 11.4 metres south west of the Centreline of Spring Street.
- (e) The north west side from 24 metres south west of the Centreline of Harvey Street for a distance of 16 metres in a south westerly direction.
- (f) The north west side, from a point 10 metres south west of the Centreline of Dale Street running in a south westerly direction to 7.5 metres north east of the Centreline of Spring Street.

**Schedule 5 - Prohibition of stopping on School Keep Clear Markings**

Union Road, the south east side, from a point 40 metres north east of the Centreline of St Paul's Street for a distance of 25.6 metres in a north-easterly direction.



Location Plan  
Scale 1 : 2000 (A1)



DETAIL B

DETAIL C

DETAIL A

DETAIL C See Pedestrian crossing drawing.  
Upgrade pelican to a puffin crossing.  
Key  
— Green — Extent of Double yellow lines.  
— Red — Change from Single to Double Y L.  
— Dashed Red — Extent of limited waiting order.  
— Dotted Red — Extent of School Keep Clear.

NO.	DATE	AMENDMENT DETAILS	CHECKED BY	DRAWN BY

**Lancashire**  
County Council

**Environment Directorate**

Lancashire Highway Services

Project Title: B6231 Union Road - Market Street, Oswaldtwistle, Hyndburn District

Drawing Title: General Plan  
Changes to Traffic Regulation Orders

Drawn by: F J Holden  
Checked by: G J Leahard  
Date: 26 May 2015  
Scale @ A1: As Shown  
Client No: CHM1LW409

Project No: CHM1LW409  
Drawing No: CHM1LW409/1  
Sheet No: 1 of 1

DETAIL A Scale 1 : 500 (A1)

DETAIL B Scale 1 : 500 (A1)