

ROAD TRAFFIC REGULATION ACT 1984
LANCASHIRE COUNTY COUNCIL
(SPREAD EAGLE STREET, STANHILL ROAD AND MAYFIELD GARDENS
OSWALDTWISTLE, HYNDBURN BOROUGH)
(PART REVOCATION, PROHIBITION OF WAITING AND SCHOOL KEEP CLEAR
MARKINGS) ORDER 2012

The County Council of Lancashire ("The Council") in exercise of its powers under Sections 1, 2, 4 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, (hereinafter called the "1984 Act") and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act hereby makes 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) **"disabled person's vehicle"** means a vehicle lawfully displaying a disabled person's badge and which is a vehicle which, immediately before or after any period of waiting allowed by virtue of Article 3 of this Order, has been or is to be driven by a disabled person or, as the case may be, has been or is to be used carrying disabled persons as passengers.
- b) **"disabled person's badge"** means the form and size of badge shown in Part 1 of Schedule 2 of the Disabled Persons (Badges for Motor Vehicles) Regulations 1982, as amended by the Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations 1991;
- c) **"parking disc"** means a device which:-
 - i) is 125 millimetres square and coloured blue, if issued on or after 1st 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.
- d) A vehicle displays a disabled person's badge in the 'relevant position' if –
 - i) the badge 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 is exhibited in a conspicuous position on the vehicle, so that the front of the badge is clearly legible from the outside of the vehicle;

- e) **“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;
- (f) **“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;
- (g) **“Centre line”** means the centre line of a highway as shown on Ordnance Survey Graphical information systems at the time that the Order was prepared
- (h) **“School Entrance Marking”** means part of a carriageway outside a school entrance as described in Article 4 of this Order where vehicles should not stop and indicated by a road marking complying with the Traffic Sign Regulations and General Directions Order 2002.

2. Part Revocation

Revoke those parts of the 'Lancashire County Council (Hyndburn Borough Area) (On Street Parking Places, Prohibition and Restriction of Waiting) Consolidation Order 2009' insofar as they relate to the schedules and items in schedule 1 to this order.

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 in schedule 2 to this order.

4. School Keep Clear Prohibition (Entrance Marking)

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 between the hours of 08.00 to 18.00 hours on each day, Monday to Friday inclusive, on the length of road in schedule 3 to this order.

5. Exemption for disabled person's vehicle

Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait in the length 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.

6. Exemptions for Article 3

Nothing in Article 3 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 from the vehicle;
- b) goods to be loaded on to or unloaded from the vehicle;
- c) the vehicle, if it cannot conveniently be used for such purpose in any other road to be used in connection with any of the following:-
 - 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 roads;
 - 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.

7. Exemptions for Article 4

Nothing in Article 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 so long as may be necessary to enable;

- a) The vehicle, if it cannot conveniently be used for such purpose in any other road to be used in connection with any of the following:-
 - 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 roads;
 - 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;
- b) 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;
 - c) 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;
 - d) The vehicle to be used for fire brigade, ambulance or police purposes in pursuance of statutory powers or duties;
 - e) 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 Additional Exemptions

Nothing in Article 3 or 4 of this Order shall render it unlawful to cause or permit any vehicle to wait, in the length of road referred to therein when the person in control of the vehicle

- a) is required by law to stop;
- b) is obliged to stop in order to avoid an accident; or
- c) is prevented from proceeding along the road due to circumstances beyond his/her control

9. Miscellaneous

The prohibitions 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.

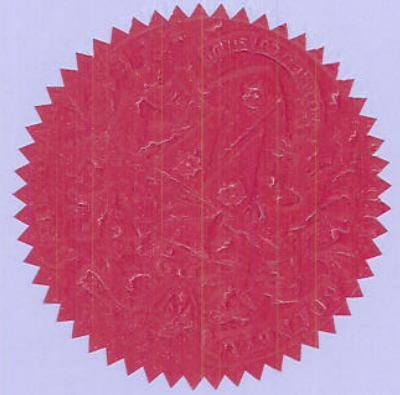
10. Commencement of Order

This Order shall come into force on the 8th October 2012 and may be cited as the "Lancashire County Council (Spread Eagle Street, Mayfield Avenue, Stanhill Road, Oswaldtwistle, Hyndburn Borough)(Part Revocation, Prohibition of Waiting and School Keep Clear Markings) Order 2012".

Dated this 3rd day of October 2012.

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

Authorised Signatory



21863

Schedule 1 – Part Revocation

Schedule 10.01 No Waiting at Any Time on the Roads in Hyndburn Borough:

Item (191) (a) and (b);

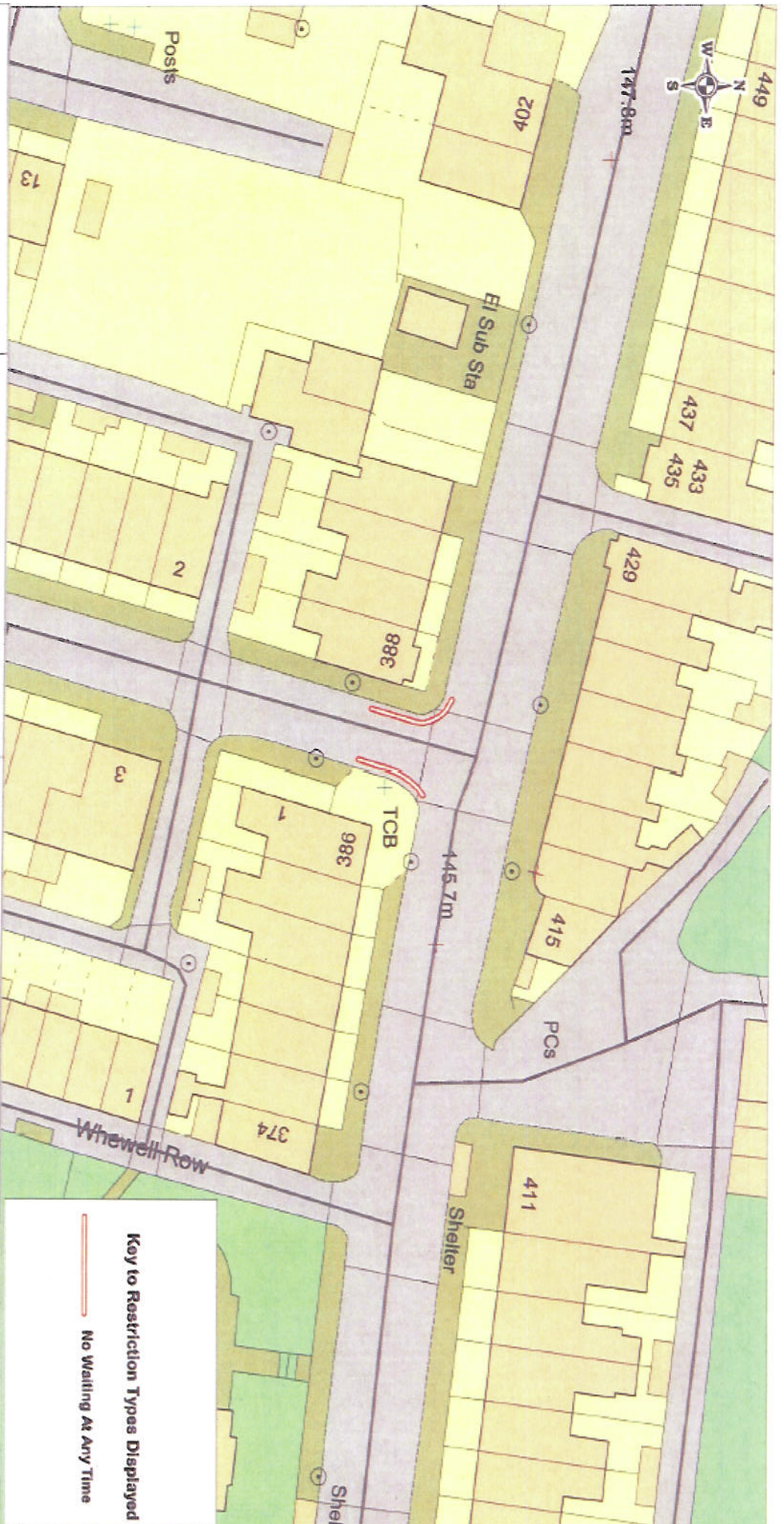
- I. No Waiting at Any Time, on Spread Eagle Street, the east side, from Blackburn Road for a distance of 23 metres in a southerly direction
- II. No Waiting at Any Time, on Spread Eagle Street, the west side, from Blackburn Road for a distance of 23 metres in a southerly direction

Schedule 2 – Prohibition of Waiting

- I. Spread Eagle Street, Oswaldtwistle, both sides from its junction with the centre line of Blackburn Road to a point 12 metres from its junction with the centreline of Blackburn Road in a southerly direction.
- II. Mayfield Avenue, Oswaldtwistle, the north side from a point 15 metres west of its junction with the centre line of Mayfield Gardens for a distance of 30 metres in an easterly direction.
- III. Mayfield Gardens, Oswaldtwistle, both sides from the centre line of its junction with Mayfield Avenue for a distance of 14 metres in a northerly direction

Schedule 3 – School Keep Clear Markings

- I. Stanhill Road, the south side, from a point 71 metres west from the centre line of its junction with St Oswalds Road for a distance of 26 metres in a westerly direction.



Spread Eagle Street

Environment Directorate
Jo Turton
 Executive Director, Environment Directorate
 P.O. Box 100, County Hall,
 PRESTON PR1 0LD

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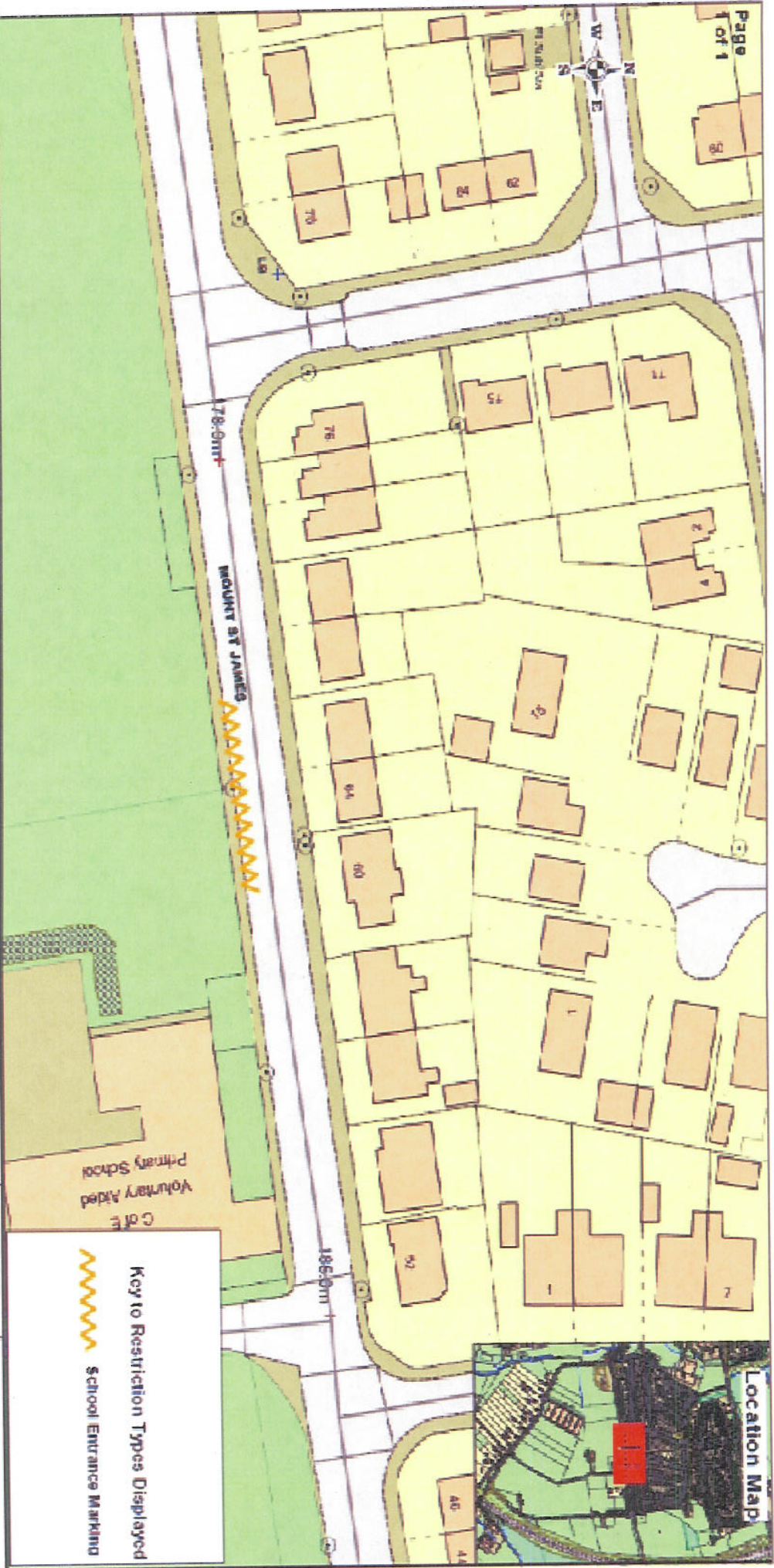
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 No Waiting At Any Time

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Key to Restriction Types Displayed
 School Entrance Marking

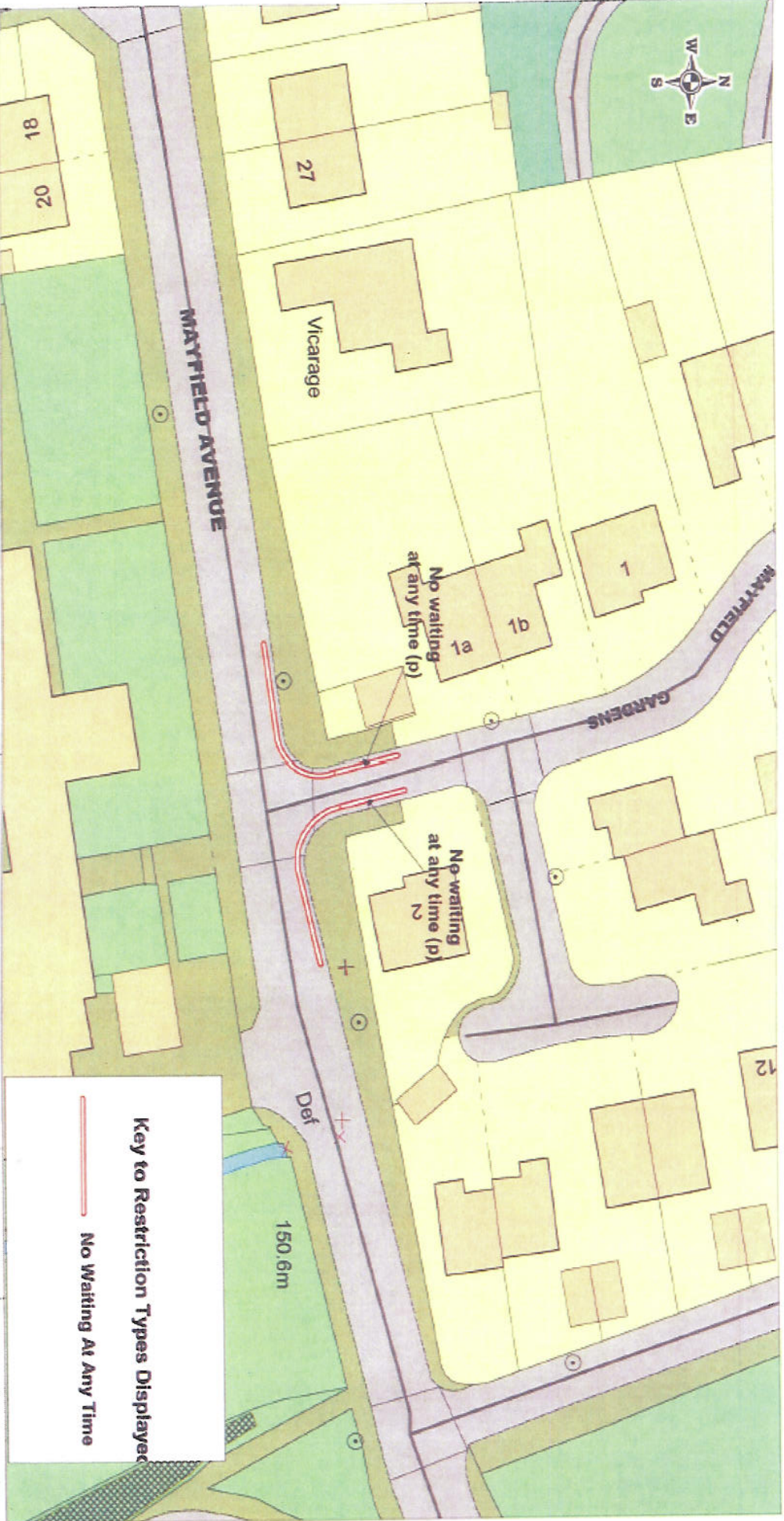


Mount St James, Knuzden
 St Oswald's School
 Keep Clear Entrance
 Restriction

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Environment Directorate
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 Executive Director - Environment Directorate
 P.O. Box 100, County Hall,
 PRESTON PR1 0YD

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Key to Restriction Types Displayed

— No Waiting At Any Time



Mayfield Avenue

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