

ROAD TRAFFIC REGULATION ACT 1984

LANCASHIRE COUNTY COUNCIL (STANWORTH ROAD, RAILWAY STREET, BROAD STREET, NELSON, PENDLE BOROUGH) (PART REVOCATION, RESTRICTION OF WAITING, AUTHORISED LICENSED HACKNEY CARRIAGE RANKS AND LOADING/UNLOADING BAYS) ORDER 2009

The County Council of Lancashire ("the Council") in exercise of its powers under Sections 1(1), 2(1) and (2), 4(2) and (3) 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, and Section 43 and Schedules 3 and 6 to the Road Traffic Act 1991 ("the 1991 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) **"authorised taxi rank"** means any area of carriageway which is comprised within and indicated by a road marking, complying with diagram 1028.2 in Schedule 6 to the Traffic Signs Regulations and General Directions 2002.
- b) **"hackney carriage"** has the same meaning as in the Town Police Clauses Act 1847.
- 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 2000 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) **"loading bay"** means the loading/unloading only parking place as specified in Schedule 3 to this Order
- e) **"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.

- f) 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.
- g) A vehicle displays a parking disc in the relevant position if -
 - i) the disc is exhibited on the dashboard or fascia of the vehicle; or
 - ii) where the vehicle does not have a dashboard or fascia, the disc is exhibited in a conspicuous position on the vehicle so that when marked to show the quarter hour period during which a period of waiting began that period is clearly legible from the outside of the vehicle.

2. Part Revocation

That part of the "Lancashire County Council (Pendle Borough Area) (On Street Parking Places, Prohibition and Restriction of Waiting) Consolidation Order 2007" as amended and updated by an Order with the same title made in 2009 - Schedule 10.01 Item 263a) (iii) is hereby revoked insofar as it relates to:

- i) the Restriction of Waiting referred to in Schedule 1 to this Order;
- ii) the Loading Bay referred to in Schedule 3b) to this Order.

3. Restriction 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, Monday to Sunday 7.00 a.m. to 12.00 a.m. for longer than 30 minutes with no return within 1 hour in that length of road referred to in Schedule 1 to this Order.

4. Authorised Licensed Hackney Carriage Ranks

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 other than a licensed hackney carriage to wait, in the authorised taxi ranks referred to in the Schedule 2 to this Order.

5. Prohibition of Waiting with Exemption for Loading/Unloading

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 loading/unloading parking place referred to in Schedule 3 to this Order, except for a vehicle being used to load / unload goods.

6. Exception to Prohibition/Restriction of Waiting

6.1 Nothing in Articles 3, 4 and 5 of this Order shall render it unlawful to cause or permit any vehicle to wait at any time on any day on those 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) 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 near land adjacent to the said lengths of roads 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;
- c) 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;
- d) the vehicle to be used for delivering or collecting postal packets as defined in Postal Services Act 2000;
- e) the vehicle to be used for fire brigade, ambulance or police purposes in pursuance of statutory powers or duties.
- f) the vehicle to wait at or near to any premises situated on or adjacent to the said length of road for so long as such waiting by the vehicle is reasonably necessary in connection with any wedding or funeral.

6.2 Nothing in Articles 3 and 5 of this Order shall render it unlawful to cause or permit any vehicle to wait at any time, on any day in the lengths of road referred to therein, for so long as may be necessary to enable goods to be loaded or unloaded from the vehicle.

7. 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 lengths of roads referred to therein, 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. Miscellaneous

The prohibition/restriction 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.

7. Commencement of Order

This Order shall come into force on the 18th May 2009 and may be cited as the "Lancashire County Council (Stanworth Road, Railway Street, Broad Street, Nelson, Pendle Borough) (Part Revocation, Restriction of Waiting, Authorised Licensed Hackney Carriage Ranks and Loading/Unloading Bays) Order 2009.

Schedule 1

No Waiting Monday to Sunday 7.00 a.m. to 12.00 a.m. for longer than 30 minutes with no return within 1 hour:

Railway Street, west side, from a point 47 metres south of the centre line of Broadway for a distance of 18 metres in a southerly direction.

Schedule 2

Authorised Licensed Hackney Carriage Ranks

- a) **Stanworth Road**, south side, from a point of 9 metres south of the centre line of Broad Street for a distance of 10 metres in a southerly direction.
- b) **Stanworth Road**, north side, from a point of 33 metres south of the centre line of Broad Street for a distance of 30 metres in a south westerly direction.

Schedule 3

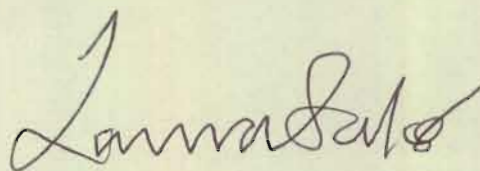
Loading Only Parking Bays

- a) **Broad Street**, north side, from a point of 34.5 metres south of the centre line of Broadway for a distance of 10 metres in a south easterly direction.
- b) **Railway Street**, east side, from a point of 47 metres south of the centre line of Broadway for a distance of 9 metres in a southerly direction.

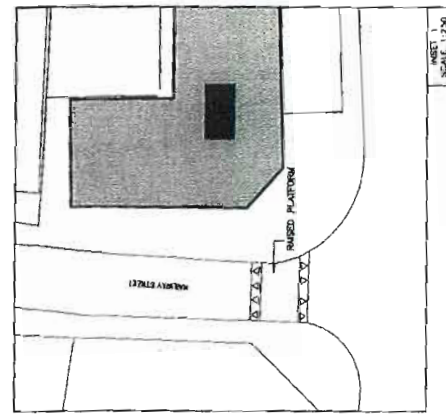
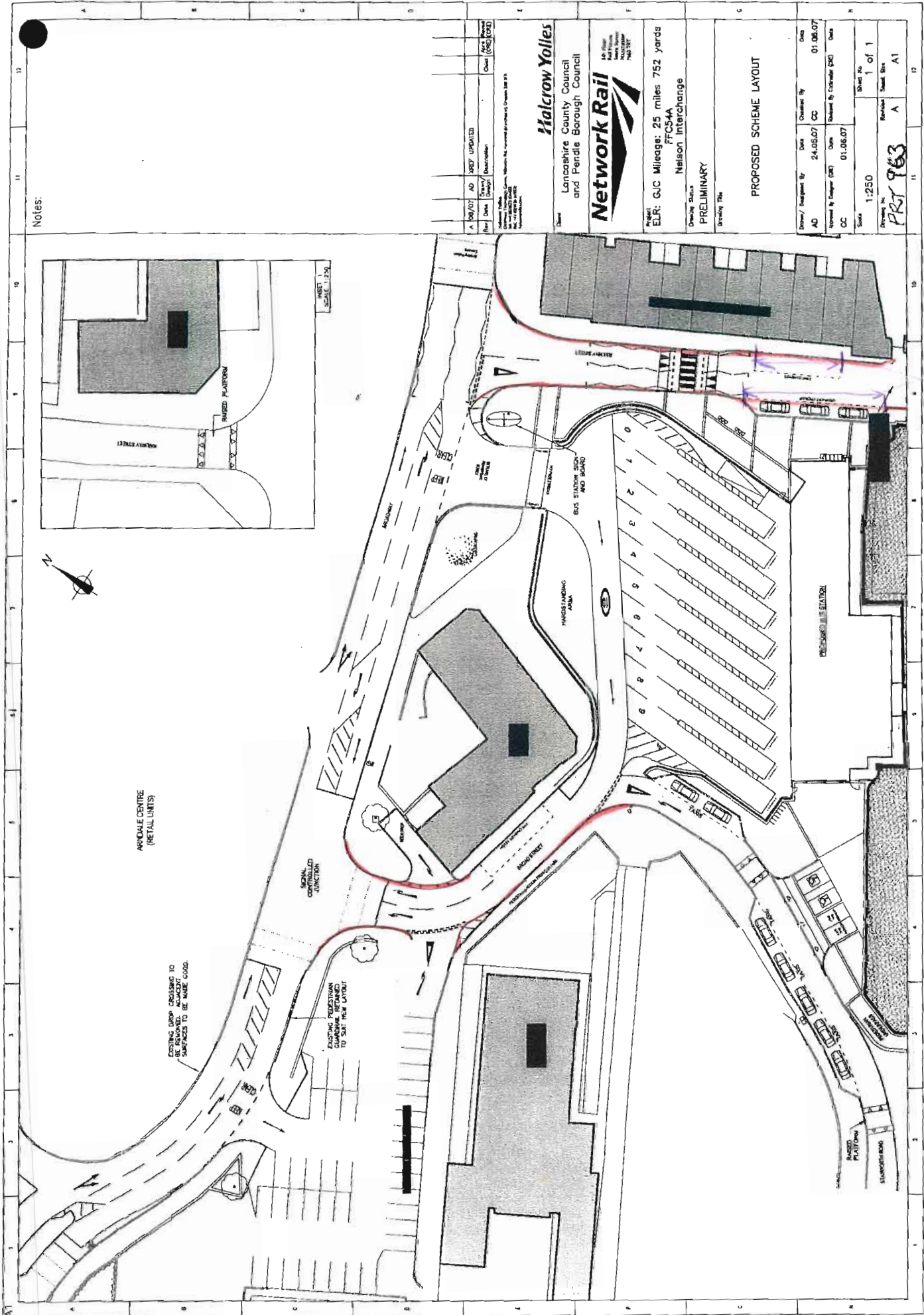
Dated this 13th day of May 2009

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

Authorised Signatory



18886



Notes:

Halcrow Yolles Lancashire County Council and Pendle Borough Council		Date: 24.05.07 Drawn By: CC Checked By: CC Date: 01.06.07
Network Rail G/C Mileage: 25 miles 752 yards FFC544 Nelson Interchange		Date: 01.06.07 Drawn By: CC Checked By: CC Date: 01.06.07
Project: ELR: G/C Mileage: 25 miles 752 yards FFC544 Nelson Interchange		Date: 01.06.07 Drawn By: CC Checked By: CC Date: 01.06.07
Drawing Title: PRELIMINARY Drawing No:		Date: 01.06.07 Drawn By: CC Checked By: CC Date: 01.06.07
Scale: 1:250		Sheet No: 1 of 1 Sheet Size: A1
Drawing No: PR 963		Sheet Size: A1