ROAD TRAFFIC REGULATION ACT 1984
LANCASHIRE COUNTY COUNCIL
(THE ESPLANADE, FLEETWOOD, WYRE BOROUGH)
(PART REVOCATION, PROHIBITION OF WAITING, LIMITED WAITING,
DISABLED PARKING PLACES AND LOADING/UNLOADING BAY) ORDER 2013

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

1. Definitions and Interpretations
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 displaying a disabled person’s
   badge in the circumstances prescribed in Regulations 13, 14, 15 or 16 of The

b) “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.

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 or parking disc 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) “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;

f) "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;

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) "Loading" and "Unloading" means the continuous transference from (or to) a vehicle to (or from) premises adjacent to where the vehicle is parked of heavy or unmanageable Goods that are not designed to be carried by hand other than over a very short distance.

i) "Disabled Persons Parking Place" means any area of highway described in Schedule 4, indicated by a road marking approved by the DFT, in which disabled person's vehicles may wait when displaying a disabled persons badge and parking disk in the relevant position

j) "Parking Place" Means a place pursuant to Sections 1, 2, 4, 32 and 45 of the "1984 Act" where vehicles, or vehicles of a specified class may wait, and in respect of which a charge may be paid in connection with its use.

k) "Loading/Unloading Bay" means any area of highway described in Schedule 5 to this Order, indicated by a road marking approved by the DFT, in which vehicles may wait only if engaged in the loading or unloading of goods, which is comprised within and indicated by a road marking complying with diagram 1028.3 variant in Schedule 6 to the Traffic Signs Regulations and General Directions 2002.

2. Part Revocation
Those parts of the "Lancashire County Council (Wyre Borough Area) (On Street Parking Places, Prohibition and Restriction of Waiting) Order 2009" insofar as they relate to the lengths of road set out 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 set out in Schedule 2 to this Order.

4. Limited 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 for more than two hours, with no return within two hours, each day (inclusively), in the length of road set out in Schedule 3 to this Order.
5. **Disabled Parking Places**
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 in the lengths of road set out in Schedule 4 to this Order, unless that vehicle displays in the relevant position a disabled persons badge and parking disc.

6. **Loading/Unloading Bay**
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 in the length of road set out in Schedule 5 to this Order, unless that vehicle is engaged in the purposes of Loading or Unloading goods.

7. **General 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 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.

8. Additional 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
   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. Exemption for disabled person’s vehicle

   a) 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 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 lengths 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.

   b) Nothing in Article 4 of this Order shall render it unlawful to cause or permit any vehicle to wait in the length of road referred to therein if the vehicle is a 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.

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 Articles 7 or 8 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, a Traffic Sign or cone indicating that waiting by vehicles is prohibited, as specified by Schedule 12 Part II of the Traffic Signs Regulations and General Directions 2002.
   
   d) No person shall cause or permit a vehicle to be left in any part of a Parking Place during such period when a 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 8; 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 length of road specified in Schedule 3 to this Order 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. **Commencement of Order**

This Order shall come into force on the 27th day of May, 2013 and may be cited as the "Lancashire County Council (The Esplanade, Fleetwood, Wyre Borough) (Part Revocation, Prohibition of Waiting, Limited Waiting, Disabled Parking Places and Loading/Unloading Bay) Order 2013".

Dated this 22nd day of May, 2013.

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

Authorised Signatory
Schedule 1 - Part Revocation
a) Schedule 10:01, Item 45 (b) (iv) - Bold Street, Fleetwood, the south side from the westerly kerbline of the Esplanade for a distance of 10 metres in a westerly direction.
b) Schedule 10:01, Item 106 (c) (i) – The Esplanade, Fleetwood, the west side from the southerly kerbline of Bold Street for a distance of 10 metres in a southerly direction.
c) Schedule 3:04, Item 1 (b) - The Esplanade, Fleetwood, the north & east side from a point 30 metres east of the westerly side of North Church Street to a point opposite the northerly edge of the Ferry Dock or thereabouts, but excluding a length of 27 metres marked "Lifeboat Station".

Schedule 2 - Prohibition of Waiting
a) The Esplanade, the west side, from a point 34 metres south of the centre line of Bold Street, in a northerly then westerly direction for a distance of 44 metres, ending on the south side of Bold Street.
b) The Esplanade, the west side, from a point 34 metres north of the centre line of Pharos Place, for a distance of 46.5 metres in a southerly then westerly direction extending onto the north side of Pharos Place;
c) The Esplanade, the east side, from its centre line junction with Bold Street for a distance of 10.5 metres in a southerly direction (The existing parking spaces for the Lifeboat Station are to remain);
d) The Esplanade, the east side, from a point 46 metres south of the centre line of Bold Street in a southerly direction for a distance of 2.5 metres.

Schedule 3 – Limited Waiting
The Esplanade, the east side, from a point 48 metres south of the centre line of Bold Street in a southerly direction for a distance of 47 metres.

Schedule 4 - Disabled Parking Places
a) The Esplanade, the west side, from a point 34 metres south of the centre line of Bold Street in a southerly direction for a distance of 6.6 metres.
b) The Esplanade, the west side, from a point 34 metres north of the centre line of Pharos Place in a northerly direction for a distance of 6.6 metres.
c) The Esplanade, the east side, from a point 95 metres south of the centre line of Bold Street in a southerly direction for a distance of 9.5 metres.

Schedule 5 – Loading/Unloading Bay
The Esplanade, the east side, from a point 29 metres south of the centre line of Bold Street in a southerly direction for a distance of 17 metres.