

ROAD TRAFFIC REGULATION ACT 1984
LANCASHIRE COUNTY COUNCIL
(VARIOUS ROADS, PENDLE, PENDLE BOROUGH)
(REVOCAION, PART REVOCAION AND DISABLED PARKING PLACES)
ORDER 2012

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 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) **"disabled parking place"** means an area comprised within the carriageway of a road, the boundary of which is:-
 - i) marked in accordance with the Traffic Signs Regulations and General Directions 2002 ("the regulations") and accompanied by a sign in accordance with the Regulations indicating the restrictions on the use of the parking place; and
 - ii) for which the restrictions on use are described in Article 4 of this Order
- b) **"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.
- c) **"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) (England) Regulations 2000;
- d) **"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.
- e) A vehicle displays a disabled person's badge or parking disk in the '**relevant position**' if –
 - i) the badge is exhibited on the dashboard or facia of the vehicle, or
 - ii) where the vehicle is not fitted with a dashboard or facia 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.

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) **“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

The orders specified in Schedule 1 to this order are hereby revoked in full.

3) Part Revocation

Those parts of the 'Lancashire County Council (Pendle Area) (On Street Parking Places, Prohibition and Restriction of Waiting) Consolidation Order 2009' as specified in Schedule 2 to this Order are hereby revoked.

4) 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 at any time, on any day, in the lengths of road in schedule 3 to this order unless that vehicle is a Disabled Persons Vehicle which displays a Disabled Persons Badge and Parking Disc in the relevant position.

5) General Exemptions

Nothing in Article 4 of this Order shall be in contravention of this Order 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 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 length of road;
 - iv) the laying, erection, alteration or repair in or near land adjacent to the said length 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 length of road for so long as such waiting by the vehicle is reasonably necessary in connection with any wedding or funeral.

6) Additional Exemptions

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 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.

7) 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.

8) 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 7 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.

9) 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 7 of this Order have been contravened or not complied with 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.

10) 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 5 or 6 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 7 so that every part of the vehicle is within the limits of the Parking Place.

11) Power to suspend use of a parking place

- 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) left in such Parking Place with the permission of the person suspending the use of the Parking Place.

12) Restriction of use of a vehicle in a disabled parking place

While any vehicle is in a disabled parking place no person shall use the said vehicle in connection with the sale of any article to any person in or near the disabled parking place or in connection with the selling of or offering for sale of his/her skills or services.

13) 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.

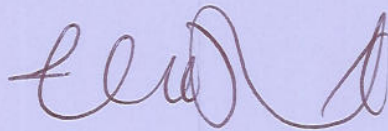
14) Commencement of Order

This Order shall come into force on the 8th October 2012 and may be cited as the "Lancashire County Council (Various Roads, Pendle, Pendle Borough) (Revocation, Part Revocation and Disabled Parking Places) 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



21864

Schedule 1 – Revocation

- a) The 'Lancashire County Council (Fife Street, Barrowford, Pendle Borough) (Disabled Parking Bay) Order 2009' is hereby revoked in full.
- b) The 'Lancashire County Council (Bessie Street, Barnoldswick, Pendle Borough) (Disabled Parking Place) Order 2011' is hereby revoked in full.

Schedule 2 – Part Revocation

- a) The following items from the Schedule 2.01 of 'Lancashire County Council (Pendle Area) (On Street Parking Places, Prohibition of Waiting) Consolidation Order 2009' are hereby revoked;
- b) Item 121) a) the south side, a bay, (5 metres in length) outside the frontage to no.157, Reedyford Road, Nelson.
- c) Item 19, the south east side, a bay, (5 metres in length) outside the frontage to No. 90, Bradley Hall Road, Nelson.
- d) Item 157 a), Whitehall Street, Nelson, the south east side, outside the frontage of No. 72 Whitehall Street.
- e) Item 146, Union Street, Colne, the north side, opposite No. 2 Union Street.
- f) Item 58 a) Garrick Street, Nelson, the north east side, outside the frontage to no. 3 Garrick Street.

Schedule 3 Introduce Disabled Parking Bays in the following lengths of Road in Pendle, Pendle Borough;

- 1) Sackville Gardens, Brierfield, the west side, 58 metres north of the centreline of Massey Street for 6.6 metres in a northerly direction.
- 2) Bawhead Road, Earby, the south side, 58m east of the centreline of Longroyd Road for 6.6m in a easterly direction
- 3) Fern Bank, Nelson, the north west side, 66m south west of the centreline of Day Street for 6.6m in a south westerly direction
- 4) Woodside Terrace, Nelson, the south side, 50m west of the centreline of Howard Street for 3m in a westerly direction & 5m in a southerly direction
- 5) Netherfield Road, Nelson, south side, 35m south west of the centreline of Railway Street for 6.6m in a south westerly direction
- 6) Rhoda Street, Nelson, the west side, 28m north of the centreline of Earl Street for 6.6m in a northerly direction
- 7) Tavistock Street, Nelson, the east side, 27m north of the centreline of Woodlands Road for 6.6m in a northerly direction
- 8) Larch Street, Nelson, the north west side, 32m south west of the centreline of Bracewell Street for 6.6m in a south westerly direction
- 9) Venables Avenue, Colne, the west side, 46m south of the centreline of Oak Street for 6.6m in a southerly direction
- 10) Skipton Road, Colne, west side, 34m north of the centreline of Byron Road for 6.6m in a northerly direction
- 11) Barrett Street, the south Side ,16m west of the centreline of Cross Street for 6.6m in a westerly direction
- 12) Bradley Hall Road, Nelson, the south east side, 14m north east of the centreline of Fulham Street for 6.6m in a north easterly direction
- 13) Sheridan Road, Laneshaw Bridge, the north side, 27m east of the centreline of Vernon Road for 6.6m in a easterly direction
- 14) Gisburn Road, Barnoldswick, the west side, 15m south of the centreline of Foster Road for 6.6m in a southerly direction
- 15) Alkincoats Road, Colne, the west side, 16m north of the centreline of Reginald Street for 6.6m in a northerly direction
- 16) Stansfield Street, South east side, 10m south east of the centreline of Leeds Road for 6.6m in a south easterly direction
- 17) Commercial Street Barnoldswick, north east side, 35m north west of the centreline of Green Street for 6.6m in a north westerly direction
- 18) Harvey Street, north east side, 11m north west of the centreline of Chapel Street for 6.6m in a north westerly direction
- 19) Venables Avenue, Colne, the west side, 18m north of the centreline of Oak Street for 6.6m in a northerly direction
- 20) Higher Causeway, Barrowford, the south west side, 55m south east of the centreline of Oaklands Avenue for 6.6m in a south easterly direction
- 21) School Lane, Earby, the south side, 44m west of the centreline of Old Lane for 6.6m in a westerly direction
- 22) Birtwistle Avenue, Colne, north side, 90m north east of the centreline of Slater Avenue for 6.6m in a north easterly direction
- 23) Vaughan Street, Nelson, south east side, 56m north east of the centreline of Brunswick Street for 6.6m in a north easterly direction
- 24) Portland Street, Colne, east side, 91m south of the centreline of Gordon Street for 6.6m in a southerly direction
- 25) Mansfield Crescent, Brierfield, the north east side, 135m south east of the centreline of Mansfield Grove for 6.6m in a south easterly direction
- 26) Mansfield Grove, Brierfield, the south east side, 45m north east of the centreline of Mansfield Crescent for 6.6m in a south easterly direction
- 27) Knotts Lane, Colne, the south west side, 27m north west of the centreline of South Valley Drive for 6.6m in a north westerly direction

- 28) St Stephens Way, Colne, the north side, 183m east of the centreline of Vincent Street for 6.6m in a easterly direction
- 29) Wilmore Close, Colne, the north side, 45m east of the centreline of Parker Street for 6.6m in a easterly direction