

**ROAD TRAFFIC REGULATION ACT 1984  
LANCASHIRE COUNTY COUNCIL  
(LANCASTER PARK AND RIDE, LANCASTER, LANCASTER CITY)  
(OFF STREET PARKING PLACE) ORDER 2022**

The County Council of Lancashire ("the Council") in exercise of its powers under Sections 32, 33 and 35 to the Road Traffic Regulation Act 1984, as amended ("the 1984 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**

In this Order where the context requires, the masculine includes the feminine and the neuter and vice versa, the singular includes the plural and vice versa.

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

- a) **"Authorised Person"** means the Director of Community Services or the Regulation & Enforcement Manager employed by the Council;
- b) **"Charging Unit"** means apparatus which supplies electricity for the charging of Electric Vehicles;
- c) **"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;
- 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) **"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;
- f) **"Disabled Person's Parking Space"** means any Parking Space within a Parking Place where there is a sign and/or surface marking which indicates that the Parking Space is only to be used for the parking of a Disabled Person's Vehicle;
- g) **"Driver"** in relation to a Vehicle Waiting in a Parking Place means the person driving the Vehicle immediately prior to parking it in the Parking Place;
- h) **"Electric Vehicle"** means any Vehicle which uses one or more electric motors for propulsion;

- i) **"Enforcement Authority"** means Lancashire County Council;
- j) **"Hours of Operation"** mean the days and hours set out in column 5 of the Schedule;
- k) **"Invalid Carriage"** means a mechanically propelled Vehicle of which the weight unladen does not exceed 254 kilograms and which is specifically designed and constructed, and not merely adapted, for the use of a person suffering from some physical defect or disability and is used solely by such a person;
- l) **"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;
- m) **"Material Time"** means the time when the contravention giving rise to the Penalty Charge is said to have occurred;
- n) **"Motor Car"** means a motor Vehicle (other than an Invalid Carriage or Motor Cycle):
  - i) which is not constructed or adapted to carry more than nine persons inclusive of the Driver, and
  - ii) which has a maximum gross weight not exceeding 3.5 tonnes.
- o) **"Motorcycle"** means a mechanically propelled Vehicle (not being an Invalid Carriage) with fewer than four wheels, of which the weight unladen does not exceed 410 kilograms;
- p) **"Owner"** in relation to a Vehicle means the person in whose name the Vehicle is registered at the relevant time under the Vehicle Excise and Registration Act 1994;
- q) **"Park"** refers to a Vehicle which Waits in a Parking Place;
- r) **"Parking Place"** means any land, premises or place detailed in Column 1 of the Schedule and edged blue or red on the plan appended to this Order;
- s) **"Parking Space"** means any area of a Parking Place which is provided for the leaving of a Vehicle and indicated by markings on the surface of the Parking Place;
- t) **"Penalty Charge"** means the charge set by the Council under the provisions of the 2004 Act and subordinate legislation made thereunder;
- u) **"Penalty Charge Notice"** means a notice issued or served by a Civil Enforcement Officer pursuant to the provisions of section 78 of the 2004 Act and The Civil Enforcement of Parking Contraventions (England) General Regulations 2007, or any other legislation as may replace it in the future;
- v) **"the 2004 Act"** means the Traffic Management Act 2004;



w) **"the Council"** means Lancashire County Council;

x) A Vehicle displays a Disabled Person's Badge or Parking Disc in the **"Relevant Position"** if –

- i) it 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.

y) **"Vehicle"** means a Motor Car, Motorcycle or Invalid Carriage;

z) **"Wait"** refers to a Vehicle stopping and remaining stationary for any period of time whether or not with the intention of parking. If a Vehicle remains stationary for any period in a Parking Place whether or not a person alights from the Vehicle it is deemed to be Waiting;

aa) **"Works Vehicle"** means a Vehicle driven by someone who has received prior consent by an Authorised Person to Park in the works Vehicle Parking Spaces.

## **2. Designation And Use Of Parking Place**

Each area of land or place specified by name in column 1 of Schedule 1 may be used subject to the following provisions of this Order, as a Parking Place for such Vehicles or classes of Vehicles, in such positions, for such period on such days and during such hours, as are specified in relation to that Parking Place in the Schedule to this Order. No person shall, unless authorised in writing by the Council, use any Parking Place so named for any other purpose whatsoever.

## **3. Position Of Vehicle**

Every Vehicle left Waiting in a Parking Place in accordance with the provisions of this Order shall so stand so that every part of the Vehicle is within the limits of a particular Parking Space within the limits of the Parking Place.

## **4. Hours Of Operation**

No person shall permit a Vehicle to Wait in a Parking Place during hours other than the Hours of Operation.

## **5. Parking Only For Disabled Person's Badge Holders**

No Driver shall cause or permit a Vehicle to Wait in a Parking Space signed and/or marked for a Disabled Person's Vehicle, known as a Disabled Person's Parking Space, unless the Vehicle is a Disabled Person's Vehicle and it displays a valid Disabled Person's Badge in the Relevant Position.

## **6. Parking Only For Motorcycles**

No Driver shall cause or permit a Vehicle other than a Motorcycle to Wait in a Parking Space signed and/or marked for Motorcycles.

**7. Parking Only For Works Vehicles**

No Driver shall cause or permit a Vehicle other than a Works Vehicle to Wait in a Parking Space signed and/or marked for Works Vehicles.

**8. Electric Vehicle Charging Place 1 Hour No Return Within 2 Hours**

No Driver shall cause or permit any Vehicle, other than an Electric Vehicle plugged in and being recharged via a Charging Unit, on any day at any time, in a Parking Space signed and/or marked for Electric Vehicles in which case that Vehicle may Wait for a maximum period of 1 hour and not return within 2 hours.

**9. Electric Vehicle Charging Place**

No Driver shall cause or permit any Vehicle, other than an Electric Vehicle plugged in and being recharged via a Charging Unit, on any day at any time, in a Parking Space signed and/or marked for Electric Vehicles.

**10. Weight Restriction**

No Driver shall cause or permit a Vehicle to enter a Parking Place if that Vehicle's maximum gross weight exceeds the weight limit as set out in Schedule 2.

**11. Height Restriction**

No Driver shall cause or permit a Vehicle to enter a Parking Place if that Vehicle's maximum height exceeds the height limit as set out in Schedule 3.

**12. Prohibition of Waiting**

No Driver shall cause or permit any Vehicle to wait in the lengths of road as set out in Schedule 4.

**13. Prohibition of Loading**

No Driver shall cause or permit any Vehicle to wait for the purposes of Loading or Unloading, in the lengths of road set out in Schedule 5.

**14. Removal And Repositioning Of Vehicles**

When a Vehicle Waits in a Parking Place in contravention of any of the provisions of this Order a person authorised in that behalf by the Council may remove the Vehicle or arrange for the Vehicle to be removed from that Parking Place and when a Vehicle is Waiting in a Parking Place in contravention of the provision of Article 3 a person authorised in that behalf by the Council may alter or cause to be altered the position of the Vehicle in order that its position shall comply with that Article.



### **15. Removal Of Vehicles In An Emergency**

For the purpose of meeting the requirements of an emergency a person authorised in that behalf by the Council or a police constable in uniform may alter or cause to be altered the position of a Vehicle in a Parking Place or remove or arrange for the removal of a Vehicle from a Parking Place and in so doing shall provide for the safe custody of the Vehicle.

### **16. Method Of Removing And Repositioning Vehicles**

An Authorised Person altering or causing to be altered the position of the Vehicle by virtue of Articles 14 or 15, or removing or causing the removal of a Vehicle by virtue of Articles 14 or 15 may do so by towing or driving the Vehicle or in such other manner as he may think necessary and may take such measures in relation to the Vehicle as he may think necessary to enable him to remove it or alter its position as the case may be.

### **17. Safe Custody Of Vehicles**

- a) An Authorised Person removing or arranging for the removal of a Vehicle by virtue of Articles 14 or 15 shall make such arrangements as he considers to be reasonably necessary for the safe custody of the Vehicle.
- b) Where an Authorised Person has removed or caused to be removed a Vehicle by virtue of Articles 14 or 15 the Council shall be entitled to recover from any person responsible such charges in respect of the removal, storage and disposal of the Vehicle as it determined under Schedule 9 of the 2004 Act.

### **18. Power To Close Any Parking Place Or Part Thereof**

- a) Notwithstanding the provisions of this Order any person authorised by the Council may by notice, sign or barrier displayed on or near the Parking Place close any Parking Place or any part thereof for any period and/or may designate any Parking Place or any part thereof as reserved for use only by particular Vehicles for particular purposes approved by the Council.
- b) No Driver of any Vehicle shall use the Parking Place or any part thereof when it is so closed unless with the written consent of the Council or in compliance with the particulars of the reservation.

### **19. Stop Engine**

The Driver of a Vehicle using a Parking Place shall stop the engine as soon as a Vehicle is correctly in position in the Parking Space and shall not start the engine except when about to change the position of the Vehicle in or to depart from the Parking Place.

### **20. Parked Causing An Obstruction**

The Driver of a Vehicle using a Parking Place shall not Park the Vehicle in such a manner or place where it causes an obstruction to any other users of the Parking Place.

### **21. Vehicle Tax And Insurance**

The Driver of a Vehicle shall not cause or permit the Vehicle to Wait in any Parking Place unless the Vehicle is licensed in accordance with the provisions of the Vehicles Excise and Registration Act 1994 and there is in relation to the use of the Vehicle by the Driver such a current policy of insurance as complies with the requirements of the Road Traffic Act 1988.

### **22. Entry And Exit**

The Driver of a Vehicle shall comply with all signs and markings in a Parking Place:

- a) indicating the entrance to or exit from the Parking Place;
- b) indicating that a Vehicle using the Parking Place shall proceed in a specified direction within the Parking Place;
- c) indicating the class of Vehicle authorised to proceed in a specific direction.

### **23. Activities Prohibited In Parking Places**

- a) No person shall use a Vehicle while it is in a Parking Place in connection with the sale of any article (including the Vehicle itself) to persons in or near the Parking Place or in connection with the selling or offering for hire of his skills or services, except with the prior written permission of the Council.
- b) No person shall use any part of a Parking Place or any Vehicle left in a Parking Place:
  - i) for sleeping or accommodation or camping purposes;
  - ii) for eating or cooking purposes;
  - iii) to undertake (or allow to be undertaken) any cleaning, maintenance or repair of a Vehicle except such as may be necessary to enable the Vehicle to be removed from the Parking Place.
- c) In a Parking Place no person shall:
  - i) erect or cause to be erected any tent stand building or other structure without the written consent of the Council; or
  - ii) light or cause or permit to be lit any fire.

### **24. No Liability For Loss Or Damage To Vehicle Or Property**

The Council accepts no liability for the loss or damage to Vehicles or other property left in any of the Parking Places to which this Order applies.



## **25. Contravention**

- a) Where a contravention of this Order constitutes a parking contravention within the meaning of the 2004 Act the contravention shall be subject to the penalties and procedures provided for by the said legislation and any subordinate legislation made thereunder.
- b) If a Vehicle is left in a Parking Place in contravention of this Order a Penalty Charge shall be payable by the person:
  - i) who was the Owner of; or
  - ii) who hired the Vehicle involved in the contravention at the Material Time.

## **26. Restriction On Removal Of Notices**

A Penalty Charge Notice fixed to a Vehicle shall not be removed or interfered with except by or under the authority of:-

- a) the Owner or person in charge of the Vehicle; or
- b) the Enforcement Authority.

## **27. Indications Of Evidence**

- a) The particulars given in a Penalty Charge Notice issued in accordance with the 2004 Act and any subordinate legislation made thereunder shall be treated as evidence in any proceedings relating to the failure to pay such Penalty Charge.
- b) A contravention of this Order which does not constitute a parking contravention within the meaning of the 2004 Act is an offence under section 35A of the 1984 Act.

## **28. Disposal Of Vehicles**

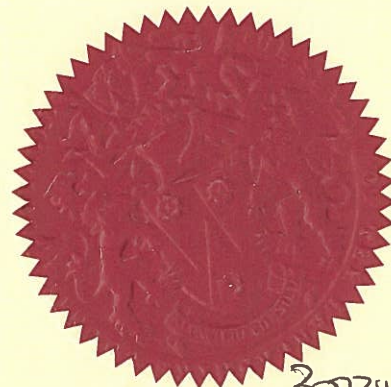
If a Vehicle has been, or could at anytime be, removed from a Parking Place in pursuance of this Order and the Vehicle appears to the Council to have been abandoned the Council may dispose of that Vehicle in such a manner as it thinks fit, the provisions set out in the 1984 Act shall apply.

**29. Commencement Of Order**

This Order shall come into force on the 04<sup>th</sup> day of July 2022 and may be cited as the "Lancashire County Council (Lancaster Park And Ride, Lancaster, Lancaster City) (Off Street Parking Place) Order 2022".

Dated this 22<sup>nd</sup> day of June 2022.

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



A handwritten signature in black ink, appearing to be "J. A. R.", written over the seal.

30734

Authorised Signatory



### **Schedule 1**

1	2	3	4	5
Name Of Parking Place	Designation Of Type Of Parking Place	Position In Which Vehicles Must Park	Classes Of Vehicles	Days And Hours Of Operation
Lancaster Park and Ride North – situated at grid reference 349560:464093 being to the south of Caton Road (A683), Lancaster, and to the east of the northbound M6 junction 34 off slip.	Off Street Parking Place	Wholly within a Parking Space, in accordance with Article 3	Vehicles, Motorcycles and Disabled Person's Vehicles	Monday to Sunday (including Bank Holidays) inclusively – 24 hours a day
Lancaster Park and Ride South – situated at grid reference 349575:463959 being to the south of The North Car Park, Lancaster Park & Ride, and to the east of the northbound M6 junction 34 off slip.	Off Street Parking Place	Wholly within a Parking Space, in accordance with Article 3	Vehicles, Disabled Person's Vehicles, Motorcycles, Electric Vehicles and Works Vehicles	Monday to Sunday (including Bank Holidays) inclusively – 24 hours a day

### **Schedule 2 – Weight Restriction**

Name of Parking Place	Weight Limit
Lancaster Park and Ride North	7.5 tonnes
Lancaster Park and Ride South	7.5 tonnes

### **Schedule 3 – Height Restriction**

Name of Parking Place	Height Limit
Lancaster Park and Ride North	2.1 metres
Lancaster Park and Ride South	2.1 metres

### **Schedule 4 – Prohibition of Waiting**

- a) The Inner Running Lane of the North Car Park, both sides, for its entire length.
- b) The Inner Running Lane of the South Car Park, both sides, for its entire length.

### **Schedule 5 – Prohibition of Loading**










- a) The Inner Running Lane of the North Car Park, both sides, for its entire length.
- b) The Inner Running Lane of the South Car Park, both sides, for its entire length.

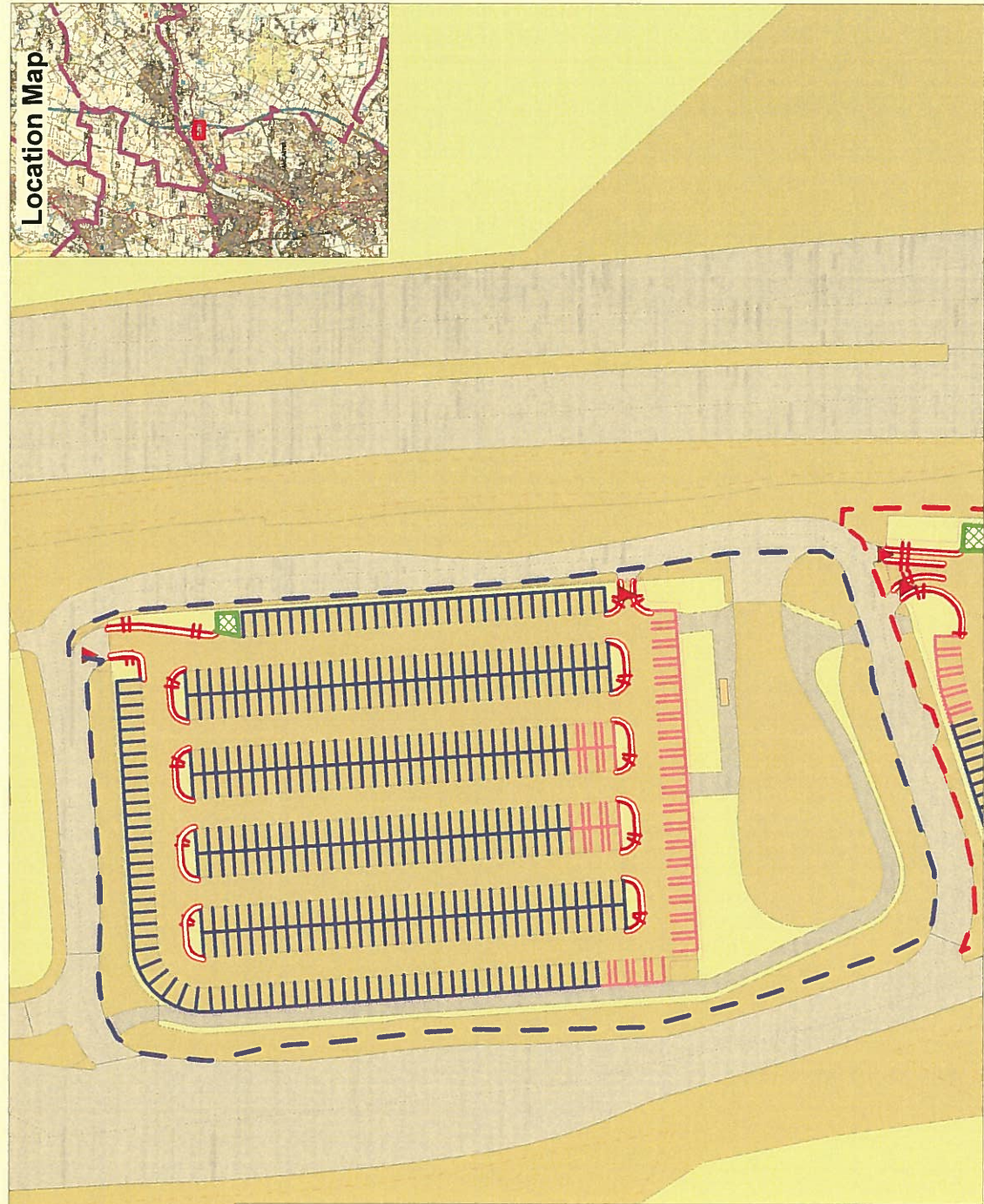


# Location Map



## Key to Restriction Types Displayed

-  North Car Park Boundary
-  South Car Park Boundary
-  General Parking Bays
-  Disabled Parking Bays
-  Motorcycle Parking Areas
-  No Waiting At Any Time
-  No Loading At Any Time
-  7.5t Weight Restriction
-  Maximum 2.1m Height Restriction




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**The North Car Park,  
Lancaster Park & Ride,  
Lancaster**

**Lancashire  
County  
Council**

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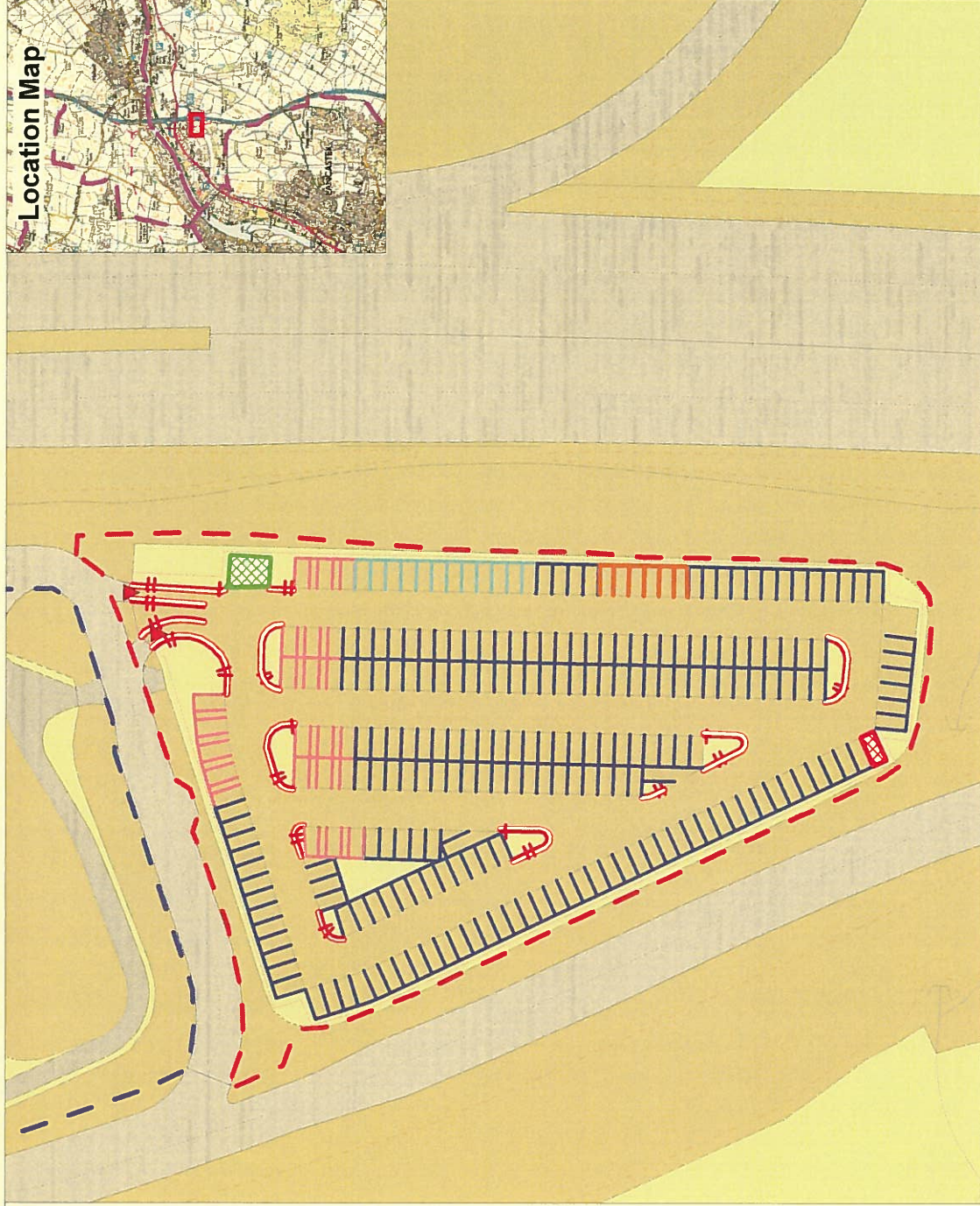
**Phil Durnell**  
**Director of Highways  
and Transportation**  
P.O. Box 100, County Hall,  
PRESTON PR1 0LD

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## Key to Restriction Types Displayed

	North Car Park Boundary
	South Car Park Boundary
	General Parking Bays
	Disabled Parking Bays
	Motorcycle Parking Areas
	No Waiting At Any Time
	No Loading At Any Time
	7.5t Weight Restriction
	Maximum 2.1m Height Restriction
	Authorised Works Vehicle Only Parking Bay
	Electric Vehicle Charging Bay 1 Hour No Return Within 2 Hours
	Electric Vehicle Charging Bay



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**The South Car Park,  
Lancaster Park & Ride,  
Lancaster**



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**Phil Durnell**  
**Director of Highways**  
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