

SR82.
1997/06

THE LANCASHIRE COUNTY COUNCIL
(VARIOUS ROADS, HIGHER WALTON, SOUTH RIBBLE BOROUGH)
(CONSOLIDATION) ORDER, 1997

The County Council of Lancashire ("the Council") in exercise of its powers under Sections 1(1), 2(1) and (2), 4(2) and (3) and 124 of and Part IV of Schedule 9 to the Road Traffic Regulation Act, 1984, as amended ("the 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 Act, hereby makes the following Order:-

1. For the purposes of this Order -

(a) "Bus" means

- i) any motor vehicle constructed or adapted to carry more than 8 passengers (exclusive of the driver); or
- ii) local buses as defined by the Traffic Signs Regulations and General Directions, 1994, not so constructed or adapted.

(b) "Bus stop area" means any area of carriageway intended for the waiting of buses which is comprised within and indicated by a road marking complying with either diagram 1025.1 or 1025.3 of the Traffic Signs Regulations and General Directions 1994.

(c) "Carriageway" means a way consisting or comprised in a highway being a way (other than a cycle track over which the public have a right of way for the passage of vehicles (as defined in Section 329 of the Highways Act, 1980).

(d) "Higher Walton General Improvement Area" means that area of the County of Lancashire bounded by:

- i) A675 Blackburn Road, from its junction with Kittlingborne Brow to its junction with Church Street.
- ii) Church Street, along its southern side to its junction with the back passage leading to Brook Street, then in a straight line in a westerly direction to the east bank of Many Brooks.
- iii) Many Brooks, in a northerly direction along its course until it meets Kittlingborne Brow then along the east side of Kittlingborne Brow, to its junction with A675 Blackburn Road.

(e) "disabled person's vehicle" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations, 1986;

(f) "disabled person's badge" means that form and size of badge shown in Schedules 1 and 2 of the Disabled Persons (Badges for Motor Vehicles) Regulations, 1982, as amended by the Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations, 1991;

- (g) "parking disc" means a disc issued by a local authority 125 millimetres square coloured orange and capable of showing the quarter hour period during which a period of waiting begins;
- (h) A disabled persons vehicle shall be regarded as displaying a disabled persons badge in the relevant position when:-
 - i) in the case of a vehicle fitted with a dashboard or facia panel, the badge is exhibited thereon so that Part 1 of the badge is legible from outside the vehicle; or
 - ii) in the case of a vehicle not fitted with a dashboard or facia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part 1 of the badge is legible from outside the vehicle.
- (i) a disabled persons vehicle shall be regarded as displaying a parking disc in the relevant position if:
 - i) in the case of a vehicle fitted with a dashboard or facia panel, the disc is exhibited thereon so that the quarter hour period during which the period of waiting began is legible from outside the vehicle; or
 - ii) in the case of a vehicle not so fitted, the disc is exhibited in a conspicuous position on the vehicle so that the quarter hour period during which the period of waiting began is legible from outside the vehicle.
- 2. The existing Traffic Regulation Orders specified in Schedule 1 to this Order are hereby revoked.
- 3. Save as is hereinafter provided no person shall, except upon the direction or with the permission of a police constable in uniform, or a traffic warden, cause or permit any vehicle, to wait at any time, on any day, in the lengths of roads specified in Schedule 2 to this Order.
- 4. Save as is hereinafter provided no person shall, except upon the direction or with the permission of a police constable in uniform, or a traffic warden, cause or permit any vehicle, to wait between the hours of 8.00am-6.00pm, on any day, along the south east side of Kittlingborne Brow, from a point 187 metres south west of its junction with Bridge Street for a distance of 50 metres in a south westerly direction.
- 5. Save as is hereinafter provided no person shall, except upon the direction or with the permission of a police constable in uniform, or a traffic warden, cause or permit any vehicle, to wait for a period longer than 15 minutes, no return within 30 minutes, along the east side of Cann Bridge Street, from a point 102 metres south of the junction with Shop Lane, for a distance of 10 metres in a southerly direction.

6. Nothing in Articles 3, 4 and 5 of this Order shall render it unlawful to cause or permit any vehicle to wait during the prohibited hours in the lengths of roads 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 onto 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 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 apparatus as defined in Schedule 2 to 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) the vehicle to be used for delivering or collecting postal packets as defined in Section 87 of the Post Office Act, 1953;
 - (f) the vehicle to be used for fire brigade, ambulance or police purposes in pursuance of statutory powers or duties.
7. No person shall cause any motor vehicle to proceed along Bridge Street, Brook Street, Church Street, Lark Hill and other un-named streets and back passages within the Higher Walton General Improvement Area.
8. Nothing in Article 7 of this Order shall render it unlawful for any person to cause any motor vehicle to proceed along the lengths of roads referred to therein if the motor vehicle is being used:-
- (a) subject to Article 9 of this Order for access to premises situated on the lengths of roads.
 - (b) 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 apparatus as defined in Schedule 2 to the Telecommunications Act, 1984;
 - (c) 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) for delivering or collecting postal packets as defined in Section 87 of the Post Office Act, 1953;
 - (e) for fire brigade, ambulance or police purposes in pursuance of statutory powers or duties.
9. The exception contained in Article 8 of this Order shall not be construed as permitting any customers of the licensed premises known as the Swan Inn to cause or permit any motor vehicles to proceed in any of the roads referred to Article 7 of this Order for the purpose of gaining access to those licensed premises.
10. Save as is hereinafter provided no person shall, except upon the direction or with the permission of a police constable in uniform, or a traffic warden, cause or permit any vehicle (except for buses) to wait between the hours of 7.00am-7.00pm on any day in any bus stop area along the south side of A675 Cann Bridge Street, Higher Walton.
11. Nothing in Article 10 of this Order shall render it unlawful for any person to cause or permit any vehicle to wait in any bus stop area in the length 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 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 apparatus as defined in Schedule 2 to the Telecommunications Act, 1984;
 - (b) the vehicle to be used for the purposes of a local authority or water company in pursuance of statutory powers or duties if it cannot conveniently be used for such purpose in any other road;

- (c) the vehicle to be used for fire brigade, ambulance or police purposes in pursuance of statutory powers or duties.
12. Nothing in Article 10 of this Order shall apply so as to prevent a vehicle from waiting in a bus stop area in the length of road referred to in that Article when the driver of the vehicles:-
- a) is required by law to stop;
 - b) is obliged to stop in order to avoid an accident; or
 - c) is prevented from proceeding by circumstances outside his/her control.
13. Nothing in Articles 3 and 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 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 a disabled person's badge (or a badge having effect under the provisions of the Disabled Person's (Badges for Motor Vehicles) (Amendment) Regulations, 1991, as if it were a disabled person's badge) and a parking disc (on which the driver or other person in charge of the vehicle has marked the time at which the period of waiting began).
14. Nothing in Article 5 of this Order shall render it unlawful to cause or permit any vehicle to wait, at any time, on any day, in the length of road referred to therein if the vehicle is a disabled person's vehicle which displays in the relevant position a disabled person's badge (or a badge having effect under the provisions of the Disabled Person's (Badges for Motor Vehicles) (Amendment) Regulations, 1991, as if it were a disabled person's badge).
15. 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.
16. This Order shall come into operation on the 21st November, 1997 and may be cited as "The Lancashire County Council (Various Roads, Higher Walton, South Ribble Borough) (Consolidation) Order, 1997".

THE COMMON SEAL of the Lancashire County Council was hereunto affixed in accordance with Paragraph 2.36 of the Scheme of Delegation to Chief Officers authorised by the Deputy Clerk on the 18th November, 1997.

Alan Gregory

Assistant Clerk of the County Council



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SCHEDULE 1 - Revocations

- ✓1. The Lancashire County Council (Kittlingbourne Brow, Higher Walton, South Ribble Borough) (Prohibition of Waiting) (Revocation) (Amendment) Order, 1978.
- ✓2. The Lancashire County Council (Kittlingbourne Brow, Higher Walton, South Ribble Borough) (Prohibition of Waiting) (Revocation) (Amendment) Order, 1979.
- ✓3. The Lancashire County Council (Cann Bridge Street and Brook Street, Higher Walton, Borough of South Ribble) (Prohibition and Restriction of Waiting) Order, 1979.
- ✓4. The Lancashire County Council (Various Roads) (Walton-le-Dale) (Higher Walton General Improvement Area) (South Ribble Borough) (Prohibition of Driving) Order, 1982.
- ✓5. The Lancashire County Council (Hoghton Lane (A675) and Hawthorne Avenue, Higher Walton, South Ribble Borough) (Prohibition of Waiting) Order, 1988.
- ✓6. The Lancashire County Council (A675 Cann Bridge Street, Higher Walton, South Ribble Borough) (Bus Stop Clearway) Order, 1993.
- ✓7. The Lancashire County Council (Shop Lane and Various Roads, Higher Walton, South Ribble Borough) (Prohibition of Waiting) Order, 1997.

SCHEDULE 2 - Prohibition of waiting at any time along the following lengths of roads in Higher Walton:

1. **Kittlingbourne Brow**, north west side, for a distance of 462 metres in a south westerly direction from its junction with Cann Bridge Street.
2. **Kittlingbourne Brow**, south east side, for a distance of 187 metres in a south westerly direction from its junction with Bridge Street.
3. **Kittlingbourne Brow**, south east side, from a point 237 metres south west of its junction with Bridge Street for a distance of 83 metres.
4. **Kittlingbourne Brow**, south east side, from the highway boundary of Blackburn Road, for a distance of 19 metres in a southerly direction.
5. **Brook Street**, north side, from its junction with A675 Blackburn Road, for a distance of 16 metres.
6. **Brook Street** south side, from its junction with A675 Blackburn Road for a distance of 9 metres.
7. **Cann Bridge Street**, east side, from a point 82 metres south of its junction with Shop Lane for a distance of 20 metres in a southerly direction.

8. **Cann Bridge Street**, east side, from a point 112 metres south of the junction with Shop Lane, for a distance of 40 metres in a southerly direction.
9. **Hawthorne Avenue**, both sides, from its junction with Hoghton Lane, for a distance of 15 metres in a northerly direction.
10. **Hoghton Lane**, north side, from its junction with Hawthorne Avenue, for a distance of 40 metres in an easterly direction.
11. **Hoghton Lane**, north side, from its junction with Hawthorne Avenue for a distance of 40 metres in a westerly direction.
12. **Shop Lane**, north side, from the highway boundary of Higher Walton Road for a distance of 16 metres in an easterly direction.
13. **Shop Lane**, south side, from the highway boundary of Higher Walton Road for a distance of 20 metres in an easterly direction.
14. **Higher Walton Road/Cann Bridge Street**, west side, from a point 37 metres south east of the centre of Cann Bridge to a point 100 metres north west of Cann Bridge.
15. **Higher Walton Road/Cann Bridge Street**, east side, from the centre line of the entrance to the playing fields (64 metres north of the centre line of Shop Lane) to a point 82 metres south of the centre line of Shop Lane.
16. **A675 Blackburn Road**, west side, from the centre line of Kittlingborne Brow to the centre line of Bridge Street.
17. **A675 Blackburn Road**, west side, from the centre line of Brook Street to the centre line of Church Street.
18. **A675 Blackburn Road**, east side, from the centre line of the entrance to Higher Walton Mills (30 metres south of the centre line of Kittlingborne Brow) to a point 30 metres north of the centre line of Gregson Lane.