

**LANCASHIRE COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984
(CURZON STREET AREA, (VARIOUS ROADS) BURNLEY, BURNLEY
BOROUGH) (PART REVOCATION, PROHIBITION OF WAITING, PROHIBITION
OF LOADING, LIMITED WAITING, LOADING BAY, DISABLED PARKING PLACE)
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 in accordance with Part III of Schedule 9 to the Act, 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 Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.
- 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) **"disabled persons parking place"** means any area of highway described in schedule 6, indicated by a road marking approved by the Department for Transport, in which disabled person's vehicles may wait when displaying a disabled persons badge and parking disc in the relevant position
- 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 disc in the **relevant position** if -
 - i) the badge/disc 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 is clearly legible from the outside of the vehicle.
- f) **"Loading Bay"** means any area of highway described in schedule 5, indicated by a road marking approved by the Department for Transport, 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.
- g) **"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.
- h) **"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;
- i) **"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;
- j) **"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
- k) **"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.

2. Part Revocation

Those parts of the "Lancashire County Council (Burnley Borough Area) (On Street Parking Places, Prohibition and Restriction of Waiting) consolidation order 2009", insofar as they relate to the lengths of road set out in Schedule 1 to this Order are hereby revoked.

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 any of 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 40 minutes with a no return within 40 minutes, from Monday to Saturday from 09:00 until 17:00 hours, in any of the lengths of road set out in Schedule 3 to this Order.

5. Prohibition of 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 load or unload in any of the lengths of road set out in Schedule 4 to this Order.

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 at any time, on any day, in the length of road set out in Schedule 5 to this Order, unless that vehicle is engaged in loading or unloading.

7. Disabled Parking Place

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 the Schedule 6 to this Order, unless that vehicle is a disabled persons vehicle which displays in the relevant position a disabled persons badge and parking disc.

8. General Exemptions

Nothing in Article 3,4,5,6 or 7 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) 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 roads;
 - iv) the laying, erection, alteration or repair in or in 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;
- 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) 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;
- e) the vehicle to be used for fire brigade, ambulance or police purposes in pursuance of statutory powers or duties;

9. Emergency Exemptions

Nothing in Articles 3, 4, 5, 6, 7 or 16(d) 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.

10. Additional Exemptions

In addition to the exemptions given in articles 8 and 9, nothing in Articles 3, 4, 6 or 7 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) goods to be loaded on to or unloaded from the vehicle.
- b) 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.

11. 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 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.

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 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.

12. 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.

13. 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 12 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.

14. 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 12 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.

15. 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 8, 9 or 10 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 12 so that every part of the vehicle is within the limits of the Parking Place.

16. 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) parked in accordance
 - iii) left in such Parking Place with the permission of the person suspending the use of the Parking Place.

17. Restriction of use of a vehicle in a parking place

While any vehicle is in a 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.

18. 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.

19. Commencement of Order

This Order shall come into force on the 20th May 2013 and may be cited as the "Lancashire County Council (Curzon Street Area, (Various Roads) Burnley, Burnley Borough) (Part Revocation, Prohibition of Waiting, Prohibition of Loading, Limited Waiting, Loading Bay, Disabled Parking Place) Order 2013".

Dated this 15th 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

R Eat



22399

Schedule 1 – Part Revocation

a) Schedule 12.050 item 1(b) (i) – Bankhouse Street, Burnley, the south side from its junction with Standish Street to its junction with Yarm Place.

1. Schedule 12.50 item 1 (b) (ii) - Bankhouse Street, Burnley, the south side from a point 5 metres east of its junction with Curzon Street to a point 5 metres west of its junction with Standish Street.
2. Schedule 12.051 item 2 (b) (ii) - Bankhouse Street, Burnley, the south side from a point 15 metres west of its junction with Curzon Street for a distance of 90 metres in a westerly direction.
3. Schedule 10.01 item 32 (a) - Bankhouse Street, Burnley, both sides from its westerly extremity for a distance of 35 metres in an easterly direction.
4. Schedule 12.050 item 1 (a) (i) - Bankhouse Street, Burnley, the north side from a point 65 metres west of its junction with Curzon Street for a distance of 40 metres in a westerly direction.
5. Schedule 12.051 item 2 (a) - Bankhouse Street, Burnley, the north side from a point approximately 50 metres west of its junction with Curzon Street for a distance of approximately 15 metres in a westerly direction.
6. Schedule 12.050 item 1 (a) (ii) - Bankhouse Street, Burnley, the north side from a point 15 metres west of its junction with Curzon Street for a distance of 35 metres in a westerly direction.
7. Schedule 10.01 item 32 (b) (ii) - Bankhouse Street, burnley, the north side from a point 16 metres east of the centreline of Curzon Street for a distance of 36 metres in a south westerly direction.
8. Schedule 11.008 item 6 (ii) - Bankhouse Street, Burnley, the north side from a point approximately 15 metres east of its junction with Curzon Street to its junction with Barnes Street.
9. Schedule 10.01 item 32 (b) (i) - Bankhouse Street, Burnley, the north side from its junction with Barnes Street to its junction with Yarm Place.
10. Schedule 12.051 item 23 (a) - Standish Street, Burnley, the east side, from its junction with Parker Street to its junction with Bankfield.
11. Schedule 11.008 item 53 (b) (ii) - Parker Street, Burnley, the south side from its junction with Curzon Street to its junction with Barnes Street

12. Schedule 11.008 item 53 (a) (i) - Parker Street, Burnley, the north side, from its junction with Curzon Street to its junction with Yarm Place.
13. Schedule 12.050 item 2 - Curzon Street, Burnley, both sides from a point 5 metres south of its junction with Bankhouse Street to its junction with Parker Street.
14. Schedule 13.01 item 7 - Curzon Street, Burnley, both sides from its junction with Bankfield for a distance of approximately 28 metres in a northerly direction.
15. Schedule 13.01 item 3 (a) – Bankfield, Burnley, both sides from its junction with Curzon Street for a distance of approximately 20 metres in an easterly direction.
16. Schedule 10.01 item 31 (d) (i) - Bankfield, the southerly side from its junction with Curzon Street for a distance of approximately 15 metres in an easterly direction.
17. Schedule 12.049 item 2 – Bankfield, Burnley, the south side from a point 6 metres east of its junction with Curzon Street for a distance of 24 metres in an easterly direction.
18. Schedule 2.01 item 47 - Bankfield, Burnley, the south side from a point 38 metres east of its junction with Curzon Street for a distance of 32 metres in an easterly direction.
19. Schedule 10.01 item 31 (d) (ii) - Bankfield, Burnley, the southerly side, from a point approximately 30 metres east of its junction with Curzon Street for a distance of approximately 15 metres in an easterly direction.
20. Schedule 10.01 item 31 (a) - Bankfield, Burnley, both sides from its junction with Curzon Street for a distance of 28 metres in a northerly direction.
21. Schedule 11.008 item 7 - Barnes Street, both sides, from its junction with Bankhouse Street to its junction with Parker Street for a distance of approximately 82 metres.
22. Schedule No 11.008 item 79 - Yarm Place, Burnley, both sides, the whole length.
23. Schedule 11.008 item 66 (b) - Standish Street, Burnley, the west side from its junction with Parker Street to its junction with Bankfield.
24. Schedule 11.008 item 66 (a) - Standish Street, the east side from its junction with Parker Street to its junction with Bankhouse Street.
25. Schedule 10.01 item 101 (ii) - Curzon Street, Burnley, both sides from its junction with Parker Street to its junction with Bankfield.
26. Schedule 10.01 item 31 (b) - Bankfield, Burnley, the north side for its entire length.
27. Schedule 12.051, item 23 - Standish Street, Burnley, the west side, from its junction with Parker Street to a point 8 metres south of its junction with Bankhouse Street.
28. Schedule 12.050, item 4 - Parker Street, Burnley, the south side, from its junction with Barnes Street to its junction with Yarm Place.
29. Schedule 12.050 item 1 (b) (i) - Bankhouse Street, Burnley, the south side from its junction with Standish Street to its junction with Yarm Place.
30. Schedule 13.01 item (16) - Parker Street, the north side from a point 1.5m east of its centreline with Barnes Street to a point 2 metres west of its centreline with Yarm Place.

31. Schedule 13.01 item 22 (a) - Standish Street, Burnley, the east side from a point 3.5 metres north of its centreline with Parker Street for a distance of 10 metres in a northerly direction.
32. Schedule 13.01 item 22 (b) - Standish Street, Burnley, the west side from a point 3.5 metres south of its centreline with Parker Street for a distance of 10 metres in a southerly direction
33. Schedule 10.01 item 31 (a) - Bankfield, Burnley, both sides from its junction with Curzon Street for a distance of 28 metres in a northerly direction.
34. Schedule 10.01 item 32 (c) (i) - Bankhouse Street, Burnley, the south side from its junction with Standish Street for a distance of 5 metres in a westerly direction.
35. Schedule 10.01 item 32 (c) (ii) - Bankhouse Street, Burnley, the south side from a point 15 metres west of its junction with Curzon Street to a point 5 metres to the east of that junction.

Schedule 2 – Prohibition of waiting

1. Bankfield, both sides, from the centre line of Curzon Street for a distance of 15.5 metres in an easterly direction.
2. Bankfield, the south side, from a point 37.5 metres east of the centre line of Curzon Street for a distance of 12 metres in an easterly direction.
3. Bankfield, the north side, from a point 37.5 metres east of the centre line of Curzon Street to its junction with Kingsway.
4. Bankfield, the south side, from the centre line of Curzon Street for a distance of 4.5 metres in a westerly direction.
5. Bankhouse Street, the south side, from a point 128 metres west of the centre line of Curzon Street to its western extremity, inclusive of the turning head area, a distance of approximately 16 metres.
6. Bankhouse Street, the north side for its full length, a distance of approximately 221 metres.
7. Bankhouse Street, the south side, for a distance of 3.3 metres either side of the centre line of Barnes Street.
8. Bankhouse Street, the south side, for a distance of 7 metres either side of the centre line of Standish Street.
9. Bankhouse Street, the south side, for a distance of 8 metres either side of the centre line of Curzon Street.
10. Bankhouse Street, the south side, for a distance of 5 metres east of the centre line of Yarm Place.
11. Barnes Street, both sides, from its junction with Bankhouse Street to its junction with Parker Street.
12. Curzon Street, both sides, for a distance of 9 metres from the centre line of Bankhouse Street in a southerly direction.
13. Curzon Street, the east side, from a point 46 metres south of the centre line of Bankhouse Street for a distance of 8 metres in a southerly direction.

14. Curzon Street, both sides, from a point 8 metres north of the centre line of Parker Street to its junction with Bankfield.
15. Parker Street, the north side, from its junction with Curzon Street to its junction with Yarm Place.
16. Parker Street, the south side, from its junction with Curzon Street to a point 3 metres east of the centre line of Barnes Street.
17. Parker Street, the south side, for a distance of 6 metres either side of the centre line of Standish Street.
18. Standish Street, the east side, from the centre line of Parker Street for a distance of 8.5 metres in a southerly direction.
19. Standish Street, the east side, from a point 61.5 metres south of centre line of Parker Street to its junction with Bankfield.
20. Standish Street, the east side, from its junction with Bankhouse Street to its junction with Parker Street.
21. Standish Street, the west side, from its junction with Parker Street to its junction with Bankfield.
22. Yarm Place, both sides, from its junction with Bankhouse Street to its southernmost extremity, a distance of approximately 148 metres.

Schedule 3 – Limited Waiting

1. Bankfield, both sides, from a point 15.5 metres east of the centre line of Curzon Street for a distance of 22 metres in an easterly direction.
2. Bankhouse Street, the south side, from a point 8 metres west of the centre line of Curzon Street for a distance of approximately 120 metres in a westerly direction.
3. Bankhouse Street, the south side, from a point 8 metres east of the centre line of Curzon Street to a point 3.3 metres west of the centreline of Barnes Street.
4. Bankhouse Street, the south side, from a point 3.3 metres east of the centre line of Barnes Street to a point 7 metres west of the centreline of Standish Street.
5. Bankhouse Street, the south side, from a point 7 metres east of its junction with Standish Street to a point 5 metres west of the centreline of Yarm Place.
6. Curzon Street, the west side, from a point 9 metres south of the centre line of Bankhouse Street to a point 8 metres north of the centre line of Parker Street.
7. Curzon Street, the east side, from a point 9 metres south of the centre line of Bankhouse Street for a distance of 37 metres in a southerly direction.
8. Curzon Street, the east side, from a point 54 metres south of the centre line of Bankhouse Street for a distance of 32 metres in a southerly direction.
9. Parker Street, the south side, from a point 6 metres east of the centre line of Standish Street to its junction with Yarm Place.
10. Standish Street, the east side, from a point 8.5 metres south of the centre line of Parker Street for a distance of 53 metres in a southerly direction.
11. Standish Street, the west side, from a point 11 metres south of the centre line of Bankhouse Street to its junction with Parker Street.

Schedule 4 – Prohibition of Loading/Unloading

1. Bankfield, both sides, from the centre line of Curzon Street for a distance of 15.5 metres in an easterly direction.
2. Bankfield, the north side, from the centre line of Standish Street for a distance of 20 metres in an easterly direction.
3. Bankfield, the south side, from the centre line of Curzon Street for a distance of approximately 4.5 metres in a westerly direction.
4. Curzon Street, both sides, from a point 8 metres north of the centre line of Parker Street to its junction with Bankfield.
5. Standish Street, the east side, from a point 61.5 metres south of centre line of Parker Street to its junction with Bankfield.
6. Standish Street, the west side, from its junction with Parker Street to its junction with Bankfield.

Schedule 5 – Loading/Unloading bay

Parker Street, the south side, from a point 3 metres east of the centre line of Barnes Street to a point 6 metres west of the centre line of Standish Street.

Schedule 6 – Disabled Parking Place

Bankfield, the south side, from a point 49.5 metres east of the centre line of Curzon Street for a distance of 25 metres in an easterly direction.



ACTIVE WAY

BANK HOUSE STREET

BANKHOUSE STREET

El Sub Sta
ROYLE ROAD

PH 2

INDRY STREET

bridge

River Brun

Car Park

CURZON STREET

PARKER STREET

73 Works

BARNES STREET

STANDISH STREET

YARM PLACE

Kingswa

STREET

Key

- No Waiting at Anytime
- No Loading
- 40 Minute Parking Bay
- Loading Bay
- Disabled Parking Bay

one
nge

24 (above)

PC

PC

BANKFIELD

40 42 26

22 20 18 16 14
8 to 12

38 36

7 5 3 1

21

23

29 27 to 27

33 PH to 37

45 39 to 43

51 49

22 56 54

36

Car Park

Loading

6 4