

22 SEP 2009

DATED

26<sup>TH</sup> MAY

2006

06/13

THE BOROUGH COUNCIL OF PENDLE (CLAYTON STREET, ALBION  
STREET AND WELLINGTON STREET, NELSON)

(WAITING RESTRICTIONS) ORDER 2006

**RECEIVED**  
02 OCT 2009  
Traffic & Safety

mapped 13/10/09  
confirmed 13/10/09.

R. Townson  
Legal Services Manager  
Town Hall  
NELSON  
Lancashire

THE BOROUGH COUNCIL OF PENDLE (CLAYTON STREET, ALBION STREET AND WELLINGTON STREET, NELSON)  
(WAITING RESTRICTIONS) ORDER, 2006

The Borough Council of Pendle (hereinafter referred to as "the Council") pursuant to arrangements made under Section 101 of the Local Government Act 1972 with Lancashire County Council in exercise of the powers of the said County Council under Sections 1(1), 2(1) and (2) and 4(2) of the Road Traffic Regulations Act 1984 (which such Act of 1984 as so amended is hereinafter referred to as "the Act of 1984") 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 aforesaid Act hereby makes the following Order:-

1. This Order shall come into operation on the 26<sup>th</sup> day of May Two thousand and Six and may be cited as The Borough Council of Pendle (Clayton Street, Albion Street and Wellington Street, Nelson) (Waiting Restrictions) Order, 2006

2. (1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-

"goods" includes postal packets of any description; and "delivering" and "collecting" in relation to any goods include checking the goods for the purpose of their delivery or collection;

"goods vehicles" means a motor vehicle which is constructed or adapted for use for the carriage of goods or burden of any description and is not drawing a trailer;

"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) (Amendment) Regulations, 1991;

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

"parking disc" means a disc, issued by a Local Authority, 125 millimetres square, coloured orange or blue and capable of showing the quarter hour period during which a period of waiting begins;

"relevant position" In respect of disabled persons' badges issued before 2<sup>nd</sup> March 1992, a disabled person's vehicle shall be regarded as displaying a disabled person's badge in the relevant position when:-

(i) in the case of a vehicle fitted with a front windscreen the badge is exhibited thereon on the near side of and immediately behind the windscreen and with its front facing forward so as to be legible from outside the vehicle; or

(ii) in the case of a vehicle not fitted with a front windscreen the badge is exhibited in a conspicuous position on the front or near side of the vehicle

in respect of disabled persons' badges issued on or after 2<sup>nd</sup> March 1992, a disabled person's vehicle shall be regarded as displaying a disabled person's badge in the relevant position when:-

(i) in the case of a vehicle fitted with a dashboard or face 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 face 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

a disabled person's 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 face 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 (2) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment

2 (3) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament

3 Save as provided in Articles 4 and 5 of this Order no person shall, except upon the direction or with the permission of a police constable in uniform or of a traffic warden, cause or permit any vehicle to wait :-

- (a) on Monday to Saturday between 8am and 6pm for 2 hours with no return within 2 hours on the south side of Wellington Street, Nelson from 5 metres in a north westerly direction from its junction with Every Street for a distance of 15 metres in a north westerly direction
- (b) on Monday to Saturday between 8am and 6pm for 2 hours with no return within 2 hours on the south side of Wellington Street, Nelson from 5 metres in a north westerly direction from its junction with back Clayton Street for a distance of 10 metres in a north westerly direction
- (c) on Monday to Saturday between 8am and 6pm for 2 hours with no return within 2 hours on the north side of Wellington Street, Nelson from 30 metres in a north westerly direction from its junction with Every Street for a distance of 60 metres in a north westerly direction
- (d) on Monday to Saturday between 8am and 6pm for 2 hours with no return within 2 hours on the north side of Albion Street, Nelson from 5 metres in a north westerly direction from its junction with Every Street for a distance of 15 metres in a north westerly direction → *Revoked 30/10/09*
- (e) on Monday to Saturday between 8am and 6pm on the north west side of Clayton Street, Nelson from its junction with Carr Road for a distance of 55 metres in a south westerly direction
- (f) at any time on the north west side of Clayton Street, Nelson from a distance of 55 metres from its junction with Carr Road for a distance of 15 metres in a south westerly direction
- (g) at any time on the south east side of Clayton Street, Nelson at its junction with Stanley Street for a distance of 5 metres in both a north easterly and south westerly directions.
- (h) at any time on the north east and south west side of Stanley Street, Nelson at its junction with Clayton Street for a distance of 5 metres in a south easterly direction.

4 Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait in any of the lengths of road or on any of the sides of road referred to therein for so long as may be necessary:-

- (a) to enable a person to board or alight from the vehicle; or
- (b) to enable goods to be loaded on to or unloaded from the vehicle or in connection with the removal or furniture from one office or dwellinghouse to another or the removal of furniture from such premises to a depository; or
- (c) to enable the vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of any of the lengths of road or any of the sides of road so referred

to, or the laying, erection, alteration or repair in or near any of the said lengths or the said sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line as defined in the Telegraph Act 1978; or

- (d) to enable the vehicle to be used for the purpose of delivering or collecting postal packets as defined in Section 87 of the Post Office Act 1953; or
- (e) to enable the vehicle to be used for or in the service of the fire, police or ambulance authorities or in the service or the emergency services; or
- (f) to enable the vehicle, if it cannot conveniently be used for such purpose in any other road to wait for so long as such waiting by that vehicle is reasonably necessary at or near to any premises situated on or adjacent to the said length of road in connection with any funeral or wedding or to be used in the service of a local or other public authority in pursuance of statutory powers or duties

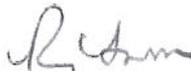
5 Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait in the length of road referred to therein if the vehicle is a disabled person's vehicle which displays in the relevant positions a disabled person's badge (or a badge having effect under the provisions of the Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations, 1991, as if it were a disabled person's badge)

6 Traffic signs giving information as to the effect of this Order shall be placed in such a position as may be directed by the Council

7 The prohibition and restrictions imposed by this Order shall be in addition to and not in derogation from any restrictions or requirement imposed by any Regulations made or having effect as if made under the Act of 1984 or by or under any other enactment

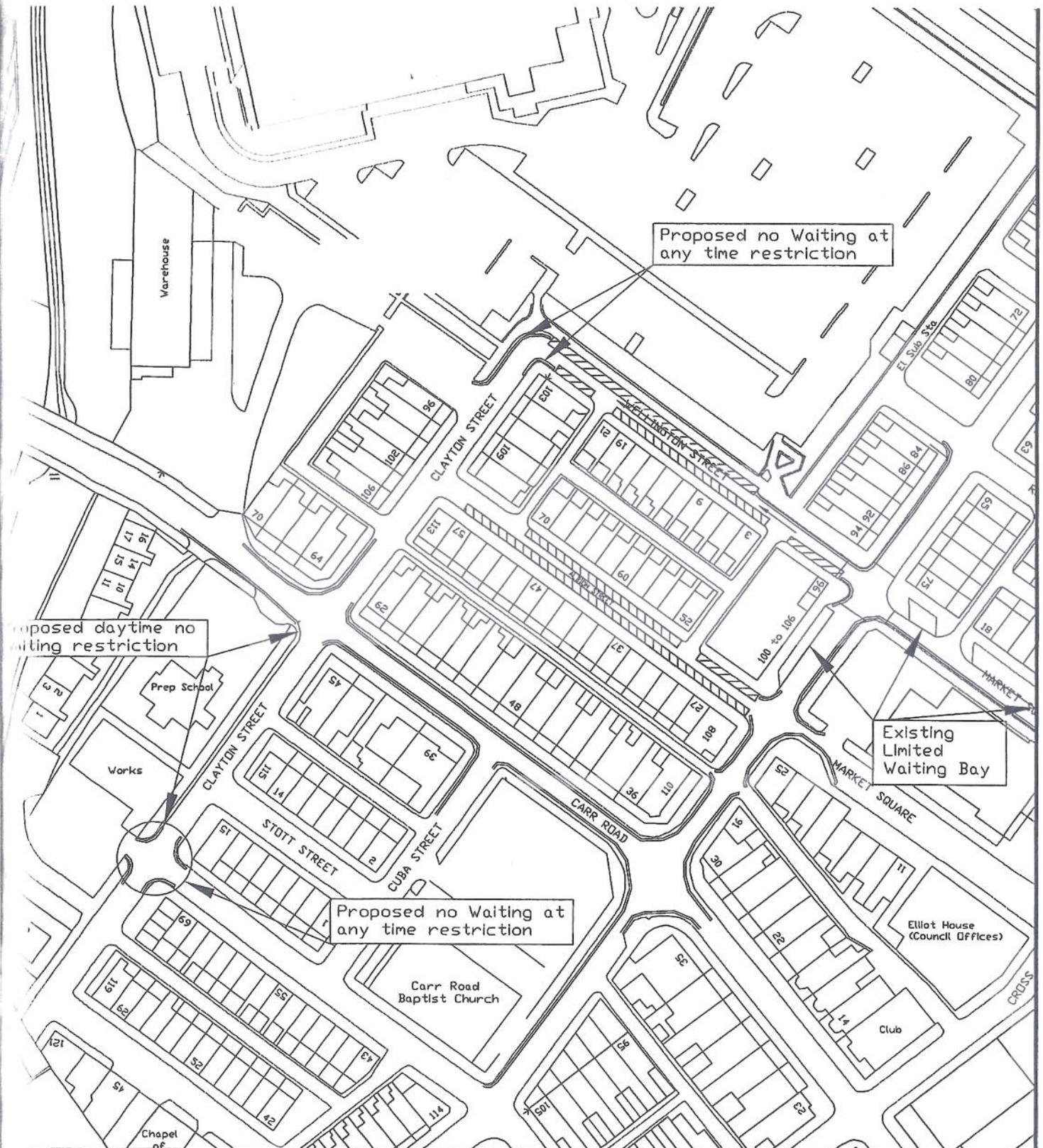
IN WITNESS whereof the Common Seal of The Borough of Pendle was hereunto affixed this 26<sup>th</sup> day of May Two thousand and Six

THE COMMON SEAL of The Borough )  
Council of Pendle was hereunto affixed )  
in the presence of:- )

  
Legal Services Manager



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Highways, Engineering & Design Services  
 Highways, Engineering & Design Services Manager:  
 Mr Atkinson BSc (Hons) DipT CEng MICE MIHT

10th Street, Nelson  
 Lancashire, BB9 7XP  
 Tel: (01282) 661661  
 Fax: (01282) 661940

Drawing No

Service	Highways, Engineering & Design Services
Project	Proposed Limited waiting/no waiting at any time
Description	Clayton/Albion/Wellington Street, Nelson

Service	1:1250
Drawn By	SeB
Date	18 Aug 2005

	Proposed Limited Waiting Bays (2 Hour time limit)
	Existing Residents Parking Bay

