ROAD TRAFFIC REGULATION ACT 1984
LANCASHIRE COUNTY COUNCIL
(LEEDS ROAD, MANCHESTER ROAD, MARKET STREET AND SCOTLAND ROAD, NELSON, PENDLE BOROUGH) (REVOCATION, DISABLED PARKING, TAXI STAND, GOODS VEHICLE LOADING, LIMITED WAITING AND PROHIBITION OF WAITING) ORDER 2021

The County Council of Lancashire ("the Council") in exercise of its powers under Sections 1, 2 and 4 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, as amended ("the Act") and of all other enabling powers, after consultation with the Chief Officer of Police 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) **"Centreline"** means the centre line of a highway as shown on Ordnance Survey graphical information systems at the time that the Order was prepared;

b) **"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;

c) **"Council's Duly Authorised Officer"** means a person appointed by the council or its local agent, or authority, to administer the powers conferred on the said Council by the 1984 Act, with respect to this and other Traffic Regulations;

d) **"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;

e) **"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.

f) **"Disabled Person's Parking Place"** means any area of highway described in Schedule 7 to this Order, indicated by a road marking approved by the Department for Transport, in which Disabled Person's Vehicles may wait when displaying a Disabled Person's Badge and Parking Disc in the Relevant Position;

g) **"Goods Vehicle"** has the same meaning as in section 192 (1) of the Road Traffic Act 1988;

h) **"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;

i) **"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.

j) **"Parking Place"** means any length of road subject to restriction in accordance with Article 5, 6, 7, 8 and 9;

k) **"Penalty Charge Notice"** means a notice served by a Civil Enforcement Officer pursuant to the provisions of section 78 of the 2004 Act and supporting regulations;

l) 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 of the badge/disc is clearly legible from the outside of the Vehicle.

m) **"Taxi"** means a vehicle licensed under section 37 of the Town Police Clauses Act 1847;

n) **"Taxi Stand"** means any area of carriageway described in Schedule 8 indicated by a road marking approved by the Department for Transport, in which Taxis may wait;

o) **"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. Revocations

a) Those parts of the "Lancashire County Council (Manchester Road And Leeds Road, Nelson, Pendle Borough) (Revocation, Part Revocation, Disabled Parking Places And Restriction Of Waiting) Order 2011", as set out in Schedule 1A to this Order, are hereby revoked.

b) Those parts of the "Lancashire County Council (Scotland Road, Nelson, Pendle Borough) (Disabled Parking Place, Limited Waiting, Prohibition Of Waiting And Prohibition Of Loading) Order 2015", as set out in Schedule 1B 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 the lengths of road set out in the Schedule 2 to this Order.

4. Prohibition of Loading and 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 wait at any time, on any day, for the purposes of Loading or Unloading, in the lengths of road set out in Schedule 3 to this Order.

5. Goods Vehicle Loading 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 in the Parking Place set out in Schedule 4 to this Order, on any day at any time, unless that Vehicle is a Goods Vehicle and it is engaged in Loading or Unloading.

6. Limited Waiting Parking Place 1 Hour, No Return Within 2 Hours, Monday to Saturday 8.30am – 6pm

Save as is hereinafter provided, no person shall, except upon direction or with the permission of a Police Constable in uniform or a Civil Enforcement Officer cause or permit any Vehicle to wait for a period exceeding one hour, with no return within two hours, from Monday to Saturday inclusively between 8.30am and 6pm, in the lengths of road set out in Schedule 5 to this Order.

7. Limited Waiting Parking Place, 1 Hour, No Return Within 2 Hours, Monday to Saturday, 8am – 7pm

Save as is hereinafter provided, no person shall, except upon direction or with the permission of a Police Constable in uniform or a Civil Enforcement Officer cause or permit any Vehicle to wait for a period exceeding one hour, with no return within two hours, from Monday to Saturday inclusively between 8am and 7pm, in the lengths of road set out in Schedule 6 to this Order.

8. Disabled Person's 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 Parking Places set out in Schedule 7 to this Order, unless that Vehicle is a Disabled Persons Vehicle.

9. Taxi Stand

Save as is hereinafter provided, no person shall, except upon the direction or with the permission of a police constable in uniform or Civil Enforcement Officer, cause or permit any Vehicle, other than a Taxi, to stop or wait at any time, in the Taxi Stand set out in Schedule 8.

10. General Exemptions

Nothing in Articles 3, 4, 5, 6, 7, 8 and 9 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) 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 road;

iv) the laying, erection, alteration or repair in, or in land adjacent to the said lengths 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.

b) 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;

c) the Vehicle to be used for fire brigade, ambulance or police purposes in pursuance of statutory powers or duties.

11. Exemptions to Articles 3,4 5, 6, 7 and 8

Nothing in Articles, 3, 4, 5, 6, 7 and 8 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 person to board or alight from the Vehicle.

12. Exemptions to Articles 3, 6, 7 and 8

Nothing in Articles 3, 6, 7 and 8 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) 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;

c) 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.

13. Exemption for Disabled Person's Vehicle

a) 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 length 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.

b) Nothing in Articles 6 and 7 of this Order shall render it unlawful to cause or permit any Vehicle to wait in the lengths of roads 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.

14. Additional Exemptions

Nothing in Articles 3, 4, 5, 6, 7, 8 and 9 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.

15. 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.

16. 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 15 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.

17. 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 15 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.

18. 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 Article 14 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 15 so that every part of the Vehicle is within the limits of the Parking Place.

19. Power to suspend use of Parking Places

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, an authorised Traffic Sign or cone indicating that waiting by Vehicles is prohibited.

d) No person shall cause or permit a Vehicle to be left in any part of a Parking Place during such period when an authorised 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) being used for any purpose specified in Article 14; or

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

20. Restriction of use of a Vehicle in a Parking Place

Save for the provisions set out in Article 8, while any Vehicle is in the lengths of road set out in the schedule to this Order no person shall use the said Vehicle in connection with the sale of any article to any person in or near the Parking Place or in connection with the selling of or offering for sale of his/her skills or services.

21. Miscellaneous

The Restriction 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.

22. Effect of Contravention

Failure by a person to comply with any prohibition or restriction contained within this order or any subsequent orders shall constitute a contravention of the same and shall result in the issue by the Council and/or its agents of a Penalty Charge Notice which shall be payable by such persons in accordance with the legislation.

23. Commencement of Order

This Order shall come into force on the 17th day of May 2020 and may be cited as the "Lancashire County Council (Leeds Road, Manchester Road, Market Street And Scotland Road, Nelson, Pendle Borough) (Revocation, Disabled Parking, Taxi Stand, Goods Vehicle Loading, Limited Waiting And Prohibition Of Waiting) Order 2021".

Dated this 12th day of May 2021.

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

Authorised Signatory

29731

Schedule 1A – Revocation

a) Items 1 and 2 of Schedule 2.
b) Items a), b), c), d), and e) of Schedule 3.

Schedule 1B - Revocation

a) Schedule 1.
b) Items a) and b) of Schedule 2.
c) Items a) and b) of Schedule 3.
d) Schedule 4.

Schedule 2 - Prohibition of Waiting

a) Leeds Road, Nelson, both sides from a point 79 metres south-west of its junction with the Centreline of the northbound carriageways of New Scotland Road/Holme Street in a south-westerly direction to its junction with Manchester Road.
b) Leeds Road, Nelson, the north side, from its junction with the Centreline of the northbound carriageway of New Scotland Road for a distance of 19 metres in a south-westerly direction.
c) Leeds Road, Nelson, the north side, from a point 46 metres south-west of its junction with the Centreline of the northbound carriageway of New Scotland Road for a distance of 6 metres in a south-westerly direction.
d) Leeds Road, Nelson, the south side, from its junction with the Centreline of the northbound carriageway of Holme Street for a distance of 22 metres in a south-westerly direction.
e) Leeds Road, Nelson, the south side, from a point 46.5 metres south-west of its junction with the Centreline of the northbound carriageway of Holme Street for a distance of 6 metres in a south-westerly direction.
f) Manchester Road, Nelson, both sides, from a point 59 metres north-east of its junction with the Centreline of Carr Road in a north-easterly direction, to its junction with Leeds Road.
g) Manchester Road, Nelson, both sides, of the northern carriageway, from a point 9 metres south-west of its junction with the Centreline of Carr Road in a north-easterly direction, to a point 8 metres north-east of its junction with the Centreline of Carr Road.
h) Manchester Road, Nelson, both sides, of the northern carriageway from its junction with the Centreline of Stanley Street for a distance of 15 metres in a north-easterly direction.
i) Manchester Road, Nelson, both sides, of the southern carriageway from a point 8 metres north-east of its junction with the Centreline of Carr Road in a south westerly direction to its junction with the Centreline of Broadway.
j) Manchester Road, Nelson, both sides from its junction with the Centreline of the northern carriageway to its junction with the Centreline of the southern carriageway - along the line of Carr Road.
k) Manchester Road, Nelson, both sides from a point, on the southern carriageway, 50 metres north-east of its junction with the Centreline of Carr Road to its junction with the northern carriageway (in a north-easterly then north-westerly direction).
l) Manchester Road, Nelson, the easterly side from its junction with the Centreline of the northern carriageway to its junction with the Centreline of the southern carriageway - along the line of Stanley Street.
m) Manchester Road, Nelson, the south side of the northern carriageway, from a point 50 metres north-east of its junction with the Centreline of Carr Road for a distance of 4 metres in a north-easterly direction.

n) Market Street, Nelson, both sides, from its junction with the Centreline of Cross Street for a distance of 100 metres in a south-easterly direction.
o) Scotland Road, Nelson, the east side from its junction with the Centreline of Russell Street for a distance of 131 metres in a southerly direction.
p) Scotland Road, Nelson, the west side from its junction with the Centreline of Russell Street for a distance of 19 metres in a southerly direction.
q) Scotland Road, Nelson, the west side from a point 96 metres south of its junction with the Centreline of Russell Street for a distance of 35 metres in a southerly direction.
r) Scotland Road, Nelson, the west side from a point 45 metres south of its junction with the Centreline of Russell Street for a distance of 11 metres in a southerly direction.

Schedule 3 – Prohibition of Loading and Unloading

a) Leeds Road, Nelson, both sides from a point 79 metres south-west of its junction with the Centreline of the northbound carriageways of New Scotland Road/Holme Street in a south-westerly direction to its junction with Manchester Road.
b) Leeds Road, Nelson, the north side from a point 46 metres south-west of its junction with the Centreline of the northbound carriageway of New Scotland Road for a distance of 6 metres in a south-westerly direction.
c) Leeds Road, Nelson, the north side from its junction with the Centreline of the northbound carriageway of New Scotland Road for a distance of 19 metres in a south-westerly direction.
d) Leeds Road, Nelson, the south side from a point 46.5 metres south-west of its junction with the Centreline of the northbound carriageway of Holme Street for a distance of 6 metres in a south-westerly direction.
e) Leeds Road, Nelson, the south side from its junction with the Centreline of the northbound carriageway of Holme Street for a distance of 22 metres in a south-westerly direction.
f) Manchester Road, Nelson, both sides of the southern carriageway, from a point 8 metres north-east of its junction with the Centreline of Carr Road in a south westerly direction to its junction with the Centreline of Broadway.
g) Manchester Road, Nelson, both sides from a point 59 metres north-east of its junction with the Centreline of Carr Road in a north-easterly direction, to its junction with Leeds Road.
h) Manchester Road, Nelson, both sides of the northern carriageway, from a point 9 metres south-west of its junction with the Centreline of Carr Road in a north-easterly direction, to a point 8 metres north-east of its junction with the Centreline of Carr Road.
i) Manchester Road, Nelson, both sides from its junction with the Centreline of the northern carriageway to its junction with the Centreline of the southern carriageway - along the line of Carr Road.
j) Manchester Road, Nelson, both sides, from a point, on the southern carriageway, 50 metres north-east of its junction with the Centreline of Carr Road to its junction with the northern carriageway (in a north-easterly, then north-westerly direction).
k) Manchester Road, Nelson, both sides, of the northern carriageway from its junction with the Centreline of Stanley Street for a distance of 15 metres in a north-easterly direction.
l) Manchester Road, Nelson, the easterly side, from its junction with the Centreline of the northern carriageway to its junction with the Centreline of the southern carriageway - along the line of Stanley Street.
m) Manchester Road, Nelson, the south side, of the northern carriageway, from a point 50 metres north-east of its junction with the Centreline of Carr Road for a distance of 4 metres in a north-easterly direction.
n) Market Street, Nelson, both sides, from its junction with the Centreline of Cross Street for a distance of 100 metres in a south-easterly direction.

o) Scotland Road, Nelson, the east side, from its junction with the Centreline of Russell Street for a distance of 131 metres in a southerly direction.
p) Scotland Road, Nelson, the west side, from its junction with the Centreline of Russell Street for a distance of 19 metres in a southerly direction.
q) Scotland Road, Nelson, the west side, from a point 96 metres south of its junction with the Centreline of Russell Street for a distance of 35 metres in a southerly direction.
r) Scotland Road, Nelson, the west side from a point 45 metres south of its junction with the Centreline of Russell Street for a distance of 11 metres in a southerly direction.

Schedule 4 – Goods Vehicle Loading Bay

Leeds Road, Nelson, the south side, from a point 114 metres south-west of its junction with the Centreline of Holmes Street/ New Scotland Road for the area of the bay, 6 metres south-east, 11 metres south-west, 6 metres north-west and 11 metres north-east.

Schedule 5 – Limited Waiting Parking Place 1 Hour, No Return Within 2 Hours, Monday to Saturday 8.30am – 6pm

a) Scotland Road, Nelson, the west side from a point 19 metres south of its junction with the Centreline of Russell Street for a distance of 26 metres in a southerly direction.
b) Scotland Road, Nelson, the west side from a point 56 metres south of its junction with the Centreline of Russell Street for a distance of 33 metres in a southerly direction.

Schedule 6 – Limited Waiting Parking Place, 1 Hour, No Return Within 2 Hours, Monday to Saturday, 8am – 7pm

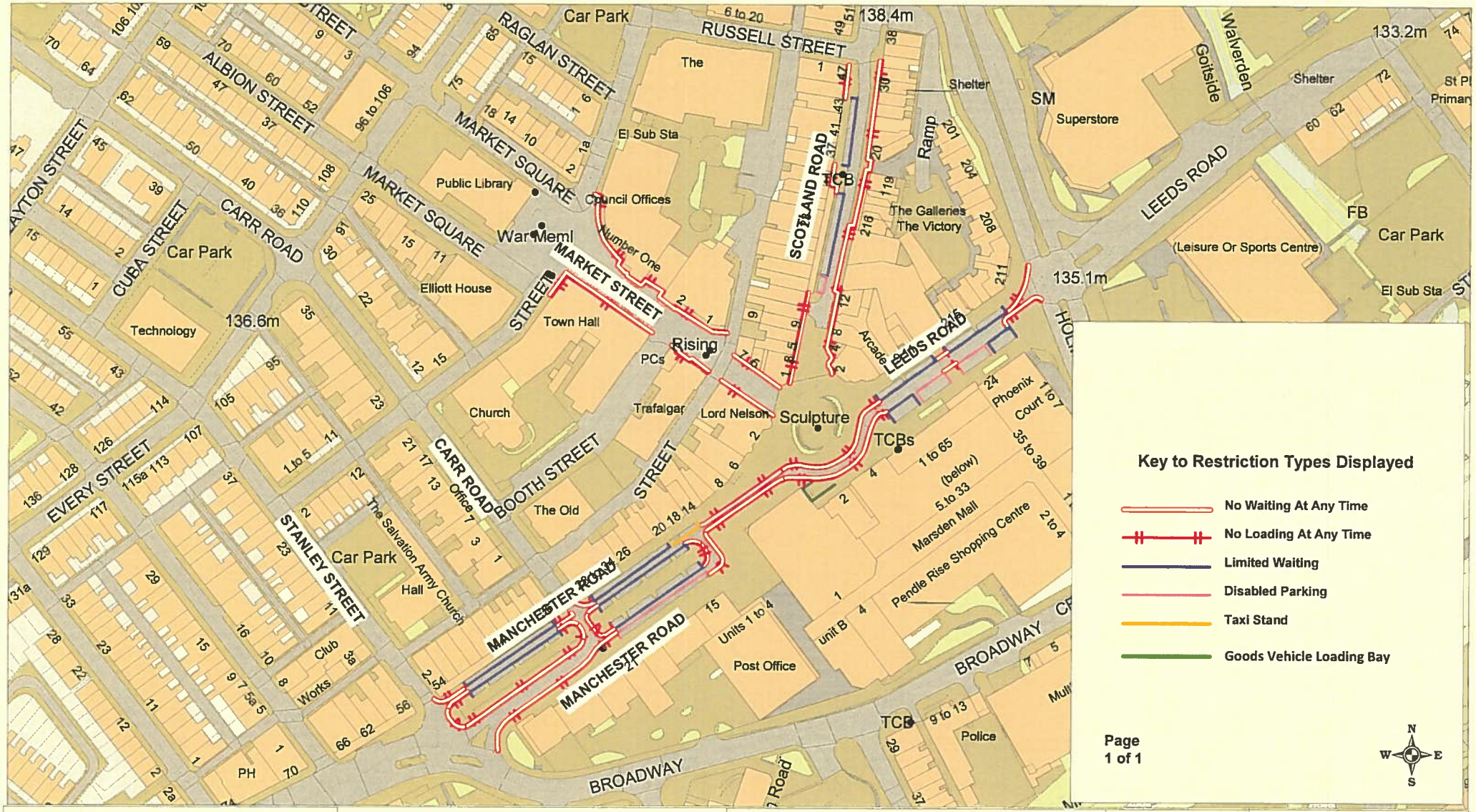
a) Leeds Road, Nelson, the north side from a point 19 metres south-west of its junction with the Centreline of the northbound carriageway of New Scotland Road for a distance of 27 metres in a south-westerly direction.
b) Leeds Road, Nelson, the north side from a point 52 metres south-west of its junction with the Centreline of the northbound carriageway of New Scotland Road for a distance of 27 metres in a south-westerly direction.
c) Leeds Road, Nelson, the south side from a point 22 metres south-west of its junction with the Centreline of the northbound carriageway of Holme Street for a distance of 10 metres in a south-westerly direction.
d) Leeds Road, Nelson, the south side from a point 67 metres south-west of its junction with the Centreline of the northbound carriageway of Holme Street for a distance of 12 metres in a south-westerly direction.
e) Manchester Road, Nelson, both sides of the northern carriageway, from a point 15 metres north-east of its junction with the Centreline of Stanley Street in a north-easterly direction to a point 9 metres south-west of its junction with the Centreline of Carr Road.
f) Manchester Road, Nelson, the north side of the northern carriageway, from a point 8 metres north-east of its junction with the Centreline of Carr Road for a distance of 36 metres in a north-easterly direction.
g) Manchester Road, Nelson, the north side of the southern carriageway, from a point 8 metres north-east of its junction with the Centreline of Carr Road for a distance of 42 metres in a north-easterly direction.
h) Manchester Road, Nelson, the south side of the northern carriageway, from a point 8 metres north-east of its junction with the Centreline of Carr Road for a distance of 42 metres in a north-easterly direction.

Schedule 7 – Disabled Person's Parking Place

a) Leeds Road, Nelson, the south side, from a point 33.5 metres south-west of its junction with the Centreline of the northbound carriageway of Holme Street for a distance of 13 metres in a south-westerly direction.
b) Leeds Road, Nelson, the south side from a point 52.5 metres south-west of its junction with the Centreline of the northbound carriageway of Holme Street for a distance of 13 metres in a south-westerly direction.
c) Manchester Road, Nelson, the south side of the southern carriageway, from a point 8 metres north-east of its junction with the Centreline of Carr Road for a distance of 42 metres in a north-easterly direction.
d) Scotland Road, Nelson, the west side, from a point 89 metres south of its junction with the Centreline of Russell Street for a distance of 7 metres in a southerly direction.

Schedule 8 – Taxi Stand

Manchester Road, Nelson, the north side of the northern carriageway,
from a point 44 metres north-east of its junction with the Centreline of Carr Road for a distance of 15 metres in a north-easterly direction.



Lancashire County Council

NELSON TOWN CENTRE

Leeds Road;
Manchester Road;
Market Street;
Scotland Road,
Nelson

© Crown copyright. All rights reserved
Lancashire County Council
Licence No. 2003

Phil Durnell
Director of Highways and Transportation

P.O. Box 100, County Hall,
PRESTON PR1 0LD

SCALE	1 : 2000
DATE	23/07/2019
DRAWING No.	BG/04-19/CPZ
DRAWN BY	MW
	Scale with care as distortion may occur

ParkMap Version 6.2