

ROAD TRAFFIC REGULATION ACT 1984

LANCASHIRE COUNTY COUNCIL

**(STATION ROAD SCARISBRICK STREET, BURSCOUGH STREET, HARDACRE STREET,
CHESTNUT COURT, RAILWAY APPROACH, ORMSKIRK, WEST LANCASHIRE BOROUGH)
(PART REVOCATIONS AND VARIOUS PARKING RESTRICTIONS) ORDER 2014**

The County Council of Lancashire ("the Council") in exercise of its powers under Sections 1, 2, 4, 32 and 35 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 in accordance with Part III of Schedule 9 to the Act, hereby make the following Order:-

1. Definitions and Interpretation

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

- a) **"The 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.
- 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 2, 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 Disk in the Relevant Position.
- 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) **"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.
- f) **"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.
- g) A Vehicle displays a Disabled Person's Badge in the **"Relevant Position"** if –
 - i) the badge 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 is exhibited in a conspicuous position on the Vehicle, so that the front of the badge is clearly legible from the outside of the Vehicle.
- h) A Vehicle displays a Parking Disc in the "**Relevant Position**" if -
 - i) the disc is exhibited on the dashboard or fascia of the Vehicle; or
 - ii) where the Vehicle does not have a dashboard or fascia, the disc is exhibited in a conspicuous position on the Vehicle, so that when marked to show the quarter hour period during which a period of waiting began that period is clearly legible from the outside of the Vehicle.
- i) "**Permit Holder**" means a person to whom a permit has been issued (For the purpose of this Order a Doctor on call is deemed to be a Permit Holder but is not required to display a Permit);
- j) "**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;
- k) "**Residents Parking Permit**" means a valid Residents Parking Permit issued for the Parking Place by the Council or its local agent or authority. Charges and eligibility criteria are as specified in schedule 6, terms for said permit are published by the issuing authority.
- l) '**Parking Place**' means any area of the highway set out in schedules 2 and 5.
- m) "**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. Part Revocations

- a) The "Lancashire County Council (Station Road Ares, Ormskirk, West Lancashire Borough Suspension and various parking restrictions (Experimental) Order 2013" is hereby revoked in full.
- b) Those parts of the "Lancashire County Council (West Lancashire District Area) (On Street Parking Places, Prohibition and Restriction of Waiting) Consolidation Order 2009" as set out in Schedule 1 to this Order, are hereby revoked

3. 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, at any time, on any day, in the lengths of road as set out Schedule 2 to this Order, unless that Vehicle is a Disabled Person's Vehicle displaying a Disabled Persons Badge in the Relevant Position.

4. 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 Schedule 3 to this Order.

5. Restriction of Waiting

- a) Save as in 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 from Monday to Friday between 8am and 6pm inclusively in the length of road set out in Schedule 4 to this Order.
- b) Save as in 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 from Monday to Saturday between 8am and 6pm inclusively in the length of road set out in Schedule 4A to this Order.

Limited Waiting

- c) Save as in 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 a period exceeding 1 hour, with no Return within 4 hours from Monday to Saturday between 8am and 6pm inclusively, in any of the lengths of road set out in Schedule 5 to this order.

6. Exemption for Permit Holders

Nothing in Article 5c) of this Order shall render it unlawful to cause or permit any Vehicle to wait in the Parking Places referred to therein, if the Vehicle displays a Residents Parking Permit in respect of the Parking Place in which the Vehicle has been left and he displays such permit on that Vehicle in accordance with Article 12 of this Order

7. General Exemptions

Nothing in Articles 3, 4 or 5 to 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) goods to be loaded on to 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 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;
- 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) A Royal Mail liveried Vehicle to be used for delivering or collecting postal packets in accordance with the statutory provisions as defined in the Postal Services Act 2000;
- f) The Vehicle to be used for fire brigade, ambulance or police purposes in pursuance of statutory powers or duties.

- g) 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.

8. Exemptions for Disabled Person's Vehicles

- a. Nothing in Article 5b) 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 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 4 or 5a) of this Order shall render it unlawful to cause or permit any Vehicle to wait in the length 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.

9. Additional Exemptions

Nothing in Articles 3, 4 or 5 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

- i. is required by law to stop;
- ii. is obliged to stop in order to avoid an accident; or
- iii. is prevented from proceeding along the road due to circumstances beyond his/her control

10. Application For and Issue of Permits

- a) Any resident whose Place of Residence is that mentioned in Schedule 6 of this order may apply to the Issuing Authority for the issue of a permit to leave a Vehicle within designated Parking Places within that area/zone. Any such application shall be made on a form issued by and obtainable from the Issuing Authority and shall include the particulars and information required by such a form to be supplied and shall be accompanied by a remittance for the appropriate charge (details of which are contained within schedule 6 to this Order) in respect of the permit for which application is being made.
- b) The Issuing Authority may at any time require an applicant for a permit or a Permit Holder to produce to their Duly Authorised Officer such evidence in respect of an application for a permit made to them as they may reasonably require to verify any particulars or information in respect of any permit issued as they may reasonably require to verify that the permit is valid.
- c) On receipt of an application made under the forgoing provisions of this Article, and of the appropriate fee, the Issuing Authority, upon being satisfied that the applicant is a resident within the area specified in paragraph a) of this Article, shall issue to the applicant Parking Permits for the leaving of Vehicles during the permitted period in a Parking Place to which such permit relates, by the owner of such Vehicles, or by any person using such Vehicles with the consent of the owner other than a person to whom such Vehicles has been let for hire or reward.
- d) Any resident applying for a Resident's Parking Permit who holds a valid Disabled Person's Badge shall be exempt from the fee referred to in the foregoing provisions of this article.

11. Surrender, Withdrawal and Validity of Permits

- a) A Permit Holder may surrender a permit to the Issuing Authority at any time and shall surrender a permit to the said Issuing Authority on the occurrence of any of the events set out in paragraph 'c' of this article
- b) The Issuing Authority may, by notice in writing served on the Permit Holder at the address shown by that person on the application for the permit or at any other address believed to be that person's place of abode, withdraw a permit if it appears to the Issuing Authority that any of the events set out in paragraph c i, ii, or iii, of this article has occurred and the Permit Holder shall surrender the permit to the said Issuing Authority with 48 hours of the receipt of the aforementioned notice.
- c) The events referred to in the foregoing provisions of this article are:
 - i. The Permit Holder ceasing to be eligible
 - ii. The withdrawal of such a permit by the Issuing Authority under provisions of paragraph 'b' of this article
 - iii. The Vehicle in respect of which such a permit was issued is used for any unlawful purpose;
 - iv. The issue of a duplicate permit by the Issuing Authority;
 - v. The permit ceasing to be valid pursuant to the provisions of paragraph 'd' of this article
- d) Without prejudice to the foregoing provisions of this article, a permit shall cease to be valid at the expiration of the period specified thereon(which period shall be that in respect of which payment has been made) or on occurrence of any one of the events set out in paragraph c) i, ii, iii, or iv, whichever is earlier.
- e) Where a permit is issued to any person upon receipt of a payment and the payment is subsequently dishonoured, the permit shall cease to be of any effect and the Issuing Authority shall by notice in writing served on the person to whom such a permit was issued by sending the same to the Permit Holder at the address shown by that person on the application for the permit or at any other address believed to be that person's abode, require that person to surrender the permit to the Issuing Authority with 48 hours of receipt of the aforementioned notice.

12. Display of Parking Permit

A Residents Parking Permit issued under the provisions of this Order shall be displayed in the Vehicle in respect of which the Residents Parking Permit has been issued in a conspicuous position so that the date and time of issue are clearly visible to a person standing at the front or kerbside of such Vehicle for the whole of the time during which the Vehicle is left.

13. 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.

14. 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 13 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.

15. 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 13 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.

16. 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 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 13 so that every part of the Vehicle is within the limits of the Parking Place.

17. 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 9; or

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

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

While any Vehicle is in the lengths of road specified in articles 3 and 5b) 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.

19. 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 Lancashire County Council and/or it's Agents of a Penalty Charge Notice which shall be payable by such persons in accordance with the legislation.

20. Miscellaneous

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.

21. Commencement of Order

This Order shall come into force on the 1st September 2014 and may be cited as the "Lancashire County Council (Station Road, Scarisbrick Street, Burscough Street, Hardacre Street Chestnut Court and Railway Approach) (Part Revocations and Various Parking Restrictions) Order 2014".

Dated this 27th day of August 2014

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

Authorised Signatory



Schedule 1 Revocations

Schedule 11.040 items 5(a) and 5(b)

Schedule 11.075, item 4

Schedule 10.01 items 33b(iv), 90, 91(a), 91(b), 188(a), 188(b)

Schedule 12.093 item 2(ii)

Schedule 2 – Disabled Parking Places

- a. Station Road, Ormskirk, the south west side from a point 70 metres south-east of the centreline of Burscough Street for a distance of 7 metres in a south-easterly direction.
- b. Station Road, Ormskirk, the north east side from a point 64 metres south-east of the centreline of Burscough Street for a distance of 6.6 metres in a south-easterly direction.
- c. Scarisbrick Street, Ormskirk, the south west side from a point 84 metres north-west of the centreline of Burscough Street for a distance of 6.6 metres in a north-westerly direction.
Disabled Parking.

Schedule 3 – Prohibition of Waiting

- a. Chestnut Court, Ormskirk, the east side from the centre line of Station Road for a distance of 30 metres in a north-easterly direction.
- b. Chestnut Court, Ormskirk, the west side from the centre line of Station Road for a distance of 24 metres in a north-easterly direction.
- c. Hardacre Street, Ormskirk, the south east side from a point 58 metres north-east of the centreline of Station Road for a distance of 42 metres in a north-easterly direction.
- d. Hardacre Street, Ormskirk, the north west side from the centre line of Station Road for a distance of 34 metres in a north easterly direction.
- e. Hardacre Street, Ormskirk, the north west side from a point 58 metres north-east of the centreline of Station Road for a distance of 4.5 metres to the end of the road.
- f. Hardacre Street, Ormskirk, the South East side from the centre line of Station Road for a distance of 7 metres in a north-easterly direction.
- g. Hardacre Street, Ormskirk, across the full width, at a point opposite the northern boundary of the property No. 10 Hardacre Street along the southern side of the barrier.
- h. Station Road, Ormskirk, the South West side from a point 34.5 metres south-east of the centreline of Hardacre Street for the length of road in a southerly and north easterly direction (approx 40m).
- i. Station Road, Ormskirk, the North East side from a point 40 metres south-east of the centreline of Hardacre Street for the length of road in a south easterly direction.
- j. Station Road, Ormskirk, the North East side from a point 5 metres west of the centreline of Hardacre Street to a point 5 metres east of the centreline of Hardacre Street.
- k. Burscough Street, Ormskirk, the west side from a point 15 metres south-west of the centreline of Scarisbrick Street for a distance of 26 metres in a north-easterly direction.

Schedule 4 – Restriction of Waiting

- a. **Mon - Fri, 8am - 6pm.** Station Road, Ormskirk, the South side from its junction with Burscough Street for a distance of 51 metres.
- b. **Mon - Fri, 8am - 6pm.** Station Road, Ormskirk the North East side from a point 8 metres south-east of the centreline of Burscough Street, for a distance of 17 metres in a south-easterly direction.

Schedule 4A – Restriction of Waiting

Mon-Sat, 8am-6pm. Burscough Street, Ormskirk, the West side from a point 21m north east of the centreline of Scarisbrick Street for a distance of 105m in a north easterly direction (to start of prohibition of Waiting restriction at Ashcroft Avenue).

Schedule 5 – Limited Waiting (Except Permit Holders)

- a. Station Road, Ormskirk, the South West side from a point 13.5 metres north-west of the centreline of Hardacre Street for a distance of 14 metres in a north-westerly direction.

- b. Station Road, Ormskirk, the North East side from a point 45 metres south-east of the centreline of Burscough Street for a distance of 19 metres in a westerly direction.
- c. Station Road, Ormskirk, the North East side from a point 71 metres south-east of the centreline of Burscough Street for a distance of 8 metres in a south-easterly direction.
- d. Station Road, Ormskirk, the South West side from a point 6.5 metres north-west of the centreline of Hardacre Street for a distance of 41 metres in a south-easterly direction.
- e. Station Road, Ormskirk, the North East side from a point 5 metres south-east of the centreline of Hardacre Street for a distance of 34 metres in a south-easterly direction.
- f. Hardacre Street, Ormskirk, the South East side from a point 7 metres north-east of the centreline of Station Road for a distance of 29 metres in a north-easterly direction.
- g. Hardacre Street, Ormskirk, the South East side from a point 42 metres north-east of the centreline of Station Road for a distance of 17 metres in a north-easterly direction.
- h. Railway Approach, Ormskirk, the East side from a point 24 metres north-east of the centreline of Derby Street for a distance of 46 metres in a north-easterly direction.
- i. Burscough Street, Ormskirk, the West side from a point 15 metres south-west of the centreline of Scarisbrick Street for a distance of 50 metres in a south-westerly direction.
- j. Burscough Street, Ormskirk, the West side from a point 11m north east of the centreline of Scarisbrick Street for a distance of 10m in a north easterly direction.
- k. Scarisbrick Street, Ormskirk, the North East side from a point 16.5 metres north-west of the centreline of Burscough Street for a distance of 12.5 metres in a north-westerly direction.
- l. Scarisbrick Street, Ormskirk, the South West side from a point 18 metres north-west of the centreline of Burscough Street for a distance of 12 metres in a north-westerly direction.
- m. Scarisbrick Street, Ormskirk the North East side from a point 36 metres north-west of the centreline of Burscough Street for a distance of 52 metres in a north-westerly direction.
- n. Scarisbrick Street, Ormskirk, the South West side from a point 35 metres north-west of the centreline of Burscough Street for a distance of 49 metres in a north-westerly direction.

Schedule 6: Permit Eligibility Details

ROAD	ELIGIBLE PROPERTIES
RAILWAY APPROACH	1-15 ODDS
STATION ROAD	3-27 ODDS 24-42 EVENS
SCARISBRICK STREET	1-21 ODDS 2-22 EVENS
HARDACRE STREET	2, 6, 8, AND 10 EVENS and 1 ODDs
BURSCOUGH STREET	105, 107, 109, 111, 113, 115, 117, 121, 123, 129, 131, 133 ODDs

Each eligible property can apply annually for one resident's and one visitor's permit at a cost of £25.00 and £10.00 respectively.



- Key to restriction type displayed**
- PROPOSED Resident Permit Holders Limited Waiting Mon-Sat 8am-6pm. 1 hour, No return within 4 hours
 - PROPOSED H Bar Marking
 - Existing No Waiting At Any Time
 - Existing No Waiting - Mon to Fri 8am - 6pm
 - Existing Disabled Bay
 - PROPOSED No Waiting At Any Time



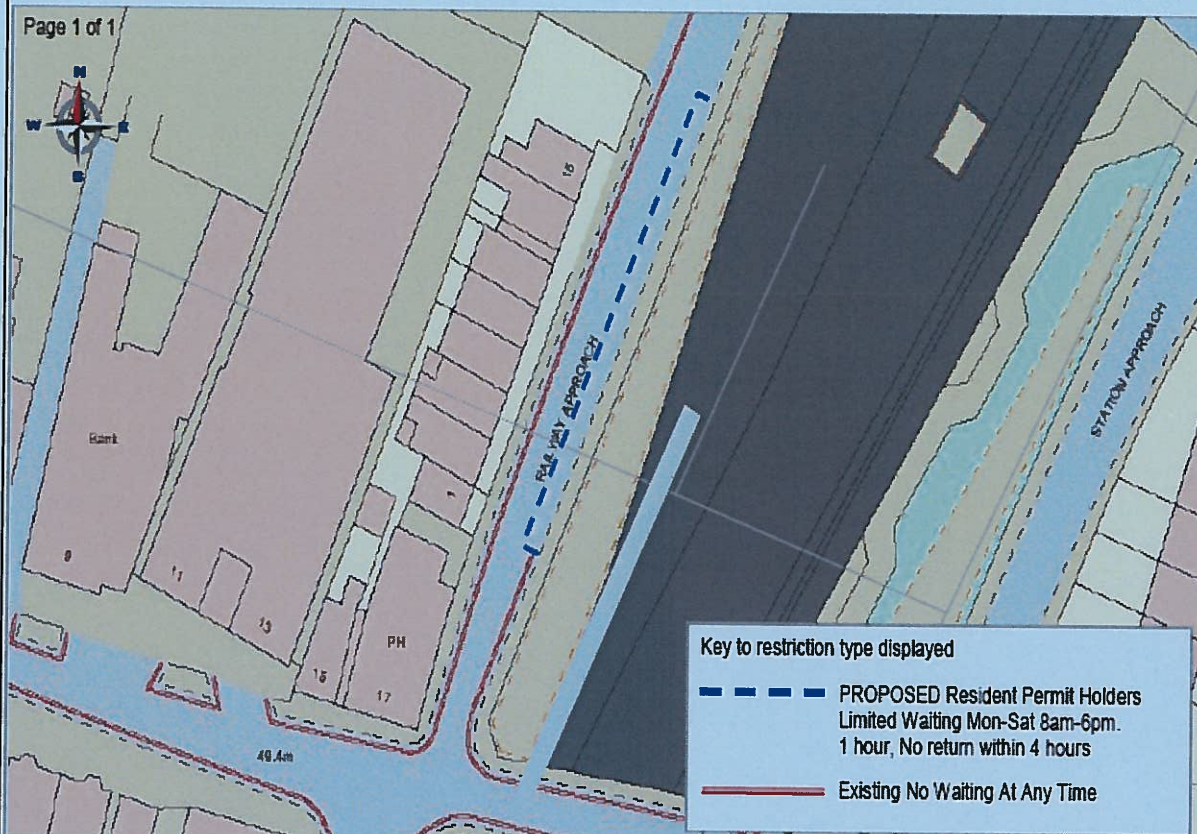
Permanent Order Residents Permit Parking Scheme Zone B Ormskirk.
 Station Road - proposed Resident Permit Holders and Limited Waiting Mon-Sat 8am -6pm 1 hour no return within 4 hours

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Environment Directorate
Jo Turton
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 P.O. Box 100, County Hall,
 PRESTON PR1 0LD

SCALE	1 : 500
DATE	04/02/2014
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DRAWN BY	Kevin Parkinson
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Key to restriction type displayed

- PROPOSED Resident Permit Holders
Limited Waiting Mon-Sat 8am-6pm.
1 hour, No return within 4 hours
- Existing No Waiting At Any Time



**Permanent Order Residents
Permit Parking Scheme Zone B
Ormskirk.**
Railway Approach - proposed
Resident Permit Holders and
Limited Waiting Mon-Sat 8am -6pm
1 hour no return within 4 hours

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**Environment Directorate
Jo Turton**

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- Key to restriction type displayed**
- PROPOSED Resident Permit Holders
Limited Waiting Mon-Sat 8am-6pm.
1 hour, No return within 4 hours
 - Existing Disabled Bay
 - Existing No Waiting At Any Time
 - Existing No Waiting Mon-Sat 8am-6pm



**Permanent Order Residents
Permit Parking Scheme Zone B
Ormskirk.**
Scarisbrick Street / Burscough
Street - proposed Resident Permit
Holders and Limited Waiting
Mon-Sat 8am -6pm 1 hour no
return within 4 hours

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