ROAD TRAFFIC REGULATION ACT 1984

LANCASHIRE COUNTY COUNCIL
(A679 HENRY STREET, BARNES STREET, BRADSHAW STREET, CHURCH, HYNDBURN BOROUGH)
(PROHIBITION OF WAITING) ORDER 2009

The County Council of Lancashire ("the Council") in exercise of its powers under Sections 1(1), 2(1) and (2), 4(2) and (3) of the Road Traffic Regulation Act 1984, as amended ("the Act") and Section 43 and Schedules 3 and 6 to the Road Traffic Act 1991 ("the 1991 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) "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) "parking disc" means a device which -

i) is 125 millimetres square and coloured blue, if issued on or after 1st April, 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.

d) 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.

e) 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.

2. 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, on the lengths of road specified in the Schedule to this Order.

3. Exception to Prohibition of Waiting

Nothing in Article 2 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 the vehicle;

b) goods to be loaded onto or unloaded from the vehicle;

c) the vehicle, if it cannot conveniently be used for such purpose in any other road to be used in connection with any of the following:-

i) building, industrial or demolition operations;

ii) the removal of any obstruction to traffic;

iii) the maintenance, improvement or reconstruction of the said lengths of roads;

iv) the laying, erection, alteration or repair in or near land adjacent to the said lengths of 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) the vehicle to be used for delivering or collecting postal packets as defined in Section 87 of the Post Office Act 1953;

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

g) 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.

4. Exemption for disabled person's vehicle

Nothing in Article 2 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 roads 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.

5. 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.

6. Commencement of Order

This Order shall come into force on the 13th March, 2009 and may be cited as the "Lancashire County Council (A679 Henry Street, Barnes Street, Bradshaw Street, Church, Hyndburn Borough) (Prohibition Of Waiting) Order 2009"

SCHEDULE

i) Henry Street, north-west side, from a point approximately 30 metres north-east of its junction with Barnes Street for a distance of approximately 58 metres in a south westerly direction;

ii) Henry Street, south-east side, from a point approximately 40 metres north-east of its junction with Barnes Street for a distance of approximately 68 metres in a south westerly direction;

iii) Bradshaw Street, both sides, from its junction with the centre line of Henry Street for a distance of approximately 39 metres in a south easterly direction;

iv) Barnes Street, both sides, from its junction with the centre line of Henry Street for a distance of approximately 15 metres in a north westerly direction.

Dated this 11th day of March, 2009.

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

Authorised Signatory

1871

LANCASHIRE COUNTY COUNCIL
HYNDBURN BOROUGH

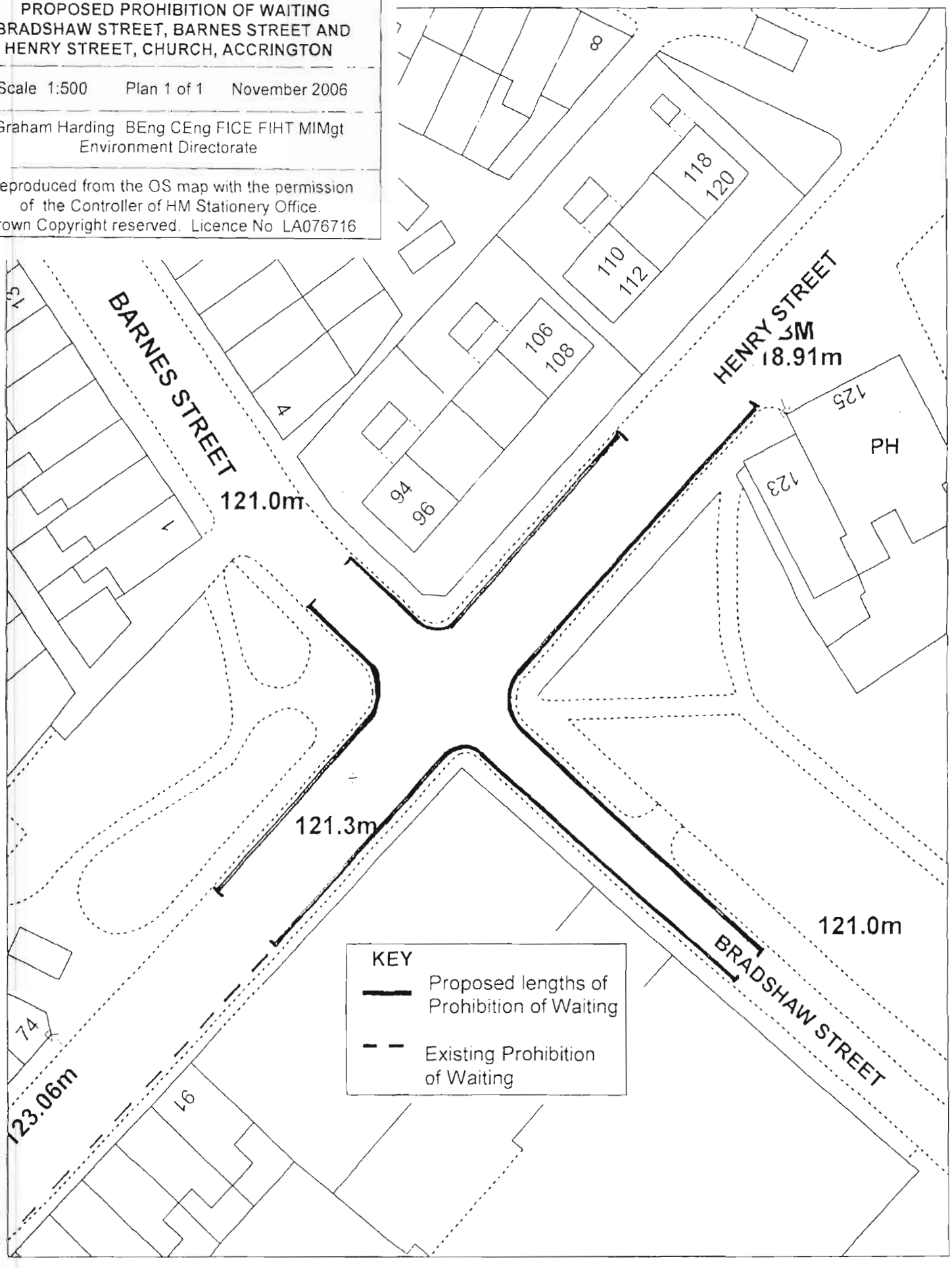
PROPOSED PROHIBITION OF WAITING
BRADSHAW STREET, BARNES STREET AND
HENRY STREET, CHURCH, ACCRINGTON

Scale 1:500 Plan 1 of 1 November 2006

Graham Harding BEng CEng FICE FIHT MIMgt
Environment Directorate

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Bradshaw Street, Accrington



Scale 1:500 LCC Map Ref. 50806 Created

(Scale correct when printed on A4 Portrait)

By Martin Nugent

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