

ROAD TRAFFIC REGULATION ACT 1984
LANCASHIRE COUNTY COUNCIL
(CHESTNUT COURT, STATION ROAD, HARDACRE STREET, RAILWAY APPROACH
SCARISBRICK STREET AND LEYLAND WAY, ORMSKIRK, WEST LANCASHIRE DISTRICT)
(PART REVOCATION, PROHIBITION AND RESTRICTION OF WAITING, DISABLED PARKING
PLACES, AND RESTRICTION OF WAITING EXCEPT FOR RESIDENT PERMIT HOLDERS
PARKING PLACES) ORDER 201*

The County Council of Lancashire (“the Council”) in exercise of its powers under Sections 1, 2, 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 Interpretation

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

- a) **“disabled parking place” means** an area comprised within the carriageway of a road, the boundary of which is:-
 - i) marked in accordance with Diagram 1028.3 of the Traffic Signs Regulations and General Directions 2002 (“the regulations”) and accompanied by a sign in accordance with Diagram 661A of the Regulations indicating the restrictions on the use of the parking place; and
 - ii) for which the restrictions on use are described in article 3b) to this Order
- b) **“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.
- c) **“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.
- d) **“disabled person’s badge” means** a badge which:
 - i) was 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.
- e) **“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.

- f) 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.
- g) A vehicle displays a resident's parking permit in the "**relevant position**" if -
 - i) the permit is exhibited on the dashboard or fascia of the vehicle; or
 - ii) where the vehicle does not have a dashboard or fascia, the permit is exhibited in a conspicuous position on the vehicle, so that all particulars referred to in Article 9 of this Order are clearly legible from the outside of the vehicle.
- h) "**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).
- i) "**parking place**" means the area on the Highway as specified in article 3 b) and 4 b)
- j) "**resident's parking permit**" means a valid Residents Parking Permit issued for the parking place by the Council or its local agent or authority. Charges, eligibility criteria and terms for said Permit are published by the issuing authority.
- k) "**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
- l) "**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 Revocation

Those parts of the "Lancashire County Council (West Lancashire District Area) (On Street Parking Places, Prohibition and Restriction of Waiting) Consolidation Order 2009" as specified in Schedule 1 to this Order are hereby revoked.

3. Prohibition of Waiting

- a) 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 roads specified in Schedule 2 to this Order;
- b) 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 disabled parking places specified in Schedule 5 to this Order

4. Restriction of Waiting

- a) 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, Monday to Friday each day from 0800 hours until 1800 hours in any of the lengths of roads specified in Schedule 3 to this Order;

- b) 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 a period exceeding 1 hours with no return within 3 hours Monday to Saturday each day from 0800 hours until 1800 hours in any of the lengths of roads specified in Schedule 4 to this Order;

5 Exemptions for disabled person's vehicle

- a) Nothing in Article 3 a) and 4 a) 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.
- b) Nothing in Articles 3 b) and 4 b) 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.

6. Exception for Permit Holders

Nothing in Article 4 (b) 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 is a 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 9 of this Order

7. General Exceptions

Nothing in Articles 3 or 4 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) 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 engaged in the collection and/or delivery of letters 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 lengths of road for so long as such waiting by the vehicle is reasonably necessary in connection with any wedding or funeral.

8. Additional Exceptions

Nothing in Articles 3 or 4 of this Order shall render it unlawful to cause or permit any vehicle to wait in the length 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.

9. Display of Resident's 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.

10. 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 position in the parking place and shall not start the engine except when about to change the position of the vehicle, or to 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.

11. 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 10 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.

12. 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 10 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.

13. 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 paragraph a) of this Article 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 10 so that every part of the vehicle is within the limits of the Parking Place.

14. Power to suspend use of Parking Places

- a) The Council's duly authorised officer may suspend the use of 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 paragraphs 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) being used for any purpose specified in Article 8; or
 - iii) left in such Parking Place with the permission of the person suspending the use of the Parking Place.

15. Power to suspend the use of a parking places

- a) Any authorised officer of the Council may suspend the use of a parking place or any part thereof whenever he/she considers such suspension reasonably necessary and for whatever period he/she may deem necessary
 - i) for the purpose of facilitating the movement of traffic or promoting its safety
 - ii) for the purpose of any building operation, demolition or excavation in or adjacent to the disabled parking place or the maintenance, improvement or reconstruction of the carriageway within which the parking place is situated or laying, erection, alteration, removal or repair in or adjacent to the parking place of any sewer, main, pipe or

apparatus for the supply of gas, water or electricity or of any telecommunications apparatus or traffic sign; or

- iii) on any occasion on which it is likely that by reason of some special attraction the said length of road within which the parking place is situated will be thronged or obstructed.
- b) Any officer of the Council suspending the use of the parking place or any part thereof in accordance with the provisions of paragraph (a) of this Article shall thereupon place or cause to be placed in or adjacent to that parking place or the relevant part thereof the use of which is suspended a traffic sign indicating that waiting by vehicles is prohibited.
- c) No person shall cause or permit any vehicle to be left in a parking place or any part thereof during such period as there is on or adjacent to that parking place a traffic sign placed in pursuance of paragraph (b) or this Article

Provided that nothing in this paragraph shall be in contravention of this Order to cause or permit any vehicle being used for the fire brigade, ambulance or police purposes in pursuance of statutory powers or duties to wait for so long as may be necessary in such a parking place or any part thereof or to cause or permit any vehicle being used for any purpose specified in Article 8 of this Order to be left in such a parking place or any part thereof in pursuance of paragraph (b) of this Article or of a police constable in uniform or a Civil Enforcement Officer.

16. Restrictions 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 parking place or in connection with the selling of or offering for the sale of his/her skills or services.

17. 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.

18. Commencement of Order

This Order shall come into force on the 201* and may be cited as the "Lancashire County Council (Chestnut Court, Station Road, Hardacre Street, Railway Approach Scarisbrick Street and Leyland Way, Ormskirk, West Lancashire District) (Part Revocation, Prohibition and Restriction of Waiting, Disabled Parking Places and Restriction of Waiting except for Resident Permit Holders Parking Places) Order 201*

Dated this day of.... 201*.

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

Authorised Signatory

Schedule 1

Revoke those parts of "Lancashire County Council (West Lancashire District Area) (On Street Parking Places, Prohibition and Restriction of Waiting) Consolidation Order 2009" as follows:

Schedule 11.040: No waiting Mon-Fri 8am-6pm:

- Item no (5) Station Road, Ormskirk a) north side from its junction with Burscough Street for a distance of 22 metres
b) south side from its junction with Burscough Street for a distance of 51 metres

Schedule 10.01 No Waiting at Any Time:

- Item no (188) Station Road Ormskirk a) the north side from a point 34 metres east of the centreline of Hardacre Street for a distance of 18 metres in an easterly then northerly direction
c) south side – from a point 28 metres east of the centreline of Hardacre Street for a distance of 49 metres in a southerly, easterly and northerly direction

Schedule 2

Introduce No waiting at any time on any day in:

Chestnut court,

- i. west side, from the centreline of Station Road for a distance of 26 metres in a northerly direction
- ii. East-side from the centreline of Station Road for a distance of 30.5 metres in a northerly direction

Station Road

- i. Both sides from the centreline of Burscough Street for a distance of 21 metres in an easterly direction
- ii. Both sides from a point 12 metres south- east from the centreline of Hardacre Street for a distance of 24 metres in a south-easterly direction including the turning area.

Hardacre Street

- i. North-east side from a point 34.5 metres north-east of the centreline of Station Road for a distance of 27.5 metres in a north-easterly direction

- ii. North-east side from the centreline of Station Road for a distance of 8.5 metres in a north easterly direction
- iii. South-east side from the centreline of Station Road for a distance of 44 metres in a north-easterly direction.

Schedule 3

Introduce No Waiting Monday to Friday (inclusively) 0800 hours until 1800 hours in:

- i. Station Road the south side from a point 21 metres south-east of the centreline of Burscough Street for a distance of 35 metres in a south-east direction

Schedule 4

Introduce Waiting Limited to 1 hour with no return within 3 hours Monday to Saturday 0800 hours until 1800 hours except Residents/Permit Holder Parking Places in:

Station Road

- i. North side from a point 10.3 metres east from the centreline of Hardacre Street for a distance of 23.75 metres in a south-east direction
- ii. North side from a point 18.6 metres from the centreline of Hardacre Street for a distance of 23 metres in a north-west direction.
- iii. South side from a point 2.5 metres from the centreline of Hardacre Street for a distance of 30.5 metres in a south-east direction
- iv. South side from a point 9 metres west from the centreline of Hardacre Street for a distance of 18.5 metres in a north-west direction.

Hardacre Street

- i. North-east side from a point 8.5 metres of the centreline of Station Road for a distance of 26 metres in a north-easterly direction.
- ii. South-east side from a point 44 metres of the centreline of Station Road for a distance of 8.5 metres in a north-easterly direction

Railway Approach

- i. East side from a point 24 metres north from the centreline of Derby Street for a distance of 45.5 metres in a north-easterly direction.

Scarisbrick Street

- i. South side from a point 18 metres west of the centreline of Burscough Street for a distance of 12 metres in a westerly direction
- ii. South side from a point 35 metres west of the centreline of Burscough Street for a distance of 49 metres in a westerly direction
- iii. North side from a point 16.5 metres west of the centreline of Burscough Street for a distance of 12.5 metres in a westerly direction
- iv. North side from a point 37 metres west of the centreline of Burscough Street for a distance of 51.5 metres in a westerly direction.

Eligible residents; Zone B, Ormskirk

Road	Eligible Properties
Railway Approach	1-15 odds
Station Road	1-27 odds 22-44 evens
Scarisbrick Street	1-21 odds

	2-22 evens
Hardacre Street	1-odd 2,6,8, 10 evens

Schedule 5

Introduce Disabled Parking Places in:

Station Road, Ormskirk

- i. The north- east side from a point 12m north-west of the centreline of Hardacre Street for a distance of 6.5 metres in a north-westerly direction
- ii. The south- west side from point 2.5 metres of the centreline of Hardacre Street for a distance of 6.5 metres in a north-westerly direction.

Scarisbrick Street, Ormskirk

- i. The south side from a point 85.5 metres of the centreline of Burscough Street for a distance of 6.5 metres in a westerly direction.

Leyland Way, Ormskirk

- i. The south side from a point 11 metres west of the centreline of Railway Road for a distance of 27.5 metres in a westerly direction for 6 bays perpendicular to the kerb edge.

Statement of Reasons

The purpose of the order is to avoid danger to persons or other traffic using the road or for preventing the likelihood of any such danger arising and to facilitate the passage on the road of any class of traffic including pedestrians.

The restrictions will improve the safe passage of traffic including pedestrians and prevent obstructive parking. The introduction of Limited Waiting will discourage all day parking but residents who are unable to park near their homes are exempt. This will improve the amenity of the roads.