

Appendix 'B': Original Draft Order

ROAD TRAFFIC REGULATION ACT 1984

LANCASHIRE COUNTY COUNCIL

(VARIOUS ROADS, ORMSKIRK / AUGHTON, WEST LANCASHIRE BOROUGH)
(PART REVOCATION, PROHIBITION OF WAITING, RESTRICTION OF WAITING,
RESTRICTION OF LOADING/UNLOADING, PROHIBITION OF STOPPING ON SCHOOL
ENTRANCE MARKING) ORDER 201*

The County Council of Lancashire (“the Council”) in exercise of its powers under Sections 1(1), 2(1) and (2), 4(1), (2) and (3) of and Part 1V of Schedule 9 to the Road Traffic Regulation Act 1984, as amended (“the Act”) and in exercise of its powers under Sections 1, 2, 4, 45-53 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:

- 1.1 “**1984 Act**” means the Road Traffic Regulation Act 1984 as amended
- 1.2 “**centreline**” means the centre line of a highway as shown on Ordnance Survey graphical information systems at the time that the Order was prepared
- 1.3 “**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
- 1.4 “**the Council**” means the Lancashire County Council
- 1.5 “**Driver**” in relation to a vehicle left at or waiting in a length of road specified in this Order means the person driving the vehicle at the time it was left at or is waiting in the said length of road
- 1.6 “**Dual Purpose Vehicle**” means a vehicle constructed or adapted for the carriage either of passengers or goods or burden of any description with an un-laden weight not exceeding 2040 kilograms and which is either four-wheeled driven or meets specified requirements as to body construction
- 1.7 “**Goods Vehicle**” means a motor vehicle or trailer constructed or adapted for use for the carriage or haulage of goods or burden of any description as described in the Traffic Signs Regulations and General Directions Order 2002
- 1.8 “**Penalty Charge**” means a penalty charge imposed under the provisions of Part 6 of the Traffic Management Act 2004
- 1.9 “**Penalty Charge Notice**” means a notice served by a Civil Enforcement Officer pursuant to the provisions of Section 78 of the Traffic Management Act 2004
- 1.10 “**Public Service Vehicle**” means a motor vehicle (other than a tramcar) which -
 - i) being a vehicle adapted to carry more than eight passengers is used for carrying passengers for hire or reward; or

ii) being a vehicle not so adapted is used for carrying passengers for hire or reward at separate fares in the course of a business of carrying passengers as defined in Section 1 of the Public Passenger Vehicles Act 1981

1.11 “School Entrance Marking” means part of a carriageway outside a school entrance as described in the Schedule to this Order where vehicles should not stop and indicated by a road marking complying with the Traffic Sign Regulations and General Directions Order 2002

1.12 “Traffic Sign” means a sign of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under Section 64 of the Road Traffic Regulation Act 1984

1.13 “Vehicle” means a motor vehicle, a passenger vehicle, a dual-purpose vehicle, a goods vehicle, a motor cycle or an invalid carriage or any other vehicle of any description whether drawn or propelled along a road by animal or mechanical power

1.14 “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.

1.15 “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.

1.16 “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.

1.17 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.

1.18 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. Part Revocation

Those parts of the ““Lancashire County Council (West Lancs Area) (On Street Parking Places, Prohibition of Waiting) Consolidation Order 2009”, specified in **Schedule 1** to this Order is 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 any of the lengths of roads, specified in **Schedule 2** 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 inclusively, 0800 hours until 0930 hours and from 1600 hours until 1800 hours each day, on the length of road, 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 Monday to Friday inclusively, 0800 hours until 0900 hours and from 1500 hours until 1600 hours each day, in any of the lengths of roads, specified in **Schedule 4** to this Order.
- c) 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 2 hours, no return within 4 hours, Monday to Friday, from 0800 hours until 1600 hours each day, in any of the lengths of road, specified in **Schedule 5** to this Order.
- d) 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 15 Minutes, no return within 30 minutes, Monday to Friday, from 0800 hours until 0900 hours and from 1500 hours until 1600 hours each day, on the length of road, specified in **Schedule 6** to this Order.
- e) 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 30 Minutes, no return within 1 hour, Monday to Friday, from 0930 hours until 1600 hours each day, on the length of road, specified in **Schedule 7** to this Order.

5. Prohibition of Loading/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 to be Loaded or Unloaded, Monday to Friday inclusively, from 0800 hours until 0930 hours and from 1600 hours until 1800 hours each day, in any of the length of roads, specified in **Schedule 8** to this Order.

6. Restriction of Stopping on School Entrance Marking

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 stop or wait Monday to Friday inclusively, from 08.00 hours until 18.00 hours each day, on the length of road, specified in **Schedule 9** of this Order.

7. Exemptions

Nothing in Article 3, 4 (a, b, c, d, e), 5, of this Order shall render it unlawful to cause or permit any vehicle to wait in the length of road referred to therein for so long as may be necessary to enable:-

- a) a person to board or alight the vehicle;
- b) 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 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;
- c) 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;
- d) the vehicle to be used for delivering or collecting postal packets as defined in Section 87 of the Post Office Act 2000;
- e) the vehicle to be used for fire brigade, ambulance or police purposes in pursuance of statutory powers or duties;
- f) 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. Exemption for School Entrance Marking

Nothing in Article 6 of this Order shall render it unlawful to cause or permit any vehicle to wait during the prohibited hours in the lengths of road referred to therein for so long as may be necessary to enable:

- a) the vehicle, if it cannot conveniently be used for the purpose in any 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 near land adjacent to the said lengths of road of any sewer or 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 electronic communications apparatus
- 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 employed in the recovery of another vehicle
- d) The vehicle to be used for fire brigade, ambulance or police purposes in pursuance of statutory powers or duties

9. Exemptions for Prohibition and Restriction of Waiting

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) goods to be loaded on to or unloaded from the vehicle;

10. Exemption for disabled person's vehicle

- a) Nothing in Article 3, 4 (a, b), 5 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.
- b) Nothing in Article 4 (c, d, e), 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.

11. Miscellaneous

The prohibition 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.

12. Commencement of Order

This Order shall come into force on the ***** and may be cited as the “Lancashire County Council, Various Roads, Ormskirk / Aughton, West Lancashire, (Part Revocation, Prohibition of Waiting, Restriction of Waiting, Restriction of Loading/Unloading at AnyTime, Prohibition of Stopping on School Entrance Marking) Order 201**”.

Dated this ** day of ***.

THE COMMON SEAL of the Lancashire County Council was hereunto affixed pursuant to the Scheme of Delegation to Chief Officers **OR** following a decision made on the ** day of ** 20** by the Cabinet Member for Highways and Transport

Authorised Signatory

Schedule 1

Part Revocations

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

Schedule 10.01, No Waiting at Anytime:

Item 25, a) both side, insofar as it relates to Bold Lane, Aughton, from its junction with Winifred Lane for a distance of 27 metres in a south-westerly direction;

Item 206,

- a) both sides, insofar as it relates to (i) Town Green Lane, Aughton, from the eastern side of its junction with Granville Park to its junction with Winifred Lane;
- b) the north-west side, insofar as it relates to Town Green Lane, Aughton, from a point 20 metres south-east of the centreline of Whalley Drive in a north-easterly direction for a distance of 40 metres;
- c) the south side, insofar as it relates to Town Green Lane, Aughton, from the westerly boundary of Sagar Fold for a distance of 72 metres, or thereabouts, in a westerly direction;

Schedule 11.075, No Waiting Mon-Sat, 8am-6pm:

Item 14, b) the south side, insofar as it relates to Molyneux Road, Aughton, for a distance of 13 metres or thereabouts in an easterly direction from the boundary of Middlewood Road;

Schedule 2

Introduce No Waiting At Anytime, in any of the following lengths of Roads, in the Borough of West Lancashire:

1. Black Moss Lane, Ormskirk, both sides, from the centre line of Long Lane, for a distance of 20 metres in a north-easterly direction;
2. Bold Lane, Aughton, both sides, from the centre line of Winifred Lane, for a distance of 25 metres in a south-westerly direction;
3. Liverpool Road, Aughton, the south-east side, from a point 20 metres north-east of its junction with Long Lane, to a point 20 metres south-west of its junction with Long Lane;
4. Long Lane, Aughton,
 - a) both sides,
 - i. from a point 15 metres north-west of the centreline of Rose Place, to a point 15 metres south-east of the centre line of Rose Place;
 - ii. from a point 20 metres north-west of the centre line of Swanpool Lane, to a point 20 metres south-east of the centre line of Swanpool Lane;
 - iii. from a point 22 metres north-west of the centreline of The Paddock, for a distance of 50 metres in a south-easterly direction;
 - iv. from a point 15 metres north-west of the centre line of Moss Bank, to a point 15 metres south-east of the centre line of Black Moss Lane;
 - b) the south-west side,
 - i. from the centreline of Liverpool Road, for a distance of 25 metres in a south-easterly direction;
 - ii. from a point 62 metres south-east of the centre line of Liverpool Road, for a distance of 30 metres in a south easterly direction;
5. Moss Bank, Aughton, both sides, from the centre line of Long Lane, for a distance of 15 metres in a south-westerly direction;
6. Rose Place, Aughton, both sides, from the centre line of Long Lane, for a distance of 20 metres in a north-easterly direction;
7. Swanpool Lane, Aughton, both sides, from the centre line of Long Lane, for a distance of 20 metres in a southerly direction;
8. The Paddock, Aughton, both sides, from the centreline of Long Lane, for a distance of 15 metres in a north-easterly direction;
9. Molyneux Road, Aughton, the south-side, from the centre line of Middlewood Road, for a distance of 75 metres in an easterly direction;
10. Town Green Lane, Aughton,
 - i. the north side, from a point 11 metres east of the centre line of Granville Park, to the centre line of Winifred Lane;
 - ii. the north-west side, from a point 20 metres south-west of the centreline of Whalley Drive, for a distance of 62 metres in a north-easterly direction;
 - a) the south side,
 - i. from a point 11 metres east of the centre line of Granville Park, to a point 15 metres west of the centre line of Granville Park;
 - ii. from the centre line of Winifred Lane, to a point 15 metres east of the centre line of Winifred Lane;

Schedule 3

Introduce No Waiting Monday to Friday inclusively, from 0800 hours until 0930 hours, and from 1600 hours until 1800 hours, on Town Green Lane, Aughton; the south side, from a point 15 metres north-east of the centre line of Winifred Lane, to a point 15 metres south-west of the centre line of Granville Park, in the Borough of West Lancashire;

Schedule 4

Introduce No Waiting Monday to Friday inclusively, 0800 hours until 0900 hours and from 1500 hours until 1600 hours, in any of the following lengths of roads, in the Borough of West Lancashire:

1. Sagar Fold, Aughton, both sides, for its entire lengths of road;
2. Town Green Lane, Aughton,
 - a) the north side,
 - i. from a point 79 metres west of the centre line of Sagar Fold, for a distance of 13 metres in a westerly direction;
 - ii. from a point 42 metres north-east of its junction with Whalley Drive, for a distance of 44 metres in a north-easterly direction;
 - iii. the south side, from the centreline of Sagar Fold, for a distance of 115 metres in a westerly direction;

Schedule 5

Introduce Limited Waiting, 2 Hours, Monday to Friday inclusively, No Return Within 4 Hours, from 0800 hours until 1600 hours, in any of the following lengths of road, in the Borough of West Lancashire:

Long Lane, Aughton, the north-east side,

- i. from a point 102 metres from the centre line of Liverpool Road, for a distance of 30 metres in a south-easterly direction;
- ii. from a point 170 metres from the centre line of Liverpool Road, for a distance of 70 metres in a south-easterly direction;

Schedule 6

Introduce Limited Waiting, 15 Minutes, Monday to Friday inclusively, No Return Within 30 Minutes, from 0800 hours until 0900 hours and from 1500 hours until 1600 hours, on Town Green Lane, Aughton, the north side, from a point 37 metres west of the centre line of Prescott Road, for a distance of 44 metres in a westerly direction, in the Borough of West Lancashire;

Schedule 7

Introduce Limited Waiting, 30 Minutes, Monday to Friday inclusively, No Return Within 1 Hour, from 0900 hours until 1600 hours, on Town Green Lane, Aughton, the south side, from a point 15 metres north-east of the centre line of Winifred Lane, to a point 15 metres south-west of the centre line of Granville Park, in the Borough of Lancashire;

Schedule 8

Introduce Loading/Unloading, Monday to Friday, from 0800 hours to 0930 hours and from 1600 hours until 1800 hours, in any of the following length of roads, in the Borough of West Lancashire:

1. Bold Lane, Aughton, the south-east side, from the centre line of Winifred Lane, for a distance of 25 metres;
2. Town Green Lane; Aughton, the south side, from the centre line of Winifred Lane, to the centre line of Granville Park;

Schedule 9

Introduce No Stopping (School Keep Clear Marking), Monday to Friday inclusively, from 0800 hours until 1800 hours, on Long Lane, Aughton, the north-east side, from a point 132 metres south-east of the centre line of Liverpool Road, for a distance of 37.56 metres in a south-easterly direction, in the Borough of West Lancashire;

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 parking regulations have been proposed to promote road safety, by providing lengths of road to where two lanes of traffic can safely pass when parking is very high.

Additional limited waiting has been included to ensure that the necessary parking facilities are kept available for as many users as possible in the vicinity of schools and shops.