

## Appendix 'H'

### ROAD TRAFFIC REGULATION ACT 1984 LANCASHIRE COUNTY COUNCIL (VARIOUS ROADS, BLACKO, COLNE, FOULRIDGE AND LANESHAW BRIDGE, PENDLE EAST AREA, PENDLE BOROUGH) (PART REVOCATION, PROHIBITION OF WAITING AND RESTRICTION OF WAITING) ORDER 201\*

The County Council of Lancashire (“the Council”) in exercise of its powers under Sections 1, 2 and 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 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) **“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 1<sup>st</sup> 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.
- d) A vehicle displays a disabled person’s badge or parking disc 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) **“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;
- f) **"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;
- g) **“Centre Line”** means the centre line of a highway as shown on Ordnance Survey graphical information systems at the time that the Order was prepared
- 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.

## **2. Part Revocation**

Those parts of the "Lancashire County Council (Pendle Borough Area) (On Street Parking Places, Prohibition and Restriction of Waiting) Consolidation Order 2009" insofar as they relate to the lengths of road set out in Schedule 1 to this Order.

## **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 Schedule 2 to this Order.

## **4. Restriction 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 from Monday to Friday (inclusively) from 07:00 until 19:00 in the length of road set out in Schedule 3 to this Order.

## **5. General Exemptions**

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.

#### **6. Additional Exemptions**

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, 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

#### **7. Exemption for disabled person's vehicle**

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 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 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.

#### **8. 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.

#### **9. Commencement of Order**

This Order shall come into force on the \*\* of \*\*\*\* 201\* and may be cited as the "Lancashire County Council (Various Roads, Blacko, Colne, Foulridge and Laneshaw Bridge) (Part Revocation and Prohibition of Waiting) 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 \*\*/\*\*/\*\*\*\* by the Cabinet Member for Highways and Transport

Authorised Signatory

### **Schedule 1 – Part Revocation**

Schedule 10:01, Item (207) – Lowther Lane, Foulridge, both sides from its junction with Skipton Road for a distance of 10 metres in a westerly direction.

### **Schedule 2 - Prohibition of Waiting**

- a) Beverley Road, Blacko, the south side from a point 10 metres east of the centre line of Malkin Close to a point 10 metres west of the centre line of Malkin Close.
- b) Chatham Street, Colne, both sides from its junction with Skipton Road to a point 10 metres south-west of the centre line of Skipton Road.
- c) Keighley Road, Laneshaw Bridge, the north side from a point 15 metres west of the centre line Wycoller View to a point 15 metres east of the centre line of Wycoller View.
- d) Lowther Lane, Foulridge, both sides from its junction with Skipton New Road for a distance of 22 metres in a north-westerly direction.
- e) Malkin Close, Blacko, both sides from its junction with Beverley Road to a point 10 metres south of the centre line of Beverley Road.
- f) Skipton New Road, Foulridge, the west side from a point 16 metres south of the centre line of Alma Avenue to the centre line of Lowther Lane.
- g) Skipton Road, Colne, the north-east side from a point 5 metres south-east of the centre line of Varley Street to a point 14 metres north-west of the centre line of Varley Street.
- h) Skipton Road, Colne, the south-west side from a point 10 metres south-east of the centre line of Chatham Street to a point 10 metres north of the centre line of Chatham Street.
- i) Varley Street, Colne, the north side, from its junction with Skipton Road to a point 18 metres east of the centre line of Skipton Road.
- j) Varley Street, Colne, the south side, from its junction with Skipton Road to a point 10 metres east of the centre line of Skipton Road.
- k) Wycoller View, Laneshaw Bridge, both sides from its junction with Keighley Road to a point 15 metres north-west of the northern kerb line of Keighley Road.

### **Schedule 3 – Restriction of Waiting**

Dockray Street, Colne, the west side from a point 12 metres north of the centre line of Water Street for a distance of 31 metres in a northerly direction.