

**ROAD TRAFFIC REGULATION ACT 1984**  
**LANCASHIRE COUNTY COUNCIL**  
**(ASHTON ROAD, LANCASTER, LANCASTER CITY)**  
**(REVOCAION, POLICE PARKING PLACE AND PROHIBITION OF LOADING AND UNLOADING) ORDER 2018**

The County Council of Lancashire ("the Council") in exercise of its powers under Sections 1, 2 and 4 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 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) "**Centreline**" means the centre line of a highway as shown on Ordnance Survey graphical information systems at the time that the Order was prepared;
- b) "**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;
- c) "**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;
- d) "**Penalty Charge Notice**" means a notice served by a Civil Enforcement Officer pursuant to the provisions of section 78 of the 2004 Act and supporting regulations;
- 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) "**Police Parking Place**" means any area of highway described in Schedule 2 to this Order, indicated by a road marking approved by the Department for Transport, in which Police Vehicles may stop.
- g) "**Police Vehicle**" means any Vehicle owned or operated by the police and used in pursuance of their statutory duties;
- h) "**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.

**2. Revocation**

Those parts of the "Lancashire County Council (Ashton Road, Lancaster, Lancaster City) (Part Revocation, Disabled Parking Places, Ambulance Parking Places, Prohibition of Waiting, Restriction of Waiting and Prohibition of Loading/Unloading) Order 2010", as set out in Schedule 1 to this Order, are hereby revoked.

### **3. Police Vehicle 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 stop in the Parking Place set out in Schedule 2 to this Order, unless that Vehicle is a Police Vehicle.

### **4. Prohibition of Loading and 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 at any time, on any day, for the purposes of Loading or Unloading, in the length of road set out in Schedule 3 to this Order.

### **5. Exemptions**

**A.** Nothing in Articles 3 and 4 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) 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 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;
- 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 used for fire brigade, ambulance or police purposes in pursuance of statutory powers or duties;

**B.** Nothing in Article 4 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 person to board or alight from the Vehicle.

### **6. Emergency Exemptions**

Nothing in Articles 3 and 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:-

- 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. 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.

#### **8. 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 7 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.

#### **9. 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 7 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.

#### **10. 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 7 so that every part of the Vehicle is within the limits of the Parking Place.

#### **11. 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 6; or
  - iii) left in such Parking Place with the permission of the person suspending the use of the Parking Place.

#### **12. Restriction of use of a Vehicle in a Parking Place**

While any Vehicle is in the lengths of road set out in the schedule to this Order 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.

#### **13. Miscellaneous**

The Restriction 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.

#### **14. 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 the Council and/or its agents of a Penalty Charge Notice which shall be payable by such persons in accordance with the legislation.

#### **15. Commencement of Order**

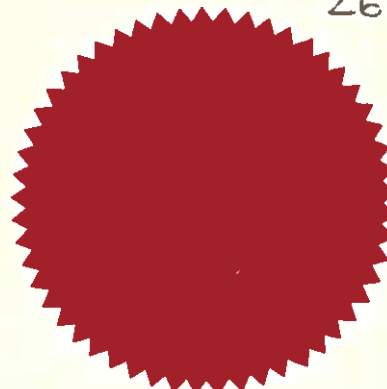
This Order shall come into force on the fifth day of March 2018 and may be cited as the "Lancashire County Council (Ashton Road, Lancaster, Lancaster City) (Revocation, Police Parking Place And Prohibition Of Loading And Unloading) Order 2018"

Dated this 28<sup>th</sup> day of February 2018.

26857

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

Authorised Signatory



### **Schedule 1 – Revocation**

- a. Schedule 3, Ashton Road, west side, from a point 47 metres south of the Centreline of the north entrance to Accident & Emergency (Royal Lancaster Infirmary) for a distance of 20 metres in a southerly direction.
- b. Schedule 4, Ashton Road, east side, from a point 100 metres south of the Centreline of the north entrance to Accident and Emergency (Royal Lancaster Infirmary) for a distance of 42 metres in a southerly direction.

### **Schedule 2 - Police Parking Place**

Ashton Road, the west side, from a point 47 metres south of the Centreline of the north entrance to Accident and Emergency (Royal Lancaster Infirmary) for a distance of 20 metres in a southerly direction.

### **Schedule 3 – Prohibition of Loading and Unloading**

- a. Aston Road, the east side, from a point 26 metres north of the centre line of the north entrance to Accident & Emergency (Royal Lancaster Infirmary) to the centre line of A588 Ashton Road in a southerly direction.
- b. Ashton Road, the west side, from a point 53 metres north of the centre line of the north entrance to Accident & Emergency (Royal Lancaster Infirmary) for a distance of 61 metres in a southerly direction.



Existing No Loading/  
Unloading At Any  
Time

Existing Disabled  
bay

Existing Limited  
Waiting, 8am-8pm,  
2 hours, No return  
within 4 hours

Royal  
Lancaster  
Infirmary

Existing Limited  
Waiting, 8am-8pm,  
2 hours, No return  
within 4 hours

Existing 'No Waiting  
At Any Time' to  
remain to allow  
3-hour disabled  
badge holder parking

Proposed No Loading  
/ Unloading At Any  
Time restriction

A&E  
(Accident &  
Emergency)

Existing  
Ambulance  
bay

Proposed police bay  
(No stopping except  
police vehicles) to  
replace Limited Waiting

Proposed extension  
to No Loading /  
Unloading At Any  
Time restriction

Existing Limited  
Waiting, 8am-8pm,  
2 hours, No return  
within 4 hours

Existing No Loading/  
Unloading At Any  
Time

No.	Date	Amendment Details	Drawn by	Checked by
REVISIONS				



Community Services



PROJECT TITLE		SHEET NO	
ASHTON ROAD LANCASTER		1 OF 1	
DRAWING TITLE		DRAWING NO	
PROPOSED 'NO LOADING AT ANY TIME' RESTRICTION AND POLICE BAY		BB129-1	
DRAWN BY	CHECKED BY	SCHEME NO	
BJB			
SCALE	DATE	CLIENT NO	
NTS	07-04-2017		