

ROAD TRAFFIC REGULATION ACT 1984

LANCASHIRE COUNTY COUNCIL

(BIRLEY STREET, CHURCH STREET, FRECKLETON STREET, POULTON STREET, PRESTON STREET AND UNNAMED STREET LEADING TO EAGLE COURT, KIRKHAM, FYLDE BOROUGH) (REVOCAION, AMENDMENT TO PERMIT PARKING PROVISIONS AND VARIOUS PARKING RESTRICTIONS) EXPERIMENTAL ORDER 2024

The County Council of Lancashire ("the Council") in exercise of its powers under Sections 9, 10(1) and 10(2) 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 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) **"Council's Duly Authorised Officer"** means a person empowered in accordance with Section 10(2) of the Act;
- d) **"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
 - i) has not ceased to be in force.
- e) **"Disabled Persons Parking Place"** means any area of highway described in Schedule 11 to this Order, indicated by a road marking approved by the Department for Transport, in which Disabled Person's Vehicles may wait when displaying a Disabled Person's Badge and Parking Disc in the Relevant Position;
- f) **"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;
- g) **"Goods Vehicle"** has the same meaning as in section 192 (1) of the Road Traffic Act 1988;
- 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;
- i) **"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.

- j) **"Parking Place"** means any length of road subject to restriction in accordance with Articles 6, 9, 10, 11 and 12;
- k) **"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;
- l) A Vehicle displays a Disabled Person's Badge or Parking Disc in the **"Relevant Position"** if –
 - i) the badge/disc 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/disc is exhibited in a conspicuous position on the Vehicle, so that the front of the badge/disc is clearly legible from the outside of the Vehicle.
- m) **"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. Suspensions

- a) Those parts of the "Lancashire County Council (Fylde Area) (On Street Parking Places, Prohibition and Restriction of Waiting) Consolidation Order 2009", as set out in Schedule 1a to this Order, are hereby suspended.
- b) Those parts of the "The Lancashire County Council (Kirkgate and Various Streets, Kirkham, Fylde Borough) (Prohibition and Restriction of Waiting, Bus Stop Clearway and Disabled Parking Places) Order 1996", as set out in Schedule 1b to this Order, are hereby suspended.
- c) The "Lancashire County Council (Freckleton Street, Kirkham, Fylde Borough) (Prohibition of Waiting) Order 2009" is hereby suspended in full.

3. Amendments

The "Lancashire County Council (Various Roads, Fylde Borough Area) (Revocation and Introduction of Parking Places) Order 2015" is hereby amended as set out in Schedule 2 of this Order.

4. 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 3 to this Order.

5. 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 lengths of road set out in Schedule 4 to this Order.

6. Goods Vehicle Loading Bay

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 in the Parking Place set out in Schedule 5 to this Order, on any day at any time, unless that Vehicle is a Goods Vehicle and it is engaged in Loading or Unloading.

7. Restriction of Waiting Monday to Friday 8am – 6pm

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 until Friday inclusively, between 8am and 6pm, in the lengths of road set out in Schedule 6 to this Order.

8. Restriction of Loading/Unloading 9am – 5pm

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 between on any day, between 9am and 5pm, for the purposes of Loading or Unloading, in the length of road set out in Schedule 7 to this Order.

9. Goods Vehicle Loading Bay Monday to Saturday 6am – 6pm

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 in the Parking Place set out in Schedule 8 to this Order, from Monday to Saturday (inclusively) between 6am and 6pm, unless that Vehicle is a Goods Vehicle and it is engaged in Loading or Unloading.

10. Goods Vehicle Loading Bay Monday to Saturday 6am – 8am

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 in the Parking Place set out in Schedule 9 to this Order, from Monday to Saturday, between 6am and 8am, unless that Vehicle is a Goods Vehicle and it is engaged in Loading or Unloading.

11. Limited Waiting Parking Place 1 Hour No Return Within 1 Hour Monday – Saturday 8am – 6pm

Save as is hereinafter provided, no person shall, except upon 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 hour, with no return within 1 hour, from Monday to Saturday inclusively from 8am until 6pm, in the lengths of road set out in Schedule 10 to this Order.

12. Disabled Persons 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 wait in the Parking Place set out in Schedule 11 to this Order, unless that Vehicle is a Disabled Persons Vehicle.

13. General Exceptions

Nothing in Articles 4, 5, 6, 7, 8, 9, 10, 11 and 12 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) 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 fire brigade, ambulance or police purposes in pursuance of statutory powers or duties.

14. Exemptions to Article 4, 7, 11 and 12

Nothing in Articles 4, 7, 11 and 12 to 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;
- b) 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.
- c) the Vehicle to wait at or near to any premises situated on or adjacent to the said length of road for so long as such waiting by the Vehicle is reasonably necessary in connection with any wedding or funeral.

15. Exemptions for Disabled Person's Vehicle

- a) Nothing in Articles 4 and 7 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 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 11 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 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.

16. Emergency Exemptions

Nothing in 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.

17. 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.
- a) 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.
- b) 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.

18. 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 17 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.

19. 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 17 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.

20. 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.
- a) 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 17 so that every part of the Vehicle is within the limits of the Parking Place.

21. 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.
- a) 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.
- b) 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.
- c) 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
- i) being used for any purpose specified in Article 16; or
- ii) left in such Parking Place with the permission of the person suspending the use of the Parking Place.

22. Restriction of use of a Vehicle in a Parking Place

While any Vehicle is in the Parking Places referred to herein 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.

23. 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.

24. Modification or Suspension of Order

The Council's Duly Authorised Officer may modify or suspend the operation of this Order or any provision of it if it appears to be:

- a) in the interests of the expeditious, convenient and safe movement of traffic;
- b) in the interests of providing suitable and adequate on-street parking facilities; or
- c) for preserving or improving the amenities of the area through which any road affected by the Order runs.

25. 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 Lancashire County Council and/or its Agents of a Penalty Charge Notice which shall be payable by such persons in accordance with the legislation.

26. Commencement of Order

This Order shall come into force on the 15th day of August 2024, will be in operation for an experimental period of up to eighteen months and may be cited as the "Lancashire County Council (Birley Street, Church Street, Freckleton Street, Poulton Street, Preston Street And Unnamed Street Leading To Eagle Court, Kirkham, Fylde Borough) (Revocation, Amendment To Permit Parking Provisions And Various Parking Restrictions) Experimental Order 2024".

Dated this 31st day of July 2024.

THE COMMON SEAL of the Lancashire County Council was hereunto affixed pursuant to the Scheme of Delegation to Heads of Service.



32292

Authorised Signatory *[Handwritten Signature]*

Schedule 1a – Suspensions

- a) Item (2) of Schedule 2.01.
- b) Schedule 8.01.
- c) Items (33), (63)a)(i), (63)a)(ii), (63)b)(i), (63)b)(ii), (102)a)(i), (102)a)(ii), (102)a)(iii), (102)b), (102)c), (181)a)(i), (181)a)(ii), (181)a)(iii), (181)a)(iv), (181)b)(i), (181)b)(ii), (181)b)(iii), (181)b)(iv), (181)b)(v), (185)b), (185)c)(i), (274)a), and (274)b) of Schedule 10.01.
- d) Schedule 11.014.
- e) Items (3)a) and (3)b) of Schedule 11.075.
- f) Items (4)a) and (4)b) of Schedule 12.066.
- g) Schedule 12.105.
- h) Items (1)a), (1)b) and (4) of Schedule 14.08.

Schedule 1b – Suspensions

Schedule 3.

Schedule 2 – Amendment

- a) Suspend Item (1) of Schedule 16 – Doctor Parking Place.
- b) Insert the below into Schedule 16 – Doctor Parking Place:

Item No	Street name	Side of road	Location
(1)	Church Street, Kirkham	the east side	from a point 23 metres north of its junction with the Centreline of Preston Street for a distance of 7 metres in a northerly direction

Schedule 3 – Prohibition of Waiting

- a) Birley Street, Kirkham, the east side, from its junction with the Centreline of Poulton Street for a distance of 9.5 metres in a northerly direction.
- b) Birley Street, Kirkham, the west side, from its junction with the Centreline of Poulton Street for its entire length.
- c) Church Street, Kirkham, the west side, from its junction with the Centreline of Poulton Street to its junction with the Centreline of the Unnamed Road leading to Eagle Court.
- d) Church Street, Kirkham, the east side, from its junction with the Centreline of Preston Street for a distance of 14 metres in a northerly direction.
- e) Church Street, Kirkham, the east side, from a point 42 metres north of its junction with the Centreline of Preston Street for a distance of 22 metres in a northerly direction.
- f) Church Street, Kirkham, the east side, from its junction with the Centreline of School Lane for a distance of 8 metres in a southerly direction.
- g) Church Street, Kirkham, the south west side, from a point 3 metres north of its junction with the projected Centreline of School Lane for a distance of 21.5 in a northerly direction.
- h) Freckleton Street, Kirkham, the west side, from its junction with the Centreline of Poulton Street to a point 14 metres south of its junction with the Centreline of Old Row.
- i) Freckleton Street, Kirkham, the east side, from its junction with the Centreline of Preston Street to a point 12.5 metres south of its junction with the Centreline of The Conifers.
- j) Freckleton Street, Kirkham, the east side, from a point 15 metres north of its junction with the Centreline of Chapel Walks for a distance of 69.5 metres in a southerly direction.
- k) Poulton Street, Kirkham, the north side, from its junction with the Centreline of Station Road to its junction with the Centreline of Church Street.
- l) Poulton Street, Kirkham, the south side, from its junction with the Centreline of Freckleton Street for a distance of 66 metres in a westerly direction.
- m) Poulton Street, Kirkham, the south side, from a point 119.5 metres west of its junction with the Centreline of Freckleton Street to a point 19 metres west of its junction with the Centreline of Kirkgate.
- n) Poulton Street, Kirkham, the south side, from a point 95.5 metres west of its junction with the Centreline of Kirkgate to its junction with the Centreline of Orders Lane.
- o) Preston Street, Kirkham, the north side, from its junction with the Centreline of Church Street for a distance of 24 metres in a south easterly direction.

- p) Preston Street, Kirkham, the south side, from its junction with the Centreline of Freckleton Street for a distance of 62 metres in a south easterly direction.
- q) Unnamed Road Leading to Eagle Court, Kirkham, both sides, from its junction with the Centreline of Church Street for a distance of 21.5 metres in a westerly direction.

Schedule 4 - Prohibition of Loading and Unloading

- a) Birley Street, Kirkham, the east side, from its junction with the Centreline of Poulton Street for a distance of 9.5 metres in a northerly direction.
- b) Birley Street, Kirkham, the west side, from its junction with the Centreline of Poulton Street for a distance of 24.5 metres in a northerly direction.
- c) Church Street, Kirkham, the west side, from its junction with the Centreline of Poulton Street to its junction with the Centreline of the Unnamed Road leading to Eagle Court.
- d) Church Street, Kirkham, the east side, from its junction with the Centreline of Preston Street for a distance of 14 metres in a northerly direction.
- e) Church Street, Kirkham, the east side, from a point 42 metres north of its junction with the Centreline of Preston Street for a distance of 22 metres in a northerly direction.
- f) Freckleton Street, Kirkham, both sides, from its junction with the Centreline of Poulton Street for a distance of 38 metres in a southerly direction.
- g) Poulton Street, Kirkham, the north side, from a point 19 metres west of its junction with the projected Centreline of Kirkgate to its junction with the Centreline of Church Street.
- h) Poulton Street, Kirkham, the south side, from its junction with the Centreline of Freckleton Street for a distance of 66 metres in a westerly direction.
- i) Poulton Street, Kirkham, the south side, from a point 119.5 metres west of its junction with the Centreline of Freckleton Street to a point 19 metres west of its junction with the Centreline of Kirkgate.
- j) Preston Street, Kirkham, both sides, from its junction with the Centreline of Church Street for a distance of 24 metres in a south easterly direction.

Schedule 5 - Goods Vehicle Loading Bay

Church Street, Kirkham, the east side, from a point 30 metres north of its junction with the Centreline of Preston Street for a distance of 12 metres in a northerly direction.

Schedule 6 - Restriction of Waiting Monday to Friday 8am – 6pm

- a) Church Street, Kirkham, the west side, from a point 6 metres south of its junction with the projected Centreline of School Lane for a distance of 9.5 metres in a northerly direction.
- b) Church Street, Kirkham, the east side, from a point 64 metres north of its junction with the Centreline of Preston Street to a point 8 metres south of its junction with the Centreline of School Lane.
- c) Church Street, Kirkham, the east side, from its junction with the Centreline of School Lane for a distance of 52.5 metres in a northerly direction.

Schedule 7 – Restriction of Loading/Unloading 9am – 5pm

Unnamed Road Leading to Eagle Court, Kirkham, both sides, from its junction with the Centreline of Church Street for a distance of 21.5 metres in a westerly direction.

Schedule 8 – Goods Vehicle Loading Bay Monday to Saturday 6am – 6pm

Birley Street, Kirkham, the east side, from a point 9.5 metres north of its junction with the Centreline of Poulton Street for a distance of 15.5 metres in a northerly direction.

Schedule 9 – Goods Vehicle Loading Bay Monday to Saturday 6am – 8am

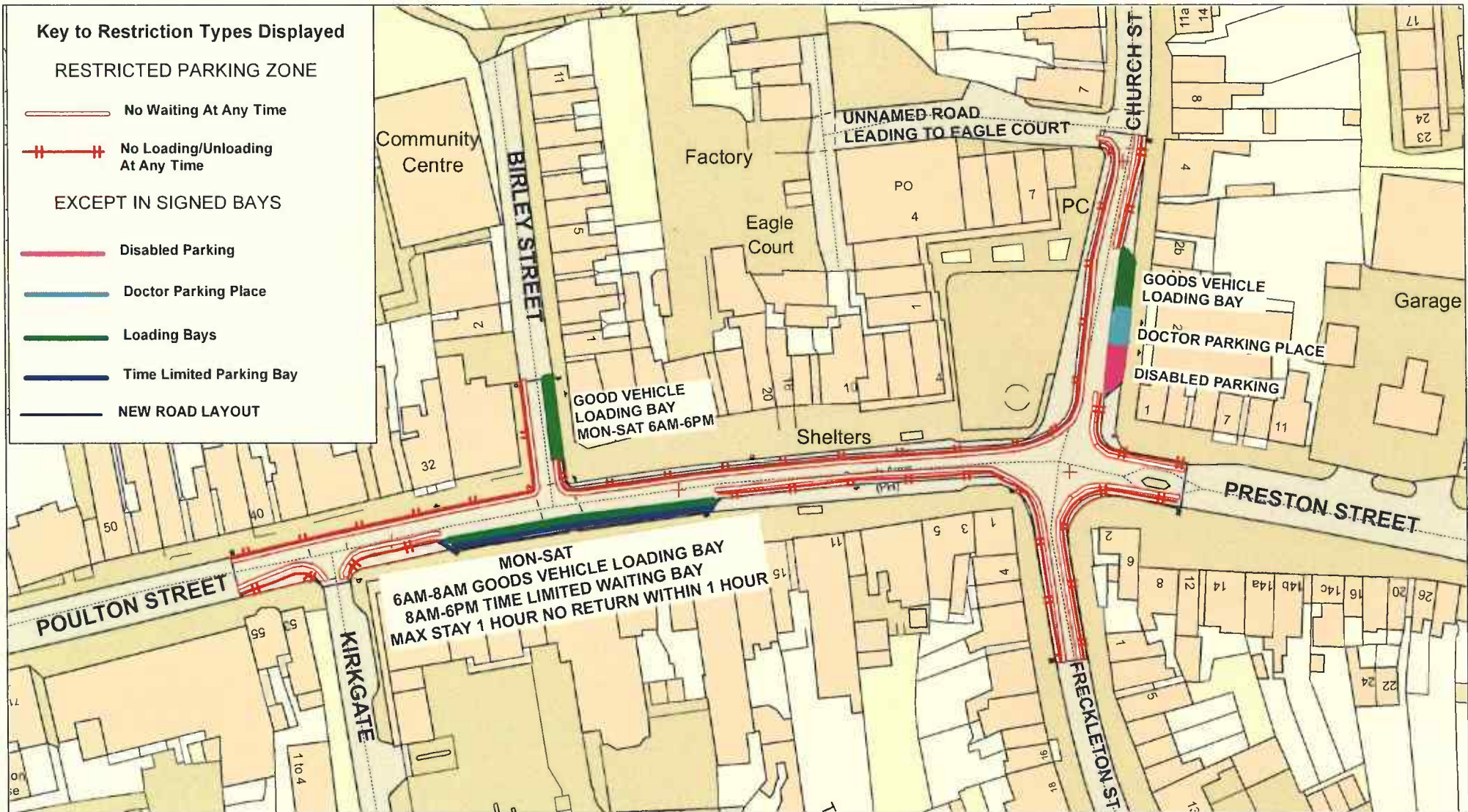
Poulton Street, Kirkham, the south side, from a point 66 metres west of its junction with the Centreline of Freckleton Street for a distance of 53.5 metres in a westerly direction.

Schedule 10 – Limited Waiting Parking Place 1 Hour No Return Within 1 Hour Monday – Saturday 8am – 6pm

- a) Poulton Street, Kirkham, the south side, from a point 66 metres west of its junction with the Centreline of Freckleton Street for a distance of 53.5 metres in a westerly direction.
- b) Poulton Street, Kirkham, the south side, from a point 19 metres west of its junction with the Centreline of Kirkgate for a distance of 76.5 metres in a westerly direction.

Schedule 11 - Disabled Persons Parking Place

Church Street, Kirkham, the east side, from a point 14 metres north of its junction with the Centreline of Preston Street for a distance of 9 metres in a northerly direction.



RESTRICTED PARKING ZONE

Poulton Street, Preston Street,
Freckleton Street, Church Street
and Birley Street,
Kirkham

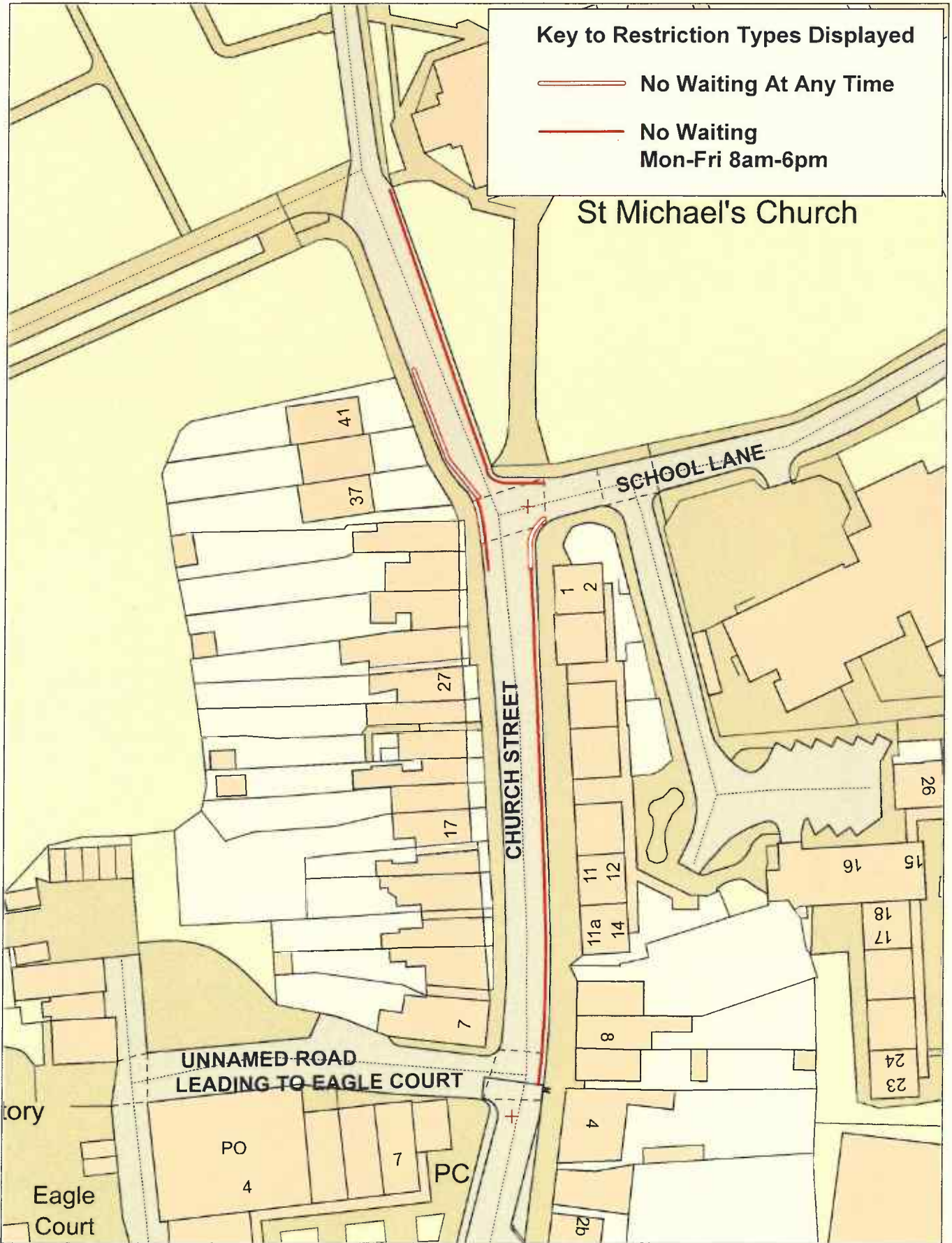


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SCALE	1 : 1000
DATE	23/07/2024
DRAWING No.	D23-24(2)RPZ
DRAWN BY	TJP
	Scale with care as distortion may occur



Key to Restriction Types Displayed

-  No Waiting At Any Time
-  No Waiting
Mon-Fri 8am-6pm

St Michael's Church

SCHOOL LANE

CHURCH STREET

UNNAMED ROAD
LEADING TO EAGLE COURT

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Eagle
Court

PO
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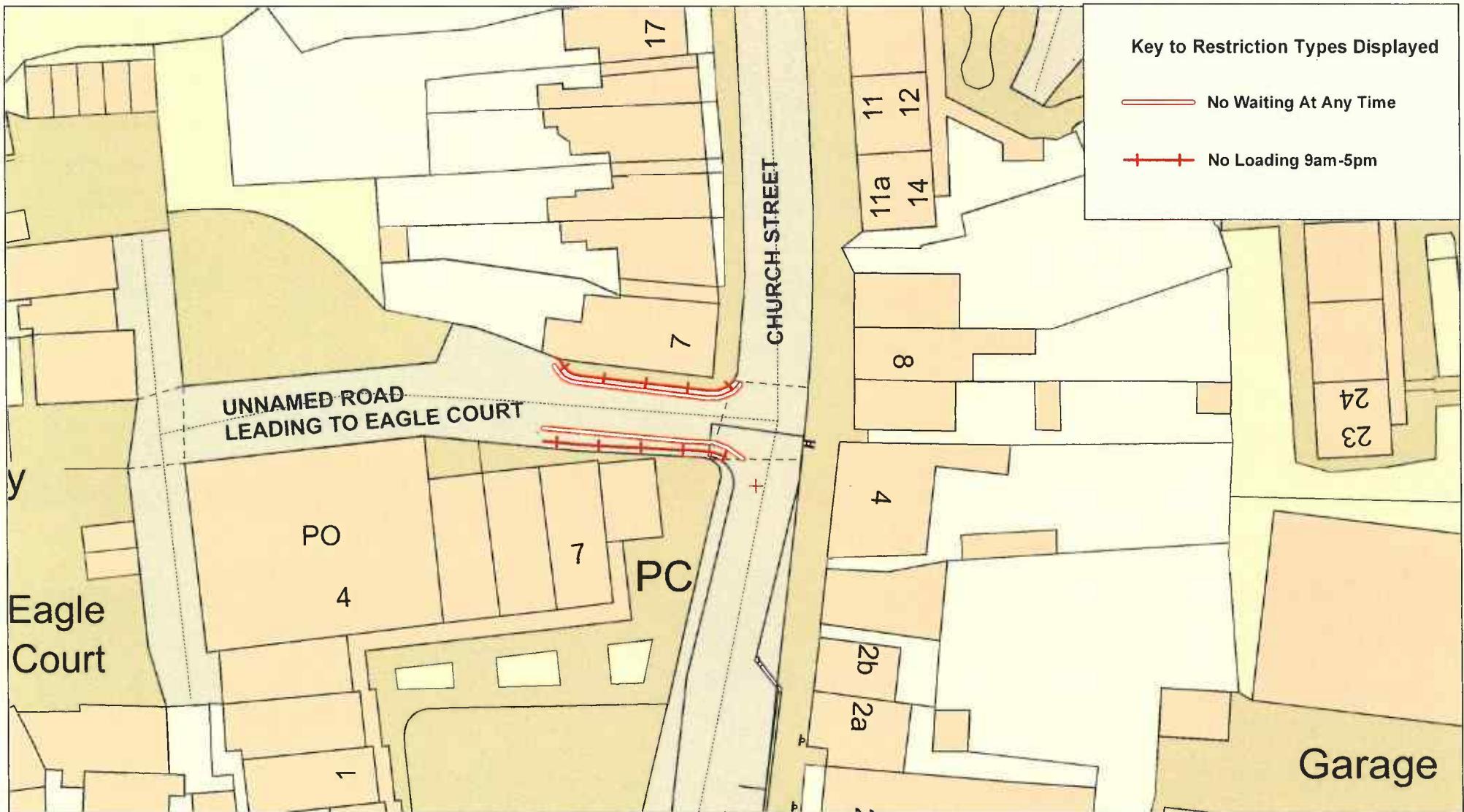
**Church Street,
Kirkham**



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SCALE	1 : 750
DATE	24/07/2024
DRAWING No.	D23-24(2)-A
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Key to Restriction Types Displayed

— No Waiting At Any Time

+ + No Loading 9am-5pm



Unnamed Road leading to Eagle Court, Kirkham

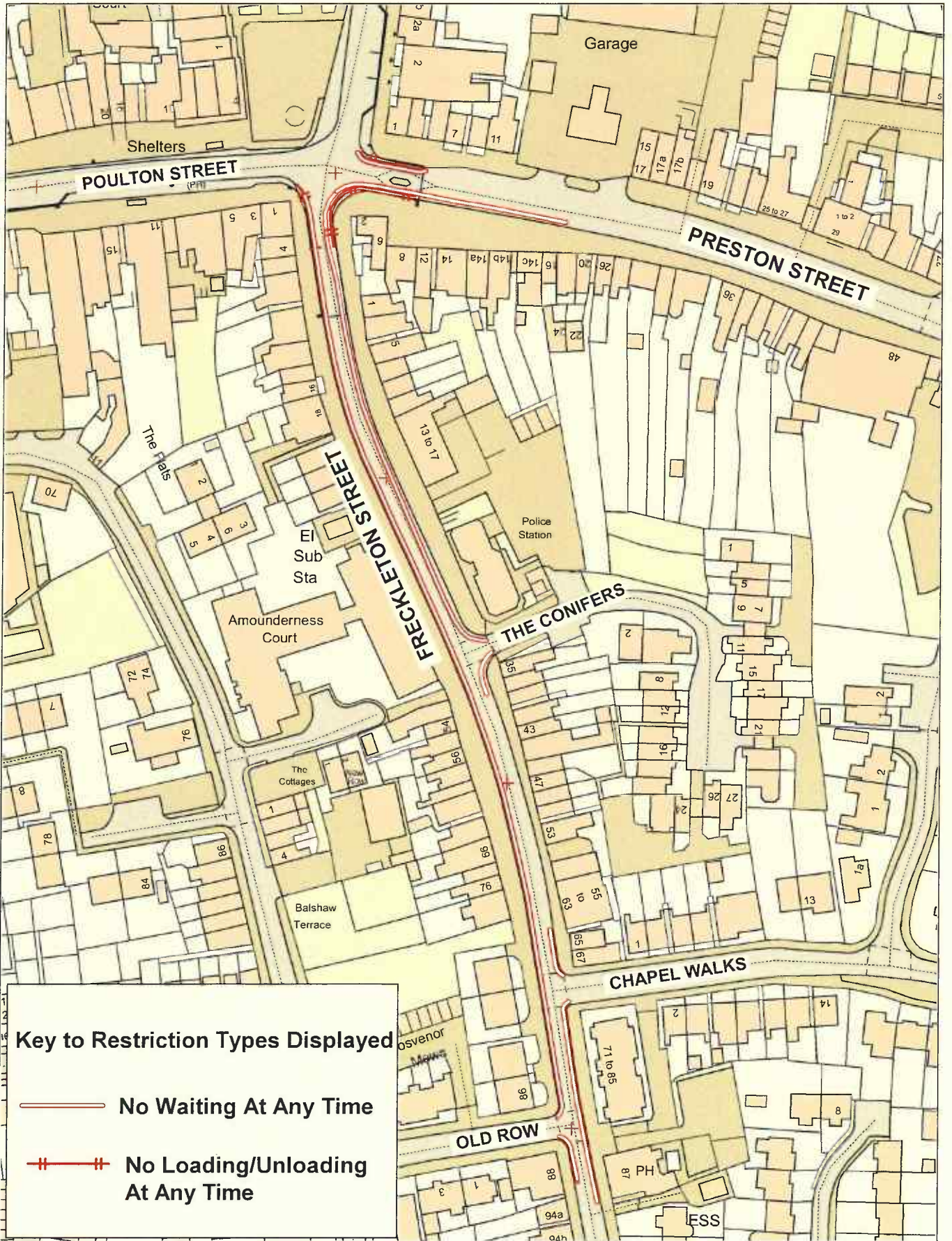
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SCALE	1 : 500
DATE	24/07/2024
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Key to Restriction Types Displayed

-  No Waiting At Any Time
-  No Loading/Unloading At Any Time



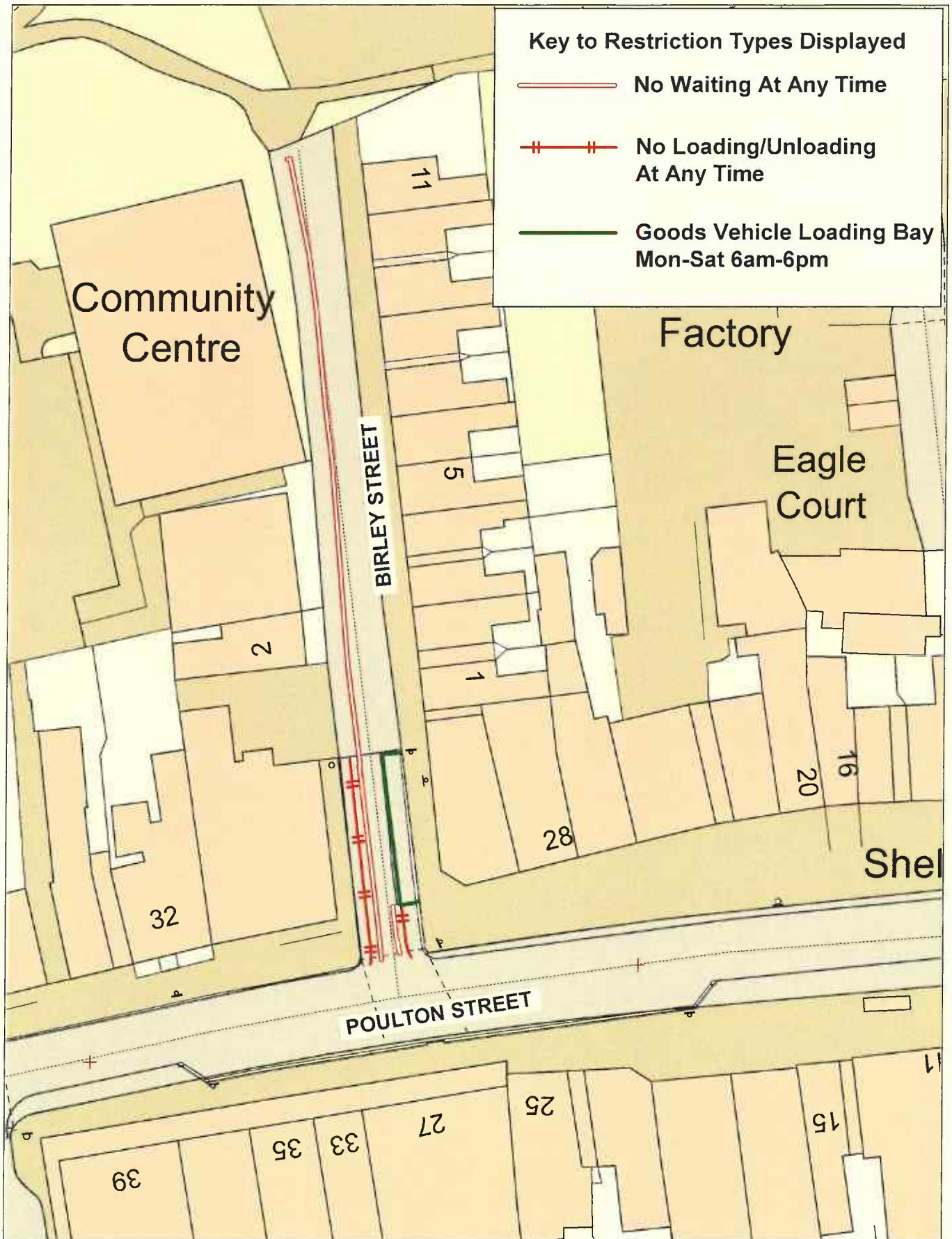
Freckleton Street and Preston Street, Kirkham





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SCALE	1 : 1250
DATE	24/07/2024
DRAWING No.	D23-24(2)-C
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Key to Restriction Types Displayed

-  No Waiting At Any Time
-  No Loading/Unloading At Any Time
-  Goods Vehicle Loading Bay Mon-Sat 6am-6pm



**Birley Street,
Kirkham**






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DATE	24/07/2024
DRAWING No.	D23-24(2)-D
DRAWN BY	TJP
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Key to Restriction Types Displayed

-  No Waiting At Any Time
-  No Loading/Unloading At Any Time
-  Limited Waiting
Mon-Sat 8am-6pm
Max Stay 1 Hour
No Return within 1 Hour



**Poulton Street,
Kirkham**

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SCALE	1 : 750
DATE	24/07/2024
DRAWING No.	D23-24(2)-E
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