

# **ROAD TRAFFIC REGULATION ACT 1984**

## **LANCASHIRE COUNTY COUNCIL (TOWNELEY PARK AREA, BURNLEY, BURNLEY BOROUGH) (PART REVOCATION, 24 HOUR CLEARWAY (NO.2) AND PROHIBITION OF STOPPING ON VERGE) ORDER 2010**

The County Council of Lancashire ("the Council") in exercise of its powers under Sections 1(1), 2(1) and (2), 4(2) and (3) 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 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) "carriageway" means a way constituting or comprised in a highway being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles.
- b) "main carriageway" means any carriageway used primarily by through traffic, but excludes any lay-by.
- c) "lay-by" means any area of carriageway intended for the waiting of vehicles and bounded by road markings in accordance with diagram 1010 of Schedule 6 to the Traffic Signs Regulations and General Directions, 2002 and partly by the outer edge of that carriageway on the same side of the road as that on which the road marking is placed.
- d) "Verge" means all that area of land adjoining either side of the carriageway and extending to the boundaries of the Park but excluding any lay-by or designated parking area.

### **2. Part Revocation**

That part of The Lancashire County Council (Burnley Borough Area)(On street parking places, prohibition and restriction of waiting) Consolidation Order 2009 as specified in Schedule 1 to this Order is hereby revoked.

### **3. Prohibition of stopping on the main carriageway**

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 at any time on any day on the main carriageway in the length of road specified in Schedule 2 to this Order.

### **4. Prohibition of stopping on verges adjacent to the main carriageway**

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 at any time on any day on the verges adjacent to the main carriageway in any of the lengths of road specified in Schedule 3 to this Order.

## **5. Exceptions to Prohibitions**

Nothing in Articles 3 and 4 of this Order shall render it unlawful to cause or permit any vehicle to stop or wait on the main carriageway or adjacent verges comprised in any road or length of road referred to therein for so long as may be necessary to enable:-

- a) 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 comprising or including that carriageway; or
  - 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;
- 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) the vehicle to be used for delivering or collecting postal packets as defined in Section 87 of the Post Office Act 1953;
- e) 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.
- h) the vehicle to be used for the purposes of agriculture, on any land adjacent to the lengths of road, or in connection with the conveyance or haulage of timber felled on such land.

## **6. Exemptions**

Nothing in Articles 3 and 4 of this Order shall render it unlawful to cause or permit any vehicle to stop or wait on the main carriageway or adjacent verges 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;
- c) is prevented from proceeding by circumstances outside his control.

## 7. 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.

## 6. Commencement of Order

This Order shall come into force on the 28<sup>th</sup> June 2010 and may be cited as the "Lancashire County Council (Towneley Park Area, Burnley, Burnley Borough) (Part Revocation, 24 Hour Clearway (No 2) and Prohibition of Stopping on Verge) Order 2010".

### Schedule 1- Revocation

The Lancashire County Council (Burnley Borough Area)(On street parking places, prohibition and restriction of waiting) Consolidation Order 2009

Schedule 10.01 - No Waiting At Any Time

Item 301 Towneley Holmes Road

- a)
  - (i) The north side from its junction with Fairview Road for a distance 345 metres in a south easterly direction.
  - (ii) The north side from its junction with Todmorden Road to its junction with Fair View Road.
- b) The south side from its junction with Todmorden Road for a distance of 400 metres in an easterly direction.

**Schedule 2 – No stopping on the main carriageway on**  
**Towneley Holmes Road**

Towneley Holmes Road - from a point 5 metres east of the centre line of Todmorden Road for a distance of 400 metres in a south easterly direction.

**Schedule 3 – No stopping on the on verges adjacent to the main carriageway on**

- a) Towneley Holmes Road from a point 5 metres east of the centre line of Todmorden Road in a south easterly direction to its extremity at the Hall Car Park.
- b) Park Bridge Road for its entire length
- c) The Avenue for its entire length
- d) Deer Park Road from its junction with Springwood Road in a south westerly direction to its junction with The Avenue.
- e) The unnamed access road from its junction with Park Bridge Road at a point 160 metres south east of its junction with Towneley Holmes Road for 290 metres in a south easterly direction to a point 90 metres south east of its junction with Deer Park Road.
- f) The unnamed access road from the south easterly extremity of Towneley Hall Car Park for 135 metres in a south easterly direction.
- g) The unnamed access road from its junction with Todmorden Road at the point directly opposite the junction with Rock Lane for 700 metres in a south easterly direction.

Dated this 23<sup>rd</sup> day of June, 2010.

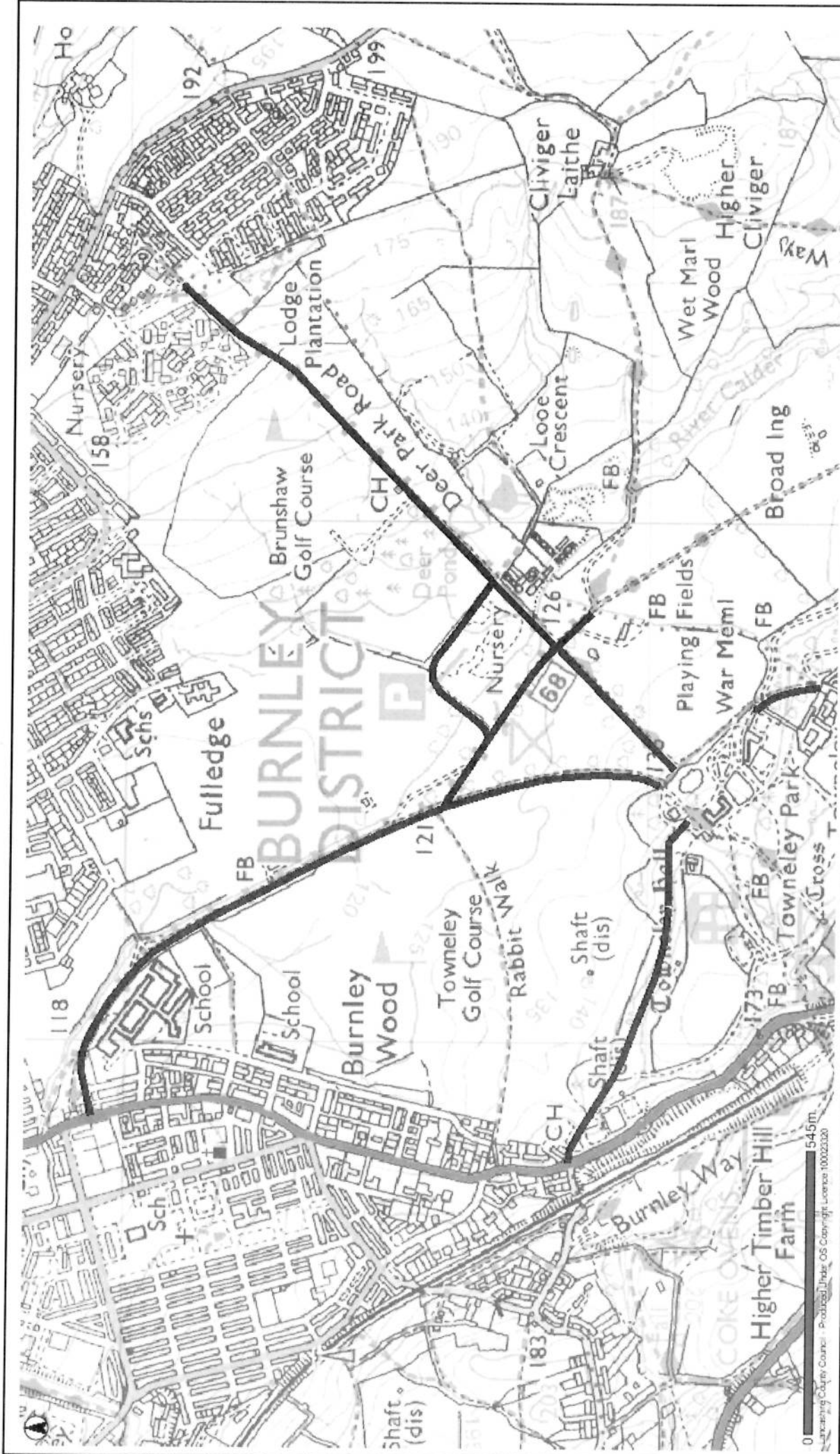
THE COMMON SEAL of the Lancashire County Council was hereunto affixed pursuant to the Scheme of Delegation to Chief Officers

Authorised Signatory



19923





Towneley Park, Burnley

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Date: 19/02/2010

