

ROAD TRAFFIC REGULATION ACT 1984

LANCASHIRE COUNTY COUNCIL (WOODLANDS ROAD, SEYMOUR ROAD, ROSSALL ROAD, BACK COMMONSIDE, LYTHAM, FYLDE BOROUGH) (REVOCATION, PROHIBITION OF WAITING AND LIMITED WAITING) ORDER 2015

The County Council of Lancashire ("the Council") in exercise of its powers under Sections 1, 2, 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 in accordance with Part III of Schedule 9 to the Act, hereby make the following Order: -

1. Definitions and Interpretation

In this Order where the context requires, the masculine includes the feminine and the neuter and vice versa, the singular includes the plural and vice versa.

For all the purposes of this Order the terms described in this Article shall have the meanings specified:

- a. **"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.
- 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 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.
- 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
 - ii) has not ceased to be in force.
- e. **"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.
- f. **"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.
- g. **"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.

- h. **"Parking Place"** means the areas of the highway authorised by this Order to be used as a Parking Place, bay or space.
- i. **"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.
- j. A Vehicle displays a Disabled Person's Badge or Parking Disc in the **"Relevant Position"** if -
 - i) the badge or 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 or disc is exhibited in a conspicuous position on the Vehicle, so that the front of the badge or disc is clearly legible from the outside of the Vehicle.
- k. **"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.
- l. **"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. Revocation

- 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 1 to this Order are hereby revoked.
- b) Revoke the "Lancashire County Council (Woodlands Road, Ansdell, Fylde Borough) (Part Revocation And Restriction Of Waiting) Order 2011" in full.

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, in any of the lengths of road set out in Schedule 2 to this order.

4. Limited Waiting Parking Place

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, between the hours of 9am and 6pm in the lengths of road specified in Schedule 3 to this order.

5. Exemptions for Disabled Person's Vehicles

- a) Nothing in Articles 3 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 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 of this order shall render it unlawful to cause or permit any Vehicle to wait at any time, or during the hours specified for limited waiting, in any of the lengths of

road referred to therein if that Vehicle is a Disabled Person's Vehicle which displays a Disabled Person's Badge in the Relevant Position.

6. General Exemptions

Nothing in Articles 3 and 4 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) 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 to be used for delivering or collecting postal packets 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.
- h) When the person in control of the Vehicle
 - i. is required by law to stop;
 - ii. is obliged to stop in order to avoid an accident; or
 - iii. is prevented from proceeding along the road due to circumstances beyond their 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.
- d) While any Vehicle is in a Parking Place 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.

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 they think 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 Articles 6(h); or

iii) left in such Parking Place with the permission of the person suspending the use of the Parking Place.

12. 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.

13. 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.

14. Commencement of Order

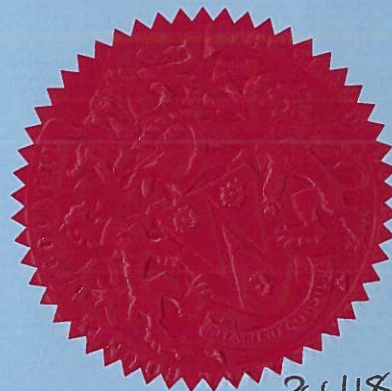
This Order shall come into force on the 8th day of May 2015 and may be cited as the "Lancashire County Council (Woodlands Road, Seymour Road, Rossall Road, Back Commonside, Lytham, Fylde Borough) (Revocation, Prohibition Of Waiting And Limited Waiting) Order 2015".

Dated this 22nd day of April 2015.

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

Authorised Signatory

Jim Anderson



24118

Schedule 1 Revocation - No Waiting At Any Time

- 1) Woodlands Road, the west side, from its junction with Commonside to its junction with Rossall Road
- 2) Woodlands Road, the west side, from the Centre line of Commonside for a distance of 15 metres in a north-easterly direction

Schedule 2 - Prohibition of Waiting at Any Time

- 1) Back Commonside, Lytham St Annes, the north side, from the Centre line of Woodlands Road for a distance of 22 metres in an easterly direction.
- 2) Rossall Road, Lytham St Annes, the south side, from a point 15 metres east of the Centre line of Woodlands Road for a distance of 8 metres in an easterly direction.
- 3) Seymour Road, Lytham St Annes, both sides, from a point 12 metres east of the Centre line of Woodlands Road for a distance of 5 metres in an easterly direction.
- 4) Woodlands Road, Lytham St Annes, the east side, from the Centre line of Seymour Road to the centre line of Commonside.
- 5) Woodlands Road, Lytham St Annes, the east side, from the Centre line of Commonside to the centre line of Back Commonside.
- 6) Woodlands Road, Lytham St Annes, the east side, from the Centre line of Seymour Road for a distance of 10.5 metres in a northerly direction.
- 7) Woodlands Road, Lytham St Annes, the west side, from the Centre line of Commonside for a distance of 18.5 metres in a northerly direction.
- 8) Woodlands Road, Lytham St Annes, the west side, from the Centre line of Seymour Road for a distance of 7.5 metres in a southerly direction.
- 9) Woodlands Road, Lytham St Annes, the west side, from the Centre line of Commonside for a distance of 9 metres in a southerly direction.
- 10) Woodlands Road, Lytham St Annes, the west side, from the Centre line of Back Commonside for a distance of 8 metres in a northerly direction.

Schedule 3 – Limited Waiting Parking Places

- 1) Woodlands Road, Lytham St Annes, the west side, lay-by situated between Commonside and Back Commonside.
- 2) Woodlands Road, Lytham St Annes, the west side, lay-by situated between Back Commonside and Rossall Road.
- 3) Woodlands Road, Lytham St Annes, the west side, from a point 18.5 metres north of the Centre line of Commonside to a point 7.5 metres south of the centre line of Seymour Road.



WOODLANDS ROAD ANDSELL Revised Waiting Restrictions		Environment Directorate Jo Turton Executive Director, Environment Directorate P.O. Box 100, County Hall, PRESTON PR1 0LD		SCALE 1 : 1250
				DATE 03/01/2014
				DRAWING NO.
				DRAWN BY
				Scale with care as distortion may occur