

**LANCASHIRE COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984
(VICTORIA ROAD WEST, THORNTON CLEVELEYS, WYRE BOROUGH)
(PART REVOCATION, LIMITED WAITING, BUSES ONLY) ORDER 2013**

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 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.
- 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.
- i) **"Parking Place"** Means a place pursuant to Sections 1, 2, 4, 32 and 45 of the "1984 Act" where vehicles, or vehicles of a specified class may wait, and in respect of which a charge may be paid in connection with its use.
- j) **"Bus"** has the same meaning as given in Section 15 Road Traffic Act 1988

2. Part Revocation

That part of the "Lancashire County Council (Wyre Borough Area) (On Street Parking Places, Prohibition and Restriction of Waiting) Consolidation Order 2009" is hereby revoked insofar as it relates to the length of road set out in Schedule 1 to this Order.

3. Limited Waiting (Buses Only)

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 Saturday inclusively, between the hours of 08:00 and 18:00 in the length of road set out in schedule 2 to this order, unless that vehicle is a Bus which is left in accordance with the time constraints as set out in Schedule 2 to this Order.

4. General Exemptions

Nothing in Article 3 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.

5. Additional Exemptions

Nothing in Article 3 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

6. 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.

7. 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 6 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.

8. 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 6 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.

9. 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 Articles 4 or 5 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 6 so that every part of the vehicle is within the limits of the Parking Place.

10. 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, a Traffic Sign or cone indicating that waiting by vehicles is prohibited, as specified by Schedule 12 Part II of the Traffic Signs Regulations and General Directions 2002.
- d) No person shall cause or permit a vehicle to be left in any part of a Parking Place during such period when a 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 5; or
- iii) left in such Parking Place with the permission of the person suspending the use of the Parking Place.

11. Restriction of use of a vehicle in a parking place

While any vehicle is in the length of road specified in schedule 2 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.

12. 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.

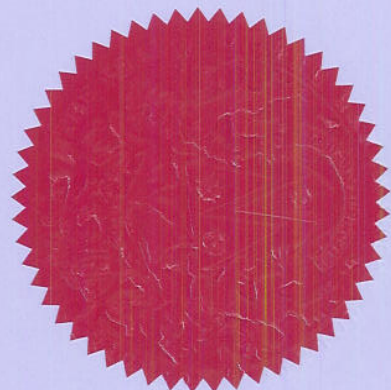
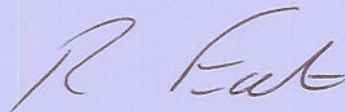
13. Commencement of Order

This Order shall come into force on the 20th day of May, 2013 and may be cited as the "Lancashire County Council (Victoria Road West, Thornton Cleveleys, Wyre Borough) (Part Revocation, Limited Waiting, Buses Only) Order 2013".

Dated this 15th day of May, 2013.

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

Authorised Signatory



22406

Schedule 1 – Part Revocation

Schedule 12.066, Item 18 (b) (iii) – Victoria Road West, Thornton Cleveleys, the south side from the east side of the back street adjoining No. 2 Victoria Road West to a point 7.6 metres west of its junction with Kings Road.

Schedule 2 – Limited Waiting (Buses Only, 1 hour no return within 1 hour)

Victoria Road West, Thornton Cleveleys, the south side, from a point 16 metres west of its centre line with Kings Road for a distance of 30 metres in an easterly direction

