

ROAD TRAFFIC REGULATION ACT 1984

LANCASHIRE COUNTY COUNCIL

(LANCASTER, PEDESTRIAN ZONE, LANCASTER CITY)

(REVOCATION, PROHIBITION OF WAITING, PROHIBITION OF LOADING AND DISABLED PARKING PLACE) ORDER 2016

The County Council of Lancashire ("the Council") in exercise of its powers under Sections 1, 2, 4 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, 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) **"Authorised Vehicle"** means a Vehicle which has been authorised by the council or its local agent or authority that allows the driver of a Vehicle to be exempt from the restrictions set out in Articles 3, 4, 5 & 6. Eligibility and charging criteria are to be published by the relevant authority.
- 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) **"Disabled Person's Badge"** means a badge which was –
 - i) was issued or has effect as if issued to a disabled person or institution under the Disabled Persons (Badges for Motor Vehicles)(England) Regulations 2000 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
- d) **"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.
- e) **"Goods Vehicle"** has the same meaning as in section 192 (1) of the Road Traffic Act 1988.
- 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 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.
- 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/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.
- k) **"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

Those parts of the "Lancashire County Council (Lancaster City 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.

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, on any day, in the lengths of road set out in Schedule 2 to this Order.

4. Prohibition of Loading

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 for the purposes of Loading or Unloading goods, between 10:00 and 17:00, on any day, in the lengths of road set out in Schedule 3 to this Order.

5. Prohibition of Loading (except Goods Vehicles)

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, other than a Goods Vehicle, to wait for the purposes of Loading or Unloading goods, between 00:00 and 10:00 and between 17:00 and 00:00, on any day, in the lengths of road set out in Schedule 4 to this Order.

6. Disabled Person's Parking Place

Save as is hereinafter provided, no person shall except upon 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 any of the Parking Places set out in Schedule 5 to this Order, unless that Vehicle is a Disabled Persons Vehicle, in which case that Vehicle may wait for a period not exceeding 3 hours (not being a period separated by an interval of less than 6 hours from a previous period of waiting by the same Vehicle in the same length of road on the same day) subject to the Vehicle displaying both a Disabled Person's Badge and a Parking Disc marked to show the quarter hour period during which the period of waiting began.

7. General Exemptions

Nothing in Articles 3, 4, 5 or 6 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) 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) emergency building, industrial or demolition operations;
 - ii) the emergency 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.

8. Additional Exemptions

- a) Nothing in Article 3 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:
 - i) Goods to be loaded on to or unloaded from the Vehicle; or
 - ii) 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.
- b) Nothing in Articles 3, 4, 5 or 6 of this Order shall render it unlawful to cause or permit any Authorised Vehicle to wait in the lengths of road referred to therein, for a period specified by the relevant authority.

9. Exemptions for Disabled Person's Vehicles

Nothing in Article 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 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.

10. Emergency Exemptions

Nothing in Articles 3, 4, 5, or 6 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

- 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 his/her control

11. 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.

12. 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 11 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.

13. 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 11 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.

14. 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 11 so that every part of the Vehicle is within the limits of the Parking Place.

15. 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 10; or
- iii) left in such Parking Place with the permission of the person suspending the use of the Parking Place.

16. 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.

17. 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 it's Agents of a Penalty Charge Notice which shall be payable by such persons in accordance with the legislation.

18. 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.

19. Commencement of Order

This Order shall come into force on the 27th day of May 2016 and may be cited as the "Lancashire County Council (Lancaster, Pedestrian Zone, Lancaster City) (Revocation, Prohibition Of Waiting, Prohibition Of Loading And Disabled Parking Place) Order 2016".

Dated this 18th day of May 2016

THE COMMON SEAL of the Lancashire County Council was hereunto affixed following a decision made on the 10th day of March 2016 by the Cabinet Member for Highways and Transport

Authorised Signatory



25239

Schedule 1 – Revocations

Schedule 10.01:

- a) Church Street, Both sides, from its junction with New Road to its junction with Cheapside.
- b) New Street, Both sides, the whole length.
- c) Market Street, Both sides, from its junction with Penny Street (Cheapside) to its junction with King Street.
- d) New Street Square off New Street, North and East Sides, the whole length.
- e) Market Square, All sides, the whole length.
- f) Cheapside, Both sides, the whole length.

- g) Penny Street, Both sides, from its junction with Brock Street/Common Garden Street to its junction with Market Street.
- h) Penny Street, both sides, that length between the Common Garden Street - Brock Street boundary to the Spring Garden Street - George Street boundary.
- i) James Street, both sides, from its junction with Penny Street to its junction with that part of James Street which runs in a north-south direction.
- j) James Street, east and west sides, the whole length.
- k) Sir Simons Arcade, all sides, that length from its junction with King Street for a distance of 67.5 metres in a north-easterly direction.

Schedule 14.11:

- a) Church Street, both sides, from its junction with New Road to its junction with Cheapside
- b) New Street, both sides, the whole length
- c) Market Street, both sides, from its junction with Penny Street (Cheapside) to its junction with King Street
- d) New Street Square Off New Street, north and east sides, the whole length
- e) Market Square, all sides, the whole length#
- f) Cheapside, both sides, the whole length
- g) Penny Street, both sides, from its junction with Brock Street/Common Garden Street to its junction with Market Street
- h) Penny Street, both sides, that length between the Common Garden Street - Brock Street boundary to the Spring Garden Street - George Street boundary
- i) Sir Simons Arcade, all sides, that length from its junction with King Street for a distance of 67.5 metres in a north-easterly direction
- j) James Street, both sides, from its junction with Penny Street to its junction with that part of James Street which runs in a north-south direction

Schedule 2.01:

- a) New Street Square off New Street, east side, 3 spaces on eastern side, length 25.7
- b) Market Square, north side, 6 spaces on northern side, length 47.3

Schedule 2 – Prohibition of Waiting At Any Time

- a) Cheapside, Lancaster, both sides, the whole length.
- b) Church Street, Lancaster, the north side, from its centre line junction with New Road to its centre line junction with North Road.
- c) Church Street, Lancaster, the south side, from its centreline junction with New Road for a distance of 3 metres in an easterly direction.
- d) Church Street, Lancaster, the south side, from a point 16 metres east of its centreline junction with New Road for a distance of 24 metres in an easterly direction.
- e) Church Street, Lancaster, the south side, from a point 74 metres east of the centreline junction with New Road for a distance of 31 metres in an easterly direction.
- f) Church Street, Lancaster, the south side, from a point 105 metres east of the centre line junction with New Road to its centre line junction with North Road.
- g) Market Street, Lancaster, both sides, from its centre line junction with Penny Street (Cheapside) to its centre line junction with King Street.
- h) New Street (including New Street Square), Lancaster, the west side, for its entire length.
- i) New Street (including New Street Square), Lancaster, the east side, from its centre line junction with Church Street for a distance of 20 metres in a southerly direction.
- j) New Street (including New Street Square), Lancaster, the east side, from a point 34.5 metres south of its centreline junction with Church Street for a distance of 8.5 metres in a southerly direction.
- k) New Street (including New Street Square), Lancaster, the east side, from a point 55 metres south of its centreline junction with Church Street for a distance of 60 metres in a southerly direction.
- l) Penny Street, Lancaster, both sides, from its centre line junction with Market Street to its centre line junction with Brock Street.

- m) Penny Street, Lancaster, both sides, from its centre line junction with Brock Street to its centre line junction with George Street
- n) Lancaster Gate, Lancaster, both sides, from its centre line junction with Cheapside for a distance of 27 metres in an easterly direction.
- o) Sir Simons Arcade, Lancaster, all sides, for the entire length.
- p) James Street, Lancaster, both sides, for the entire length.
- q) Market Square, Lancaster, all sides, for the entire length.
- r) James Lane, Lancaster, both sides, for the entire length.
- s) Chancery Lane, Lancaster, both sides, for the entire length.
- t) Footpath Gable 44 Market Street (Music Room Passage), Lancaster, both sides, for the entire length.
- u) Marketgate, Lancaster, both sides, for the entire length.
- v) Slip Inn Lane, Lancaster, both sides, for the entire length.
- w) Ffrances Passage, Lancaster, both sides, for the entire length.
- x) Anchor Lane, Lancaster, both sides, from its centre line junction with Market Square for a distance of 20 metres in a northerly direction.
- y) Golden Ball Lane, Lancaster, both sides, for the entire length.

Schedule 3 - Prohibition of Loading between 10:00 and 17:00

- a) Cheapside, Lancaster, both sides, the whole length.
- b) Church Street, Lancaster, the north side, from its junction with New Road to its junction with North Road.
- c) Church Street, Lancaster, the south side, from its centreline junction with New Road for a distance of 3 metres in an easterly direction.
- d) Church Street, Lancaster, the south side, from a point 16 metres east of its centreline junction with New Road for a distance of 24 metres in an easterly direction.
- e) Church Street, Lancaster, the south side, from a point 74 metres east of the centreline junction with New Road for a distance of 31 metres in an easterly direction.
- f) Church Street, Lancaster, the south side, from a point 105 metres east of the centre line junction with New Road to its centre line junction with North Road.
- g) Market Street, Lancaster, both sides, from its centre line junction with Penny Street (Cheapside) to its centre line junction with King Street.
- h) New Street (including New Street Square), Lancaster, the west side, for its entire length.
- i) New Street (including New Street Square), Lancaster, the east side, from its centre line junction with Church Street for a distance of 20 metres in a southerly direction.
- j) New Street (including New Street Square), Lancaster, the east side, from a point 34.5 metres south of its centreline junction with Church Street for a distance of 8.5 metres in a southerly direction.
- k) New Street (including New Street Square), Lancaster, the east side, from a point 55 metres south of its centreline junction with Church Street for a distance of 60 metres in a southerly direction.
- l) Penny Street, Lancaster, both sides, from its centre line junction with Market Street to its centre line junction with Brock Street.
- m) Penny Street, Lancaster, both sides, from its centre line junction with Brock Street to its centre line junction with George Street
- n) Lancaster Gate, Lancaster, both sides, from its centre line junction with Cheapside for a distance of 27 metres in an easterly direction.
- o) Sir Simons Arcade, Lancaster, all sides, for the entire length.
- p) James Street, Lancaster, both sides, for the entire length.
- q) Market Square, Lancaster, all sides, for the entire length.
- r) James Lane, Lancaster, both sides, for the entire length.
- s) Chancery Lane, Lancaster, both sides, for the entire length.
- t) Footpath Gable 44 Market Street (Music Room Passage), Lancaster, both sides, for the entire length.
- u) Marketgate, Lancaster, both sides, for the entire length.
- v) Slip Inn Lane, Lancaster, both sides, for the entire length.
- w) Ffrances Passage, Lancaster, both sides, for the entire length.

- x) Anchor Lane, Lancaster, both sides, from its centre line junction with Market Square for a distance of 20 metres in a northerly direction.
- y) Golden Ball Lane, Lancaster, both sides, for the entire length.

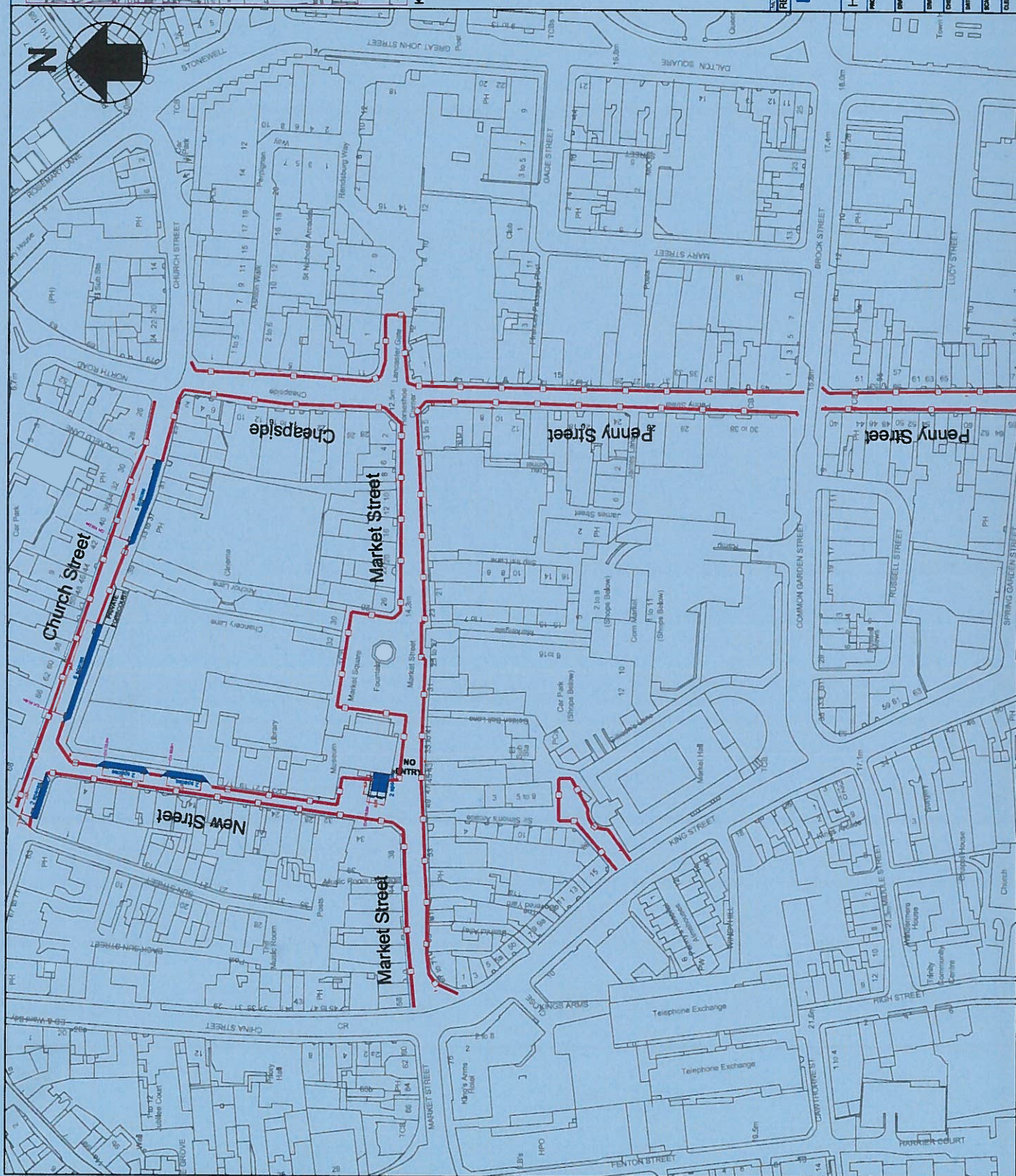
Schedule 4 - Prohibition of Loading (between 00:00 and 10:00 and between 17:00 and 00:00) except Goods Vehicles

- a) Cheapside, Lancaster, both sides, the whole length.
- b) Church Street, Lancaster, the north side, from its junction with New Road to its junction with North Road.
- c) Church Street, Lancaster, the south side, from its centreline junction with New Road for a distance of 3 metres in an easterly direction.
- d) Church Street, Lancaster, the south side, from a point 16 metres east of its centreline junction with New Road for a distance of 24 metres in an easterly direction.
- e) Church Street, Lancaster, the south side, from a point 74 metres east of the centreline junction with New Road for a distance of 31 metres in an easterly direction.
- f) Church Street, Lancaster, the south side, from a point 105 metres east of the centre line junction with New Road to its centre line junction with North Road.
- g) Market Street, Lancaster, both sides, from its centre line junction with Penny Street (Cheapside) to its centre line junction with King Street.
- h) New Street (including New Street Square), Lancaster, the west side, for its entire length.
- i) New Street (including New Street Square), Lancaster, the east side, from its centre line junction with Church Street for a distance of 20 metres in a southerly direction.
- j) New Street (including New Street Square), Lancaster, the east side, from a point 34.5 metres south of its centreline junction with Church Street for a distance of 8.5 metres in a southerly direction.
- k) New Street (including New Street Square), Lancaster, the east side, from a point 55 metres south of its centreline junction with Church Street for a distance of 60 metres in a southerly direction.
- l) Penny Street, Lancaster, both sides, from its centre line junction with Market Street to its centre line junction with Brock Street.
- m) Penny Street, Lancaster, both sides, from its centre line junction with Brock Street to its centre line junction with George Street
- n) Lancaster Gate, Lancaster, both sides, from its centre line junction with Cheapside for a distance of 27 metres in an easterly direction.
- o) Sir Simons Arcade, Lancaster, all sides, for the entire length.
- p) James Street, Lancaster, both sides, for the entire length.
- q) Market Square, Lancaster, all sides, for the entire length.
- r) James Lane, Lancaster, both sides, for the entire length.
- s) Chancery Lane, Lancaster, both sides, for the entire length.
- t) Footpath Gable 44 Market Street (Music Room Passage), Lancaster, both sides, for the entire length.
- u) Marketgate, Lancaster, both sides, for the entire length.
- v) Slip Inn Lane, Lancaster, both sides, for the entire length.
- w) Ffrances Passage, Lancaster, both sides, for the entire length.
- x) Anchor Lane, Lancaster, both sides, from its centre line junction with Market Square for a distance of 20 metres in a northerly direction.
- y) Golden Ball Lane, Lancaster, both sides, for the entire length.

Schedule 5 - Disabled Parking Places 3 Hours, No return within 6 hours

- a) Church Street, Lancaster, the south side, from a point 3 metres east of its junction with New Road for a distance of 13 metres in an easterly direction.
- b) Church Street, Lancaster, the south side, from a point 40 metres east of its junction with New Road for a distance of 34 metres in an easterly direction.
- c) Church Street, Lancaster, the south side, from a point 105 metres east of its junction with New Road for a distance of 30 metres in an easterly direction.

- d) New Street, Lancaster, the east side, From a point 20 metres south of its junction with Church Street for a distance of 14.5 metres in a southerly direction.
- e) New Street, Lancaster, the east side, from a point 43 metres south of its junction with Church Street for a distance of 12 metres in a southerly direction.
- f) New Street, Lancaster, the east side, From a point 8 metres north of its junction with Market Street for a distance of 6.6 metres in a northerly direction.



Environment Directorate



Highways And Environmental Management

PROJECT TITLE
Lancaster Pedestrian Zone
Proposed Parking and waiting restrictions

DRAWING TITLE
Plan

DRAWN BY
TOWN

CHECKED BY
TOWN

DATE
Nov-14

SCALE
1:1250

CUSTOMER NO.
1 of 1

CLIENT NO.

COMPUTER FILE REF