

**THE BOROUGH OF WARRINGTON (VARIOUS ROADS) (SCHOOL KEEP
CLEAR) ORDER 2007**

The Warrington Borough Council (hereinafter referred to as "the Council"), in exercise of its powers under Sections 1, 2, and 4 of the Road Traffic Regulation Act 1984 (hereinafter referred to as "the Act") and by virtue of the Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Warrington) Order 2006 (Statutory Instrument No. 3421 2006) and of all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act, hereby makes the following Order: -

Part 1 – Citation and Interpretation

1. (1) In this Order –

“driver”, in relation to a vehicle waiting in a parking place, means the person driving the vehicle at the time it was left in the parking place;

“enactment” means any enactment, whether public, general or local and includes any Order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of any enactment;

“junction” means the junction of the respective kerb-lines of the roads referred to and, where appropriate, measurements shall be taken from the point of intersection of the respective kerb-lines as projected;

“kerb-line” in relation to a road or a length of road specified and described in any of the Schedules to this Order shall mean that imaginary line which is the projection of the line formed by the edge of the main carriageway of the aforesaid road or length of road adjacent to its junction with the side in question of any other road;

“motorcycle” has the same meanings as in Section 136 of the Act of 1984;

“owner” in relation to a vehicle means the person by whom such vehicle is kept and used. It is presumed (unless the contrary is proved) that the owner is the person in whose name the vehicle is registered or the person who has the use of such a vehicle in the course of his/her employment and who is entitled to use such a vehicle as though he/she were the registered keeper thereof;

“parking attendant” means a person authorised by or on behalf of the Council to supervise the restrictions and prohibitions imposed by this Order;

“passenger vehicle” means a motor vehicle (other than a motorcycle or invalid carriage) constructed or adapted solely for the carriage of not more than 12 passengers (exclusive of the driver) and their effects and not drawing a trailer;

“penalty charge” means the charge set by the Council under the provisions of The Road Traffic Act 1991 which is to be paid to the Council following the issue of a penalty charge notice and within 28 days of the issue of that notice;

“penalty charge notice” means a notice issued or served by a parking attendant pursuant to the provisions of Section 66 of the Road Traffic Act 1991;

(2) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

Part 2 - Waiting Restrictions

2. Save as provided in Article 3 no person except with the direction or with the permission of a Parking Attendant, Police Constable in uniform or Police Community Support Officer in uniform cause or permit any vehicle to wait at any time on the school entrance markings on the sides of roads or in any length of road specified in Column 1 of the Schedule to this Order to the extent specified in Column 2 of the said Schedule.

Part 3 - Exemptions

3. (1) Nothing in Article 2 of this Order shall render it unlawful to cause or permit any vehicle to wait on the roads or sides of roads referred to therein for so long as may be necessary to enable: -
- (a) the vehicle to be used for the purpose of delivering or collecting postal packets as defined in Section 87 of the Post Office Act 1953;
 - (b) the vehicle to be used for Fire Brigade, Ambulance or Police purposes.

Part 4 – Penalty Charges

Contravention

4. If a vehicle is left in any road or length of road in contravention or without complying with the requirements of this Order a contravention shall have occurred and a penalty charge shall be payable and/or the vehicle may be removed from that location.

Penalty Charge Notice

5. In the case of vehicles in respect of which a penalty charge may have been incurred, it shall be the duty of the Parking Attendant to attach to the vehicle in a conspicuous position a notice which shall include the following particulars: -
- (a) the registration mark of the vehicle or, where the vehicle is being used under a trade licence, the number of the trade plate carried by the vehicle;
 - (b) the grounds on which the Parking Attendant believes that a Penalty Charge is payable in respect of that vehicle;
 - (c) the amount of Penalty Charge required to be paid;
 - (d) that if the penalty charge is paid before the end of the period of 14 days beginning with the date of the notice, the amount of the penalty charge will be reduced by the specified proportion or amount;
 - (e) that if the penalty charge is not paid before the end of the 28 day period a Notice to owner may be served by the Council on the person appearing to be the owner of the vehicle; and
 - (f) the address to which payment of the Penalty Charge must be sent.

Manner of Payment of Penalty Charge

6. The penalty charge shall be paid to the Council within 28 days of the issue of the penalty charge notice either: -
- (a) by cheque, bankers' draft, money order or postal order delivered or sent by post as indicated on the penalty charge notice; or
 - (b) by cheque, postal order, in cash, by credit card or debit card in person at any



- Borough of Warrington Council office which accepts such payments; or
- (c) by credit card or debit card over the phone using the number specified on the penalty charge notice.

Provided that, if the said twenty eight day falls upon a day on which the said Department or office is closed, the period within which payment of the said charge shall be made to the Council shall be extended until 4.30 on the next full day on which the said Department is open.

7. If the penalty charge is paid before the end of the period of 14 days beginning with the date of the notice, the amount of the penalty charge will be reduced by the specified proportion.
8. If the owner fails to pay the penalty charge by the end of the 28 day period, a notice of owner may be served; and if the charge is not paid within a further 28 days it may be increased by 50% on the issue of a charge certificate in accordance with the provisions of paragraph 6 of schedule 6 of the 1991 Act.
9. Continuing failure to pay the penalty charge may result in a judgement in the County Court against the owner to enable the Council to recover the payments due.

Indications as Evidence

10. The particulars given in the penalty charge notice attached to a vehicle in accordance with Article 5 shall be treated as evidence in any proceedings relating to failure to pay such penalty charge.

Restriction on Removal of Notices

11. Where a penalty charge notice has been attached to a vehicle in accordance with the provisions of Article 5 no person, not being the driver of the vehicle, a police constable in uniform, a parking attendant or some other person duly authorised by the Council shall remove the notice from the vehicle unless authorised to do so by the keeper of the vehicle.

Immobilisation

12. If a vehicle is left after a penalty charge has been incurred, a parking attendant in uniform or a person acting under his/her direction may attach to the vehicle an immobilisation device and a notice in accordance with the requirements of section 69(1) of the Road Traffic Act 1991 and that vehicle shall only be released from the device on payment of the penalty charge, or as the case may be reduced penalty charge, along with such release fee as may be required by the Council.
13. The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirements imposed by any regulations made or having effect as if made under the Act or by or under any other enactment.
14. This Order shall come into operation on the 3rd day of September 2007 and may be cited as "The Borough of Warrington (Various Roads) (School Keep Clear) Order 2007".



SCHEDULE
No Stopping on School Entrance Markings

<u>COLUMN 1</u>	<u>COLUMN 2</u>
Mardale Avenue (Northwest Side)	From a point 26.5 metres north east of its junction with Cartmel Avenue for a distance of 23.3 metres in a north easterly direction. From a point 50.1 metres north east of its junction with Cartmel Avenue for a distance of 23.6 metres in a north easterly direction.
Lathom Avenue (Southwest Side)	From a point 27 metres north west of its junction with Central Avenue for a distance of 25 metres in a north westerly direction. From a point 58.5 metres north west of its junction with Central Avenue for a distance of 25 metres in a north westerly direction. From a point 90 metres north west of its junction with Central Avenue for a distance of 25 metres in a westerly direction.
Capesthorpe Road (Southeast Side)	From a point 37.7 metres south west of the projected kerb line of Black Brook Avenue for a distance of 36.6 metres in a south westerly direction. From a point 74.6 metres south west of the projected kerb line of Black Brook Avenue for a distance of 24 metres in a south westerly direction. From a point 98.9 metres south west of the projected kerb line of Black Brook Avenue for a distance of 32.8 metres in a south westerly direction. From a point 74.6 metres south west of the projected kerb line of Black Brook Avenue for a distance of 24 metres in a south westerly direction.
Fairfield Street (Northeast Side)	From a point 2 metres north west of its junction with Willis Street for a distance of 42.7 metres in a north westerly direction.
Willis Street (Northwest Side)	From a point 40.4 metres north east of its junction with Fairfield Street for a distance of 25.3 metres in a north easterly direction.
O'Leary Street (Northwest Side)	From its junction with Garner Street for a distance of 43.5 metres in a north easterly direction.
Wilkinson Street (Southwest Side)	From a point 45.5 metres south west of the projected kerb line of O'Leary Street for a distance of 42.5 metres in a south westerly direction.



Lodge Lane
(Southwest Side)

From a point 62.4 metres north west of its junction with Lovely Lane for a distance of 36.8 metres in a north westerly direction.

From a point 164.5 metres north west of its junction with Lovely Lane for a distance of 37.6 metres in a north westerly direction.

Hilden Road
(Northwest Side)

From a point 47.6 metres south west of the projected centreline of Catfoss Close for a distance of 25.56 metres in a south westerly direction.

From a point 9.8 metres east of the projected centreline of Catfoss Close for a distance of 25.56 metres in a north easterly direction.

Perth Close
(South Side)

From a point 87.5 metres east of its junction with Cinnamon Lane North for a distance of 35 metres in an easterly direction.

Boulting Avenue
(West Side)

From a point 21.8 metres of the projected centreline of Harrison Square for a distance of 43.5 metres in a southerly direction.

Evelyn Street
(Northwest Side)

From a point 1 metre west of its junction with Beaufort Street for a distance of 24.2 metres in a westerly direction.

From a point 50.9 metres west of its junction with Beaufort Street for a distance of 24.8 metres in a westerly direction.

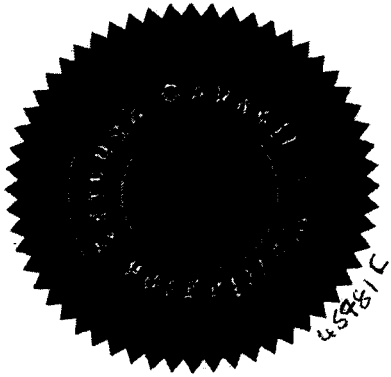
Sycamore Lane
(West Side)

From a point 3.9 metres south of its junction with Dorchester Road for a distance of 36.6 metres in a northerly direction.

Given under the Common Seal of the Council of the Borough of Warrington this 28th day of August 2007.

The Common Seal of **WARRINGTON**)
BOROUGH COUNCIL was hereunto)
affixed in the presence of:-)

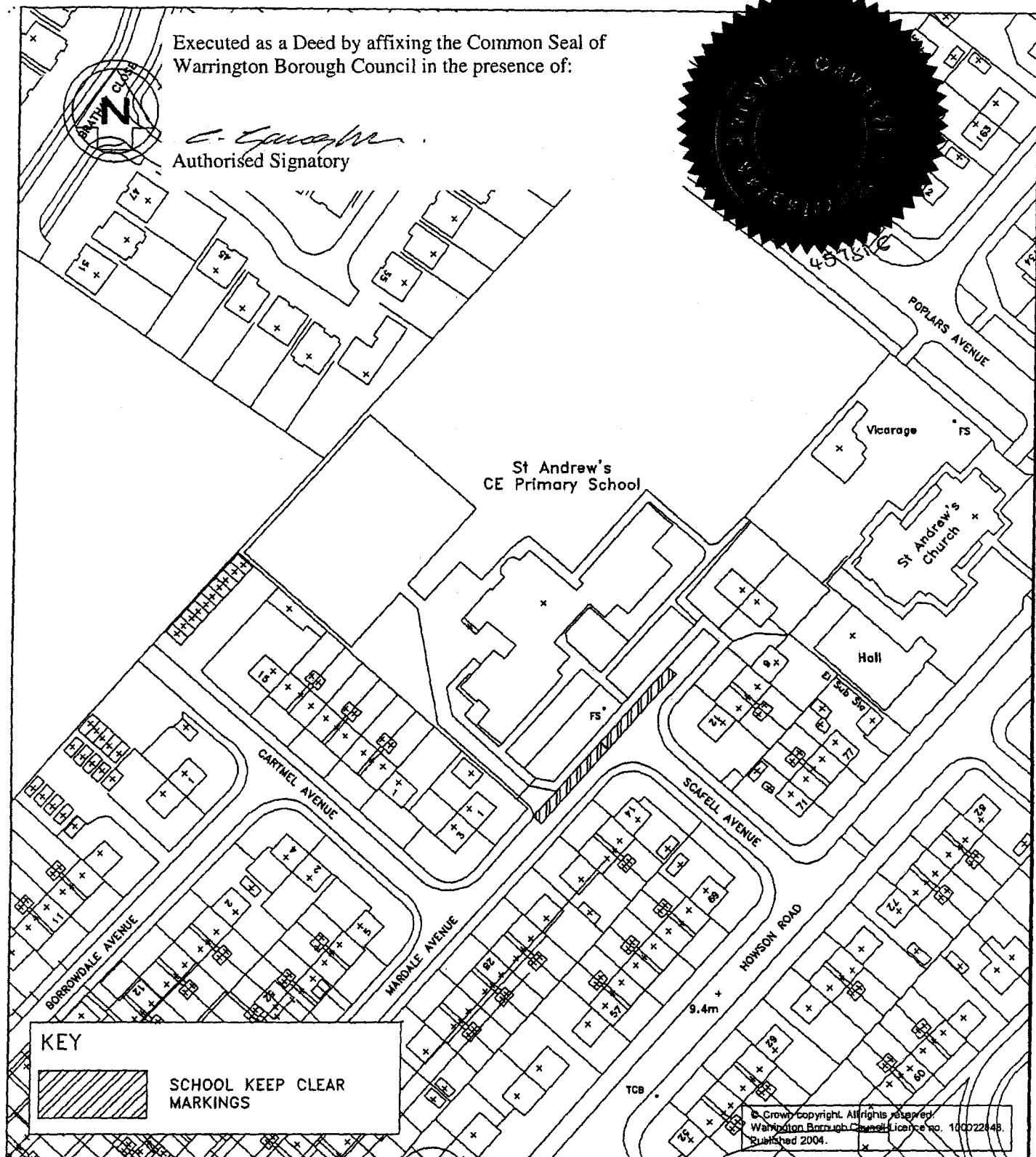

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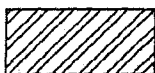
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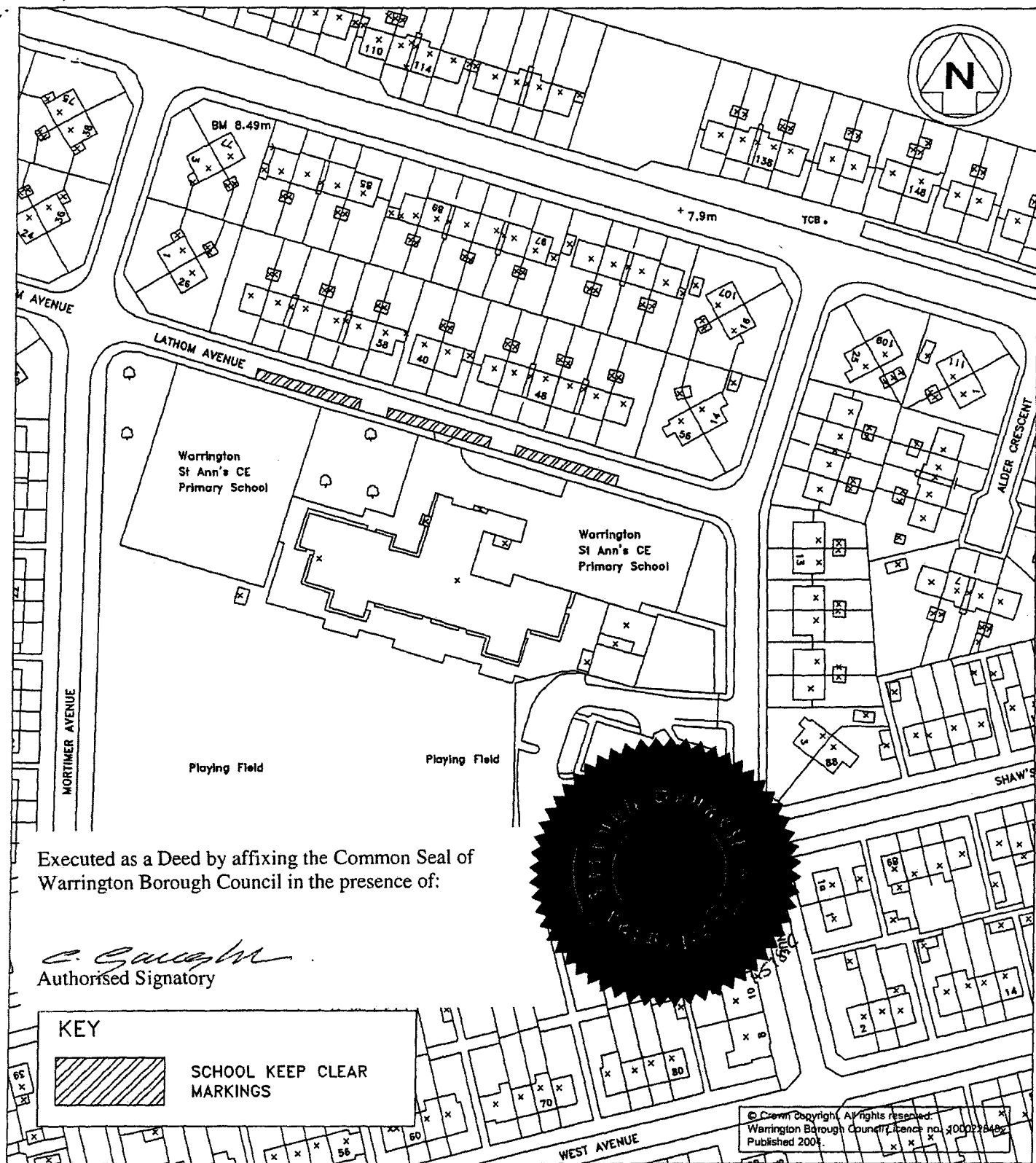
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					Approved by		Telephone	01925 442694
					Date	April 2007	Fax	01925 443255
					Project	The Borough of Warrington (Various Roads) (School Keep Clear) Order, 2007		
Rev.	Revision Details	Rev by	Chk by	Date:	Drawing Title			
					Location Plan Mardale Avenue			
 ENVIRONMENT SERVICES DIRECTORATE Palmyra House Palmyra Square North Warrington WA1 1JN Strategic Director: A STEPHENSON BSc(Hons) DipTP					Scales	Drawing No.	Phase / Revision	
					1:1250	ERD/TMS/TS/SKC/01		



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Drawing Title	Location Plan Lathom Avenue		
Scales	1:1250	Drawing No.	ERD/TMS/TS/SKC/02
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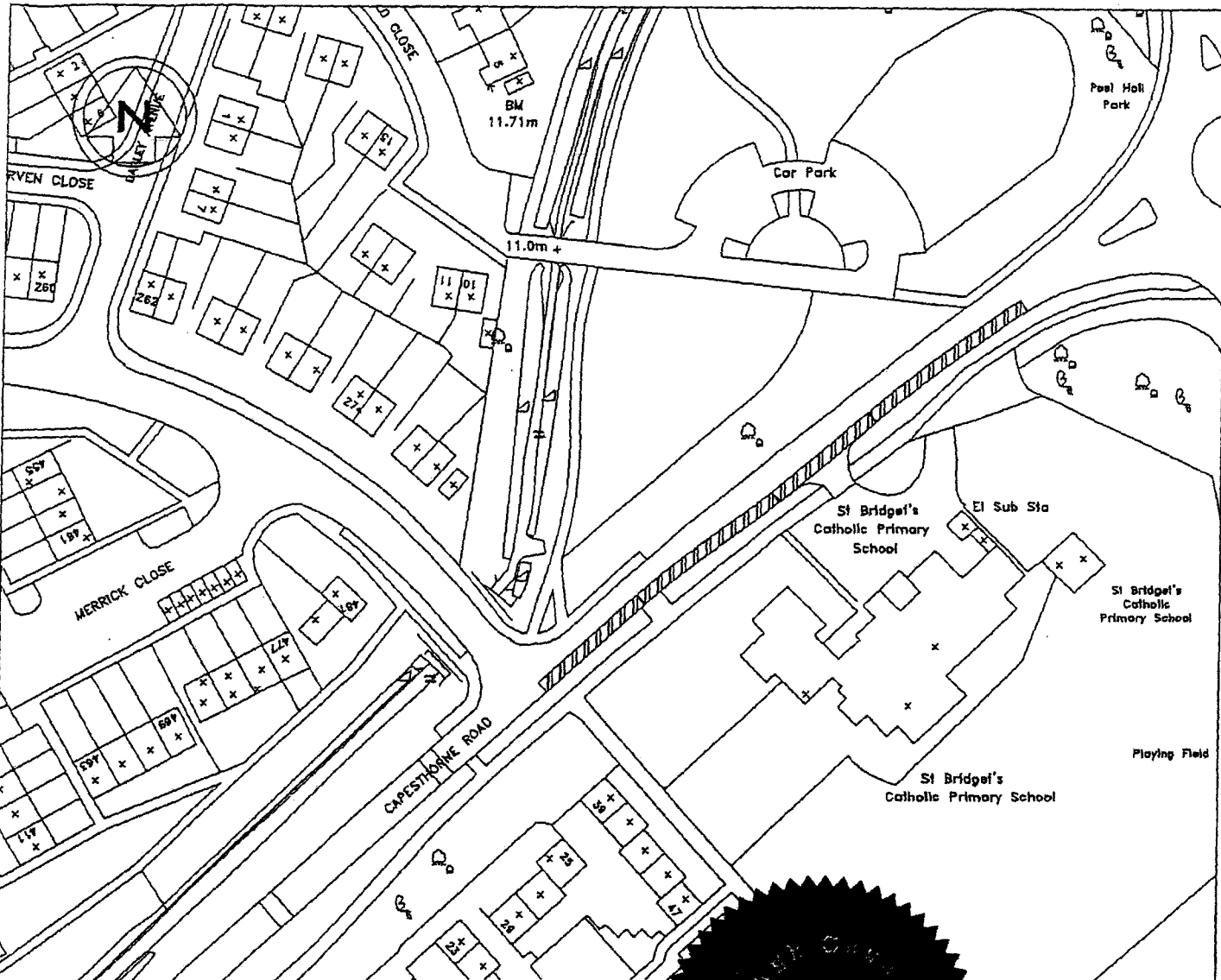
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ENVIRONMENT SERVICES DIRECTORATE

Palmyra House
Palmyra Square North
Warrington WA1 1JN

Strategic Director: A STEPHENSON BSc(Hons) DipTP



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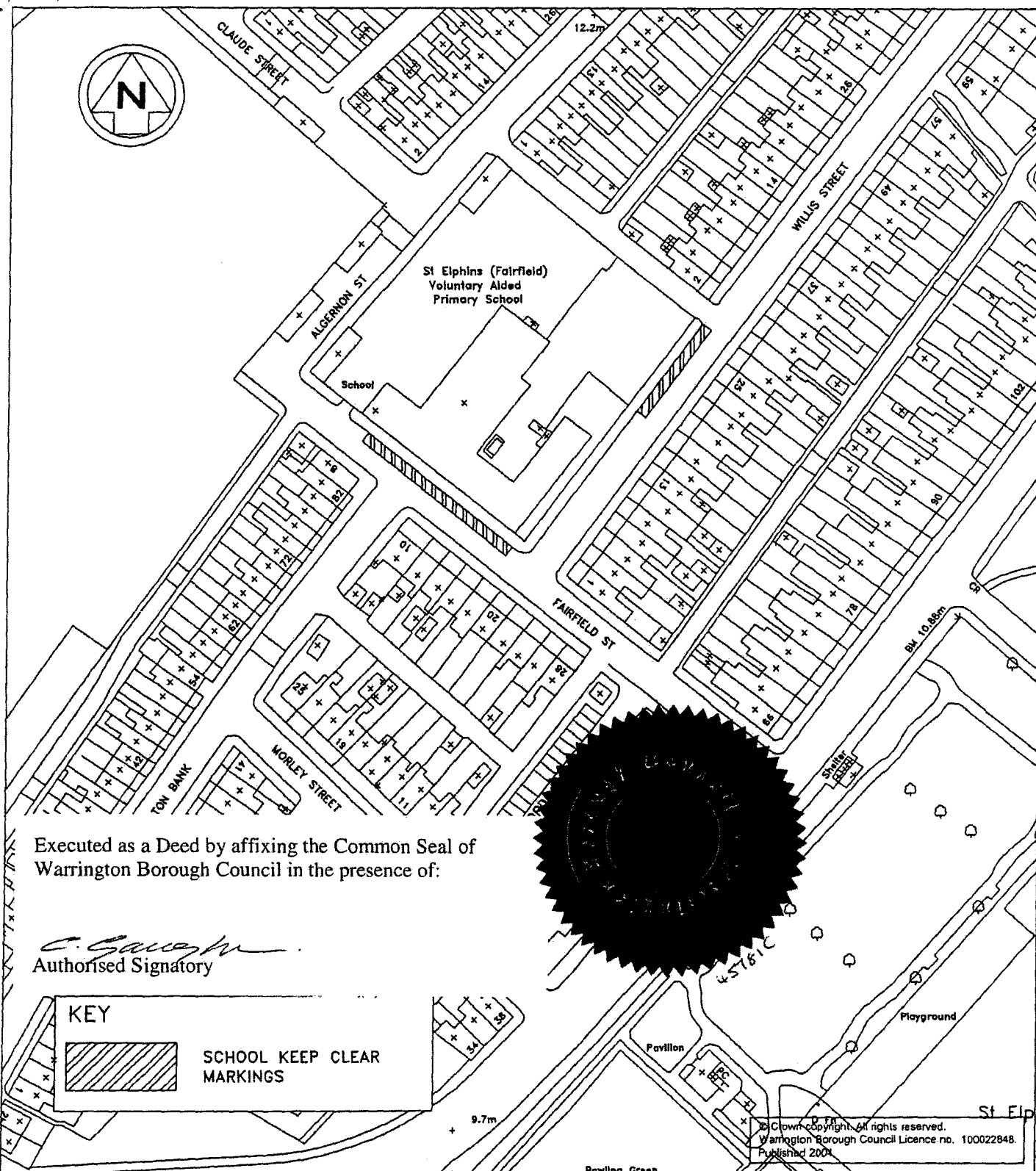


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Drawing Title	Location Plan	
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Scales	Drawing No.	Phase / Revision
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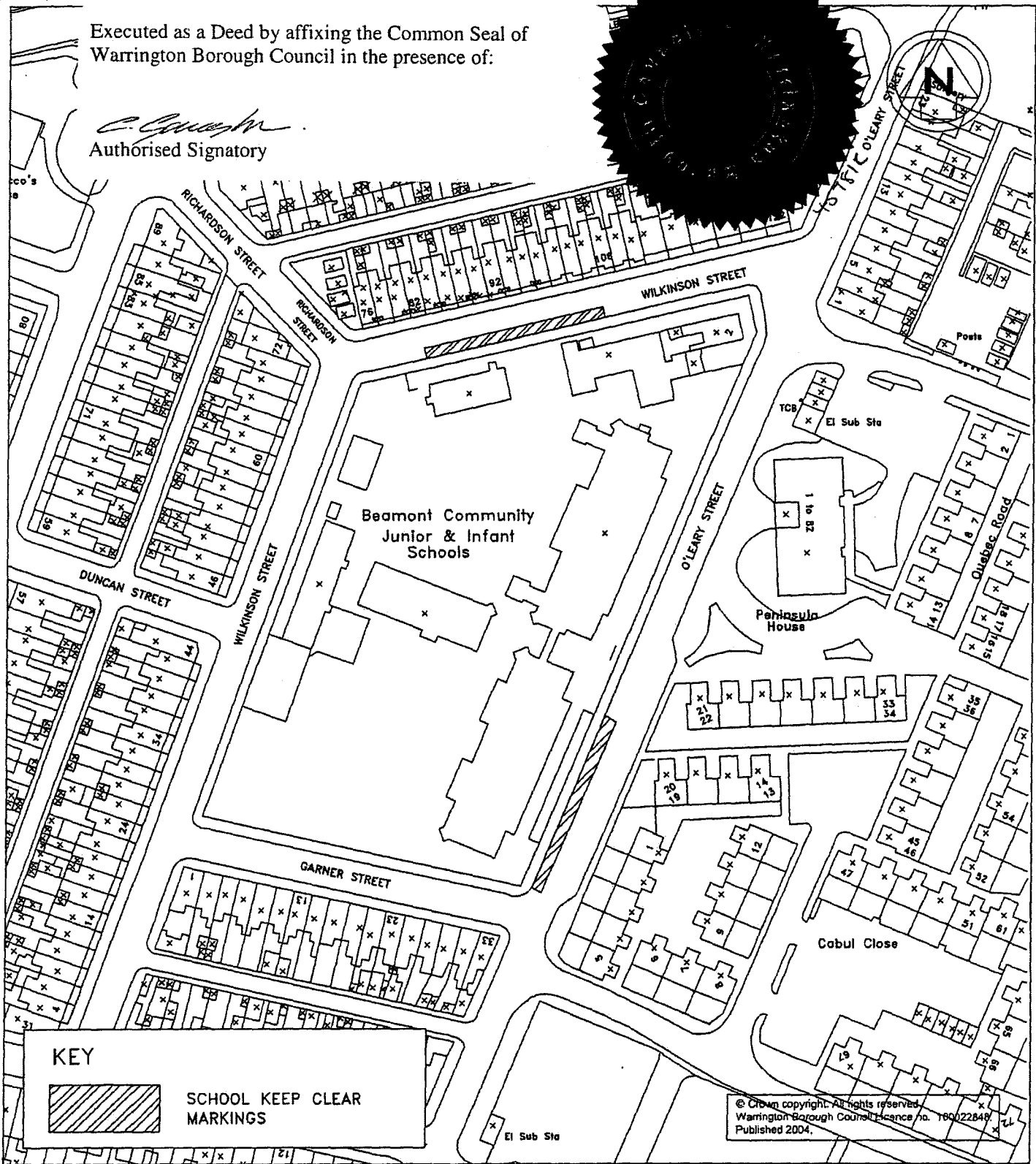
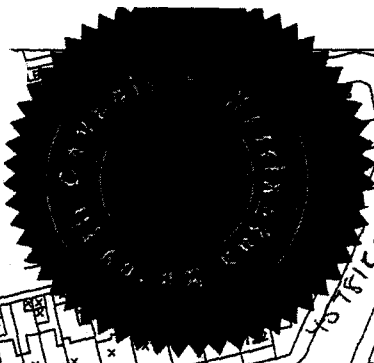
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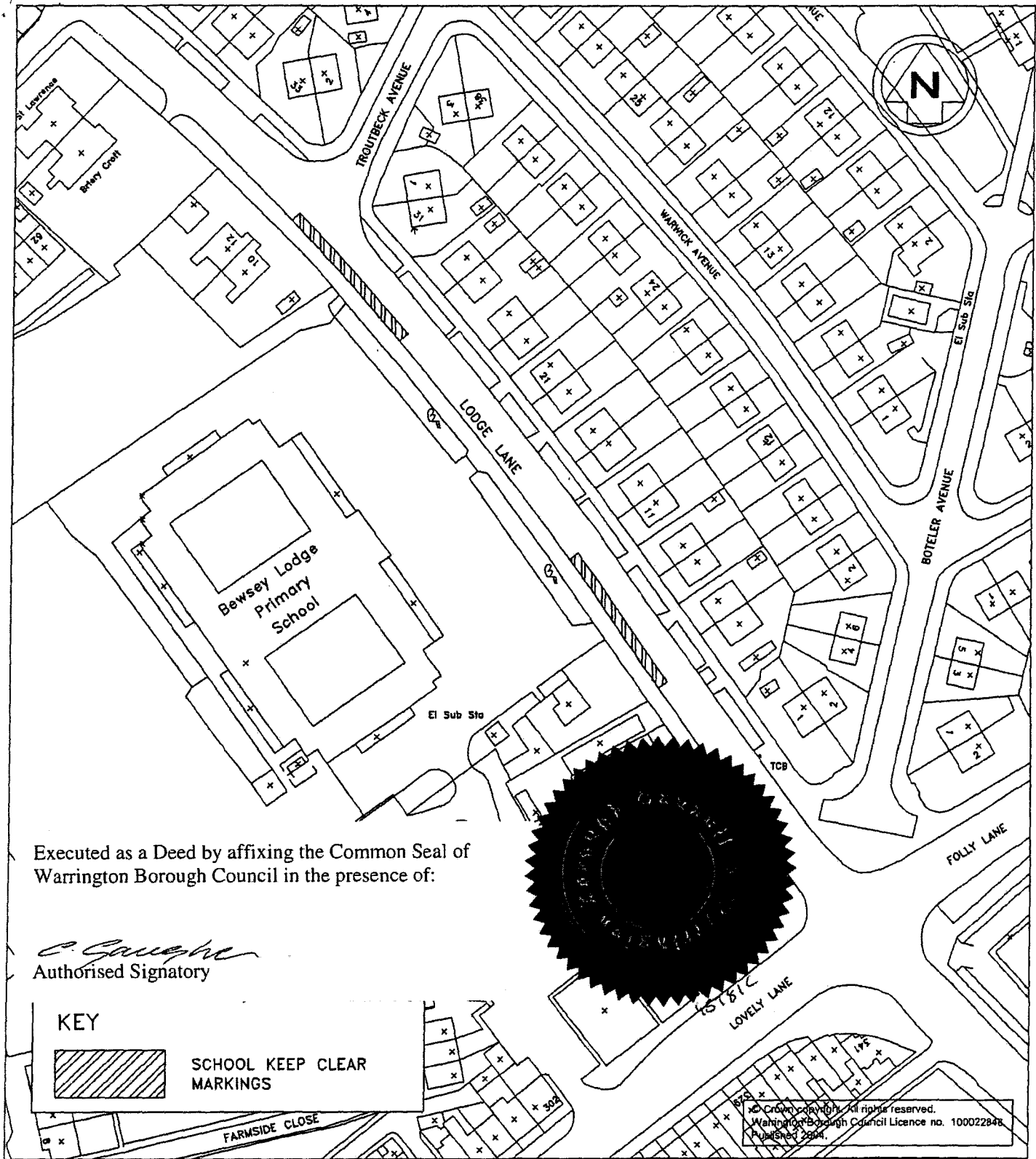
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Project	The Borough of Warrington (Various Roads) (School Keep Clear) Order, 2007		
Drawing Title	Location Plan O'Leary Street/Wilkinson Street		
Scales	1:1250	Drawing No.	ERD/TMS/TS/SKC/05
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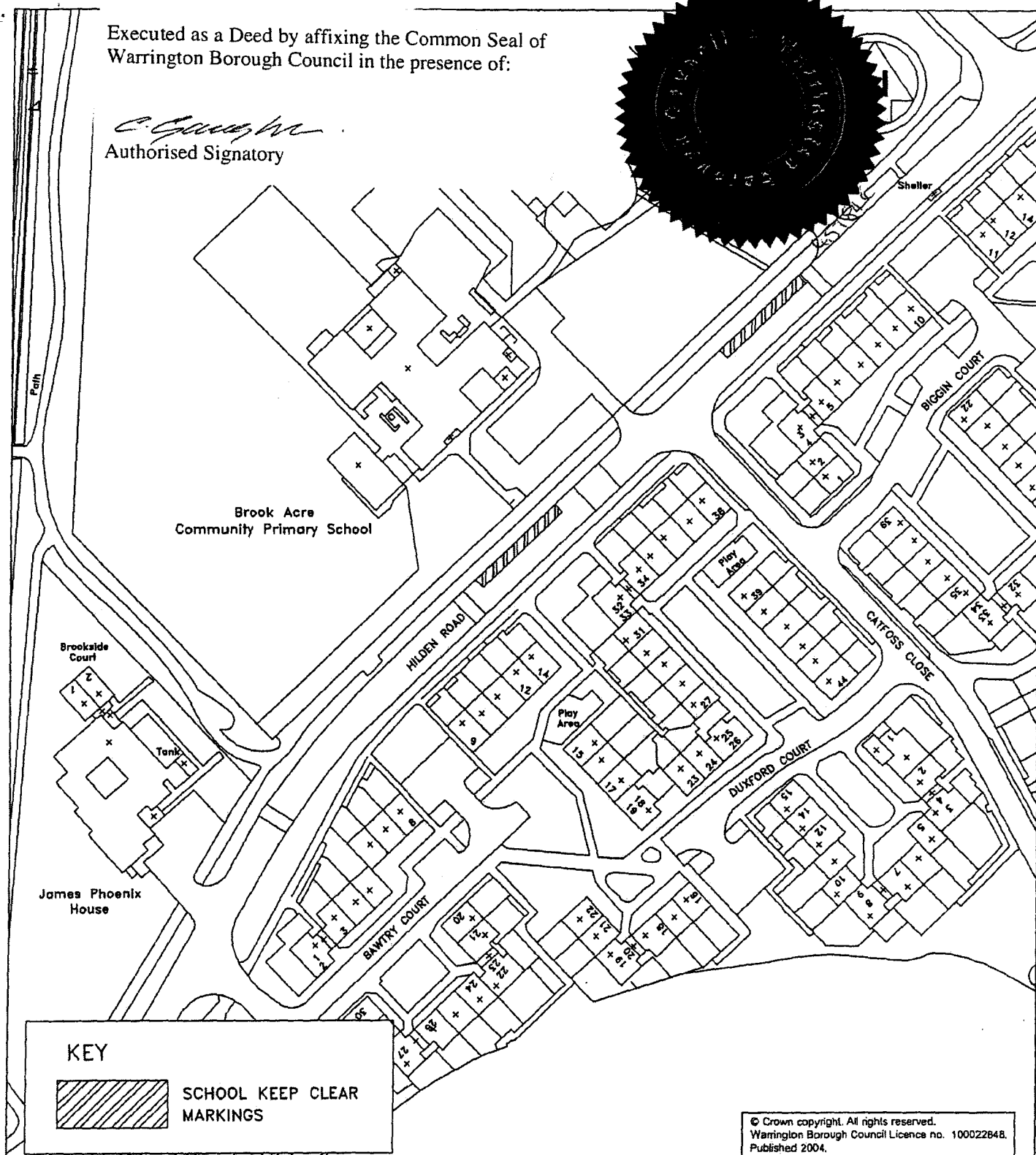
The Borough of Warrington (Various Roads)
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Drawing Title
Location Plan
Lodge Lane

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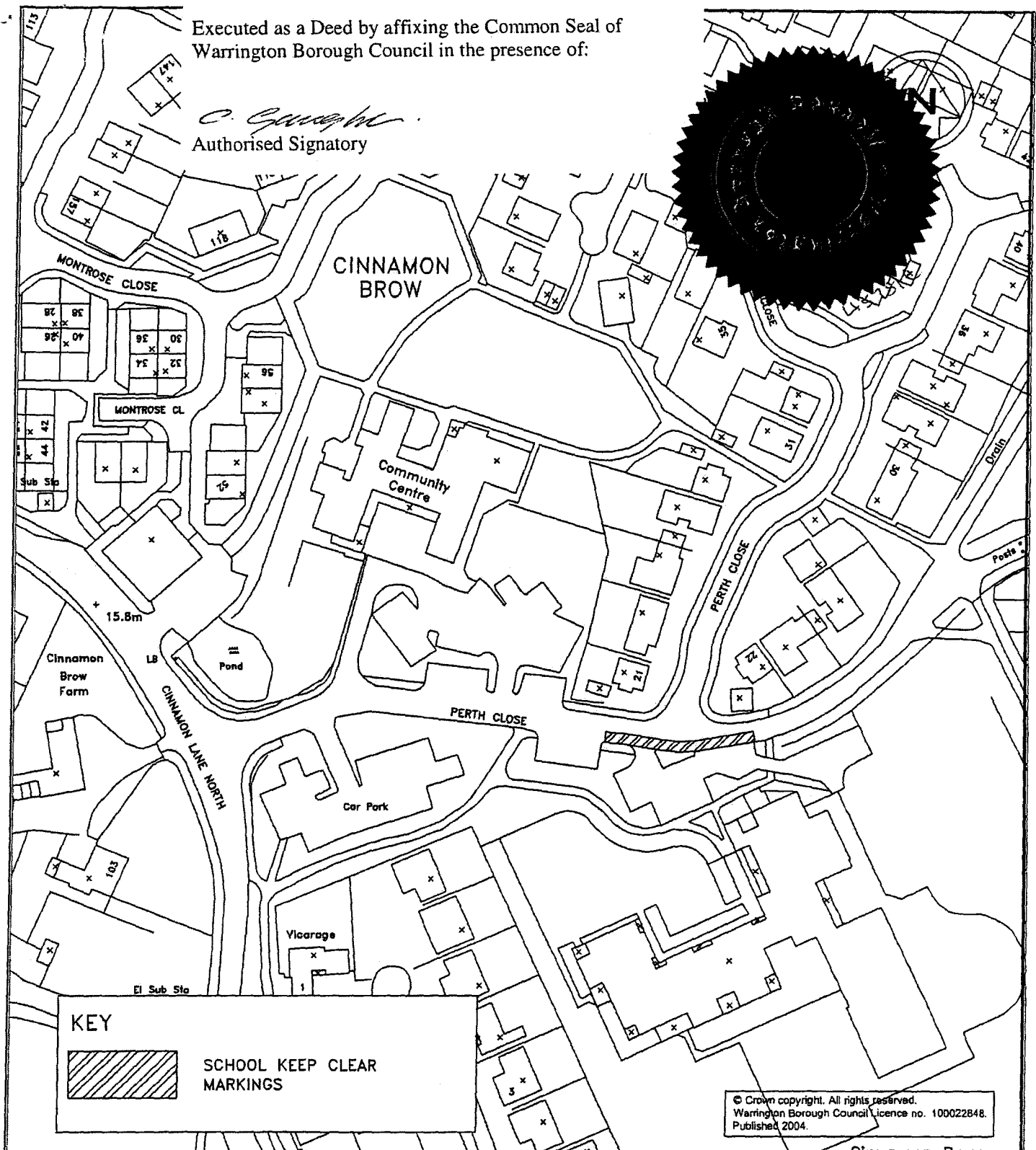
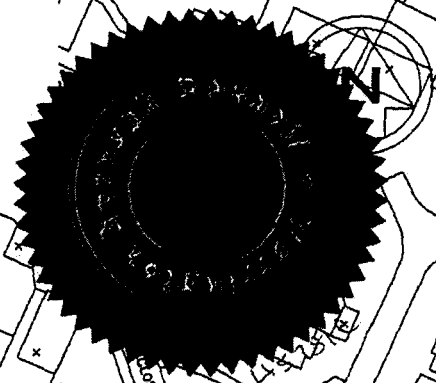


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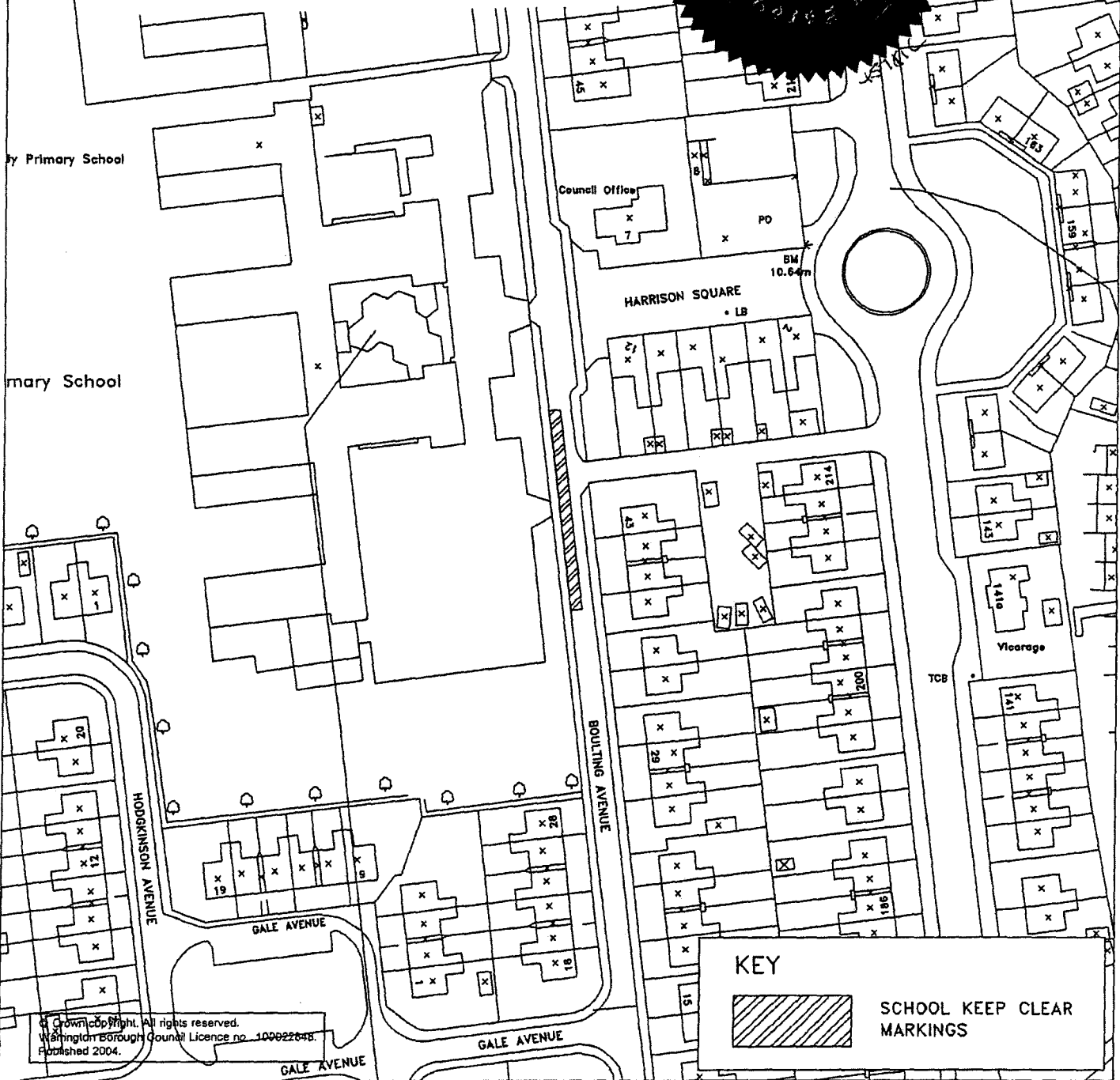


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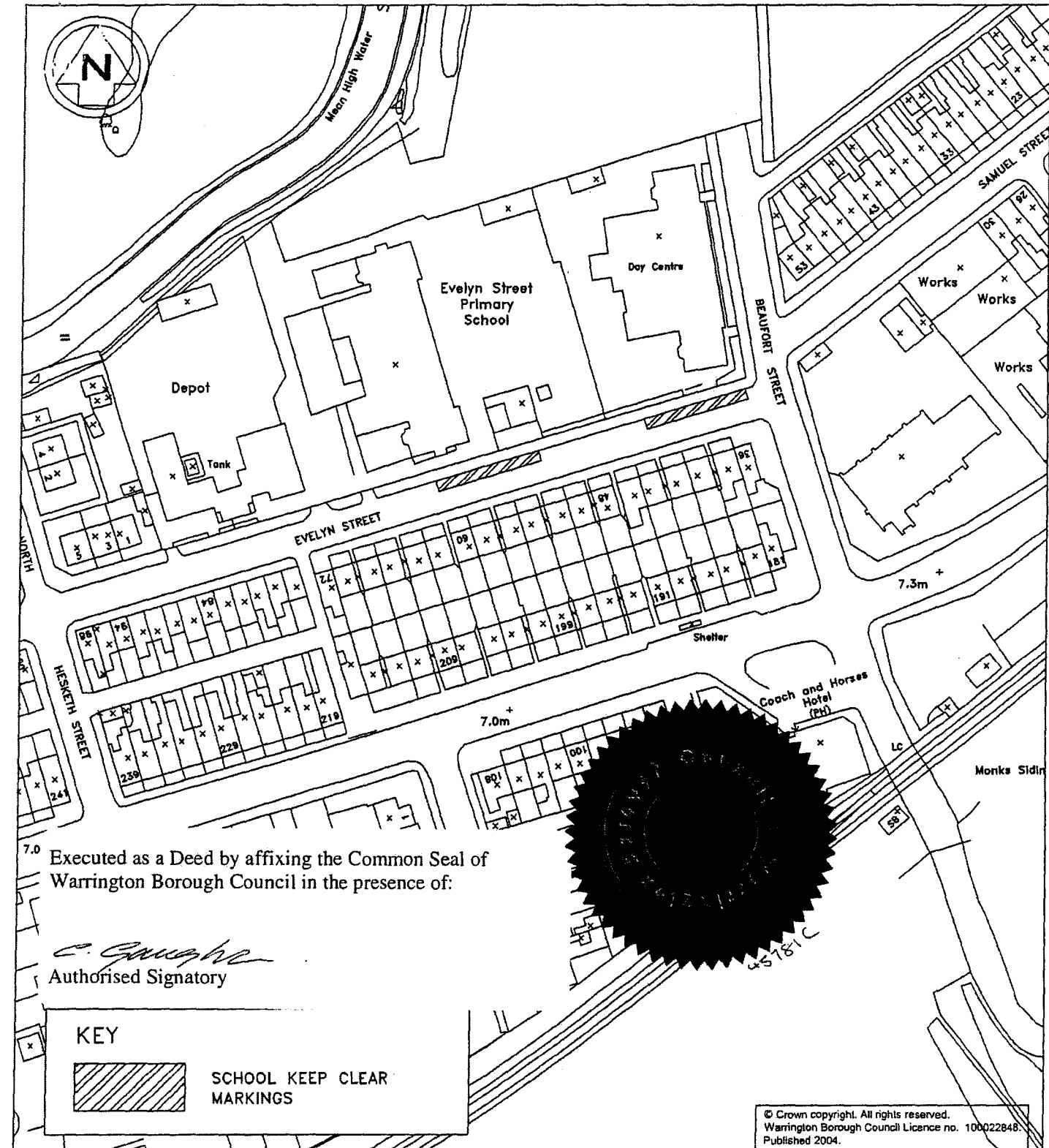


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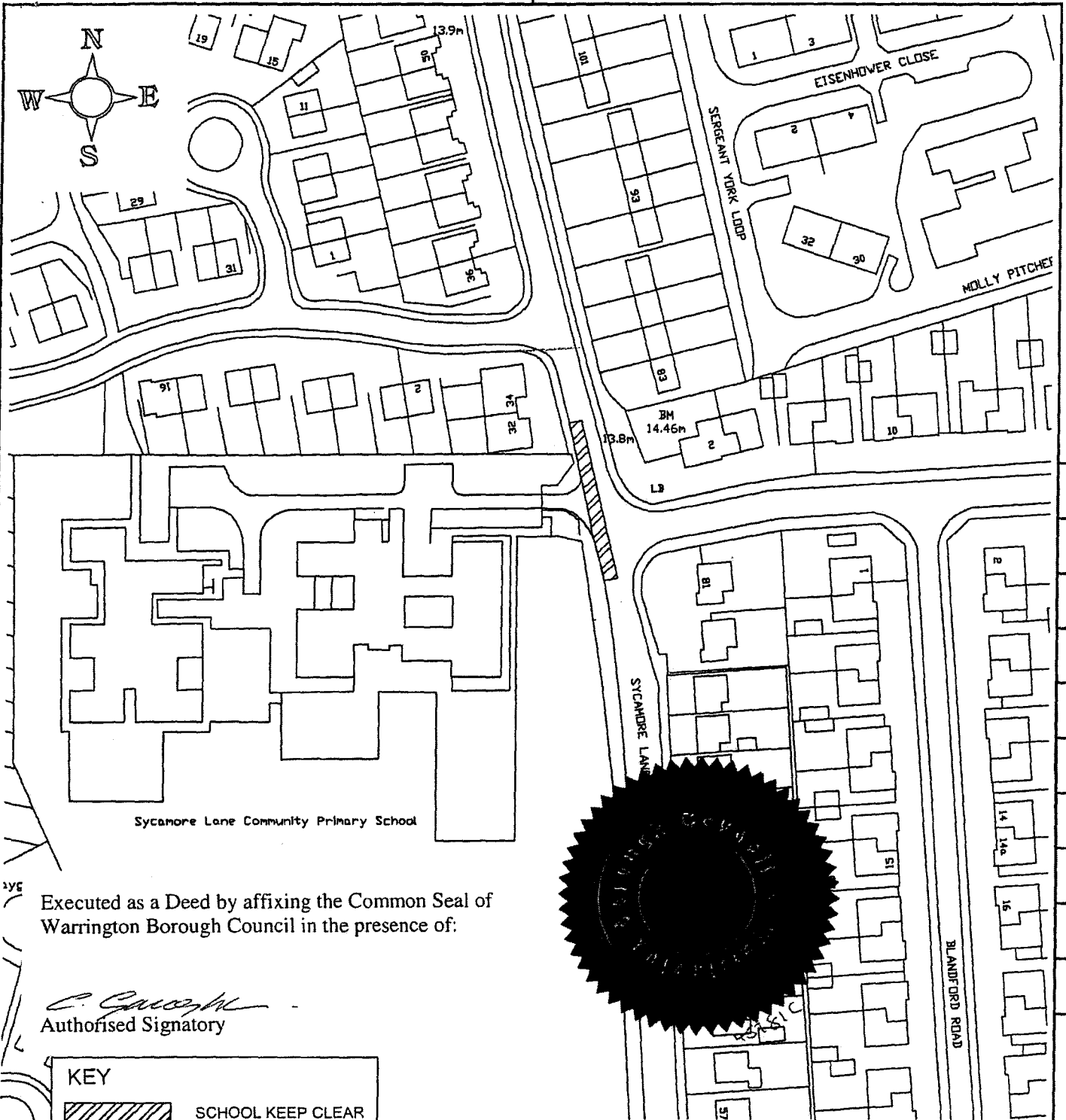
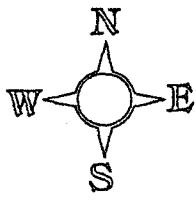


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Project	The Borough of Warrington (Various Roads) (School Keep Clear) Order, 2007		
Drawing Title	Location Plan Evelyn Street		
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Sycamore Lane Community Primary School

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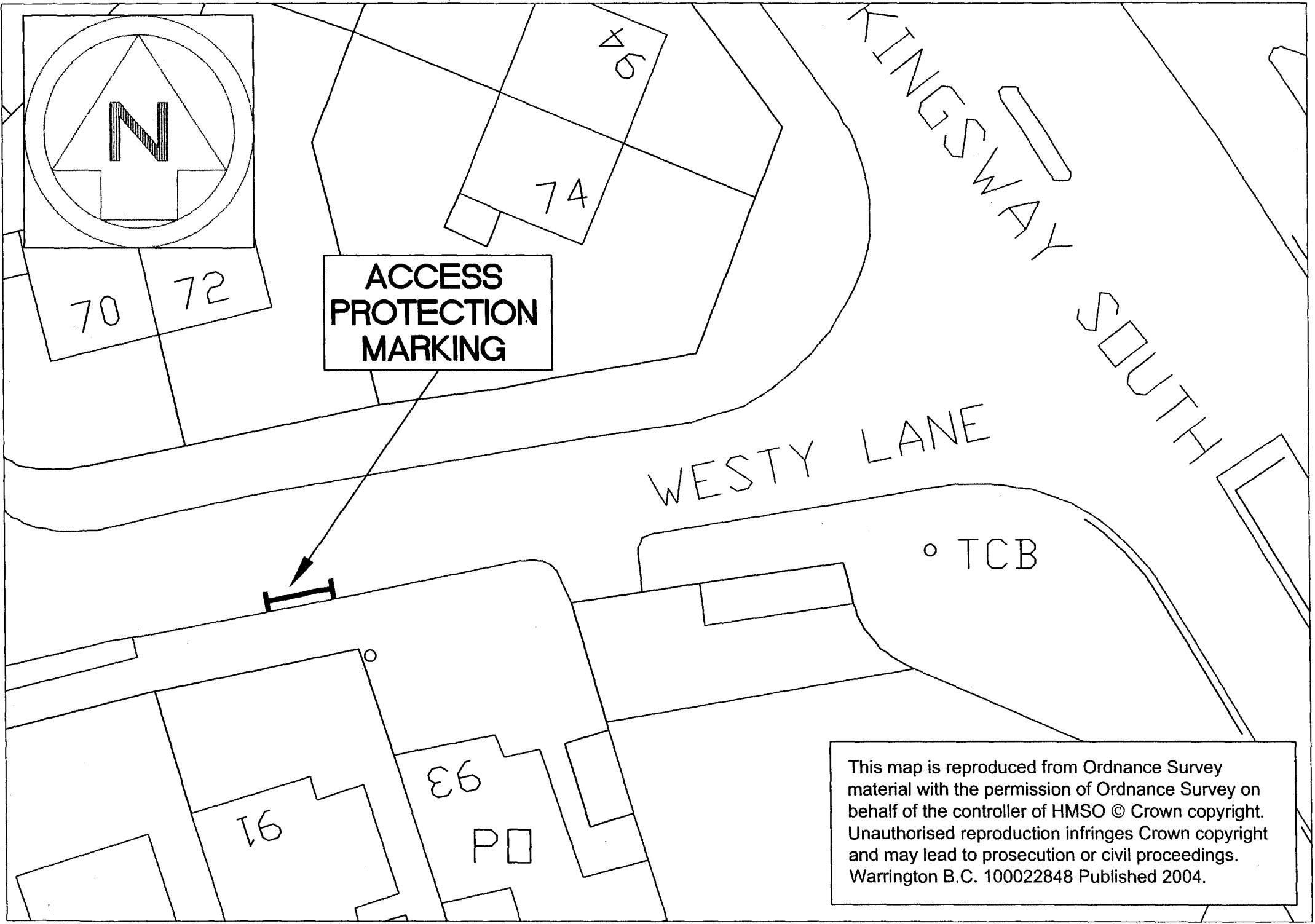


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					Approved by		Telephone	01925 442634
					Date	May 2007	Fax	01925 443255
					Project	The Borough of Warrington (Various Roads) (School Keep Clear) Order, 2007		
Revn.	Revision Details			Rev by	Chk by	Date:	Drawing Title	
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 ENVIRONMENT SERVICES DIRECTORATE Palmyra House Palmyra Square North Warrington WA1 1JN Strategic Director: A STEPHENSON BSc(Hons) DipTP						Scales	Drawing No.	Phase / Revision
						1:1250	ERD/TMS/SKC/11	

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**ACCESS
PROTECTION
MARKING**

WESTY LANE

KINGSWAY SOUTH

° TCB

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