

**THE BOROUGH OF WARRINGTON ( LEGH STREET/SANKEY STREET/BOLD  
STREET AND ADJACENT STREETS)  
(TRAFFIC MANAGEMENT) (PART 2) ORDER 2007**

The Council of the Borough of Warrington (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) 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:

1. (1) In this Order

"disabled persons badge" means a badge in the form prescribed by Regulation 11 of The Disabled Persons (Badges for Motor Vehicles) Regulations (England) 2000 issued by a local authority for display on a motor vehicle driven by a disabled person, or used for the carriage of a disabled person, and includes a replacement badge issued in accordance with Regulation 7

"delivering" and "collecting" in relation to any goods include checking the goods for the purpose of their delivery or collection;

"driver" means the person driving the vehicle;

"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

"goods" includes postal packets of any description

"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

"loading bay" means any area of carriageway on the side of the road or in the lengths of road specified in the schedules of this Order intended for the loading or unloading of goods which is indicated by a regulatory sign complying with diagram 660.4 and comprised within a road marking complying with diagram 1028.3 amended to read "loading only" in Schedules 2 and 6 respectively to the Traffic Signs Regulations and General Directions 2002

"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;

“parking disc” means a device which-

- (a) is 125 millimetres square and coloured blue;
- (b) has been issued by a local authority and has not ceased to be valid; and
- (c) is capable of showing the quarter hour period during which a period of waiting has began;

“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;

“relevant position” means

- (i) A disabled person’s badge is displayed in the relevant position when:-
  - (a) the badge is exhibited on the dashboard or fascia of the vehicle, or
  - (b) where the vehicle is not fitted with a dashboard or fascia, the badge is exhibited in a conspicuous position on the vehicle, so the front of the badge is clearly legible from the outside of the vehicle.
- (ii) A parking disc is displayed in the relevant position when:-
  - (a) the disc is exhibited on the dashboard or the fascia of the vehicle; or
  - (b) where the vehicle does not have a dashboard or fascia, the disc is exhibited in a conspicuous position on the vehicle, so that, when marked to show the quarter period during which a period of waiting began, that period is clearly legible from the outside of the vehicle.

A vehicle displays a permit in the relevant position if:-

- (a) in the case of a vehicle fitted with a dashboard or fascia panel, the permit is exhibited thereon so that it is legible from outside the vehicle;
- or
- (b) in the case of a vehicle not so fitted, the permit is exhibited in a conspicuous position on the vehicle so that it is legible from outside the vehicle.

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

2. No person shall, except upon the direction or with the permission of a Police Constable in uniform, of a Police Community Support Officer in uniform or a Parking Attendant, cause or permit any vehicle to wait at any time in the lengths of roads specified in Column 1 of Schedule 1 below as specified in Column 2 of the said Schedule 1 to this Order except for the purpose of loading or unloading goods.

3. Save as provided in Article 6 no person shall except upon the direction or with the permission of a Police Constable in uniform, a Police Community Support Officer in uniform or a Parking Attendant cause or permit any vehicle to wait at any time in the roads specified in Column 1 of Schedule 2 below as specified in Column 2 of the said Schedule 2 to this Order.



4. Save as provided in Article 6 no person shall except upon the direction or with the permission of a Police Constable in uniform, a Police Community Support Officer in uniform or a Parking Attendant cause or permit any vehicle to load or unload at any time in the roads specified in Column 1 of Schedule 3 below as specified in Column 2 of the said Schedule 3 to this Order.
5. Save as provided in Article 7 no person shall except upon the direction or with the permission of a Police Constable in uniform, or a Police Community Support Officer in uniform or a Parking Attendant cause or permit any vehicle to wait between the hours of 8.00 a.m. to 6.30 p.m. Monday to Saturday for a period exceeding 30 minutes with return prohibited for 1 hour on the lengths of road specified in Column 1 of Schedule 4 below as specified in Column 2 of the said Schedule 4 to this Order.
6. Nothing in Article 3 and 4 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, if it cannot conveniently be used for such purpose in any other road, to be used in conjunction with any of the following operations:
    - (i) building, industrial or demolition operation;
    - (ii) the removal of any obstruction to traffic;
    - (iii) the laying, erection, alteration or repair in, or on land adjacent to the said roads, or sides of roads of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telecommunication apparatus as defined in paragraph 1(1) of the Telecommunications Act 1984
  - (b) the vehicle if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority or of a water authority in pursuance of statutory powers or duties
  - (c) 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;
  - (d) the vehicle to be used for Fire Brigade, Ambulance or Police purposes
7. (1) Nothing in Article 5 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 necessary to enable:
  - (a) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in conjunction with any of the following operations
    - (i) building, industrial or demolition operation
    - (ii) the removal of any obstruction to traffic
    - (iii) the laying, erection, alteration or repair in, or on land adjacent to the said roads, or sides of roads of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telecommunication apparatus as defined in paragraph 1(1) of the Telecommunications Act 1984
  - (b) the vehicle if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority or of a water authority in pursuance of statutory powers or duties



- (c) 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
- (d) the vehicle to be used for Fire Brigade, Ambulance or Police purposes

(2) Nothing in Article 5 of this Order shall render it unlawful to cause or permit a vehicle which displays in the relevant position a disabled person's badge and a parking disc (on which the driver or other person in charge of the vehicle has marked the time at which the period of waiting began) to wait in the roads or sides of the roads referred to in the said Schedules to this Order for a period not exceeding 3 hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle on the same roads or sides of roads on the same day).

8. If a vehicle is left in any of the lengths of roads specified in the Schedules 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.

9. If a vehicle is left in or 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.

10. 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.

11. 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.

12. 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.
13. 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.
14. 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.
15. The particulars given in the penalty charge notice attached to a vehicle in accordance with Article 10 shall be treated as evidence in any proceedings relating to failure to pay such penalty charge.
16. Where a penalty charge notice has been attached to a vehicle in accordance with the provisions of Article 10 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.
17. 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
18. The restrictions imposed by this Order shall be in addition to and not derogation from any restriction or requirements imposed by any regulations made or having effect as if made under the Act or by or under another enactment.
19. This Order shall come into force on the 4th day of August 2007 and may be cited as "The Borough of Warrington (Legh Street/Sankey Street/Bold Street and adjacent Streets) (Traffic Management) (Part 2) Order 2007".



**SCHEDULE 1**  
**Loading Bay**

<b><u>Column 1</u></b>	<b><u>Column 2</u></b>
<b>Part of road authorised to be used as a parking place for vehicles loading and unloading</b>	<b>Position in which vehicles may wait</b>
All that part of the west kerbline of <b>Legh Street</b> which is bounded on the west by so much of that highway as extends from a point 29.5 metres from its junction with Sankey Street for a distance of 26.4 metres in a northerly direction and which has a width throughout of 2.5 metres.	Wholly within the limits of the loading bay and parallel to the kerb.
All that part of the south kerbline of <b>Regent Street</b> which is bounded on the south by so much of that highway as extends from a point 17.5 metres from its junction Golborne Street for a distance of 13.2 metres in a westerly direction and which has a width throughout of 2.7 metres.	Wholly within the limits of the loading bay and parallel to the kerb.

**SCHEDULE 2**  
**Prohibition of Waiting**

<b><u>Column 1</u></b>	<b><u>Column 2</u></b>
i) Golborne Street	For its entire length
ii) Legh Street, east side	For its entire length
iii) Legh Street, west side	From its junction with Sankey Street for a distance of 29.5 metres in a northerly direction
iv) Legh Street, west side	From a point 55.9 metres north of its junction with Sankey Street to its junction with Midland Way
v) Regent Street, north side	Its entire length
vi) Regent Street, south side	From its junction with Golborne Street for a distance of 17.5 metres in a westerly direction
vii) Regent Street, south side	From a point 30.7 metres west of its junction with Golborne Street to its junction with Legh Street
viii) Sankey Street, north side	From its junction with Legh Street for a distance of 16 metres in an easterly direction
ix) Sankey Street, north side	From its junction with Legh Street for a distance of 5 metres in a westerly direction



- |       |                           |   |
|-------|---------------------------|---|
| x)    | Sankey Street, north side | From its junction with Golborne Street for a distance of 11.5 metres in a westerly direction            |
| xi)   | Sankey Street, south side | From its junction with Bold Street for a distance of 21.5 metres in a westerly direction                |
| xii)  | Sankey Street, south side | From the east side of its junction with Legh Street for a distance of 26 metres in a westerly direction |
| xiii) | Sankey Street, south side | From its junction with Springfield Street for a distance of 42 metres in a easterly direction           |

**SCHEDULE 3**  
**Prohibition of Loading and Unloading at any time**

**Column 1**

**Column 2**

- |       |                           |   |
|-------|---------------------------|---|
| i)    | Golborne Street           | For its entire length   |
| ii)   | Legh Street, east side    | For its entire length   |
| iii)  | Legh Street, west side    | From its junction with Sankey Street for a distance of 29.5 metres in a northerly direction             |
| iv)   | Legh Street, west side    | From a point 55.9 metres north of its junction with Sankey Street to its junction with Midland Way      |
| v)    | Regent Street, north side | Its entire length   |
| vi)   | Regent Street, south side | From its junction with Golborne Street for a distance of 17.5 metres in a westerly direction            |
| vii)  | Regent Street, south side | From a point 30.7 metres west of its junction with Golborne Street to its junction with Legh Street     |
| viii) | Sankey Street, north side | From its junction with Legh Street for a distance of 16 metres in an easterly direction                 |
| ix)   | Sankey Street, north side | From its junction with Legh Street for a distance of 5 metres in a westerly direction                   |
| x)    | Sankey Street, north side | From its junction with Golborne Street for a distance of 11.5 metres in a westerly direction            |
| xi)   | Sankey Street, south side | From its junction with Bold Street for a distance of 21.5 metres in a westerly direction                |
| xii)  | Sankey Street, south side | From the east side of its junction with Legh Street for a distance of 26 metres in a westerly direction |



xiii) Sankey Street, south side

From its junction with Springfield Street for a distance of 42 metres in a easterly direction

**SCHEDULE 4**

**Limited Waiting - Monday to Saturday; 8.00 a.m. to 6.30 p.m.**  
**Waiting limited to 30 minutes with return prohibited for 1 hour**

Column 1

Column 2

Sankey Street, south side

From a point 42 metres east of its junction with Springfield Street for a distance of 20 metres in a easterly direction

Sankey Street, south side

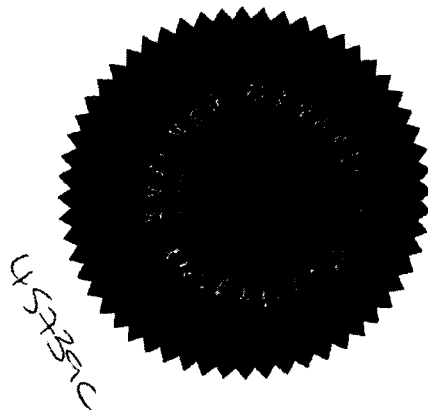
From the east side of its junction with Legh Street to a point 21.5 metres west of its junction with Bold Street

**GIVEN** under the Common Seal of the Council of the Borough of Warrington this 31<sup>st</sup> day of July 2007.

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



Authorised Signatory





KEY

- Denotes proposed Loading Bay
- Denotes proposed No waiting, Loading and unloading at any time restrictions
- Denotes proposed Limited waiting - Monday - Saturday, 8.00am to 6.30pm, limited waiting 30 minutes with return prohibited for 1 hour



Executed as a Deed by affixing the Common Seal of Warrington Borough Council in the presence of:

*J.P.M.*  
 Authorised Signatory

THE BOROUGH OF WARRINGTON (5687 STREET / SANDY STREET / BOLD STREET AND ADJACENT STREETS) (TRAFFIC MANAGEMENT) (PART 9 ORDER 2007)	
Date: 11/05/2005 Approved by: RE	Authorised by: RE
Made by: JPD Approved by: RE	Authorised by: RE
Approved by: RE	Approved by: RE
Approved by: RE	Approved by: RE

