

ROAD TRAFFIC REGULATION ACT 1984

LANCASHIRE COUNTY COUNCIL (QUIN STREET, LEYLAND, SOUTH RIBBLE BOROUGH) (PART REVOCATION, RESTRICTION OF WAITING AND RESTRICTION OF WAITING (EXCEPT FOR RESIDENTS PERMIT HOLDERS) ORDER 2011

The County Council of Lancashire ("the Council") in exercise of its powers under Sections 1, 2 and 4 of 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 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 following terms described in this Article shall have the meaning 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:
 - i) was 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 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) **"residents parking permit"** means a residents parking permit issued by the Council or its local agent or authority. Charges and terms for said permit are published by the issuing authority.
- f) **"permit holder"** means a person to whom a permit has been issued by the Council or its local agent or authority (For the purpose of this Order a Doctor on call is deemed to be a Permit Holder but is not required to display a Permit).
- g) **"resident's parking place"** means any area on a highway described in Schedules 3 to this Order;
- h) **"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.
- i) **"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.

2. Part Revocation

Those parts of the Order specified in Schedule 1 to this Notice are hereby revoked.

3. Restriction 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:

- a) Monday to Saturday inclusively, from 07:00 until 18:00, in any of the lengths of roads specified in Schedule 2 to this Order
- b) For a period exceeding 1 hour with no return within 1 hour, Monday-Saturday inclusively, from 09:00 until 18:00 (except Resident Permit Holders) in any of the lengths of roads specified in Schedule 3 to this Order.

4. Exemption for Resident Permit Holders

Nothing in Article 3 (b) of this Order shall render it unlawful to cause or permit any vehicle to wait, at any time, on any day, for any period, if the vehicle is a vehicle which displays in the relevant position a valid residents parking permit issued in respect of the parking place in which the vehicle is parked.

5. Exemptions

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:-

- a) 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;
- b) for so long as it may be necessary to enable a person to board or alight from the vehicle;
- c) 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 road;
 - iv. the laying, erection, alteration or repair in or near 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) if the vehicle is 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) if the vehicle is 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) if the vehicle is to be used for fire brigade, ambulance or police purposes in pursuance of statutory powers or duties;
- g) if the vehicle is 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;

6. Exemption for disabled person's vehicle

- a) Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait in any of the lengths 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 lengths 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.

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 to 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.

8. Alteration of position of a vehicle in a Residents 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 Residents 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 Residents 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 paragraph a) of this Article 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 Residents Parking Places

- a) The Council's duly authorised officer may suspend the use of a Residents 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 Residents 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 Residents 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 Residents 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.

12. Restriction of Use of Vehicles in a Permit Holders Parking Place

While any vehicle is in a Residents 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 goods, skills or services.

13. Miscellaneous

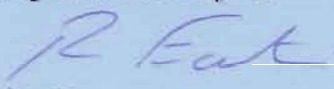
The prohibitions imposed by this Order shall be in addition to and not in derogation of any restrictions or requirements imposed by any regulations made, or having effect as if made, under the Act, or by or under any other enactment.

14. Commencement of Order

This Order shall come into force on the 19th December 2011 and may be cited as the "Lancashire County Council (Quin Street, Leyland, South Ribble Borough)(Part Revocation, Restriction Of Waiting And Restriction Of Waiting (Except For Residents Permit Holders) Order 2011".

Dated this 14th day of December 2011.

THE COMMON SEAL of the Lancashire County Council was hereunto affixed following a decision made on the 18th day of March 2011 by the Cabinet Member for Highways and Transport


Authorized Signatory



21153

SCHEDULE 1

Part Revocations:

Revoke those parts of the "Lancashire County Council (South Ribble Borough Area)(On Street Parking Places, Prohibition and Restriction of Waiting) Consolidation Order 2009" as follows:

Schedule 11.070, No Waiting Monday-Saturday 7am-6pm, Item 23, insofar as it relates to the following lengths of Quin Street, Leyland:

(b) east side,

- (i) from a point 50 metres north of its junction with Hough Lane to a point 24 metres north of that point.
- (ii) from its junction with John Street to a point 5 metres south of its junction with John Street.

(c) west side,

- (i) from a point 59 metres north of its junction with Hough Lane to a point 15 metres north of that point.
- (ii) from the works entrance for a distance of 9 metres in a southerly direction.

Schedule 12.504, Limited Waiting 1 Hour No Return with 1 Hour Monday-Saturday 9am-6pm except Resident Permit Holders, Item 8, insofar as it relates to Quin Street, west side, from a point 9.1 metres north of its junction with Hough Lane for a distance of 20.1 metres in a northerly direction (Zone 1).

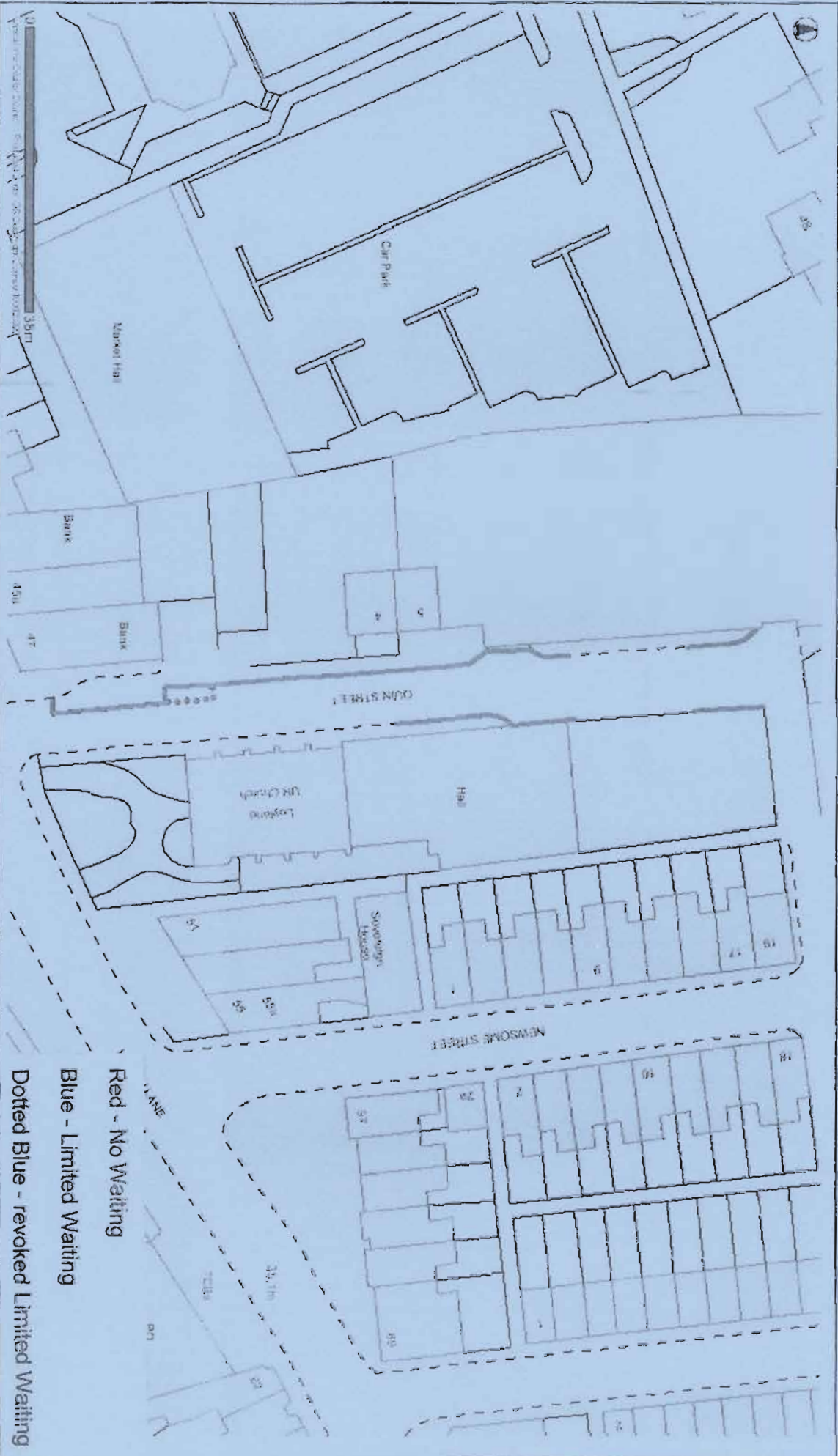
Schedule 2

No Waiting, Monday-Saturday 7am-6pm on the following lengths of Quin Street, Leyland:

- a) Both sides, from the centre line of John Street for a distance of 12 metres in a southerly direction.
- b) West side, from a point 28 metres from the centre line of John Street for a distance of 54 metres in a southerly direction.
- c) East side, from a point 28 metres from the centre line of John Street for a distance of 24 metres in a southerly direction.

Schedule 3

Limited Waiting 1 Hour No Return within 1 hour Monday-Saturday 9am-6pm (except Resident Permit Holders) on Quin Street, Leyland, west side, from a point 13 metres of the centre line of Hough Lane for a distance of 15 metres on a northerly direction.



Quin Street, Leyland

- Red - No Waiting**
- Blue - Limited Waiting**
- Dotted Blue - revoked Limited Waiting**



Date: 05/08/2010

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