



**URGENT BUSINESS**

**TUESDAY, 27 JUNE 2006**

Please find enclosed Urgent Business Notices in connection with the following:

1. URGENT BUSINESS - THE CITY COUNCIL OF LANCASTER (VARIOUS ROADS) (ON STREET PARKING PLACES PROHIBITION AND RESTRICTION OF WAITING) (NO 2) ORDER 2006 (Pages 1 - 36)

The Chief Executive (in consultation with the relevant Committee Chairman – Cabinet Portfolio holder) has been asked and has agreed to make a decision in accordance with the City Council's Urgent Business Procedure.

Details of the above decision and the reasons for urgency are set out in the attached Notice.

Additionally the Chief Executive (in consultation with the Chairman of the Overview and Scrutiny Committee) has been asked and has agreed to waive call-in in accordance with the Overview and Scrutiny Committee Procedure Rule 17(a). The Chairman of the Overview and Scrutiny Committee was in agreement with the decision to waive call-in.

2. URGENT BUSINESS - THE CITY COUNCIL OF LANCASTER (VARIOUS ROADS) (ON STREET PARKING PROHIBITION AND RESTRICTION OF WAITING) (NO 3) ORDER 2006 (Pages 37 - 62)

The Chief Executive (in consultation with the relevant Committee Chairman – Cabinet Portfolio holder) has been asked and has agreed to make a decision in accordance with the City Council's Urgent Business Procedure.

Details of the above decision and the reasons for urgency are set out in the attached Notice.

Additionally the Chief Executive (in consultation with the Chairman of the Overview and Scrutiny Committee) has been asked and has agreed to waive call-in in accordance with the Overview and Scrutiny Committee Procedure Rule 17(a). The Chairman of the Overview and Scrutiny Committee was in agreement with the decision to waive call-in.

**Queries regarding these documents**

Please contact Jon Stark, Democratic Services - telephone (01524) 582132 or email [jstark@lancaster.gov.uk](mailto:jstark@lancaster.gov.uk).

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Published on TUESDAY, 27 JUNE 2006

**CABINET**

**THE CITY COUNCIL OF LANCASTER (VARIOUS ROADS)  
(ON STREET PARKING PLACES PROHIBITION AND  
RESTRICTION OF WAITING) (NO 2) ORDER 2006**

**Individual Cabinet Member Decision**

**Report of Head of Democratic Services**

<b>PURPOSE OF REPORT</b>			
The Cabinet Member is asked to consider seventy three letters of objection to the proposed Traffic Regulation Order			
<b>Key Decision</b>	<input type="checkbox"/>	<b>Non-Key Decision</b>	<input checked="" type="checkbox"/>
			<b>Referral from Cabinet Member</b>
<b>Date Included in Forward Plan</b>	N/A		
<b>This report is public</b>			

**RECOMMENDATIONS**

**That consideration be given to the objections received and thereafter the implementation of The City Council of Lancaster (Various Roads) (On Street Parking Places Prohibition and Restriction of Waiting) (No 2) Order 2006**

**1.0 Introduction**

The statutory procedure for making an Order, under Section 1, 2, 32, 35, 45, 46, 47, 49, 53, 63A and Schedule 9 of the Road Traffic Regulations Act, 1984 is set out in the Traffic Orders (Procedures) Regulations, 1989 (as amended). A draft Order was drafted and advertised in accordance with those regulations and subsequently the following objections were received:

**2.0 Proposal Details**

2.1 Details of the proposal are contained in Appendix A

## 3.0 Details of Consultation

### 3.1 Tower Court

Twenty letters of objection to the proposed residents parking scheme were received, the following points were raised:

- i) It was generally believed that the communal areas of Tower Court, which includes the visitor parking area, belong to the Tower Court Estate, for which the residents pay a maintenance charge. Some objectors state that this is shown in a covenant on their deeds.
- ii) The loss of the visitor parking spaces would devalue the properties in Tower Court.
- iii) Residents' private parking spaces would not be safeguarded by the scheme.
- iv) The general public would be brought into the communal gardens and areas maintained at the residents expense.
- v) Two copies of a letter from the City Council stating that Tower Court would not be part of a residents' parking scheme were received.
- vi) There will be nowhere for visitors or tradesmen to park.
- vii) The proposals are a breach of the original planning consent which stated that 1.5 parking spaces per dwelling must be provided.
- viii) Commuter parking is not a problem in Tower Court at the moment.
- ix) The increase in traffic as Permit holders search for a space would be a road safety issue for both pedestrians and cars in the Tower Court area as it was not designed to be a public car park.

### 3.2 Meadowside/South Road

One letter of objection was received, the resident objects to having to pay to park in his street and feels that there will be competition for spaces with residents of South Road who will be unable to park outside their own homes.

### 3.3 Percy Road

One letter of objection was received, the objector believes that the proposals will cause parking problems where previously there have been none, she also objects to the charge for a resident's permit.

### 3.4 South Road

Fifty one letters of objection to the proposed no waiting at any time restriction on South Road were received, the following points were raised:

- i) Properties on South Road would be devalued.
- ii) The aged and disabled who have to rely on friends, family, taxis and delivery people for assistance, all of whom must park nearby, would be disadvantaged.
- iii) Residents, especially those with small children would be seriously inconvenienced if they are not able to park near home to unload shopping etc.
- iv) Tradespeople who must have access to their vehicles would be inconvenienced.
- v) Elderly relatives would be prevented from visiting and all visitors would have difficulty parking.
- vi) Traffic congestion would be caused by loading/unloading, one resident is a tradesman who must load/unload his tools from his van each

morning/evening for insurance reasons, this is sometimes a lengthy process. Many of the residents are students who must load/unload their belongings several times a year. All residents must load/unload shopping etc.

- vii) Most of the properties on South Road have no access from the rear of the property or off street parking provision.

### 3.5 Greaves Road

Two letters of objection to the proposed no waiting at any time restrictions and residents parking scheme were received from residents of Greaves Road, the following points were raised

- i) It is unfair to have to pay to park outside ones own house when car owners have already paid to park on all of Britain's roads.
- ii) Not allowing people to park on Greaves Road will make them park in Sulby Drive outside somebody else's home, many of the parents on Sulby Drive are already concerned that the road is unsafe due to parked cars.
- iii) It is unfair for commercial vehicles to have to pay double when they often take up no more space than private cars.

Lancashire County Council Environment Directorate have been consulted.

The police have been consulted

The Ward Councillors have been consulted.

## **4.0 Options and Options Analysis (including risk assessment)**

4.1 To make the Order

4.2 Not to make the Order

4.3 To make the Order with amendments

## **5.0 Officer Preferred Option (and comments)**

5.1 The officer preferred option is to make the order with amendments that:-

- i) Remove the proposal to introduce a 'No Waiting At Any Time' restriction in South Road.
- ii) Remove the revocation relating to South Road, easterly side, in The City Council Lancaster (Various Roads) (Traffic Regulation) (No. 1) Order 1987

With regard to the objections:-

5.2 The proposed parking restrictions in Tower Court are to be introduced on the adopted highway, not private land. The covenants referred to by residents are private covenants between the developer and the purchasers of the properties.

5.3 Property owners do not have a right to park on the public highway and, in making traffic regulation orders, any effect on property value is not considered.

5.4 The letters written in 1998 stating that the Transportation Service Group decided not to introduce a scheme in the Tower Court area stated the reason that the scheme would create enforcement difficulties. The transfer of parking enforcement powers

from the Police to a contractor who is managed by the highway authority means that this is no longer the case.

- 5.5 Visitors and tradesmen may park in residents' bays providing that they display the appropriate permit.
- 5.6 The planning conditions relating to the provision of parking spaces in the area of the development may have stated a minimum number of spaces based on the number of properties, but there is no reduction in the overall number of parking spaces. Notwithstanding any planning requirement on developers to provide parking spaces, the highway authority has the power to remove or amend parking places.
- 5.7 The extension of the existing residents' parking scheme to include properties in South Road etc. is expected to place additional demands on the public parking areas in streets such as Tower Court and Percy Road and it is therefore recommended that these streets be included in the zone. In addition, the proposed will remove the parking by commuters that currently occurs there.
- 5.8 The highway authority has the power to create parking places and charge for their use.
- 5.9 The objections put forward by South Road residents will be addressed if the proposed introduction of a 'No Waiting' restriction in South Road is abandoned.

## **6.0 Conclusion**

- 6.1 Whilst it is acknowledged that the introduction of the scheme will mean a reduction in areas where some residents currently park, the Council has received many requests for the existing 'South Zone' residents' parking scheme to be extended to include other streets in the area and it is considered that the proposals contained in the order will improve the quality of life for many residents.
- 6.2 The County Council has been approached regarding the possibility of a bus lane being introduced in South Road and it has confirmed there is no proposal to introduce one there in the imminent future, and therefore it is recommended that the proposed 'No Waiting' restriction in South Road should be removed from the traffic regulation order.
- 6.3 The City Council's Ward Members have been consulted and the following responses were received:-
  - i) 3 Members want the Tower Court area to be removed from the proposed residents' parking zone.
  - ii) 4 Members support the removal of the proposed 'No Waiting' restrictions in South Road from the Order.

### **RELATIONSHIP TO POLICY FRAMEWORK**

Corporate Plan – Priority 3 – Making our environment cleaner and healthier including managing transport and parking.

The City Council is committed to the development of sustainable communities that are less reliant on the ownership and use of cars. Where there is sufficient demand, the Council is committed to the provision of residents' parking schemes where residents are given priority for on-street car parking places.

**CONCLUSION OF IMPACT ASSESSMENT**

**(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

None directly arising from this report

**FINANCIAL IMPLICATIONS**

There are no foreseeable financial implications arising from the introduction of this Traffic Regulation Order. It is expected that the costs of administering the scheme will be covered by the income generated.

**SECTION 151 OFFICER'S COMMENTS**

The S151 Officer has been consulted and has no further comments

**LEGAL IMPLICATIONS**

In accordance with Regulation 7 of the Road Traffic (Procedures) Regulations, 1989 the order making authority shall consider objections duly made prior to the implementation of those restrictions.

**MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has been consulted and has no further comments.

**BACKGROUND PAPERS**

The City Council of Lancaster (Various Roads) (On Street Parking Places Prohibition and Restriction of Waiting) (No 2) Order 2006

Letters of objection provided to the Cabinet Member are exempt from publication by virtue of paragraph 2 of Schedule 12A of the Local Government Act (as amended) as they contain information which is likely to reveal the identity of an individual.

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**Ref:**

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LANCASTER CITY COUNCIL

THE CITY COUNCIL OF LANCASTER

(VARIOUS ROADS)(ON STREET PARKING PLACES PROHIBITION  
AND RESTRICTION OF WAITING) (No 2) ORDER 2006

The City Council of Lancaster (hereinafter referred to as "the Council") pursuant to arrangements made under section 101 of the Local Government Act, 1972 with the County Council of Lancashire in exercise of its powers under Sections 1, 2, 32, 35, 45, 46, 47, 49, 53, 63A and Schedule 9 of the Road Traffic Regulation Act 1984(hereinafter called the "1984 Act") 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 1984 Act and Section 43 and Schedules 3 and 6 to the Road Traffic Act 1991(hereinafter called the "1991 Act") hereby make the following order.

1. **Commencement, Citation and Revocation**

- 1.1 This Order shall come into operation on ??????? and may be cited as " The City Council of Lancaster (Various Roads)(On Street Parking Places Prohibition and Restriction of Waiting)(No 2) Order 2006".
- 1.2 The Orders specified in the first column of Schedule 1 to this Order are hereby revoked insofar as they relate to the lengths of road specified in the second column of the said Schedule.

2. **Interpretations**

- 2.1 Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.
- 2.2 In this order, except where the context otherwise, requires, the following expressions have the meanings hereby respectively assigned to them: -
  - 2.2.1 "1984 Act" means the Road Traffic Regulation Act 1984 as amended by the Road Traffic Act 1991.
  - 2.2.2 "Authorised Parking Place" means any parking place on a road authorised or designated by an order made or having effect as if made under the Act of 1984 which is comprised within and indicated by a road marking complying with diagrams 1032 or 1033 in Schedule 6 of the Traffic Signs Regulations and General Directions 2002.
  - 2.2.3 "Care at Home Service" means a service provided by a recognised agency carrying out domiciliary work for a resident who is elderly or disabled, at the home of the resident;
  - 2.2.4 "Carers Permit" means a Carers Permit issued under the provisions of the City Council of Lancaster (Parking Permits and Charges) Order 2004, as amended or substituted by any subsequent enactment ;
  - 2.2.5 "Carers Permit Holder" means a person to whom a Carers Permit has been issued;

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- 2.2.6 "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
- 2.2.7 "Coach Parking Place" means any area of highway which is comprised within and indicated by a road marking complying with diagram 1028.3 variant in Schedule 6 of the Traffic Signs Regulations and General Directions 2002.
- 2.2.8 "Disabled Person" means a disabled person of a description prescribed by Regulation 4 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.
- 2.2.9 "Disabled Persons Badge" means a badge which:-
- 1.) was issued or has effect as if issued to a disabled person or institution under the Disabled Persons (Badge 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
  - 2.) has not ceased to be in force.
- 2.2.10 "Disabled Person's vehicle" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;
- 2.2.11 "Driver" in relation to a vehicle left at or waiting in a Parking Place means the person driving the vehicle at the time it was left at or is waiting at the Parking Place.
- 2.2.12 "Dual Purpose vehicle" has the same meaning as in Regulation 3 of the Road Vehicles (Construction and Use) Regulations 1986;
- 2.2.13 "Enactment" - means any enactment, whether public, general, or local and includes any order, bylaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;
- 2.2.14 "Goods Vehicle" means a motor vehicle constructed or adapted for use for the carriage of goods and burden of any description or a trailer so constructed or adapted;
- 2.2.15 "Highway Boundary" means the borderline of the highway as shown on the plans of the adopted highway produced and kept by the Highway authority or its agents.
- 2.2.16 "Invalid Carriage" means a mechanically propelled vehicle of which the unladen weight does not exceed 254 kilograms and which is specifically designed and constructed and not merely adapted for the use of a person suffering from some physical defect or disability and is used solely by such a person as defined in S.185 of the Road Traffic Act 1988
- 2.2.17 "Light Goods Vehicle" means a Goods Vehicle constructed or adapted for use for the carriage of goods or burden of any description whose laden weight does not exceed 2040kg.
- 2.2.18 "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.

- 2.2.19 "Magistrate Enforcement Officer" means an officer employed by Lancashire Magistrates Courts Commission for the purpose of arresting persons who have failed to pay penalties imposed by law;
- 2.2.20 "Motor Cycle" means a mechanically propelled vehicle (not being an invalid carriage) with fewer than 4 wheels, of which the weight unladen does not exceed 410 kilograms;
- 2.2.21 "Parking Attendant" means a parking attendant as defined in S.63A of The Road Traffic Regulation Act 1984 (which is inserted by S44 (1) of the Road Traffic Act 1991).
- 2.2.22 "Parking Charge" means the sum specified.
- 2.2.23 "Parking Disc" means a device which-
- 1) is 125 millimetres square and coloured blue, if issued on or after the 1<sup>st</sup> April 2000 or orange if issued before that date;
  - 2) has been issued by a local authority and has not ceased to be valid; and
  - 3) is capable of showing the quarter hour period during which a period of waiting has begun.
- 2.2.24 "Parking Place" means an area on a highway designated or authorised and described as a parking place by any of the various Articles or Schedules of this Order;
- 2.2.25 "Parking Services Manager" means a person appointed by the Council to administer the powers conferred on the Council by the 1984 Act and the 1991 Act with respect to this and other Traffic Regulation Orders.
- 2.2.26 "Parking Waiver" means a document issued by the Parking Services Manager to temporarily exempt a vehicle from the waiting restriction in a restricted road.
- 2.2.27 "Passenger Vehicle" means a motor vehicle (other than a motor cycle or invalid carriage) constructed solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the driver, and not drawing a trailer;
- 2.2.28 "Pay and Display Parking Place" means any area of highway which is comprised within and indicated by a road marking complying with diagrams 1028.4 variant, 1032 when individual bays are required or 1033 as specified within The Traffic Signs and General Directions 2002 as appropriate with respect to Article 21 but excluding any Disabled Persons Parking Places.
- 2.2.29 "Penalty Charge" and "Reduced Penalty Charge" means a charge set and varied from time to time under the provisions of Section 74 of the 1991 Act, such charge being payable by virtue of Paragraph 3(1) and (2) of Schedule 3 of the Act of 1991 in the manner set out in the Penalty Charge Notice.
- 2.2.30 "Penalty Charge Notice" means a Notice issued by a Parking pursuant to the provisions of Section 66 and Schedule 3 of the Act of 1991.
- 2.2.31 "Permit" means a permit or card issued under the provisions of the City Council of Lancaster (Parking Permits and Charges) Order 2004,

as amended or substituted by any subsequent enactment ;

- 2.2.32 "Permitted Hours" means in accordance with the periods specified in the corresponding Schedules.
- 2.2.33 "Registered Keeper" in relation to a vehicle means the person by whom such vehicle is kept and used;
- 2.2.34 "Relevant Position" means:-
- (a) In the case of a Disabled Person's Badge or Parking Disc means the position defined in Section 4 of the Local Authorities Traffic Orders (Exemption for Disabled Persons)(England) Regulations 2000;
  - (b) In the case of a Resident's Permit, Residents Visitor card or Tradesman Permit as follows -
    - in the case of a vehicle fitted with a front windscreen, the permit is exhibited thereon so that the front of the permit and details of vehicle registration number are legible from outside the vehicle;
    - in the case of a vehicle not fitted with a front windscreen, the badge or permit is exhibited in a conspicuous and readable position on the front or near side of the vehicle,
- 2.2.35 "Relevant Zone" means that zone in which a resident (as hereinafter defined) resides;
- 2.2.36 "Resident" means a person whose usual residence is at premises the postal address of which is in a road or part of a road within the Zones stated in this Order;
- 2.2.37 "Residents Parking Permit" means a residents permit issued under the provisions of the City Council of Lancaster (Parking Permits and Charges) Order 2004, as amended or substituted by any subsequent enactment, and "residents permit holder" means a person to whom such a permit has been issued;
- 2.2.38 "Residents Visitor Card" means a visitor's card issued under the provisions of the City Council of Lancaster (Parking Permits and Charges) Order 2004, as amended or substituted by any subsequent enactment;
- 2.2.39 "Road" means any length of highway or of any other road to which the public has access, and includes bridges over which a road passes;
- 2.2.40 "Telecommunications Apparatus" has the same meaning as in paragraph 1(1) of the Telecommunications Code contained in Schedule 2 to the Telecommunications Act 1984.
- 2.2.41 "Tradesman" means persons working at premises within a zone;
- 2.2.42 "Tradesmans Permit" means a tradesman's permit issued under the provisions of the City Council of Lancaster (Parking Permits and Charges) Order 2004, as amended or substituted by any subsequent

enactment:

- 2.2.43 "Traffic Sign" means a sign of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under, Section 64 of the Road Traffic Regulation Act 1984.
- 2.2.44 "Trailer" means any vehicle other than a motor vehicle.
- 2.2.45 "Universal Service Provider" has the same meaning as that assigned to it under the Postal Services Act 2000 (Consequential Modifications to Local Enactment No1) Order 2001.
- 2.2.46 "Valid Hours" in relation to the parking places specified in Schedule 8 to this Order means all hours;
- 2.2.47 "Vehicle" means a motor vehicle, a passenger vehicle, a dual-purpose vehicle, a goods vehicle, a motorcycle or an invalid carriage.
- 2.2.48 "Visitor" means either
- i. any person visiting a resident
  - ii. any tradesman (as defined above)
- 2.2.49 "Zone" means an area outlined by a black line on a Zone Plan appended to this order and any one zone may be referred to by the reference letter on the plan of that zone.
- 2.3 Any reference in this order to any enactment shall be construed as a reference to that enactment as amended or substituted by any subsequent enactment.
- 2.4 Any reference in this order to a masculine gender shall include reference to the feminine gender and neuter gender.
- 2.5 Any reference in this Order to a singular includes the plural.
- 2.6 The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
- 2.7 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made or having effect as if made under the Act or by or under any other enactment.
- 2.8 Each area on a highway comprising the length of carriageway of a road specified in the schedules to this Order bounded on one side of that length by the edge of the carriageway is designated as a Parking Place subject to the restrictions and provisions set out in this Order.

## **PROHIBITIONS AND RESTRICTIONS ON THE WAITING OF VEHICLES**

### **3. Waiting Restrictions**

#### **No Waiting**

- 3.1 Save as provided in Article 4 of this order no person shall, except upon the direction or with the permission of a Police Constable in uniform or of a Parking Attendant, cause or permit any vehicle to wait in any of the lengths of road specified in the first column of schedule 2 to this Order on the side or sides of road specified in the second column of the said schedule.

#### **Limited Waiting**

- 3.2 Save as provided in Article 4 of this Order, no person shall, except upon the

direction, or with the permission of a police constable in uniform, or of a Parking Attendant, cause or permit any vehicle to wait more than 1 hour, return prohibited within 2 hours, between 8.00 a.m. and 6.00 p.m. Monday to Saturday inclusive, in any of the roads specified in the first column of Schedule 3 to this Order on the side or sides of road specified opposite that road or length of road in the second column of the said Schedule.

Residents

- 3.3 Save as provided in Article 4 of this Order no person shall, except upon the direction or with the permission of a Police Constable in uniform or of a Parking Attendant, cause or permit any vehicle which is not displaying in the relevant position a valid Residents Parking Permit, Tradesman Permit, or Residents Visitor Card to wait in any of the parking places specified in Schedule 4 to this Order.

Disabled

- 3.4 Save as provided in Article 4 no person shall, except upon the direction or with the permission of a Police Constable in uniform or of a Parking Attendant, cause or permit any vehicle which is not displaying in the relevant position a valid Disabled Persons Badge to wait in any of the parking places specified in Schedule 5 to this Order.

4 **Exemptions from Waiting Restrictions**

- 4.1 Nothing in Articles 3.1, 3.2, 3.3, or 3.4 shall render it unlawful to cause or permit any vehicle to wait in the lengths of road or on the side 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) a vehicle which is in the service of or employed by a “**Universal Service Provider**” to be used for the purpose of delivering or collecting postal packets in accordance with the Postal Services Act 2000;
- (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 operations, namely:
  - 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 or side of road; or
  - iv) the laying, erection, alteration or repair or servicing in or in land adjacent to the said lengths of road or side of road of any sewer or of any pipe or apparatus for the supply of gas, water, or electricity or of any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1984;
- (d) the vehicle, if it cannot conveniently be used for such purpose in any road, to be used in the service of a local authority in pursuance of statutory powers or duties;
- (e) the vehicle to be employed in the recovery of another vehicle;
- (f) the vehicle to be used for fire brigade, ambulance or police purposes;
- (g) a Public Service Vehicle to be used in the operation of a local service waiting during a Layover period at any duly authorised bus stop or bus stand;

- (h) the vehicle to wait at or near any premises situated on or adjacent to the said side or any of the said lengths of road for so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral.
- 4.2 Nothing in Article 3.1, or 3.2 shall render it unlawful to cause or permit any vehicle to wait for so long as may be necessary for the purpose of enabling goods to be loaded on or unloaded from the vehicle in the lengths of road referred to in the said Articles.
- 4.3 Nothing in Article 3.1 shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge, and 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 any lengths of road or on the side of road referred to in the said Article for a period not exceeding 3 hours (not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle in the same length or on the same side of road on the same day).
- 4.4 Nothing in Article 3.2 shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge, to wait in any lengths of road or on the side of road referred to in the said Article.
- 4.5 Nothing in Article 3.3 of this Order shall render it unlawful to cause or permit a vehicle to wait in any of the roads, lengths of road or sides of road referred to in any of the said Articles for a period of up to 10 minutes, return prohibited within four hours, for the purpose of enabling goods to be loaded on or unloaded from the vehicle in the lengths of road referred to therein.
- 4.6 Nothing in Article 3.3 shall render it unlawful to cause or permit a vehicle which displays in the relevant position a valid Carers Permit to wait in any of the parking places referred to in the said Article for a period of 2 hours (not being a period separated by an interval of less than 4 hours from a previous period of waiting by the same vehicle in that road).
- 5. **CONDUCT OF PARKING PLACES**
- 5.1 PROVIDED ALWAYS that the provisions of Article 5 of this Order shall apply to any parking place and, in the event of any contravention of, or noncompliance with, a provision of Article 5 of this Order, the person responsible shall be guilty of an offence.
- 5.2 The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in 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.
- 5.3 Every vehicle left in a parking place in accordance with the foregoing provisions of this Order shall so stand that every part of the vehicle is within the limits of a parking space.

- 5.4 The Council may, by Notice or by Order, suspend the use of any parking place or any part thereof:-
- (a) for the purpose of any building operation, demolition or excavation in or adjacent to the parking place or the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, removal or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line or traffic sign;
  - (b) for the purpose of facilitating the movement of traffic or promoting its safety;
  - (c) for preventing obstruction of the streets on the occasion of any public procession rejoicing or illumination or when the streets are thronged or liable to be obstructed;
  - (d) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository.

5.5 A Police Constable in uniform may suspend for no longer than 24 hours the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary:-

- (a) for the purpose of facilitating the movement of traffic or promoting its safety; or
- (b) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
- (c) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions.

PROVIDED ALWAYS that the Council or the Police Constable in uniform in suspending the use of a parking place in accordance with the provisions of this Article shall place or cause to be placed in or adjacent to that parking place or the part thereof the use of which is suspended such traffic signs as are necessary to indicate that waiting by vehicles is prohibited.

5.6 A driver of a vehicle shall not use a parking place:-

- (a) 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;
- (b) when such parking place has been closed or suspended in accordance with the provisions of the Article of this Order.

- 5.7
- (a) when a vehicle is left in a parking place in contravention of or non-compliance with any of the provisions of this order a Police Constable or a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place.
  - (c) In case of an emergency a Police Constable or a person authorised in that behalf by the Council may alter the position of that vehicle in the parking place; or remove the vehicle or arrange for it to be removed from that parking place to any place he thinks fit.



- 5.8 Any person altering the position of a vehicle in, or removing a vehicle from, a parking place by virtue of the last preceding Article of this order may do so by towing or driving the vehicle or in such other manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position, as the case may be.
- 5.9 When a Police Constable or a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 5.7 of this part of the Order he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

### 6 **PROVISIONS RELATING TO RESIDENTS PERMITS, VISITOR PERMITS, TRADESMANS PERMITS, AND CARERS PERMITS**

- 6.1 The provisions relating to the validity of Residents Permits, Visitor Permits, Tradesmans Permits and Carers Permits for use in a parking place authorised by this order shall be determined by reference to the Schedules and Articles of this order and by reference to the City Council of Lancaster (Parking Permits and Charges) Order 2004, as amended or substituted by any subsequent enactment.
- 6.2 The provisions relating to the issue, amount of charge, replacement and renewal of Residents Permits, Visitor Permits Tradesmans Permits and Carers Permits shall be determined by reference to the City Council of Lancaster (Parking Permits and Charges) Order 2004, as amended or substituted by any subsequent enactment.

### 7 **PENALTY CHARGE AND PAYMENT**

- 7.1 Where a vehicle waits parks or is left on a road in contravention of Articles 5, 6, 7, 8, 9, 10, 11, or 12 of this order or fails to comply with the provisions of this order insofar as it relates to a vehicle waiting, parking or being left on a road then a Penalty Charge shall be payable.
- 7.2 The "Penalty Charge" and "Reduced Penalty Charge" shall be set and varied from time to time under the provisions of Section 74 of the 1991 Act, such charge being payable by virtue of Paragraph 3(1) and (2) of Schedule 3 of the Act of 1991 in the manner set out in the Penalty Charge Notice.
- 7.3 In the case of a vehicle in respect of which a Penalty Charge is payable a Penalty Charge Notice may be issued by a Parking Attendant in accordance with the requirements of Section 66 of the Act of 1991.
- 7.4 Where a Penalty Charge Notice has been issued the Penalty Charge shall be payable by the owner of the vehicle in respect of which that notice was issued in accordance with Section 66 of the Act of 1991 on the scale set out in the Schedule of Charges of this order.
- 7.5 Where a Penalty Charge is payable and has not been paid to the Council within 28 days of the issue of the Penalty Charge Notice the Council may serve a notice in accordance with Section 66 and Section 6 of the Act of 1991 on the person who appears to them to have been the owner of the vehicle when the alleged contravention occurred.



**SCHEDULE 1****REVOCATIONS**

The Trunk Road (South Road, Lancaster) (Prohibition and Restriction of waiting) Order 1977	The whole of the Order.
The City of Lancaster (Various Roads) (Traffic Regulation) (No. 2) Order 1978	The Schedule to the Order in so far as it relates to Meadowside.
The City Council Lancaster (Various Roads) (Traffic Regulation) (No. 2) Order 1986	Schedule 2 of the Order in so far as it relates to Greaves Road.
The City Council Lancaster (Various Roads) (Traffic Regulation) (No. 1) Order 1987	Schedule 2 of the Order in so far as it relates to Alma Road.
The City Council Lancaster (Various Roads) (Traffic Regulation) (No. 1) Order 1987	Schedule 3 of the Order in so far as it relates to South Road, easterly side.
The City Council Lancaster (Various Roads) (Traffic Regulation) (No. 1) Order 1994	Schedule 2 of the Order in so far as it relates to Meadowside.
The City Council Lancaster (Various Roads) (Traffic Regulation) (No. 1) Order 1995	Schedule 2 of the Order in so far as it relates to Charles Street.
The City Council Lancaster (Various Roads) (Waiting Restrictions) No. 4 Order 1998	Schedule 5 of the Order in so far as it relates to Meadowside.
The City Council Lancaster (Various Roads) (Traffic Regulation) (No. 4) Order 2000	Schedule 3 of the Order in so far as it relates to Meadowside.
The City Council of Lancaster (Lancaster City Centre) (Traffic Regulation) (Consolidation and Amendment) Order 2000	<ul style="list-style-type: none"> <li>i) Schedule 2 of the Order in so far as it relates to Springfield Street, Railway Street, and Boundary Road.</li> <li>ii) Schedule 8 of the Order in so far as it relates to Springfield Street, Railway Street, and Boundary Road.</li> </ul>

**SCHEDULE 2**  
**WAITING PROHIBITED AT ANY TIME**

<b><u>Length of Road in the City of Lancaster</u></b>	<b><u>Side of Road</u></b>
<b><u>LANCASTER</u></b>	
<b><u>Alma Road</u></b>	
i) From the highway boundary of Charles Street to the easterly cul de sac end of Alma Road.	Northerly side
ii) From the highway boundary of Charles Street to a point 21 metres east of the centre line of Charles Street.	Southerly side
iii) From a point 36 metres east of the centre line of Charles Street for a distance of 4 metres in a easterly direction.	Southerly side
<b><u>Boundary Road</u></b>	
i) From a point at the north east corner of Boundary Road cul de sac end for a distance of 58 metres following the property boundary and kerb line in a south westerly direction.	Northerly side
ii) From a point at the north east corner of Boundary Road cul de sac end for a distance of 21 metres following the kerb line in a southerly direction	Easterly side
iii) From a point in line with the northern projection of the south west facing gable end line of property No 2 Railway Street following the kerb line for a distance of 8 metres in a south westerly direction.	Easterly side
<b><u>Charles Street</u></b>	
i) From the highway boundary of Ashton Road to a point 6 metres south of the centre line of Alma Road	Easterly side.
ii) From a point 68 metres south of the centre line of Alma Road to the southerly highway boundary of Charles Street.	Easterly side.
iii) From the highway boundary of Ashton Road to a point 8 metres south of the centre line of Percy Road.	Westerly side.
<b><u>Greaves Road</u></b>	
i) From a point 3metres north of the centre line of Sulby Drive for a distance of 8 metres in a northerly direction.	Westerly side.
ii) From a point 149metres north of the centre line of Sulby Drive to a point 19 metres north west of the northerly gable end of 1 Alma Road.	Westerly side.
<b><u>Meadowside</u></b>	
i) From a point 14m south of the centre line of the west-east section of Meadowside following the kerb line to a point 14m east of the centre line of the north-south section	Easterly/southerly side.

of Meadowside.

ii) From a point 66 metres south of the centre line of the east-west section of Meadowside for a distance of 7 metres in a southerly direction. Easterly side.

iii) From a point 107 metres south of the centre line of the east-west section of Meadowside to the highway boundary of Bowerham Road. Easterly side.

iv) From a point 8 metres south of the centre line of the east-west section of Meadowside following the kerb line to a point 12 metres west of the centre line of the north-south section of Meadowside. Westerly/southerly side.

v) From a point 102 metres south of the centre line of the east-west section of Meadowside for a distance of 9 metres in a southerly direction. Westerly side.

vi) From a point 126 metres south of the centre line of the east-west section of Meadowside to the highway boundary of Bowerham Road. Westerly side.

vii) From a point in line with the southerly garden boundary of 23 Meadowside for a distance of 12 metres in a southerly direction. Westerly cul de sac end.

**Percy Road**

i) From the highway boundary of Charles Street to a point 18 metres west of the centre line of Charles Street. Southerly side.

ii) From the highway boundary of Charles Street to the cul de sac end of Percy Road. Northerly side.

**Railway Street**

i) From the highway boundary of South Road to a point 1 metre south west of the line of the north easterly gable end of 13 Railway Street. Northerly side.

ii) From a point 31 metres south west of the line of the north easterly gable end of 13 Railway Street for a distance of 9 metres in a south easterly direction. Northerly side.

iii) From a point 2 metres south west of the line of the north easterly gable end of 2 Ripley Street to the highway boundary of South Road. Southerly side.

**South Road**

i) From the highway boundary of Penny Street to the highway boundary of Greaves Road. South westerly side.

ii) From the highway boundary of Penny Street to the highway boundary of Bowerham Road. North easterly side.

**Springfield Street**

i) From the highway boundary of South Road to a point North westerly side

14 metres north east of the centre line of South Road.

ii) From the highway boundary of South Road to a point 20 metres north east of the centre line of South Road.

South easterly side

**Tower Court**

i) From the highway boundary of Springfield Street to a point in line with the south easterly side of 35 to 40 Tower Court.

South easterly/ south  
westerly side

ii) From a point 11 metres north east of the line of the north easterly gable end of 21 Springfield Street for a distance of 18 metres in a north easterly direction.

North westerly side

iii) From the easterly highway boundary in the northerly section of Tower Court to a point 3.5 metres east of the westerly side of 19 Tower Court.

Southerly/easterly/  
northerly side adjacent  
to 10 to 16 and 19  
Tower Court

iv) From the easterly highway boundary in the northerly section of Tower Court to a point 1 metre west of the westerly side of the building containing 10 to 16 Tower Court.

Northerly side of the  
carriageway linking to  
the unadopted  
carriageway in front of  
1 to 6 Tower Court

v) From a point in line with the south west corner plot boundary of No 25 Tower Court boundary wall for a distance of 15 metres in an easterly direction.

Northerly side of the  
southerly section of  
Tower Court.

vi) From a point 2 metres east of the easterly building corner of property No 30 Tower Court for a distance of 20 metres in a westerly direction.

Southerly side of the  
southerly section of  
Tower Court.

vii) From a point 2 metres east of the easterly building corner of No 34 Tower Court for a distance of 6 metres in an easterly direction.

Southerly side of the  
southerly section of  
Tower Court.

**SCHEDULE 3**

**AREAS OF HIGHWAY DESIGNATED AS LIMITED WAITING PARKING PLACES, WAITING LIMITED TO 1 HOUR - RETURN PROHIBITED WITHIN 2 HOURS - MONDAY TO SATURDAY 8AM TO 6PM**

**Length of Road in the City of Lancaster**

**Side of Road**

**LANCASTER**

**Meadowside**

- |  |  |
|--|--|
| i) From a point 114.6 metres south of the centre line of the east-west section of Meadowside for a distance of 12 metres in a southerly direction. (echelon parking) | Westerly side.<br>(bay off the main carriageway) |
| ii) From a point 73 metres south of the centre line of the east-west section of Meadowside for a distance of 34 metres in a southerly direction.                     | Easterly side.                                   |

**SCHEDULE 4**

**AREAS OF HIGHWAY DESIGNATED AS RESIDENTS PARKING PLACES RESIDENTS PERMIT PARKING ZONE D**

**Length of Road in the City of Lancaster**

**Side of Road**

**LANCASTER**

**Alma Road**

- |   |                 |
|---|-----------------|
| i) From a point 21 metres east of the centre line of Charles Street for a distance of 15 metres in an easterly direction. | Southerly side. |
| ii) From a point 39 metres east of the centre line of Charles Street for a distance of 5 metres in an easterly direction. | Southerly side. |

**Boundary Road**

- |  |   |
|--|---|
| i) From the intersection of the northerly projected line of the south westerly gable end of 2 Railway Street and the Southerly side kerb line in Railway Street, for a distance of 3 metres in a south westerly direction.                             | The side adjacent to the houses numbered 2 to 22 Railway Street   |
| ii) From a point 6 metres south west of the intersection of the northerly projected line of the south westerly gable end of 2 Railway Street and the southerly kerb line in Railway Street, for a distance of 14 metres in a south easterly direction. | The side adjacent to the houses numbered 2 to 22 Railway Street   |
| iii) From the intersection of the northerly projected line of the south westerly gable end of 2 Railway Street and the northerly kerb line in Railway Street for a distance of 81 metres in a southerly, then north easterly direction.                | The side furthest from the houses numbered 2 to 22 Railway Street |

**Charles Street**

- i) From a point 6 metres south of the centre line of Alma Road for a distance of 39 metres in a southerly direction. Easterly side
- ii) From a point 52 metres south of the centre line of Alma Road for a distance of 16 metres in a southerly direction. Easterly side

**Greaves Road**

From a point 11 metres north of the centre line of Sulby Drive for a distance of 138 metres in a northerly direction. Westerly side.

**Meadowside**

- i) From a point 14 metres south of the centre line of east-west section of Meadowside for a distance of 44 metres in a southerly direction. Easterly side
- ii) From a point 8 metres south of the centre line of the east-west section of Meadowside for a distance of 45 metres in a southerly direction. Westerly side
- iii) From a point 61 metres south of the centre line of the east-west section of Meadowside for a distance of 21 metres in a southerly direction. Westerly side.
- iv) From a point 91 metres south of the centre line of the east-west section of Meadowside for a distance of 11 metres in a southerly direction. Westerly side.
- v) From a point 12 metres west of the centre line of the north-south section of Meadowside for a distance of 37 metres in an easterly direction. Southerly side.
- vi) From a point 33 metres east of the centre line of the north-south section of Meadowside for a distance of 28 metres in an easterly direction. Southerly side.
- vii) From a point 19 metres west of the centre line of the north-south section of Meadowside for a distance of 35 metres in a westerly direction. Northerly side.
- viii) From a point 13 metres west of the centre line of the north-south section of Meadowside for a distance of 34 metres in an easterly direction. Northerly side.
- ix) From a point 26 metres east of the centre line of the north-south section of Meadowside for a distance of 35 metres in an easterly direction. Northerly side.

**Percy Road**

From a point 18 metres west of the centre line of Charles Street for a distance of 41 metres in a westerly direction. Southerly side.



**Railway Street**

i) From a point 2 metres south west of the line of the north easterly gable end of 2 Ripley Street to a point in line with the south westerly gable end of 2 Railway Street. South easterly side.

ii) From a point 1 metre south west of the line of the north easterly gable end of 13 Railway Street for a distance of 30 metres in a south westerly direction. North westerly side.

iii) From a point 40 metres south west of the line of the north easterly gable end of 13 Railway Street to a point in line with the southerly gable end of 2 Railway Street. North westerly side.

**Springfield Street**

i) From a point 14 metres north east of the centre line of South Road for a distance of 25 metres in a north easterly direction. North westerly side.

ii) From a point 42 metres north east of the centre line of South Road for a distance of 10 metres in a north easterly direction. North westerly side

iii) From a point 55 metres north east of the centre line of South Road for a distance of 10 metres in a north easterly direction. North westerly side

iv) From a point 68 metres north east of the centre line of South Road for a distance of 9 metres in a north easterly direction. North westerly side

v) From a point 80 metres north east of the centre line of South Road for a distance of 10 metres in a north easterly direction. North westerly side

vi) From a point 93 metres north east of the centre line of South Road for a distance of 5 metres in a north easterly direction. North westerly side

vii) From a point 20 metres north east of the centre line of South Road for a distance of 47 metres in a north easterly direction. South easterly side.

viii) From a point 72 metres north east of the centre line of South Road for a distance of 25 metres in a north easterly direction. South easterly side.

**Tower Court**

i) From a point 1 metre north east of the line of the north easterly gable end of 21 Springfield Street for a distance of 10 metres in a north easterly direction. (echelon parking) North westerly side (bay off the main carriageway).

- |   |  |
|---|--|
| ii) From a point 1 metre west of the westerly side of the building containing 10 to 16 Tower Court for a distance of 10 metres in a westerly direction. (echelon parking)     | Northerly side of the northerly section of Tower Court. (bay off the main carriageway)                     |
| iii) From a point 8 metres north of the northerly side of the building containing 10 to 16 Tower Court for a distance of 5 metres in a northerly direction. (echelon parking) | Easterly side of the northerly section of Tower Court. (bay off the main carriageway).                     |
| iv) From a point 4 metres east of the westerly side of 19 Tower Court for a distance of 10 metres in an easterly direction. (echelon parking)                                 | Northerly side of the southerly section of Tower Court. (bay off the main carriageway).                    |
| v) From a point 1 metre south of the northerly side of 34 Tower Court for a distance of 5 metres in a southerly direction. (echelon parking)                                  | Westerly side of the section of Tower Court to the east of 34 Tower Court. (bay off the main carriageway). |
| vi) From a point 1 metre south of the northerly side of 34 Tower Court for a distance of 5 metres in a southerly direction. (echelon parking)                                 | Easterly side of the section of Tower Court to the east of 34 Tower Court. (bay off the main carriageway). |
| vii) From a point in line with of the southerly side of 25 Tower Court for a distance of 13 metres in a southerly direction. (echelon parking)                                | Easterly side of the southerly section of Tower Court. (bay off the main carriageway).                     |

viii) From a point 2 metres east of the easterly side of 30 Tower Court for a distance of 9 metres in an easterly direction. (echelon parking)

Southerly side of the southerly section of Tower Court (bay off the main carriageway).

**SCHEDULE 5**

**AREAS OF HIGHWAY DESIGNATED AS DISABLED PERSONS PARKING PLACES**

**Length of Road in the City of Lancaster**

**Side of Road**

**LANCASTER**

**Meadowside (north-south section)**

- |   |   |
|---|---|
| i) From a point 111 metres south of the centre line of the east-west section of Meadowside for a distance of 3.6 metres in a southerly direction. (echelon parking) | Westerly side. (bay off the main carriageway) |
| ii) From a point 14 metres east of the centre line of the north-south section of Meadowside for a distance of 7 metres in an easterly direction.                    | Southerly side                                |
| iii) From a point 26 metres east of the centre line of the north-south section of Meadowside for a distance of 7 metres in an easterly direction.                   | Southerly side                                |

**STATEMENT OF REASONS**

**ROAD**

**STATEMENT OF REASONS**

**COUNTY COUNCIL'S TRO CATEGORY**

All roads in this order

1. In the interest of road safety
2. For preserving or improving the amenities in the area through which the roads run.

3

The aim is to reduce the volume of traffic travelling through a residential area and provide parking places for local residents.

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*Contact:* Chief Executive  
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*E-mail:* MCullinan@lancaster.gov.uk  
*Our reference:* CE/JS/UB36  
*Your reference:*

**CHIEF EXECUTIVE**

Councillor Ian Barker,  
Leader of Cabinet.

Town Hall  
Dalton Square  
Lancaster  
LA1 1PJ

Councillor Janice Hanson  
Cabinet Member with Special  
Responsibility for Engineering

DX 63531

19<sup>th</sup> June 2006

Dear Councillor,

**URGENT BUSINESS – THE CITY COUNCIL OF LANCASTER (VARIOUS ROADS) (ON STREET PARKING PLACES PROHIBITION AND RESTRICTION OF WAITING) (NO 2) ORDER 2006**

Members are requested to consider seventy three letters of objection to the proposed Traffic Regulation Order, in accordance with the Council's Urgent Business Procedure, details of which are set out within the attached report.

The urgency for this decision is that due to a clerical error with the previous decision it is necessary to enact the decision prior to the transfer of the Highways function to the County Council and it is impracticable to defer the decision until the publication date for Individual Cabinet Member Decisions.

The recommendation is that consideration be given to the objections received and thereafter the implementation of The City Council of Lancaster (Various Roads) (On Street Parking Places Prohibition and Restriction of Waiting) (No 2) Order 2006 and that the Order be approved subject to the amendments listed in the attached documentation.

The approval of the Chief Executive in consultation with the Chairman of the Overview and Scrutiny Committee has been sought to this action in accordance with Overview and Scrutiny Committee Procedure Rule 17(a) in order that implementation of the decision is not further delayed. Please note that this is subject to your agreement to the proposal.

I would be grateful if you could complete the attached slip, signifying whether you are in agreement with the recommendation or not, and return it to the Town Hall as soon as possible. In the meantime, could you please telephone Jon Stark on 582132, or e-mail JStark@lancaster.gov.uk, with your decision.

Yours sincerely,

**CHIEF EXECUTIVE**  
**Enc.**

*Mark Cullinan – Chief Executive*

**URGENT BUSINESS – THE CITY COUNCIL OF LANCASTER (VARIOUS ROADS) (ON STREET PARKING PLACES PROHIBITION AND RESTRICTION OF WAITING) (NO 2) ORDER 2006**

Councillor Consultation

\*I am/~~am not~~ (**\*please delete as appropriate**) in agreement with the recommendation that having given due consideration to the objections received the Council approves the implementation of The City Council of Lancaster (Various Roads) (On Street Parking Places Prohibition and Restriction of Waiting) (No 2) Order 2006, subject to the following amendments:

(1) in respect of Schedule 1:

- (a) deletion of the revocation of the City of Lancaster (Various Roads)(Traffic Regulation) (No 1) Order 1987, Schedule 2 in so far as it related to South Road, easterly side.
- (b) deletion of the revocation of the Trunk Road (South Road, Lancaster)(Prohibition & Restriction of Waiting) Order 1977.

(2) in respect of Schedule 2:

- (a) deletion of (vii) relating to the westerly cul de sac end of Meadowside
- (b) deletion of South Road in its entirety
- (c) deletion of Tower Court in its entirety

(3) in respect of Schedule 4:

- deletion of Tower Court in its entirety

Signed: Ian Barker

Name: Councillor Ian Barker

Position Held: Leader of the Council

Dated: 22/06/2006

Chief Executive Decision

\*I agree/~~do not agree~~ (**\*please delete as appropriate**) to exercise my delegated authority and having given due consideration to the objections received the Council approves the implementation of The City Council of Lancaster (Various Roads) (On Street Parking Places Prohibition and Restriction of Waiting) (No 2) Order 2006, subject to the following amendments:

(4) in respect of Schedule 1:

- (a) deletion of the revocation of the City of Lancaster (Various Roads)(Traffic Regulation) (No 1) Order 1987, Schedule 2 in so far as it related to South Road, easterly side.
- (b) deletion of the revocation of the Trunk Road (South Road, Lancaster)(Prohibition & Restriction of Waiting) Order 1977.

(5) in respect of Schedule 2:

- (a) deletion of (vii) relating to the westerly cul de sac end of Meadowside
- (b) deletion of South Road in its entirety
- (c) deletion of Tower Court in its entirety

(6) in respect of Schedule 4:

- deletion of Tower Court in its entirety

Signed: Mark Cullinan

Chief Executive

Dated: 27/06/2006

Please return to: Jon Stark,  
Democratic Services,  
Town Hall,  
Dalton Square,  
LANCASTER. LA1 1PJ

Ref: UB36

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*E-mail:* MCullinan@lancaster.gov.uk  
*Our reference:* CE/JS/UB36  
*Your reference:*

**CHIEF EXECUTIVE**

Councillor Ian Barker,  
Leader of Cabinet.

Town Hall  
Dalton Square  
Lancaster  
LA1 1PJ

Councillor Janice Hanson  
Cabinet Member with Special  
Responsibility for Engineering

DX 63531

19<sup>th</sup> June 2006

Dear Councillor,

**URGENT BUSINESS – THE CITY COUNCIL OF LANCASTER (VARIOUS ROADS) (ON STREET PARKING PLACES PROHIBITION AND RESTRICTION OF WAITING) (NO 2) ORDER 2006**

Members are requested to consider seventy three letters of objection to the proposed Traffic Regulation Order, in accordance with the Council's Urgent Business Procedure, details of which are set out within the attached report.

The urgency for this decision is that due to a clerical error with the previous decision it is necessary to enact the decision prior to the transfer of the Highways function to the County Council and it is impracticable to defer the decision until the publication date for Individual Cabinet Member Decisions.

The recommendation is that consideration be given to the objections received and thereafter the implementation of The City Council of Lancaster (Various Roads) (On Street Parking Places Prohibition and Restriction of Waiting) (No 2) Order 2006 and that the Order be approved subject to the amendments listed in the attached documentation.

The approval of the Chief Executive in consultation with the Chairman of the Overview and Scrutiny Committee has been sought to this action in accordance with Overview and Scrutiny Committee Procedure Rule 17(a) in order that implementation of the decision is not further delayed. Please note that this is subject to your agreement to the proposal.

I would be grateful if you could complete the attached slip, signifying whether you are in agreement with the recommendation or not, and return it to the Town Hall as soon as possible. In the meantime, could you please telephone Jon Stark on 582132, or e-mail JStark@lancaster.gov.uk, with your decision.

Yours sincerely,

**CHIEF EXECUTIVE**  
**Enc.**

*Mark Cullinan – Chief Executive*

**URGENT BUSINESS – THE CITY COUNCIL OF LANCASTER (VARIOUS ROADS) (ON STREET PARKING PLACES PROHIBITION AND RESTRICTION OF WAITING) (NO 2) ORDER 2006**

Councillor Consultation

\*I am/~~am not~~ (**\*please delete as appropriate**) in agreement with the recommendation that having given due consideration to the objections received the Council approves the implementation of The City Council of Lancaster (Various Roads) (On Street Parking Places Prohibition and Restriction of Waiting) (No 2) Order 2006, subject to the following amendments:

(1) in respect of Schedule 1:

- (a) deletion of the revocation of the City of Lancaster (Various Roads)(Traffic Regulation) (No 1) Order 1987, Schedule 2 in so far as it related to South Road, easterly side.
- (b) deletion of the revocation of the Trunk Road (South Road, Lancaster)(Prohibition & Restriction of Waiting) Order 1977.

(2) in respect of Schedule 2:

- (a) deletion of (vii) relating to the westerly cul de sac end of Meadowside
- (b) deletion of South Road in its entirety
- (c) deletion of Tower Court in its entirety

(3) in respect of Schedule 4:

- deletion of Tower Court in its entirety

Signed: Janice Hanson

Name: Councillor Janice Hanson

Position Held: Cabinet Member with Special Responsibility for Engineering

Dated: 22/06/2006

Chief Executive Decision

\*I agree/~~do not agree~~ (**\*please delete as appropriate**) to exercise my delegated authority and having given due consideration to the objections received the Council approves the implementation of The City Council of Lancaster (Various Roads) (On Street Parking Places Prohibition and Restriction of Waiting) (No 2) Order 2006, subject to the following amendments:

(4) in respect of Schedule 1:

- (a) deletion of the revocation of the City of Lancaster (Various Roads)(Traffic Regulation) (No 1) Order 1987, Schedule 2 in so far as it related to South Road, easterly side.
- (b) deletion of the revocation of the Trunk Road (South Road, Lancaster)(Prohibition & Restriction of Waiting) Order 1977.

(5) in respect of Schedule 2:

- (a) deletion of (vii) relating to the westerly cul de sac end of Meadowside
- (b) deletion of South Road in its entirety
- (c) deletion of Tower Court in its entirety

(6) in respect of Schedule 4:

- deletion of Tower Court in its entirety

Signed: Mark Cullinan

Chief Executive

Dated: 27/06/2006

Please return to: Jon Stark,  
Democratic Services,  
Town Hall,  
Dalton Square,  
LANCASTER. LA1 1PJ

Ref: UB36

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*E-mail:* [MCullinan@lancaster.gov.uk](mailto:MCullinan@lancaster.gov.uk)  
*Our reference:* CE/JS/UB36  
*Your reference:*

**CHIEF EXECUTIVE**

Councillor Stuart Langhorn,  
Chairman of the Overview and Scrutiny Committee.

Town Hall  
Dalton Square  
Lancaster  
LA1 1PJ

DX 63531

19<sup>th</sup> June 2006

Dear Councillor,

**URGENT BUSINESS – THE CITY COUNCIL OF LANCASTER (VARIOUS ROADS) (ON STREET PARKING PLACES PROHIBITION AND RESTRICTION OF WAITING) (NO 2) ORDER 2006**

Members are requested to consider seventy three letters of objection to the proposed Traffic Regulation Order, in accordance with the Council's Urgent Business Procedure, details of which are set out within the attached report.

The urgency for this decision is that due to a clerical error with the previous decision it is necessary to enact the decision prior to the transfer of the Highways function to the County Council and it is impracticable to defer the decision until the next publication date for Individual Cabinet Member Decisions.

The recommendation is that consideration be given to the objections received and thereafter the implementation of The City Council of Lancaster (Various Roads) (On Street Parking Places Prohibition and Restriction of Waiting) (No 2) Order 2006 and that the Order be approved subject to the amendments listed in the attached documentation.

The approval of the Chief Executive has been sought to this action in accordance with Overview and Scrutiny Committee Procedure Rule 17(a) in order that implementation of the decision is not further delayed. Please note that this is subject to the agreement of the Cabinet Member with Special Responsibility and Leader of Cabinet.

I would be grateful if you could consider the immediate implementation of this course of action subject to the agreement of the Chief Executive to waive the right of call-in, in accordance with Overview and Scrutiny Committee Procedure Rule 17(a). Please complete the attached slip signifying your decision and return it to the Town Hall as soon as possible. In the meantime, could you please telephone Jon Stark on 582132, or e-mail [JStark@lancaster.gov.uk](mailto:JStark@lancaster.gov.uk), with your decision.

Yours sincerely,

**CHIEF EXECUTIVE**  
**Enc.**

**URGENT BUSINESS – THE CITY COUNCIL OF LANCASTER (VARIOUS ROADS) (ON STREET PARKING PLACES PROHIBITION AND RESTRICTION OF WAITING) (NO 2) ORDER 2006**

\*I agree/~~do not agree~~ (**\*please delete as appropriate**) to this matter being treated as a matter of urgency in accordance with Overview and Scrutiny Committee Procedure Rule 17(a) and therefore not being subject to call-in.

Signed: Councillor Stuart Langhorn

Dated: 21/06/2006

Please return to: Jon Stark,  
Democratic Services,  
Town Hall,  
Dalton Square,  
LANCASTER. LA1 1PJ

Ref: UB36

**CABINET**

**THE CITY COUNCIL OF LANCASTER (VARIOUS ROADS)  
(ON STREET PARKING PROHIBITION AND RESTRICTION  
OF WAITING) (NO 3) ORDER 2006**

**Individual Cabinet Member Decision**

**Report of Head of Democratic Services**

<b>PURPOSE OF REPORT</b>			
The Cabinet Member is asked to consider eighteen letters received following the advertisement of the proposed Traffic Regulation Order			
<b>Key Decision</b>	<input type="checkbox"/>	<b>Non-Key Decision</b>	<input checked="" type="checkbox"/>
			<b>Referral from Cabinet Member</b>
<b>Date Included in Forward Plan</b>	N/A		
<b>This report is public</b>			

**RECOMMENDATIONS OF THE HEAD OF DEMOCRATIC SERVICES**

That consideration be given to the objections received and thereafter the implementation of The City Council of Lancaster (Various Roads) (On Street Parking Prohibition and Restriction of Waiting) (No 3) Order 2006

**1.0 Introduction**

The statutory procedure for making an Order, under Section 1, 2, 32, 35, 45, 46, 47, 49, 53, 63A and Schedule 9 of the Road Traffic Act, 1984, is set out in the Traffic Orders (Procedures) Regulations, 1989 (as amended). A draft Order was drafted and advertised in accordance with those regulations and subsequently the following objections were received:

**2.0 Proposal Details**

Details of the proposal are contained in Appendix A

### **3.0 Details of Consultation**

#### **3.1 Cork Road**

- i) A resident of Canterbury Avenue welcomes the proposals for Cork Road but feels that the parking problem will be pushed round the corner into Exeter Avenue and Canterbury Avenue and requests that consideration is given to the introduction of a no waiting restriction on these street corners for safety reasons.
- ii) A Ward Councillor states that the parking problem is caused by drivers who attend St Martins College, therefore a Monday – Friday 9.00 am – 6.00 pm restriction would be sufficient rather than waiting prohibited at any time. He also asks that consideration be given to the introduction of a no waiting restriction on the corners of Ulster Road, Exeter Avenue and Canterbury Avenue for road safety reasons.

#### **3.2 Norfolk Street/Owen Road**

- i) The resident objects to the no waiting at any time restriction around his home, he feels that an alternative arrangement could be made for buses.

#### **3.3 St Oswald Street**

Fifteen letters were received regarding the proposed no waiting at any time restrictions on St Oswald Street, the following points were raised:

- i) The two proposed passing places on the south side of St Oswald street are a good idea.
- ii) The decision not to introduce a residents parking scheme is welcomed.
- iii) It was suggested that parking spaces be created at the junction of St Oswalds Street and St Martins Road.
- iv) The proposals will bar many residents from parking in their own street.
- v) The proposal benefits a bus route and through traffic rather than the residents of the street.
- vi) It was suggested that St Martin's College be allowed to expand their on-campus parking to help alleviate the parking problem.
- vii) It was suggested that a resident's parking scheme is the answer to the problem.

### **4.0 Options and Options Analysis (including risk assessment)**

4.1 To make the Order

4.2 Not to make the Order

4.3 To make the Order with amendments



**5.0 Officer Preferred Option (and comments)**

5.1 The officer preferred option is to make the order with an amendment to reduce the length of the proposed 'No Waiting' restriction in the Owen Road/Aldren's Lane area as follows:-

- i) Delete the reference to Owen Road in the Second Schedule of the Order and insert the following:

Owen Road (Section adjacent to Norfolk Street junction)

- i) From a point 14 metres south of the centre line of Norfolk Street to the highway boundary of Aldren's Lane. Westerly side.
- ii) From a point 12 metres south of the centre line of Norfolk Street to the highway boundary of Aldren's Lane. Easterly side.

Aldren's Lane

- i) From the highway boundary of Owen Road to a point 15 metres north of the centre line of Norfolk Street. Westerly side.
- ii) From the highway boundary of Owen Road to a point 11 metres north of the centre line of Norfolk Street. Easterly side.

This amendment reduces the length of the proposed 'No Waiting' restriction in front of 2 Aldrens Lane by 4 metres and the length of the restriction in front of 2 Owen Road by 2 metres.

With regard to the objections:-

5.2 The restrictions in the traffic order cannot be made more restrictive, therefore waiting restrictions cannot be introduced in the side roads leading off Cork Road.

5.3 It is accepted that obstruction problems are observed more during the college hours in term time, however, it is recommended that the 'No Waiting At Any Time' restriction should not be amended because:-

- i) Obstruction of vehicles such as buses and fire tenders will occur if vehicles are parked opposite each other on both sides of Cork Road, regardless of the time of day (it should be noted that the bus that is regularly obstructed in this area is a small one). The proposed restriction will prevent this happening at all times.
- ii) The request for a reduction in the restricted period is based on the assumption that there are fewer vehicles parked overnight and therefore there is less likelihood of obstruction occurring, however this cannot be guaranteed. It is noted that the properties in Cork Road area have off-street parking areas and, when there are fewer cars parked, such as in the evening, there is more opportunity for visitors to find a parking space nearby.
- iii) In roads such as Cork Road, which are relatively narrow and contain no parking restrictions, drivers tend to park partly on the footway, where they obstruct the footway and damage its surface. The introduction of a full-time restriction on one side of the road will encourage drivers to park fully on the carriageway rather than partly on the footway.

5.4 The officer preferred option is to make the order with an amendment to the length of the proposed 'No Waiting' restriction in Owen Road running into Aldrens Lane.

5.5 The bus route along Norfolk Street has been established for many years and there is a public demand for a bus route through the area. Diverting along other residential

streets in the area it could only be achieved by carrying out costly engineering works and the residents of those streets are highly likely to object. It is proposed to reduce the length of the 'No Waiting' restriction outside the objector's property on Owen Road.

- 5.6 A number of the objectors appear to be under the impression that a 'No Waiting' restriction is to be introduced along the whole length of one side of St Oswald Street, whereas the proposal includes the area near its junction with St Martin's Road plus 2 No. 12 metre lengths, which will provide two passing places for vehicles.
- 5.7 A recent consultation regarding the introduction of a residents' parking scheme in the St Oswald Street area indicated that the majority of residents were not in favour of such a scheme.

**6.0 Conclusion**

6.1 The areas of highway referred to in this report are locations where the Council has received many reports of parked vehicles obstructing buses and emergency services' vehicles and it is considered that the proposals contained in the traffic regulation order will solve that problem.

6.1 The City Council's Ward Members have been consulted and the following responses were received:-

- i) Three Members want the proposed 'No Waiting At Any Time' restriction in Cork Road to be amended to a 'No Waiting, 9am to 4pm, Monday to Friday' restriction. (Note: the bus service operates Monday to Saturday and runs along Cork Road up to 6pm).
- ii) Two Members agree with the proposed restrictions in the Owen Road/Aldrens Lane area.
- iii) One Member supports the objection to 'No Waiting' restrictions in the Owen Road/Aldrens Lane area and wants the bus route to be changed, so that it runs down Broadway.

<p><b>RELATIONSHIP TO POLICY FRAMEWORK</b></p> <p>Corporate Plan – Priority 3 – Making our environment cleaner and healthier including managing transport and parking.</p>
<p><b>CONCLUSION OF IMPACT ASSESSMENT</b> <b>(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</b></p> <p>None directly arising from this report.</p>
<p><b>FINANCIAL IMPLICATIONS</b></p> <p>There are no foreseeable financial implications arising from the introduction of this Traffic Regulation Order.</p>

**SECTION 151 OFFICER'S COMMENTS**

The Section 151 Officer has been consulted and has no further comments.

**LEGAL IMPLICATIONS**

In accordance with Regulation 7 of the Road Traffic (Procedures) Regulations, 1989 the order making authority shall consider objections duly made prior to the implementation of those restrictions.

**MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has been consulted and has no further comments.

**BACKGROUND PAPERS**

The City Council of Lancaster (Various Roads) (On Street Parking Prohibition and Restriction of Waiting) (No 3) Order 2006 Letters of objection provided to the Cabinet Member are exempt from publication by virtue of paragraph 2 of Schedule 12A of the Local Government Act (as amended) as they contain information which is likely to reveal the identity of an individual.

**Contact Officer:** Pauline Pegden  
**Telephone:** 01524 582082  
**E-mail:** Ppegden@lancaster.gov.uk  
**Ref:**

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LANCASTER CITY COUNCIL

THE CITY COUNCIL OF LANCASTER

(VARIOUS ROADS)(ON STREET PARKING PROHIBITION AND  
RESTRICTION OF WAITING) (NO 3) ORDER 2006

The City Council of Lancaster (hereinafter referred to as "the Council") pursuant to arrangements made under section 101 of the Local Government Act, 1972 with the County Council of Lancashire in exercise of its powers under Sections 1, 2, 32, 35, 45, 46, 47, 49, 53, 63A and Schedule 9 of the Road Traffic Regulation Act 1984(hereinafter called the "1984 Act") 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 1984 Act and Section 43 and Schedules 3 and 6 to the Road Traffic Act 1991(hereinafter called the "1991 Act") hereby make the following order.

1. **Commencement, Citation and Revocation**

- 1.1 This Order shall come into operation on ?????? and may be cited as "The City Council of Lancaster (Various Roads)(On Street Parking)( Prohibition and Restriction of Waiting) (No 3) Order, 2006".
- 1.2 The Orders specified in the first column of Schedule 1 to this Order are hereby revoked insofar as they relate to the lengths of road specified in the second column of the said Schedule.

2. **Interpretations**

- 2.1 Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.
- 2.2 In this order, except where the context otherwise, requires, the following expressions have the meanings hereby respectively assigned to them: -
- 2.2.1 "**1984 Act**" means the Road Traffic Regulation Act 1984 as amended by the Road Traffic Act 1991.
- 2.2.2 "**Authorised Parking Place**" means any parking place on a road authorised or designated by an order made or having effect as if made under the Act of 1984 which is comprised within and indicated by a road marking complying with diagrams 1032 or 1033 in Schedule 6 of the Traffic Signs Regulations and General Directions 2002.
- 2.2.3 "**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
- 2.2.4 "**Coach Parking Place**" means any area of highway which is comprised within and indicated by a road marking complying with diagram 1028.3 variant in Schedule 6 of the Traffic Signs Regulations and General Directions 2002.
- 2.2.5 "**Disabled Person**" means a disabled person of a description prescribed by Regulation 4 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.

- 2.2.6 **"Disabled Persons Badge"** means a badge which:-
- 1.) was issued or has effect as if issued to a disabled person or institution under the Disabled Persons (Badge 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
  - 2.) has not ceased to be in force.
- 2.2.7 **"Driver"** in relation to a vehicle left at or waiting in a Parking Place means the person driving the vehicle at the time it was left at or is waiting at the Parking Place.
- 2.2.8 **"Enactment"** - means any enactment, whether public, general, or local and includes any order, bylaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;
- 2.2.9 **"Highway Boundary"** means the borderline of the highway as shown on the plans of the adopted highway produced and kept by the Highway authority or its agents.
- 2.2.10 **"Invalid Carriage"** means a mechanically propelled vehicle of which the unladen weight does not exceed 254 kilograms and which is specifically designed and constructed and not merely adapted for the use of a person suffering from some physical defect or disability and is used solely by such a person as defined in S.185 of the Road Traffic Act 1988
- 2.2.11 **"Light Goods Vehicle"** means a Goods Vehicle constructed or adapted for use for the carriage of goods or burden of any description whose laden weight does not exceed 2040kg.
- 2.2.12 **"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.
- 2.2.13 **"Parking Attendant"** means a parking attendant as defined in S.63A of The Road Traffic Regulation Act 1984 (which is inserted by S44 (1) of the Road Traffic Act 1991).
- 2.2.14 **"Parking Charge"** means the sum specified.
- 2.2.15 **"Parking Disc"** means a device which-
- 1) is 125 millimetres square and coloured blue, if issued on or after the 1<sup>st</sup> April 2000 or orange if issued before that date;
  - 2) has been issued by a local authority and has not ceased to be valid; and
  - 3) is capable of showing the quarter hour period during which a period of waiting has begun.
- 2.2.16 **"Parking Services Manager"** means a person appointed by the Council to administer the powers conferred on the Council by the 1984 Act and the 1991 Act with respect to this and other Traffic Regulation Orders.
- 2.2.17 **"Parking Waiver"** means a document issued by the Parking Services Manager to temporarily exempt a vehicle from the waiting restriction in a restricted road.
- 2.2.18 **"Pay and Display Parking Place"** means any area of highway which

is comprised within and indicated by a road marking complying with diagrams 1028.4 variant, 1032 when individual bays are required or 1033 as specified within The Traffic Signs and General Directions 2002 as appropriate with respect to Article 21 but excluding any Disabled Persons Parking Places.

2.2.19 "Permitted Hours" means in accordance with the periods specified in the corresponding Schedules.

2.2.20 "Telecommunications Apparatus" has the same meaning as in paragraph 1(1) of the Telecommunications Code contained in Schedule 2 to the Telecommunications Act 1984.

2.2.21 "Traffic Sign" means a sign of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under, Section 64 of the Road Traffic Regulation Act 1984.

2.2.22 "Trailer" means any vehicle other than a motor vehicle.

2.2.23 "Universal Service Provider" has the same meaning as that assigned to it under the Postal Services Act 2000 (Consequential Modifications to Local Enactment No1) Order 2001.

2.2.24 "Vehicle" means a motor vehicle, a passenger vehicle, a dual-purpose vehicle, a goods vehicle, a motorcycle or an invalid carriage.

2.3 Any reference in this order to any enactment shall be construed as a reference to that enactment as amended or substituted by any subsequent enactment.

2.4 Any reference in this order to a masculine gender shall include reference to the feminine gender and neuter gender.

2.5 Any reference in this Order to a singular includes the plural.

2.6 The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

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

## **PROHIBITIONS AND RESTRICTIONS ON THE WAITING OF VEHICLES**

### **3. Waiting Restrictions**

#### **No Waiting**

3.1 Save as provided in Article 4 of this order no person shall, except upon the direction or with the permission of a Police Constable in uniform or of a Parking Attendant, cause or permit any vehicle to wait in any of the lengths of road specified in the first column of Schedule 2 to this Order on the side or sides of road specified in the second column of the said schedule.

#### **Limited Waiting**

3.2 Save as provided in Article 4 of this Order, no person shall, except upon the direction, or with the permission of a police constable in uniform, or of a Parking Attendant, cause or permit any vehicle to wait more than 30 minutes, return prohibited within one hour in any of the roads specified in the first column of Schedule 3 to this Order on the side or sides of road specified opposite that road or length of road in the second column of the said Schedule.

3.3 Save as provided in Article 4 of this Order, no person shall, except upon the direction, or with the permission of a police constable in uniform, or of a Parking Attendant, cause or permit any vehicle to wait more than 30 minutes, return prohibited within one hour, between 8.00 a.m. and 6.00 p.m. Monday to Saturday inclusive, in any of the roads specified in the first column of Schedule 4 to this Order on the side or sides of road specified opposite that road or length of road in the second column of the said Schedule.

3.4 Save as provided in Article 4 of this Order, no person shall, except upon the direction, or with the permission of a police constable in uniform, or of a Parking Attendant, cause or permit any vehicle to wait more than 1 hour, return prohibited within 2 hours, in any of the roads specified in the first column of Schedule 5 to this Order on the side or sides of road specified opposite that road or length of road in the second column of the said Schedule.

4 **Exemptions from Waiting Restrictions**

4.1 Nothing in Articles 3.1, 3.2, 3.3 or 3.4 shall render it unlawful to cause or permit any vehicle to wait in the lengths of road or on the side 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) a vehicle which is in the service of or employed by a “**Universal Service Provider**” to be used for the purpose of delivering or collecting postal packets in accordance with the Postal Services Act 2000;
- (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 operations, namely:
  - 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 or side of road; or
  - iv) the laying, erection, alteration or repair or servicing in or in land adjacent to the said lengths of road or side of road of any sewer or of any pipe or apparatus for the supply of gas, water, or electricity or of any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1984:
- (d) the vehicle, if it cannot conveniently be used for such purpose in any road, to be used in the service of a local authority in pursuance of statutory powers or duties;
- (e) the vehicle to be employed in the recovery of another vehicle;
- (f) the vehicle to be used for fire brigade, ambulance or police purposes;
- (g) a Public Service Vehicle to be used in the operation of a local service waiting during a Layover period at any duly authorised bus stop or bus stand;
- (h) the vehicle to wait at or near any premises situated on or adjacent to the said side or any of the said lengths of road for so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral.

4.2 Nothing in Articles 3.1, 3.2, 3.3 or 3.4 shall render it unlawful to cause or permit any vehicle to wait for so long as may be necessary for the purpose of enabling goods to be loaded on or unloaded from the vehicle in the lengths of road referred to therein.





**SCHEDULE 1**

**REVOCATIONS**

The City Council of Lancaster (Various Roads) (Traffic Regulation) (No 1) Order 1977.

The reference in the First Schedule to the Order relating to Sandylands Promenade [South easterly (landward) side] from the south westerly side of Snowden Avenue for a distance of 33 metres in a south westerly direction.

The City Council of Lancaster (Various Roads) (Traffic Regulation) (No 1) Order 1999.

The whole of the reference to Woborrow Road in Schedule 4 to the Order.

The City Council of Lancaster (Various Roads) (Traffic Regulation) (No 1) Order 2000.

The whole of the reference to Blades Street in Schedule 3 to the Order.

ROADS AND PARTS OF ROADS IN WHICH WAITING IS PROHIBITED AT ANY TIME

<u>Length of Road in the City of Lancaster</u>	<u>Side of Road</u>
<b><u>MORECAMBE</u></b>	
<b><u>Sandylands Promenade</u></b>	
From a point 11 metres south west of the centre line of Snowden Avenue to the south westerly kerb line of Snowden Avenue.	South easterly (landward) side.
<b><u>Westgate</u></b>	
From a point 23 metres north east of the centreline of White Lund Road for a distance of 132 metres in a north easterly direction.	South easterly side.
<b><u>LANCASTER</u></b>	
<b><u>Cork Road</u></b>	
From a point 4 metres south east of the centre line of Ulster Road to a point 2 metres north west of the centre line of Shrewsbury Drive.	South westerly side.
<b><u>Eastham Street</u></b>	
From the highway boundary of Prospect Street to a point 6 metres east of the centre line of Prospect Street.	Both sides.
<b><u>Hall Park (northerly section adjacent to No 1)</u></b>	
From the highway boundary of Scotforth Road to a point 18 metres north west of the centre line of Scotforth Road.	Both sides.
<b><u>Hall Park (central section adjacent to No 23)</u></b>	
From the highway boundary of Scotforth Road to a point 18 metres north west of the centre line of Scotforth Road.	Both sides.
<b><u>Hall Park (southerly section adjacent to No 40)</u></b>	
From the highway boundary of Scotforth Road to a point 19 metres north west of the centre line of Scotforth Road.	Both sides.
<b><u>Main Street</u></b>	
i) From a point 9 metres south of the centre line of Norfolk Street for a distance of 18 metres in a northerly direction.	Westerly side.
ii) From a point 9 metres south of the centre line of Norfolk Street for a distance of 33 metres in a northerly direction.	Easterly side.
<b><u>Norfolk Street</u></b>	
i) From the highway boundary of Owen Road to a point 18 metres east of the centre line of Owen Road.	Northerly side
ii) From the highway boundary of Owen Road to a point 13 metres east of the centre line of Owen Road.	Southerly side
iii) From the highway boundary of Main Street to a point 13 metres west	Northerly side

of the centre line of Main Street

iv) From the highway boundary of Main Street to a point 15 metres west of the centre line of Main Street. Southerly side.

**Owen Road**

From a point 14 metres south of the centre line of Norfolk Street for a distance of 29 metres in a northerly direction. Both sides.

**Prospect Street**

From a point 9 metres north of the centre line of Eastham Street for a distance of 13 metres in a southerly direction. Easterly side.

**St Oswald Street**

i) From a point 49 metres east of the centreline of Back Prospect Street East for a distance of 12 metres in an easterly direction. Southerly side.

ii) From a point 108 metres east of the centreline of Back Prospect Street East for a distance of 12 metres in an easterly direction. Southerly side.

**St Martins Road**

i) From the highway boundary of Clarence Street to a point 166 metres east of the centreline of Back Prospect Street East. Westerly side.

ii) From the southerly highway boundary of Back St Oswald Street (North) to a point 166 metres east of the centreline of Back Prospect Street East. Easterly side.

**Scotforth Road**

i) From a point 20 metres south west of the centre line of Hall Park (southerly section adjacent to No 40) to a point 38 metres north east of the centre line of Hall Park (central section adjacent to No 23) . North westerly side.

ii) From a point 10 metres south west of the centre line of Hall Park (northerly section adjacent to No 1) for a distance of 28 metres in a north easterly direction. North westerly side.

**SCHEDULE 3**

**ROADS AND PARTS OF ROADS IN WHICH WAITING IS RESTRICTED TO 30 MINUTES  
NO RETURN WITHIN 1 HOUR**

**Length of Road in the City of Lancaster**

**Side of Road**

**LANCASTER**

**Prospect Street**

From a point 8 metres north of the centre line of Eastham Street for a distance of 15 metres in a southerly direction.

Westerly side.

From a point 7 metres south of the centre line of Eastham Street for a distance of 5 metres in a southerly direction.

Easterly side.

**SCHEDULE 4**

**ROADS AND PARTS OF ROADS IN WHICH WAITING IS RESTRICTED TO 30 MINUTES  
NO RETURN WITHIN 1 HOUR MONDAY TO SATURDAY 8AM TO 6PM**

**Length of Road in the City of Lancaster**

**Side of Road**

**LANCASTER**

**Rydal Road**

From a point 13 metres south east of the centre line of Ulleswater Road for a distance of 11 metres in a south easterly direction.

Southerly side.

**Eastham Street**

From a point 6 metres east of the centre line of Prospect Street for a distance of 12 metres in an easterly direction.

Northerly side.

**SCHEDULE 5**

**ROADS AND PARTS OF ROADS IN WHICH WAITING IS RESTRICTED TO 1 HOUR  
NO RETURN WITHIN 2 HOURS**

**Length of Road in the City of Lancaster**

**Side of Road**

**LANCASTER**

**Eastham Street**

From a point 6 metres east of the centre line of Prospect Street for a distance of 10 metres in an easterly direction.

Southerly side.

**STATEMENT OF REASONS**

The restrictions in this Order have been made for the following reasons:-

<b><u>ROAD</u></b>	<b><u>REASONS</u></b>	<b><u>COUNTY COUNCIL'S TRO CATEGORY</u></b>
Hall Park	For avoiding danger to persons or other traffic using the road and for preventing the likelihood of such danger arising.	1
Scotforth Road		
Westgate		
Cork Road	For facilitating the passage of traffic along the road.	3
Main Street		
Norfolk Street		
Owen Road		
St Oswald Street		
St Martins Road		
Blades Street (revocation)		
Eastham Street		
Sandylands Promenade (revocation)		
Prospect Street		
Rydal Road		
Woborrow Road (revocation)		

*Contact:* Chief Executive  
*Telephone:* (01524) 582011  
*Fax:* (01524) 582161  
*Minicom:* (01524) 582175  
*E-mail:* MCullinan@lancaster.gov.uk  
*Our reference:* CE/JS/UB37  
*Your reference:*

**CHIEF EXECUTIVE**

Councillor Ian Barker,  
Leader of Cabinet.

Councillor Janice Hanson  
Cabinet Member with Special  
Responsibility for Engineering

Town Hall  
Dalton Square  
Lancaster  
LA1 1PJ  
  
DX 63531

19<sup>th</sup> June 2006

Dear Councillor,

**URGENT BUSINESS – THE CITY COUNCIL OF LANCASTER (VARIOUS ROADS) (ON STREET PARKING PROHIBITION AND RESTRICTION OF WAITING) (NO 3) ORDER 2006**

Members are requested to consider eighteen letters received following the advertisement of the proposed Traffic Regulation Order, in accordance with the Council's Urgent Business Procedure, details of which are set out within the attached report.

The urgency for this decision is that due to a clerical error with the previous decision it is necessary to enact the decision prior to the transfer of the Highways function to the County Council and it is impracticable to defer the decision until the next publication date for Individual Cabinet Member Decisions.

The recommendation is that consideration be given to the objections received and thereafter the implementation of The City Council of Lancaster (Various Roads) (On Street Parking Prohibition and Restriction of waiting) (No 3) Order 2006 and that the Order be approved subject to the amendments listed in the attached documentation.

The approval of the Chief Executive in consultation with the Chairman of the Overview and Scrutiny Committee has been sought to this action in accordance with Overview and Scrutiny Committee Procedure Rule 17(a) in order that implementation of the decision is not further delayed. Please note that this is subject to your agreement to the proposal.

I would be grateful if you could complete the attached slip, signifying whether you are in agreement with the recommendation or not, and return it to the Town Hall as soon as possible. In the meantime, could you please telephone Jon Stark on 582132, or e-mail JStark@lancaster.gov.uk, with your decision.

Yours sincerely,

**CHIEF EXECUTIVE**  
**Enc.**

*Mark Cullinan – Chief Executive*

**URGENT BUSINESS – THE CITY COUNCIL OF LANCASTER (VARIOUS ROADS) (ON STREET PARKING PROHIBITION AND RESTRICTION OF WAITING) (NO 3) ORDER 2006**

Councillor Consultation

\*I am/am not (**\*please delete as appropriate**) in agreement with the recommendation that having given due consideration to the objections received the Council approves the implementation of The City Council of Lancaster (Various Roads) (On Street Parking Prohibition and Restriction of Waiting) (No 3) Order 2006 subject to the following amendments:

(1) In respect of Schedule 2

i) Delete the reference to Owen Road and insert the following:

Owen Road (Section adjacent to Norfolk Street junction)

From a point 14 metres south of the centre line of Norfolk Street to the highway boundary of Aldren's Lane.      Westerly side.

From a point 12 metres south of the centre line of Norfolk Street to the highway boundary of Aldren's Lane.      Easterly side.

Aldren's Lane

From the highway boundary of Owen Road to a point 15 metres north of the centre line of Norfolk Street.      Westerly side.

From the highway boundary of Owen Road to a point 11 metres north of the centre line of Norfolk Street.      Easterly side.

ii) Delete the reference to Cork Road and insert the following:

Cork Road

From a point 4 metres south east of the centre line of Ulster Road to a point 2 metres north west of the centre line of Connaught Road.      South westerly side.

(2) Create a new Schedule 3 in which waiting is prohibited between the hours of 8am and 6pm, Monday to Saturday on the following lengths of road:

Cork Road

From a point 2 metres south east of the centre line of Connaught Road to a point 2 metres north west of the centre line of Shrewsbury Drive.      South westerly side.

Signed: Ian Barker

Name: Councillor Ian Barker

Position Held: Leader of the Council

Dated: 22/06/2006



Chief Executive Decision

\*I agree/~~do not agree~~ (**\*please delete as appropriate**) to exercise my delegated authority and having given due consideration to the objections received the Council approves the implementation of The City Council of Lancaster (Various Roads) (On Street Parking Prohibition and Restriction of Waiting) (No 3) Order 2006 subject to the following amendments:

(1) In respect of Schedule 2

iii) Delete the reference to Owen Road and insert the following:

Owen Road (Section adjacent to Norfolk Street junction)

From a point 14 metres south of the centre line of Norfolk Street to the highway boundary of Aldren's Lane. Westerly side.

From a point 12 metres south of the centre line of Norfolk Street to the highway boundary of Aldren's Lane. Easterly side.

Aldren's Lane

From the highway boundary of Owen Road to a point 15 metres north of the centre line of Norfolk Street. Westerly side.

From the highway boundary of Owen Road to a point 11 metres north of the centre line of Norfolk Street. Easterly side.

iv) Delete the reference to Cork Road and insert the following:

Cork Road

From a point 4 metres south east of the centre line of Ulster Road to a point 2 metres north west of the centre line of Connaught Road. South westerly side.

(3) Create a new Schedule 3 in which waiting is prohibited between the hours of 8am and 6pm, Monday to Saturday on the following lengths of road:

Cork Road

From a point 2 metres south east of the centre line of Connaught Road to a point 2 metres north west of the centre line of Shrewsbury Drive. South westerly side.

Signed: Mark Cullinan

Chief Executive

Dated: 27/06/2006

Please return to: Jon Stark,  
Democratic Services,  
Town Hall,  
Dalton Square,  
LANCASTER. LA1 1PJ

Ref: UB37

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*Contact:* Chief Executive  
*Telephone:* (01524) 582011  
*Fax:* (01524) 582161  
*Minicom:* (01524) 582175  
*E-mail:* [MCullinan@lancaster.gov.uk](mailto:MCullinan@lancaster.gov.uk)  
*Our reference:* CE/JS/UB37  
*Your reference:*

**CHIEF EXECUTIVE**

Councillor Ian Barker,  
Leader of Cabinet.

Town Hall  
Dalton Square  
Lancaster  
LA1 1PJ

Councillor Janice Hanson  
Cabinet Member with Special  
Responsibility for Engineering

DX 63531

19<sup>th</sup> June 2006

Dear Councillor,

**URGENT BUSINESS – THE CITY COUNCIL OF LANCASTER (VARIOUS ROADS) (ON STREET PARKING PROHIBITION AND RESTRICTION OF WAITING) (NO 3) ORDER 2006**

Members are requested to consider eighteen letters received following the advertisement of the proposed Traffic Regulation Order, in accordance with the Council's Urgent Business Procedure, details of which are set out within the attached report.

The urgency for this decision is that due to a clerical error with the previous decision it is necessary to enact the decision prior to the transfer of the Highways function to the County Council and it is impracticable to defer the decision until the next publication date for Individual Cabinet Member Decisions.

The recommendation is that consideration be given to the objections received and thereafter the implementation of The City Council of Lancaster (Various Roads) (On Street Parking Prohibition and Restriction of waiting) (No 3) Order 2006 and that the Order be approved subject to the amendments listed in the attached documentation.

The approval of the Chief Executive in consultation with the Chairman of the Overview and Scrutiny Committee has been sought to this action in accordance with Overview and Scrutiny Committee Procedure Rule 17(a) in order that implementation of the decision is not further delayed. Please note that this is subject to your agreement to the proposal.

I would be grateful if you could complete the attached slip, signifying whether you are in agreement with the recommendation or not, and return it to the Town Hall as soon as possible. In the meantime, could you please telephone Jon Stark on 582132, or e-mail [JStark@lancaster.gov.uk](mailto:JStark@lancaster.gov.uk), with your decision.

Yours sincerely,

**CHIEF EXECUTIVE**  
**Enc.**

*Mark Cullinan – Chief Executive*

**URGENT BUSINESS – THE CITY COUNCIL OF LANCASTER (VARIOUS ROADS) (ON STREET PARKING PROHIBITION AND RESTRICTION OF WAITING) (NO 3) ORDER 2006**

Councillor Consultation

\*I am/am not (**\*please delete as appropriate**) in agreement with the recommendation that having given due consideration to the objections received the Council approves the implementation of The City Council of Lancaster (Various Roads) (On Street Parking Prohibition and Restriction of Waiting) (No 3) Order 2006 subject to the following amendments:

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i) Delete the reference to Owen Road and insert the following:

Owen Road (Section adjacent to Norfolk Street junction)

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Westerly side.

From a point 12 metres south of the centre line of Norfolk Street to the highway boundary of Aldren's Lane.

Easterly side.

Aldren's Lane

From the highway boundary of Owen Road to a point 15 metres north of the centre line of Norfolk Street.

Westerly side.

From the highway boundary of Owen Road to a point 11 metres north of the centre line of Norfolk Street.

Easterly side.

ii) Delete the reference to Cork Road and insert the following:

Cork Road

From a point 4 metres south east of the centre line of Ulster Road to a point 2 metres north west of the centre line of Connaught Road.

South westerly side.

(2) Create a new Schedule 3 in which waiting is prohibited between the hours of 8am and 6pm, Monday to Saturday on the following lengths of road:

Cork Road

From a point 2 metres south east of the centre line of Connaught Road to a point 2 metres north west of the centre line of Shrewsbury Drive.

South westerly side.

Signed: Janice Hanson

Name: Councillor Janice Hanson

Position Held: Cabinet Member with Special Responsibility for Engineering

Dated: 27/06/2006

Chief Executive Decision

\*I agree/~~do not agree~~ (**\*please delete as appropriate**) to exercise my delegated authority and having given due consideration to the objections received the Council approves the implementation of The City Council of Lancaster (Various Roads) (On Street Parking Prohibition and Restriction of Waiting) (No 3) Order 2006 subject to the following amendments:

(1) In respect of Schedule 2

iii) Delete the reference to Owen Road and insert the following:

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(3) Create a new Schedule 3 in which waiting is prohibited between the hours of 8am and 6pm, Monday to Saturday on the following lengths of road:

Cork Road

From a point 2 metres south east of the centre line of Connaught Road to a point 2 metres north west of the centre line of Shrewsbury Drive. South westerly side.

Signed: Mark Cullinan

Chief Executive

Dated: 27/06/2006

Please return to: Jon Stark,  
Democratic Services,  
Town Hall,  
Dalton Square,  
LANCASTER. LA1 1PJ

Ref: UB37

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*Contact:* Chief Executive  
*Telephone:* (01524) 582011  
*Fax:* (01524) 582161  
*Minicom:* (01524) 582175  
*E-mail:* MCullinan@lancaster.gov.uk  
*Our reference:* CE/JS/UB37  
*Your reference:*

**CHIEF EXECUTIVE**

Councillor Stuart Langhorn,  
Chairman of the Overview and Scrutiny Committee.

Town Hall  
Dalton Square  
Lancaster  
LA1 1PJ

DX 63531

16<sup>th</sup> June 2006

Dear Councillor,

**URGENT BUSINESS – THE CITY COUNCIL OF LANCASTER (VARIOUS ROADS) (ON STREET PARKING PLACES PROHIBITION AND RESTRICTION OF WAITING) (NO 3) ORDER 2006**

Members are requested to consider eighteen letters received following the advertisement of the proposed Traffic Regulation Order, in accordance with the Council's Urgent Business Procedure, details of which are set out within the attached report.

The urgency for this decision is that due to a clerical error with the previous decision it is necessary to enact the decision prior to the transfer of the Highways function to the County Council and it is impracticable to defer the decision until the next publication date for Individual Cabinet Member Decisions.

The recommendation is that consideration be given to the objections received and thereafter the implementation of The City Council of Lancaster (Various Roads) (On Street Parking Prohibition and Restriction of waiting) (No 3) Order 2006 and that the Order be approved subject to the amendments listed in the attached documentation.

The approval of the Chief Executive has been sought to this action in accordance with Overview and Scrutiny Committee Procedure Rule 17(a) in order that implementation of the decision is not further delayed. Please note that this is subject to the agreement of the Cabinet Member with Special Responsibility and Leader of Cabinet.

I would be grateful if you could consider the immediate implementation of this course of action subject to the agreement of the Chief Executive to waive the right of call-in, in accordance with Overview and Scrutiny Committee Procedure Rule 17(a). Please complete the attached slip signifying your decision and return it to the Town Hall as soon as possible. In the meantime, could you please telephone Jon Stark on 582132, or e-mail [JStark@lancaster.gov.uk](mailto:JStark@lancaster.gov.uk), with your decision.

Yours sincerely,

**CHIEF EXECUTIVE**  
**Enc.**

**URGENT BUSINESS – THE CITY COUNCIL OF LANCASTER (VARIOUS ROADS) (ON STREET PARKING PLACES PROHIBITION AND RESTRICTION OF WAITING) (NO 3) ORDER 2006**

\*I agree/~~do not agree~~ (**\*please delete as appropriate**) to this matter being treated as a matter of urgency in accordance with Overview and Scrutiny Committee Procedure Rule 17(a) and therefore not being subject to call-in.

Signed: Councillor Stuart Langhorn

Dated: 21/06/2006

Please return to: Jon Stark,  
Democratic Services,  
Town Hall,  
Dalton Square,  
LANCASTER. LA1 1PJ

Ref: UB37