

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.

## SCHEDULE 2

### 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:-

<u>ROAD</u>	<u>REASONS</u>	<u>COUNTY COUNCIL'S TRO CATEGORY</u>
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)		