

ROAD TRAFFIC REGULATION ACT 1984

**LANCASHIRE COUNTY COUNCIL
(BANK STREET, RAWTENSTALL, ROSSENDALE BOROUGH)
(PART SUSPENSION/REVOCATION AUTHORISED TAXI RANK, PROHIBITION AND
RESTRICTION OF WAITING AND PROHIBITION OF LOADING AND UNLOADING)
(EXPERIMENTAL) ORDER 2011**

The County Council of Lancashire (“the Council”) in exercise of its powers under Sections 1(1), 2(1) and (2), 4(2) and (3), 9 and 10 of and part IV of schedule 9 to the Road Traffic Regulation Act 1984, as amended (“the Act”) and of all other enabling powers, after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act, hereby make the following Order: -

1. Definitions and Interpretation

For all the purposes of this Order the terms described in this Article shall have the meanings specified:

- a) **“authorised taxi rank”** means any area of carriageway which is comprised within and indicated by a road marking, complying with diagram 1028.2 in Schedule 6 to the Traffic Signs Regulations and General Directions 2002.
- b) **“disabled person’s vehicle”** means a vehicle displaying a disabled person’s badge in the circumstances prescribed in Regulations 13, 14, 15 or 16 of The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.
- c) **“disabled person’s badge”** means a badge which was -
 - i) Issued, or has effect as if issued, to a disabled person or an institution under The Disabled Persons (Badges 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
 - ii) has not ceased to be in force.
- d) **“parking disc”** means a device which -
 - i) is 125 millimetres square and coloured blue, if issued on or after 1st April, 2000 or orange if issued before that date;
 - ii) has been issued by a local authority and has not ceased to be valid; and
 - iii) is capable of showing the quarter hour period during which a period of waiting has begun.
- e) A vehicle displays a disabled person’s badge in the relevant position if -
 - i) the badge is exhibited on the dashboard or fascia of the vehicle, or
 - ii) where the vehicle is not fitted with a dashboard or fascia the badge is exhibited in a conspicuous position on the vehicle, so that the front of the badge is clearly legible from the outside of the vehicle.

- f) A vehicle displays a parking disc in the relevant position if -
- i) the disc is exhibited on the dashboard or fascia of the vehicle; or
 - ii) where the vehicle does not have a dashboard or fascia, the disc is exhibited in a conspicuous position on the vehicle so that when marked to show the quarter hour period during which a period of waiting began that period is clearly legible from the outside of the vehicle.

2. Suspension/Revocation of Existing Order

For the duration of this Order, the provisions set out in Schedule 1 to this Order are hereby suspended. Further, in the event of this Experimental Order being made permanent at a future date, the said provisions currently suspended will be revoked.

3. Authorised Taxi Rank

Save as is hereinafter provided no person shall, except upon the direction or with the permission of a police constable in uniform, or a civil enforcement officer, cause or permit any vehicle other than a licensed Hackney Carriage to wait during the period specified and in the said length of road described in schedule 2 to this order.

4. Prohibition of Waiting

- (1) Save as is hereinafter provided, no person shall, except upon the direction or with the permission of a police constable in uniform, or a civil enforcement officer, cause or permit any vehicle to wait at any time, on any day, in the length of road specified in Schedule 3 to this Order;
- (2) Further, save as is hereinafter provided, no person shall, except upon the direction or with the permission of a police constable in uniform, or a civil enforcement officer, cause or permit any vehicle to wait between 3.00 a.m. and 8.00 p.m. in the length of road specified in Schedule 4 to this Order.

5. Prohibition of Loading and Unloading

Save as is hereinafter provided, no person shall, except upon the direction or with the permission of a police constable in uniform, or a civil enforcement officer, cause or permit any vehicle to be loaded or unloaded between 3.00 a.m. and 8.00 p.m. in the length of road specified in Schedule 5 to this Order.

6. Exemptions

Nothing in Articles 3, 4 or 5 of this Order shall render it unlawful to cause or permit any vehicle to wait at any time on any day on those lengths of road referred to therein, for so long as may be necessary to enable:-

- a) a person to board or alight the vehicle;
- b) 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:-
 - 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 roads;
 - iv) the laying, erection, alteration or repair in or near land adjacent to the said lengths of roads of any sewer or of any main, pipe or apparatus or the exercise of any other statutory power or duty for the maintenance and supply of gas, water or electricity

or of any telecommunications system as defined in Section 4 of the Telecommunications Act 1984;

- c) the vehicle to be used for the purposes of a local authority in pursuance of statutory powers or duties if it cannot conveniently be used for such purpose in any other road;
- d) the vehicle to be used for delivering or collecting postal packets as defined in Postal Services Act 2000;
- e) the vehicle to be used for fire brigade, ambulance or police purposes in pursuance of statutory powers or duties.
- f) the vehicle to wait at or near to any premises situated on or adjacent to the said length of road for so long as such waiting by the vehicle is reasonably necessary in connection with any wedding or funeral.

7. Exemption for disabled person's vehicle

Nothing in Article 4(1) of this Order shall render it unlawful to cause or permit any vehicle to wait in the lengths of road referred to therein for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same lengths of road on the same day) if the vehicle is a disabled person's vehicle which displays in the relevant position both a disabled person's badge and a parking disc marked to show the quarter hour period during which the period of waiting began.

8. Miscellaneous

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

9. Commencement of Order

This Order shall come into force on the 10th June, 2011 and may be cited as the "Lancashire County Council (Bank Street, Rawtenstall, Rossendale Borough) (Part Suspension/Revocation, Authorised Taxi Rank, Prohibition And Restriction Of Waiting And Prohibition Of Loading And Unloading) (Experimental) Order 2011.

Dated this 1st day of June, 2011.

THE COMMON SEAL of the Lancashire County Council was hereunto affixed pursuant to the Scheme of Delegation to Chief Officers

Authorised Signatory

STATEMENT OF REASONS

Lancashire County Council have undertaken a review of the flow of traffic on Bank Street and it has been decided that vehicles parking at this location can cause disruption to vehicles travelling in both directions along Bank Street, especially when a bus is stationary at the stop opposite. Vehicles parked at this location also make it difficult for buses turning left out of Kay

Street. Taxis will be authorised to park in the designated taxi rank between 8pm and 3am as there is less traffic between these times so the impact on traffic flow caused by parked vehicles will be reduced. The number of buses also declines after 8pm which results in less conflict between parked vehicles and buses between 8pm and 3am.

Schedule 1 – Suspensions/Revocations

Items to be suspended/revoked from:

LANCASHIRE COUNTY COUNCIL (ROSSENDALE AREA) (ON STREET PARKING PLACES, PROHIBITION AND RESTRICTION OF WAITING) CONSOLIDATION ORDER 2009

Taxi Stand

Bank Street, the west side, from a point 2 metres south-west of a point opposite the centreline of Kay

Street to a point 40 metres south-west of a point opposite the centreline of Kay Street

No Waiting At Any Time

Bank Street, the west side, from a point 2 metres south-west of a point opposite the centreline of Kay

Street to a point 15 metres south-west of a point opposite the centreline of Grange Crescent

Limited Waiting 1 Hour No Return Within 1 Hour Mon-Sat 8am-6pm

Bank Street, the west side, from a point 2 metres south-west of a point opposite the centreline of Kay

Street to a point 40 metres south-west of a point opposite the centreline of Kay Street

Schedule 2 Measure to be introduced

Taxi Rank 8pm-midnight and midnight-3am on:

Street name	Side of road	Location Details
Bank Street, Rawtenstall	the north-west side	from a point 40 metres south-west of its junction with the centre line of Kay Street to a point 4 metres north-east of its junction with the centre line of Kay Street

Schedule 3 Measure to be introduced:

No Waiting At Any Time on:

Street name	Side of road	Location Details
Bank Street, Rawtenstall	the north-west side	from a point 15 metres south-west of the centreline of Grange Crescent to a point 4 metres north-east of the centreline of Kay Street

Schedule 4 Measure to be introduced:

No Waiting between 3am-8pm on:

Street name	Side of road	Location Details
Bank Street, Rawtenstall	the north-west side	from a point 40 metres south-west of its junction with the centre line of Kay Street to a point 4 metres north-east of its junction with the centre line of Kay Street

Schedule 5 Measure to be introduced:

No Loading or Un-loading between 3am-8pm on:

Street name	Side of road	Location Details
Bank Street, Rawtenstall	the north-west side	from a point 40 metres south-west of its junction with the centre line of Kay Street to a point 4 metres north-east of its junction with the centre line of Kay Street