



Borough Solicitor's Department  
Chorley Borough Council  
Town Hall  
Chorley  
PR7 1DP

Phone: 01772 535604  
Email: Amy.Rose@lancashire.gov.uk



Your ref:  
Our ref: LSG4/894.9417/AFR  
Date: 04 April 2019

Dear Madam

Lancashire County Council does not accept service by e-mail.

**ROAD TRAFFIC REGULATION ACT 1984  
LANCASHIRE COUNTY COUNCIL  
(MARKET STREET, PARK ROAD, CHORLEY, CHORLEY BOROUGH)  
(SUSPENSION, PROHIBITION OF WAITING AND LIMITED WAITING)  
EXPERIMENTAL ORDER 201\***

The County Council made the above Experimental Traffic Regulation Order on 3<sup>rd</sup> April 2019. The Order will be in force from 16<sup>th</sup> April 2019 and will remain in operation for up to 18 months. During this period, the County Council will consider any objections or representations received.

Arrangements have been made for details of the Order to be advertised in the local press on 9<sup>th</sup> April 2019 (copy attached). I would therefore be grateful if you could please ensure that the enclosed documents are available for public inspection at your Councils offices until further notice.

If you would like to comment on the above proposal please see the attached press notice, outlining the procedure and timescales for making any such comments.

Yours faithfully

Amy Rose  
Paralegal

**Please quote our full reference number on all correspondence**





**NOTICE OF MAKING**  
**ROAD TRAFFIC REGULATION ACT 1984**  
**LANCASHIRE COUNTY COUNCIL**

**(MARKET STREET, PARK ROAD, CHORLEY, CHORLEY BOROUGH) (SUSPENSION,  
PROHIBITION OF WAITING AND LIMITED WAITING) EXPERIMENTAL ORDER 2019**

**NOTICE IS HEREBY GIVEN** that on the 3<sup>rd</sup> April 2019 Lancashire County Council made the above Experimental Traffic Regulation Order under Sections 9 and 10 to the Road Traffic Regulation Act 1984, as amended, the effect of which will be to:

1. Suspend the "Lancashire County Council (Chorley Area) (On Street Parking Places, Prohibition and Restriction of Waiting) Consolidation Order 2009" insofar as it relates to:
  - a) Items (163)a)(iv), (163)c)(v), and (183)(ii) of Schedule 10.01;
  - b) Items (6)a), (6)b), (7)i and (7)(ii) of Schedule 11.010.
2. Introduce a prohibition of waiting in the following lengths of road:
  - a) Market Street, Chorley, the south side, from its junction with the projected centre line of Back Mount Street in a general southerly direction to its junction with the centre line of Union Street;
  - b) Market Street, Chorley, the west side, from its junction with the centre line of Back Mount Street, in a general southerly direction to its junction with the centre line of High Street;
  - c) Park Road, Chorley, the north side, from its junction with the centre line of Preston Street, in a general southerly direction to a point 8 metres south of its junction with the centre line of Rectory Close;
  - d) Park Road, Chorley, the north side, from a point 112 metres south of its junction with the centre line of Rectory Close, in a general southerly direction to its junction with the centre line of Back Mount Street;
  - e) Park Road, Chorley, the east side, from a point 18 metres north of its junction with the centre line of Park Street for a distance of 120.5 metres in a general southerly direction;
  - f) Park Road, Chorley, the east side, from a point 202.5 metres south of its junction with the centre line of Park Street in a general southerly direction, to its junction with the projected centre line of Back Mount Street.
3. Introduce a limited waiting parking place, for 3 hours, no return within 2 hours, Monday to Saturday, 8am to 6pm in the following lengths of road:
  - a) Park Road, Chorley, the west side, from a point 8 metres south of its junction with the centre line of Rectory Close for a distance of 104 metres in a general southerly direction;
  - b) Park Road, Chorley, the east side, from a point 102.5 metres south of its junction with the centre line of Park Street for a distance of 100 metres in a general southerly direction.

This Order will come into force on the 16<sup>th</sup> April 2019 and will be in operation for an experimental period of up to 18 months. The Order contains a provision under Section 10 of the Road Traffic Regulation Act 1984 allowing an authorised Officer to modify or suspend the operation of the Order or any provision of it for the purposes set out in that section.

Relevant documents for making this Order may be inspected during normal office hours at the offices of Chorley Borough Council, Town Hall, Chorley, PR7 1DP, and at the offices of The Director of Corporate Services, Lancashire County Council, Christ Church Precinct, County Hall, Preston PR1 8XJ.

Lancashire County Council will be considering in due course whether the provisions of this Experimental Order should be continued in force indefinitely. Any person may object to the making of this order for the purpose of such indefinite continuation. Objections should be made in writing to The Director of Corporate Services, Lancashire County Council, P O Box 78, County Hall, Preston PR1 8XJ, or by e-mail to [tro-consultation@lancashire.gov.uk](mailto:tro-consultation@lancashire.gov.uk) stating the ground upon which the objection/representation is made, within six months of the date on which this Order shall have come into force, or the date on which any variation or modification or the latest variation or modification shall have come into force and quoting the reference **LSG4/894.9417/AFR**.

Any person wishing to question the validity of the Experimental Order or any of its provisions on the grounds that it or they are not within the powers conferred by the Act or that any requirement of the Act or of any instrument made under the Act has not been complied with, that person may within six weeks from the date on which the Order was made, apply for that purpose to the High Court.

**Laura Sales, Director of Corporate Services**  
**09 April 2019**

**NOTICE OF MAKING**  
**ROAD TRAFFIC REGULATION ACT 1984**  
**LANCASHIRE COUNTY COUNCIL**  
**(MARKET STREET, PARK ROAD, CHORLEY, CHORLEY**  
**BOROUGH) (SUSPENSION, PROHIBITION OF WAITING**  
**AND LIMITED WAITING) EXPERIMENTAL ORDER 2019**



**NOTICE IS HEREBY GIVEN** that on the 3<sup>rd</sup> April 2019 Lancashire County Council made the above Experimental Traffic Regulation Order under Sections 9 and 10 to the Road Traffic Regulation Act 1984, as amended, the effect of which will be to:

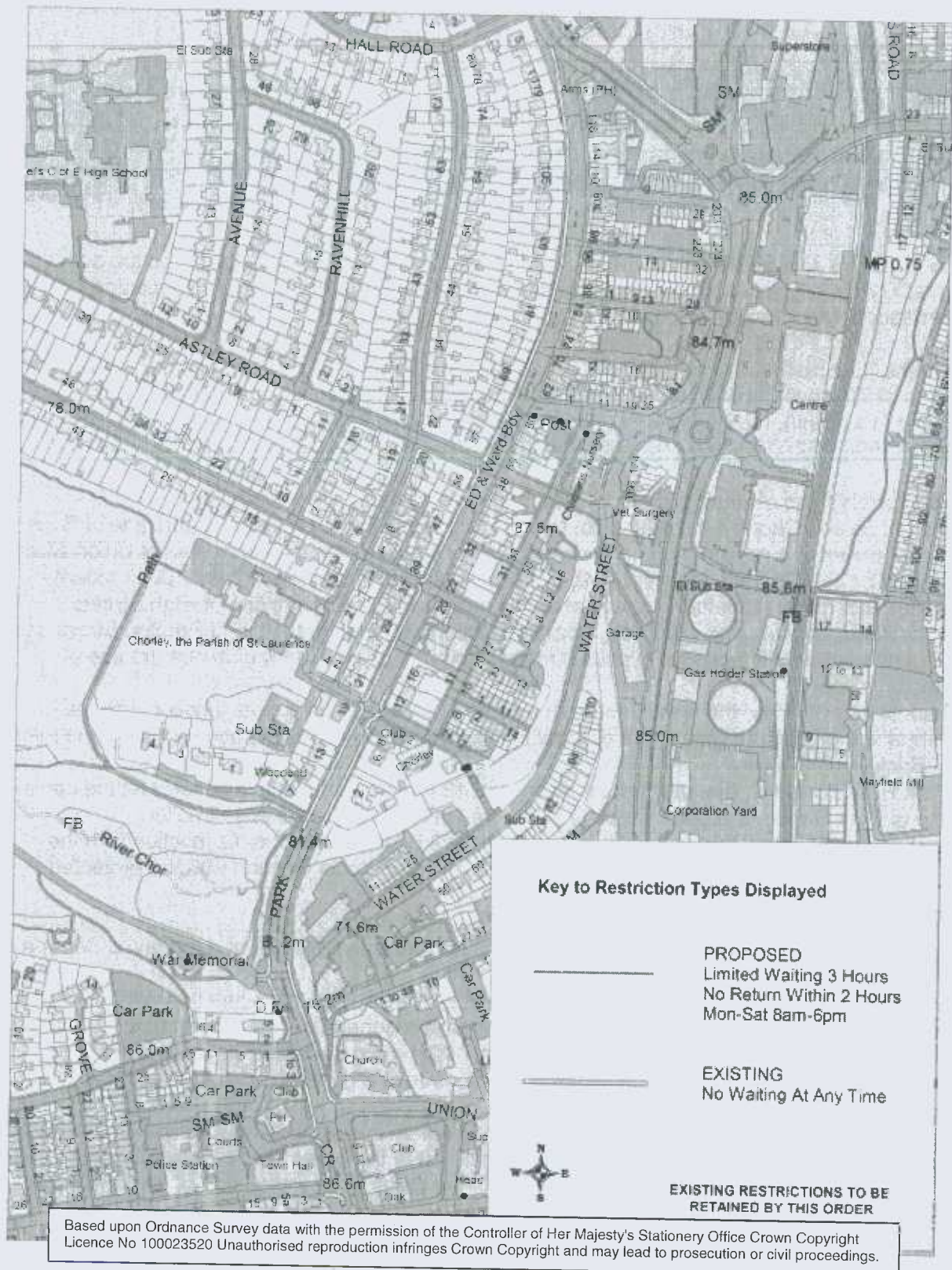
1. Suspend the "Lancashire County Council (Chorley Area) (On Street Parking Places, Prohibition and Restriction of Waiting) Consolidation Order 2009" insofar as it relates to:
  - a) Items (163)a)(iv), (163)c)(v), and (183)(ii) of Schedule 10.01;
  - b) Items (6)a), (6)b), (7)i and (7)(ii) of Schedule 11.010.
  
2. Introduce a prohibition of waiting in the following lengths of road:
  - a) Market Street, Chorley, the east side, from its junction with the projected centre line of Back Mount Street in a general southerly direction to its junction with the centre line of Union Street;
  - b) Market Street, Chorley, the west side, from its junction with the centre line of Back Mount Street, in a general southerly direction to its junction with the centre line of High Street;
  - c) Park Road, Chorley, the west side, from its junction with the centre line of Preston Street, in a general southerly direction to a point 8 metres south of its junction with the centre line of Rectory Close;
  - d) Park Road, Chorley, the west side, from a point 112 metres south of its junction with the centre line of Rectory Close, in a general southerly direction to its junction with the centre line of Back Mount Street;
  - e) Park Road, Chorley, the east side, from a point 18 metres north of its junction with the centre line of Park Street for a distance of 120.5 metres in a general southerly direction;
  - f) Park Road, Chorley, the east side, from a point 202.5 metres south of its junction with the centre line of Park Street in a general southerly direction, to its junction with the projected centre line of Back Mount Street.
  
3. Introduce a limited waiting parking place, for 3 hours, no return within 2 hours, Monday to Saturday, 8am to 6pm in the following lengths of road:
  - a) Park Road, Chorley, the north side, from a point 8 metres south of its junction with the centre line of Rectory Close for a distance of 104 metres in a general southerly direction;
  - b) Park Road, Chorley, the east side, from a point 102.5 metres south of its junction with the centre line of Park Street for a distance of 100 metres in a general southerly direction.

This Order will come into force on the 16<sup>th</sup> April 2019 and will be in operation for an experimental period of up to 18 months. The Order contains a provision under Section 10 of the Road Traffic Regulation Act 1984 allowing an authorised Officer to modify or suspend the operation of the Order or any provision of it for the purposes set out in that section.

Relevant documents for making this Order may be inspected during normal office hours at the offices of Chorley Borough Council, Town Hall, Chorley, PR7 1DP, and at the offices of The Director of Corporate Services, Lancashire County Council, Christ Church Precinct, County Hall, Preston PR1 8XJ.

**Statement of Reasons**

The purpose of this proposed order is to revoke existing parking restrictions on Park Road, Chorley to provide additional parking facilities for the ongoing town centre developments. It is recommended that this be progressed as an experimental order to allow amendments to be undertaken throughout the development as a result of changing visitor requirements and behaviour.



Lancashire County Council will be considering in due course whether the provisions of this Experimental Order should be continued in force indefinitely. Any person may object to the making of this order for the purpose of such indefinite continuation. Objections should be made in writing to The Director of Corporate Services, Lancashire County Council, P O Box 78, County Hall, Preston PR1 8XJ, or by e-mail to [tro-consultation@lancashire.gov.uk](mailto:tro-consultation@lancashire.gov.uk) stating the ground upon which the objection/representation is made, within six months of the date on which this Order shall have come into force, or the date on which any variation or modification or the latest variation or modification shall have come into force and quoting the reference **LSG4/894.9417/AFR**.

Any person wishing to question the validity of the Experimental Order or any of its provisions on the grounds that it or they are not within the powers conferred by the Act or that any requirement of the Act or of any instrument made under the Act has not been complied with, that person may within six weeks from the date on which the Order was made, apply for that purpose to the High Court.

**Laura Sales, Director of Corporate Services**  
**09 April 2019**

**ROAD TRAFFIC REGULATION ACT 1984**

**LANCASHIRE COUNTY COUNCIL**

**(MARKET STREET, PARK ROAD, CHORLEY, CHORLEY BOROUGH) (SUSPENSION,  
PROHIBITION OF WAITING AND LIMITED WAITING) EXPERIMENTAL ORDER 2019**

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

**1. Definitions and Interpretation**

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

- a) "**Centreline**" means the centre line of a highway as shown on Ordnance Survey graphical information systems at the time that the Order was prepared;
- b) "**Civil Enforcement Officer**" means a person authorised by or on behalf of Lancashire County Council in accordance with Section 76 of the Traffic Management Act 2004;
- c) "**Council's Duly Authorised Officer**" means a person empowered in accordance with Section 10(2) of the Act;
- d) "**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;
- e) "**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 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.
- f) "**Parking Disc**" means a device which -
  - i) is 125 millimetres square and coloured blue, if issued on or after 1<sup>st</sup> 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.
- g) "**Parking Place**" means any length of road subject to restriction in accordance with Article 4;
- h) "**Penalty Charge Notice**" means a notice served by a Civil Enforcement Officer pursuant to the provisions of section 78 of the 2004 Act and supporting regulations;
- i) A Vehicle displays a Disabled Person's Badge or Parking Disc in the "**Relevant Position**" if -
  - i) the badge/disc 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/disc is exhibited in a conspicuous position on the Vehicle, so that the front of the badge/disc is clearly legible from the outside of the Vehicle.

j) "**Vehicle**" means a motor vehicle, a passenger vehicle, a dual-purpose vehicle, a goods vehicle, a motorcycle or an invalid carriage or any other vehicle of any description whether drawn or propelled along a road by animal or mechanical power.

## **2. Suspension**

Those parts of the "Lancashire County Council (Chorley Area) (On Street Parking Places, Prohibition and Restriction of Waiting) Consolidation Order 2009", as set out in Schedule 1 to this Order, are hereby suspended.

## **3. Prohibition of Waiting**

Save as is hereinafter provided, no person shall, except upon the direction or with the permission of a police constable in uniform, or a Civil Enforcement Officer, cause or permit any Vehicle to wait at any time, on any day, in the lengths of road set out in Schedule 2 to this Order.

## **4. Limited Waiting Parking Place 3 Hours No Return Within 2 Hours Monday – Saturday 8am – 6pm**

Save as is hereinafter provided, no person shall, except upon direction or with the permission of a Police Constable in uniform or a Civil Enforcement Officer cause or permit any Vehicle to wait for a period exceeding 3 hours, with no return within 2 hours, from Monday to Saturday inclusively from 8am until 6pm, in the lengths of road set out in Schedule 3 to this Order.

## **5. General Exemptions**

Nothing in Articles 3 and 4 of this Order shall render it unlawful to cause or permit any Vehicle to wait in the 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) goods to be loaded onto or unloaded from the Vehicle;
- c) if it cannot conveniently be used for such purpose in any other road to be used in connection with any of the following:-
  - i) building, industrial or demolition operations;
  - ii) the removal of any obstruction to traffic;
  - iii) the maintenance, improvement or reconstruction of the said lengths of road;
  - iv) the laying, erection, alteration or repair in or near land adjacent to the said lengths of road of any sewer or of any main, pipe or apparatus or the exercise of any other statutory power or duty for the maintenance and supply of gas, water or electricity or of any telecommunications system as defined in Section 4 of the Telecommunications Act 1984.
- d) 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;
- e) a Royal Mail liveried Vehicle engaged in the collection and/or delivery of letters in accordance with the statutory provisions as defined in the Postal Services Act 2000;



- f) the Vehicle to be used for fire brigade, ambulance or police purposes in pursuance of statutory powers or duties;
- g) the Vehicle to wait at or near to any premises situated on or adjacent to the said lengths of road for so long as such waiting by the Vehicle is reasonably necessary in connection with any wedding or funeral.

#### **6. Exemption for Disabled Person's Vehicle**

- a) Nothing in Article 3 of this Order shall render it unlawful to cause or permit any Vehicle to wait in 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 length 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.
- b) Nothing in Article 4 of this Order shall render it unlawful to cause or permit any Vehicle to wait in the lengths of roads referred to therein if the Vehicle is a Vehicle which displays in the Relevant Position both a Disabled Person's Badge and a Parking Disc marked to show the quarter hour period during which the period of waiting began.

#### **7. Emergency Exemptions**

Nothing in Articles 3 and 4 of this Order shall render it unlawful to cause or permit any Vehicle to wait in the lengths of road referred to therein when the person in control of the Vehicle:-

- a) is required by law to stop;
- b) is obliged to stop in order to avoid an accident; or
- c) is prevented from proceeding along the road due to circumstances beyond his/her control.

#### **8. Manner of standing in a Parking Place**

- a) The driver of a motor Vehicle using a Parking Place shall stop the engine as soon as the Vehicle is in a position in the Parking Place and shall not start the engine except when about to change the position of the Vehicle in or, or depart from, the Parking Place.
- b) Every Vehicle left in a Parking Place in accordance with the foregoing provisions of this Order shall be left so that every part of the Vehicle is within the limits of the Parking Place.
- c) A driver of a Vehicle shall not use a Parking Place 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.

#### **9. Alteration of position of a Vehicle in a Parking Place**

Where any Vehicle is left standing in a Parking Place in contravention of the provisions of Article 8 of this Order, a police constable in uniform or a Civil Enforcement Officer may alter or cause to be altered the position of the Vehicle in order that its position shall comply with those provisions.

#### **10. Removal of a Vehicle from a Parking Place**

Where a police constable in uniform or a Civil Enforcement Officer is of the opinion that any of the provisions contained in Article 8 of this Order have been contravened or not complied with in respect of a Vehicle left in a Parking Place, he/she may remove or cause to be removed the Vehicle from the said Parking Place, and where it is so removed, shall provide for the safe custody of the said Vehicle.

#### **11. Movement of a Vehicle in a Parking Place in an Emergency**

- a) A police constable in uniform or a Civil Enforcement Officer may in case of emergency move or cause to be moved any Vehicle left in a Parking Place to any place he thinks fit and shall provide for the safe custody of the Vehicle.
- b) A person causing or permitting a Vehicle to wait in a Parking Place by virtue of the provisions of Article 8 to this Order shall take all such steps as are necessary to ensure that in the case of a Parking Place it shall stand in accordance with Article 8 so that every part of the Vehicle is within the limits of the Parking Place.

#### **12. Power to suspend use of Parking Places**

- a) The Council's Duly Authorised officer may suspend the use of a Parking Place or any part thereof whenever he/she considers such suspensions reasonably necessary and make such charge for the administration of this service, as may from time to time be determined by the Council.
- b) A police constable in uniform may suspend for not longer than 7 days the use of a Parking Place or any part thereof whenever he/she considers such suspension reasonably necessary for the purpose of mitigating congestion or obstruction of traffic or a danger to or from traffic in consequence of extraordinary circumstances.
- c) Any persons suspending the use of a Parking Place or any part thereof in accordance with the provisions of paragraph a) or b) of this Article shall thereupon place or cause to be placed in or adjacent to any part of that Parking Place the use of which is suspended, an authorised Traffic Sign or cone indicating that waiting by Vehicles is prohibited.
- d) No person shall cause or permit a Vehicle to be left in any part of a Parking Place during such period when an authorised Traffic Sign or cone is placed in or adjacent to that part of the Parking Place pursuant to paragraph c) of this Article provided that this paragraph shall not apply to a Vehicle:
  - i) being used by the respective Fire or Police Authority or Ambulance Health Trust to deal with an emergency; or
  - ii) being used for any purpose specified in Article 7; or
  - iii) left in such Parking Place with the permission of the person suspending the use of the Parking Place.

#### **13. Restriction of use of a Vehicle in a Parking Place**

While any Vehicle is in the lengths of road specified in Article 4 no person shall use the said Vehicle in connection with the sale of any article to any person in or near the Parking Place or in connection with the selling of or offering for sale of his/her skills or services.

#### **14. 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.

#### **15. Modification or Suspension of Order**

The Council's Duly Authorised Officer may modify or suspend the operation of this Order or any provision of it if it appears to be:

- a) in the interests of the expeditious, convenient and safe movement of traffic;
- b) in the interests of providing suitable and adequate on-street parking facilities; or
- c) for preserving or improving the amenities of the area through which any road affected by the Order runs.

#### **16. Effect of Contravention**

Failure by a person to comply with any prohibition or restriction contained within this order or any subsequent orders shall constitute a contravention of the same and shall result in the issue by Lancashire County Council and/or its Agents of a Penalty Charge Notice which shall be payable by such persons in accordance with the legislation.

#### **17. Commencement of Order**

This Order shall come into force on the 16<sup>th</sup> day of April 2019, will be in operation for an experimental period of up to eighteen months and may be cited as the "Lancashire County Council (Market Street, Park Road, Chorley, Chorley Borough) (Suspension, Prohibition Of Waiting And Limited Waiting) Experimental Order 2019".

Dated this 3rd day of April 2019.

THE COMMON SEAL of the Lancashire County Council was hereunto affixed pursuant to the scheme of delegation to chief officers.

Authorised Signatory



27902