

THE BOROUGH OF MORECAMBE AND HEYSHAM
(BUS STOPS) (CLEARWAY) ORDER 1971

The Council of the Borough of Morecambe and Heysham (hereinafter referred to as "The Council") in exercise of their powers under section 1 (1), (2), (3), (3B) and (6) of the Road Traffic Regulation Act 1967, as amended by Part IX of the Transport Act 1968 (which said Act of 1967 as so amended is hereinafter referred to as "the Act of 1967"), and of all other enabling powers in that behalf, and with the consent of the Secretary of State for the Environment given under section 84B of the Act of 1967 and after consultation with the chief officer of police in accordance with section 84C (1) of the Act of 1967, hereby make the following Order:-

1. (1) In this Order, the following expressions have the meanings hereby assigned to them respectively, that is to say -

"the Traffic Signs Regulations" means the Traffic Signs Regulations and General Directions 1964, as amended by the Traffic Signs (Amendment) Regulations 1966; "prohibited area" in relation to a specified road, means all that area of carriageway of a specified road bounded by the outline of a road marking shown in diagram 1025 in Schedule 2 to the Traffic Signs Regulations and for the time being lawfully in place, and along which area is placed a road marking in the form of a yellow line adjacent to the edge of the carriageway and authorised for the purpose by the Secretary of State under section 54 of the Act of 1967; "scheduled express carriage" means an express carriage as defined in section 117 of the Road Traffic Act 1960 operated in accordance with a timetable attached as a condition to a road service licence issued under section 134 of the said Act of 1960, or to a permit granted under section 30 of the Transport Act 1968 in lieu of such licence;

"stage carriage" has the same meaning as in section 117 of the Road Traffic Act 1960; "specified hours" in relation to a prohibited area, means the hours between 7.00 a.m. and 7.00 p.m. on any day;

"specified road" shall mean any road or any length of road in the Borough of Morecambe and Heysham specified in the Schedule to this Order on which or on part of which a service of stage carriages or schedule express carriages is run.

(2) The Interpretation Act 1889 shall apply for the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

2. Save as provided in Article 3 of this Order no person shall except upon the direction or with the permission of a police constable in uniform or of a traffic warden, cause or permit any vehicle other than a stage carriage or a scheduled express carriage, to wait during the specified hours in any prohibited area in any specified road.

3. Nothing in Article 2 of this Order shall render it unlawful for a person to cause or permit a vehicle to wait in a prohibited area if the vehicle

- (a) is being used for the removal of any obstruction to traffic; or
- (b) is being used in the service of the Council or with the permission of the Council in exercise of statutory powers or duties and whilst being so used in such service it is necessary for the vehicle to wait in the place where it is waiting; or
- (c) In any case where the person in control of the vehicle is required by law to stop, or is obliged to do so in order to avoid an accident, or is prevented from proceeding by circumstances outside his control.

4. The Council are satisfied that for facilitating the passage of vehicular traffic on the roads to which this Order relates, it is requisite that Section 1 (5) of the Act of 1967 shall not apply in relation to this Order.

5. Insofar as any provision of this Order conflicts with any provision of any other Order relating to the waiting of vehicles, that provision of this Order shall prevail.

6. This Order shall come into operation on 1st June 1972 and may be cited as The Borough of Morecambe and Heysham (Bus Stops) (Clearway) Order 1971.

THE COMMON SEAL.

Mayor

Town Clerk.

SCHEDULE

(Specified Roads)

1. Marine Road
2. Heysham Road
3. Regent Road
4. Westminster Road
5. Westminster Avenue
6. Alexandra Road
7. Euston Grove
8. Euston Road
9. Branksome Drive

The Secretary of State for the Environment in accordance with the provisions of section 84B of the Road Traffic Regulation Act 1967 as amended by Part IX of the Transport Act 1968, hereby consents to the making of an Order in the terms of the foregoing draft Order.

J.H.H. Baxter

Signed by authority of the
Secretary of state 10th December 1971.

An Assistant Secretary in the
Department of the Environment