

2001/13

WYRE BOROUGH COUNCIL**BOROUGH OF WYRE****WHEREAS**

- (1) The Wyre Borough Council pursuant to arrangements made under Section 101 of the Local Government Act 1972 with the Lancashire County Council may exercise certain of the powers possessed by the said County Council as the Highway Authority for the Borough of Wyre.
- (2) The Council is satisfied that vehicular traffic in the roads specified in the Order shall be restricted or prohibited in the manner set out in the Order in the interests of road safety and to maintain the free flow of traffic otherwise there is a likelihood of danger to the public.

NOW THEREFORE the Council in exercise of the powers of the said County Council under Section 1, 2, 4, 19 124(1)(c) and (d) and Part III and IV of Schedule 9 to the Act 1984 and of all other enabling powers, and after consultation with the Chief Officer of Police for Lancashire hereby makes the following Order.

1. Commencement and Citation

This Order shall come into operation on the 9th day of Nov 2001 and may be cited as the "Borough of Wyre (Fleetwood and Thornton Cleveleys) (Bus Stop Clearway) Order, 2001".

2. Interpretation

- (1) In this Order:-

"the Act of 1984" means the Road Traffic Regulation Act 1984;

"the Council" means the Council of the Borough of Wyre;

"the telecommunications apparatus" shall have the same meaning as in paragraph 1(1) of the Telecommunications Code contained in Schedule 2 to the Telecommunication Act 1984;

"traffic warden" means a traffic warden employed by a police authority in pursuance of Section 95 of the Act of 1984;

"vehicle" means a goods vehicle, motor cycle, invalid carriage, a motor vehicle, or any other vehicle of any description whether drawn or propelled along a road by animal or mechanical power;

"bus" means any public service vehicle as defined in Section 1 of the Public Passengers Vehicle Act 1981, which is:-

- (i) operating as a local service (within the meaning of Section 2 of the Transport Act 1985)
- (ii) operating any service for the carriage of passengers for hire or reward at separate fares and which is neither a local service nor a service provided by a vehicle to which sub-paragraph (2) of paragraph 16 of Schedule 1 of the Transport Act 1985 applies; or
- (iii) a school bus; or

- (iv) a work bus

"bus stop area" means any area of carriageway intended for the waiting of buses which is comprised within and indicated by a road marking complying with either diagram 1025.1 or 1025.3 of the Traffic Signs Regulations and General Directions 1994;

"carriageway" means a way constituting or comprised in a highway being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles (as defined in Section 329 of the Highways Act 1980).

- (2) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
- (3) The conditions, provisions, prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation of any other such matter imposed by any Order or regulation made, or having effect as if made, under the Act of 1984, or by or under any other enactment.

3. Clearways

Save as is provided in Articles 4 and 5 of this Order no person shall, except upon the direction or with the permission of a police constable in uniform or a traffic warden, cause or permit any vehicle except for buses to wait at any time in the bus stop area comprised in any of the lengths of highways referred to in the schedule to this Order.

4. Nothing in any of Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait in any of the lengths of road referred to therein for so long as may be necessary to enable:-

- (a) 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 namely:-
- (i) building, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of any of the said lengths of road;
 - (iv) the laying, erection, alteration or repair in, or in land adjacent to, any of the said lengths of road, of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or cable as defined by the Cable Broadcasting Act 1984, or of any telecommunication apparatus.
- (b) the vehicle being used for fire brigade, ambulance or police purposes
- (c) the vehicle, if it cannot conveniently be used for such purpose in any other road to be used in the service of a local authority in pursuance of its statutory powers or duties

5. Nothing in Article 3 of this Order shall apply so as to prevent a vehicle from waiting in a bus stop area in any of the lengths of highway referred to in the Schedule to this Order when the person in control of the vehicle:-

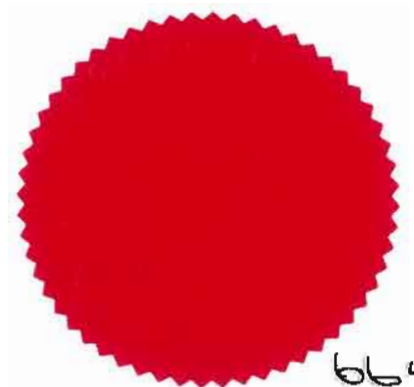
- (a) is required by law to stop;

- ### Article 3

"Clearways"

- THE COMMON SEAL of Wyre
Borough Council was hereunto affixed
in the 1st
day of November 2001
in the presence of:-

) Gabek Adnanov



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