

ROAD TRAFFIC REGULATION ACT 1984
LANCASHIRE COUNTY COUNCIL
(ST MARYS WAY, RAWTENSTALL, ROSSENDALE BOROUGH) (BUS GATE EXCEPT CYCLES,
TAXIS AND AUTHORISED VEHICLES) ORDER 202*

The County Council of Lancashire ("the Council") in exercise of its powers under Sections 1, 2 and 4 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) "**Authorised Vehicle**" means a vehicle which has been authorised in writing by the Council for purposed of this Order;
- b) "**Bus**" means motor vehicles constructed or adapted to carry more than 8 passengers (exclusive of the driver); and Local Buses not so constructed or adapted;
- c) "**Bus Lane**" means an area of road that may be used only by Buses (or a particular description of Bus), or only by buses (or a particular description of Bus) and some other class or classes of vehicular traffic as provided for in this Order and includes the terms Bus Gate and Bus Only Street;
- d) "**Bus Gate**" means a short length of Bus Lane;
- e) "**Bus Only Street**" means a Bus Lane;
- f) "**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;
- g) "**Local Bus**" means a Public Service Vehicle used for the provision of a Local Service not being an excursion or tour as defined in the Traffic Signs Regulations and General Directions 2016;
- h) "**Local Service**" has the meaning given in Section 2 of the Transport Act 1985;
- i) "**Pedal Cycle**" means a unicycle, bicycle, tricycle, or cycle having four or more wheels, not being in any case mechanically propelled unless it is an electrically assisted pedal cycle of such class as is to be treated as not being a motor vehicle for the purposes of the 1984 Act;
- j) "**Public Service Vehicle**" has the meaning given in Section 1 of the Public Passenger Vehicles Act 1981;
- k) "**Taxi**" means a Vehicle licensed under section 37 of the Town Police Clauses Act 1847;
- l) "**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. Bus Gate (Except Pedal Cycles, Taxis and Authorised Vehicles)

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 Bus, Pedal Cycle, Taxi or Authorised Vehicle to be in the Bus Lane set out in the Schedule to this Order.

3. Exemptions

Nothing in Article 2 of this Order shall render it unlawful to cause or permit any Vehicle to travel along any part of the lengths of road referred to therein for so long as may be necessary to enable:

- a) the liveried Vehicle to be used for fire brigade, ambulance or police purposes in pursuance of statutory powers or duties;
- b) 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;
- c) the Vehicle, if it cannot conveniently be used for such purpose in any other road to be used in connection the removal of any obstruction to traffic;
- d) the Vehicle to avoid an accident;
- e) a Royal Mail liveried Vehicle engaged in the collection and/or delivery of letters to premises adjacent to the Bus Lane in accordance with the statutory provisions set out in the Postal Services Act 2000;
- f) the Vehicle to be used for in connection with:
 - i) building, industrial or demolition operations in or on land adjacent to the Bus Lane or removals from land or buildings adjacent to the Bus lane if the prior written consent of the Council has been received;
 - ii) the laying, erection, alteration or repair of a sewer, pipe or apparatus for the supply of water, gas, electricity or telecommunications apparatus in or on land adjacent to the Bus Lane; or
 - iii) the maintenance, improvement or reconstruction of the Bus Lane.

4. Miscellaneous

The prohibitions 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.

5. Commencement of Order

This Order shall come into force on the ***** 202* and may be cited as the “Lancashire County Council (St Marys Way, Rawtenstall, Rossendale Borough) (Bus Gate Except Cycles, Taxis And Authorised Vehicles) Order 202*”.

Dated this ** day of ***** 202*.

THE COMMON SEAL of the Lancashire County Council was hereunto affixed pursuant to the Scheme of Delegation to Heads of Service **OR** following a decision made on the ** day of ** 202* by The Cabinet

Authorised Signatory

Schedule – Bus Gate (Except Pedal Cycles, Taxis and Authorised Vehicles)

St Marys Way, Rawtenstall, the south side from a point 10 metres west of its junction with the centreline of Bacup Road for a distance of 6.5 metres in a northerly direction.