

**ROAD TRAFFIC REGULATION ACT 1984**  
**LANCASHIRE COUNTY COUNCIL**  
**(BUS STATION SOUTHERN ACCESS, LORD STREET AND TITHEBARN STREET, PRESTON,**  
**PRESTON CITY) (REVOCATION, BUS ONLY STREET AND BUS GATE) EXPERIMENTAL**  
**ORDER 2020**

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) **"Authorised Vehicle"** means a vehicle which has been authorised in writing by the Council for the purposes 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 Gate"** means a short length of Bus Lane;
- d) **"Bus Only Street"** means a Bus Lane;
- e) **"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;
- 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) **"Council's Duly Authorised Officer"** means a person empowered in accordance with Section 10(2) of the Act;
- h) **"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;
- i) **"Local Service"** has the meaning given in Section 2 of the Transport Act 1985;
- j) **"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;
- k) **"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;
- l) **"Public Service Vehicle"** has the meaning given in Section 1 of the Public Passenger Vehicles Act 1981;
- m) **"Taxi"** means a vehicle licensed under Section 37 of the Town Police Clauses Act 1847;
- n) **"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 "The Borough of Preston (Central Area (No.2) Traffic Regulation Order 1992", as set out in Schedule 1 to this Order, are hereby suspended.

## **3. Bus Gate Except 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 or Authorised Vehicle to be in the Bus Lane set out in Schedule 2 to this Order.

## **4. Bus Only Street Except 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 Schedule 3 to this Order at any time.

**NB** in accordance with section 3(2) of the Act, the council is satisfied that for facilitating the passage of vehicular traffic on the road it is requisite that the provisions of section 3(1) of the Act should not apply to the restriction contained herein.

## **5. Exemptions**

Nothing in Articles 3 and 4 of this Order shall render it unlawful to cause or permit any Vehicle to be in the Bus Lanes 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 and whilst performing its statutory duties;
- b) the Vehicle to avoid an accident;
- 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, 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;
- 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 or 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.

## **6. 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.

## **7. 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.

## **8. 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.

## **9. Commencement of Order**

This Order shall come into force on the 27<sup>th</sup> day of January 2020, will be in operation for an experimental period of up to eighteen months and may be cited as the "Lancashire County Council (Bus Station Southern Access, Lord Street And Tithebarn Street, Preston, Preston City) (Suspension, Bus Only Street And Bus Gate) Experimental Order 2020".

Dated this 15<sup>th</sup> day of January 2020.

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

Authorised Signatory

### **Schedule 1 – Suspension**

The Fifth Schedule insofar as it relates to 'Lord Street'.

### **Schedule 2 - Bus Gate Except Authorised Vehicles**

Bus station southern access, off Lord's Walk, Preston, from its junction with Lord's Walk for a distance of 5 metres in a north westerly direction.

### **Schedule 3 – Bus Only Street Except Cycles, Taxis and Authorised Vehicles**

- a) Tithebarn Street, Preston, from its junction with Old Vicarage to its junction with Lord Street in a southerly direction.
- b) Lord Street, Preston, from its junction with Tithebarn Street to its junction with Lancaster Road in a south westerly direction.