

**CHESHIRE WEST AND CHESTER BOROUGH COUNCIL
(CIVIC WAY, ELLESMERE PORT)
(PROHIBITION OF DRIVING) ORDER 2022**

Cheshire West and Chester Borough Council ("the Council") in exercise of its powers under sections 1, 2, 4 and 124 of the Road Traffic Regulation Act 1984 ("the 1984 Act") and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act hereby makes the following Order:-

1. In this Order -

"bus" means a motor vehicle constructed or adapted to carry more than eight passengers (exclusive of the driver) or a local bus not so constructed or adapted;

"local bus" means a public service vehicle used in the provision of a local service not being an excursion or tour"

"local service" has the meaning given in section 2 of the Transport Act 1985;

"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 a class as is to be treated as not a motor vehicle for the purposes of the 1984 Act; and

"public service vehicle" has the meaning given in Section 1 of the Public Passenger Vehicles Act 1981

2. Save as provided in Article 3 no person shall cause any vehicle other than a bus to proceed on Civic Way between its junction with Whitby Road and a point 160 metres south-east of its junction with Whitby Road.

3. Nothing in Article 2 of this Order shall apply to: -

- (a) any police, fire brigade or ambulance vehicle being used in cases of emergency;
- (b) a pedal cycle in the cycle track on the north-east side of Civic Way;
- (c) any vehicle which it is necessary to use for the removal of obstruction to traffic in that length of road;
- (d) in connection with the maintenance, improvement or reconstruction of that length of road, or the laying, erection, alteration or repair in or adjacent to that length of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telecommunications apparatus (as defined in the Telecommunications Act 1984) kept installed for the purposes of a telecommunications code system or of any other telecommunications apparatus lawfully kept installed in any position;
- (e) in connection with any operation involving building, demolition or excavation in or adjacent to that length of road;
- (f) any vehicle that has entered that length of road from (i) the private access road located 25 metres north-west of Marina Walk; and (ii) the Civic Way car park;

- (g) any vehicle which is in the service of a universal service provider to deliver or collect postal packets as defined in the Postal Services Act 2000 to a premises adjacent to that length of road;
 - (h) any vehicle used in the service of a local authority to collect or remove refuse or waste from premises adjacent to that length of road; and
 - (i) any vehicle which is authorised in writing by Cheshire West and Chester Borough Council following consultation with Cheshire Constabulary.
4. The prohibitions imposed by this Order are 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 1984 Act or by or under any other enactment.
5. This Order will come into operation on 25 March 2022 and may be cited as the Cheshire West and Chester Borough Council (Civic Way, Ellesmere Port) (Prohibition of Driving) Order 2022.

SIGNED on behalf of
CHESHIRE WEST AND CHESTER
BOROUGH COUNCIL

This 22nd day of March 2022 by

A handwritten signature in black ink, appearing to be 'Mark Averill', written in a cursive style.

Mark Averill, Head of Highways and Transport