

ROAD TRAFFIC REGULATION ACT 1984

LANCASHIRE COUNTY COUNCIL

(BETHESDA STREET, BRICK STREET, HAMMERTON STREET, PARADISE STREET AND ST JAMES'S STREET, BURNLEY, BURNLEY BOROUGH) (SUSPENSION, ONE WAY TRAFFIC AND BUS LANES) EXPERIMENTAL ORDER 2021

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 and is being used for the purposes of loading/unloading and/or access to the land shown edged green on the plan appended to 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 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;
- 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) **"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

- a) Those parts of the "The Lancashire County Council (Borough of Burnley) (St James' Street Improvements) (Traffic Regulation) Order 2000", as set out in Schedule 1A to this Order, are hereby suspended.
- b) Those parts of the "The Lancashire County Council (Cow Lane, Hammerton Street, Hargreaves Street and St James Street, Burnley, Burnley Borough) (Revocation, Prohibition of Driving (Except Buses, Taxis and Cycles) and Prohibition of Driving) Order 2010", as set out in Schedule 1B to this Order, are hereby suspended.

3. One Way Traffic Restriction

Save as is hereinafter provided, no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any Vehicle, to enter or proceed along the lengths of road set out in Schedule 2 to this Order, in any direction other than that specified.

4. Bus Lane Except Cycles and Taxis

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 or Taxi, to be in the Bus Lanes set out in Schedule 3 to this Order on any day at any time.

5. Bus Lane 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 4 to this Order on any day at any time.

6. General Exemptions

Nothing in Articles 3, 4 and 5 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 and whilst performing its statutory 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.

7. Exemptions to Articles 4 and 5

Nothing in Articles 4 and 5 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 Vehicle to avoid an accident;
- b) 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;
- c) 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.

8. 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.

9. 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.

10. Effect of Contravention

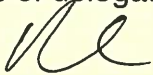
Failure by a person to comply with any prohibition or restriction contained within this order or any subsequent orders shall constitute a contravention of the same and shall result in the issue by Lancashire County Council and/or its Agents of a Penalty Charge Notice which shall be payable by such persons in accordance with the legislation.

11. Commencement of Order

This Order shall come into force on the 23rd day of April 2021, will be in operation for an experimental period of up to eighteen months and may be cited as the "Lancashire County Council (Bethesda Street, Brick Street, Hammerton Street, Paradise Street And St James's Street, Burnley, Burnley Borough) (Suspension, One Way Traffic And Bus Lanes) Experimental Order 2021".

Dated this 14th day of April 2021.

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



Authorised Signatory



29677

Schedule 1A – Suspensions

- a) A prohibition of driving except buses and cycles in St James' Street Burnley, on the southerly side of its carriageway with vehicles travelling in a westerly direction from its junction with Hammerton Street to its junction with Queens Lancashire Way.
- b) A prohibition of driving except buses, taxis and cycles, loading/unloading allowed 5pm-10.30am in St James' Street, Burnley, on both sides from its junction with Bethesda Street to its junction with Curzon Street.
- c) A prohibition of driving except buses, taxis and cycles, loading/unloading allowed 5pm-10.30am in Hammerton Street, Burnley, on both sides from its junction with Hargreaves Street to its junction with St James Street.

Schedule 1B – Suspensions

Schedule 1, St James Street, Burnley, from its junction with Brown Street to its junction with Bethesda Street for vehicles being driven in an easterly direction.

Schedule 2 - One Way Traffic Restriction

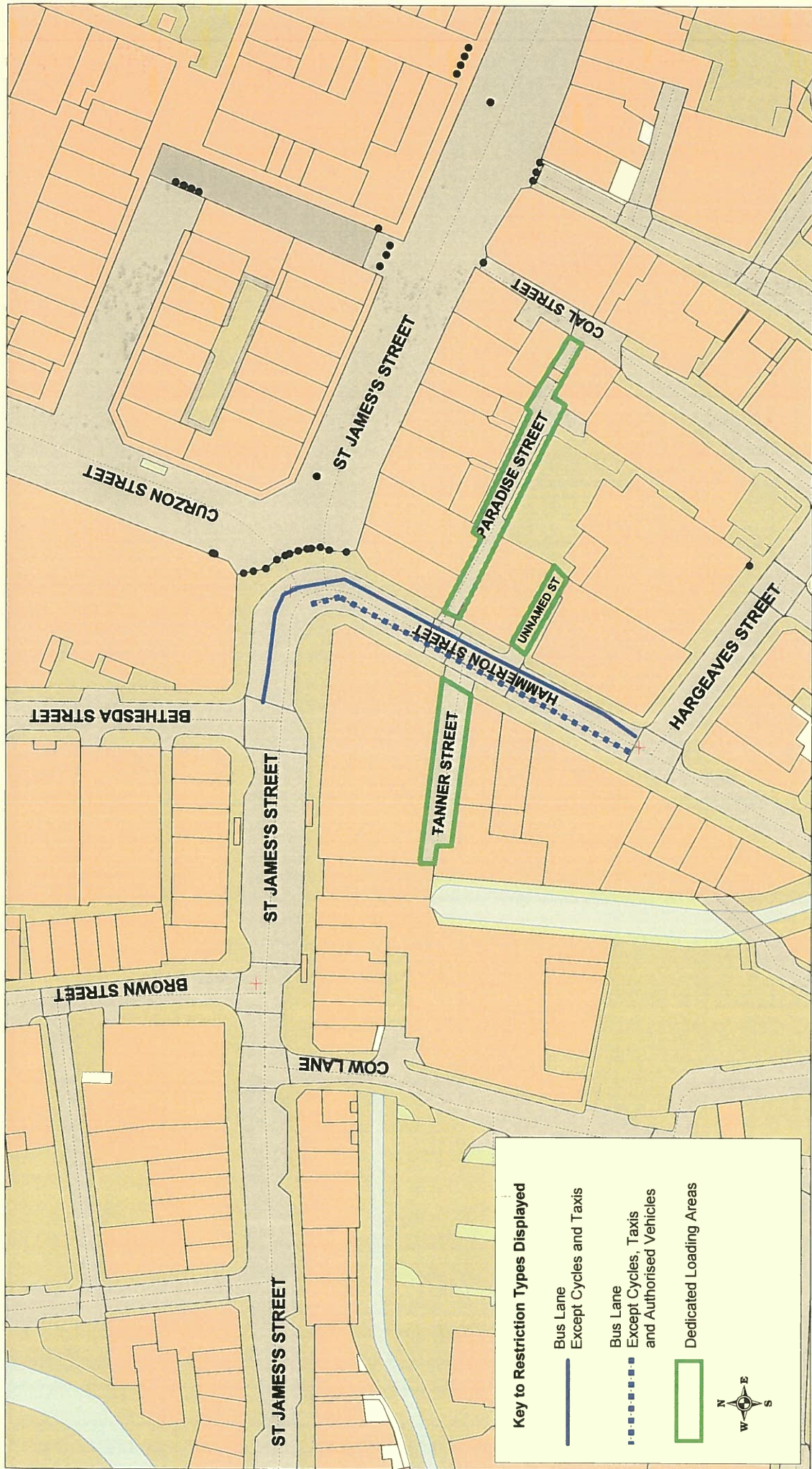
- a) Bethesda Street, Burnley, from its junction with St. James's Street to its junction with Brick Street south to north.
- b) Brick Street, Burnley, from its junction with Bethesda Street to its junction with Brown Street East to West.
- c) Paradise Street, Burnley, from its junction with Hammerton Street to its junction with Coal Street west to east.

Schedule 2 - Bus Lane Except Cycles and Taxis

- a) Hammerton Street, Burnley, southbound from its junction with St. James's Street to its junction with Hargreaves Street.
- b) St James's Street, Burnley, eastbound from its junction with Bethesda Street to its junction with Hammerton Street.

Schedule 3 - Bus Lane Except Cycles, Taxis and Authorised Vehicles

Hammerton Street, Burnley, northbound from its junction with Hargreaves Street to its junction with St. James's Street.



Key to Restriction Types Displayed

- Bus Lane
Except Cycles and Taxis
- Bus Lane
Except Cycles, Taxis
and Authorised Vehicles
- Dedicated Loading Areas

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Phil Durnell Director of Highways and Transportation P.O. Box 100, County Hall, PRESTON PR1 0LD		DATE	18/03/2021
		DRAWING No.	St.James'sSt-ETRO(M)-2
		DRAWN BY	TJP
		Scale with care as distortion may occur	

Hammerton Street;
St James's Street,
Burnley



