

**ROAD TRAFFIC REGULATION ACT 1984
HIGHWAYS ACT 1980
LANCASHIRE COUNTY COUNCIL
(A570 ST HELENS ROAD / ORMSKIRK ROAD, ORMSKIRK, WEST LANCASHIRE
BOROUGH)
(PART REVOCATION AND CLEARWAY) ORDER 2011**

The County Council of Lancashire ("the Council") in exercise of its powers under Sections 1(1), 2(1) and (2), 4(2) and (3) of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, as amended ("the Act"), pursuant to Section 265 and Schedule 21 of the Highways Act 1980, 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) "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.
- b) "main carriageway" means any carriageway used primarily by through traffic, but excludes any lay-by.
- c) "lay-by" means any area of carriageway intended for the waiting of vehicles and bounded by road markings in accordance with diagram 1010 of Schedule 6 to the Traffic Signs Regulations and General Directions, 2002 and partly by the outer edge of that carriageway on the same side of the road as that on which the road marking is placed.

2. Part Revocation

That part of "The St. Helens-Ormskirk-Southport Trunk Road (Prohibition of Waiting)(Clearways) Order 1979" Schedule 1, insofar as it relates to the Prohibition of Waiting on Main Carriageways and Trading from Verges on St Helens Road / Ormskirk Road both side, from its junction with A506 Liverpool Road, Bickerstaffe to a point 843 yards south-east of its junction with Small Lane, Ormskirk, is hereby revoked.

3. Prohibition

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 to stop or wait at any time on the main carriageway on the A570 St Helens Road / Ormskirk Road, Ormskirk from the junction of A506 Liverpool Road in a north-westerly direction to a point 421 metres south-east from the centre line of Small Lane.

4. Exception to Prohibition

Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait on the main carriageway comprised in any road or length 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:-
 - i) building, industrial or demolition operations;
 - ii) the removal of any obstruction to traffic;
 - iii) the maintenance, improvement or reconstruction of the said lengths of roads comprising or including that carriageway; or
 - iv) the laying, erection, alteration or repair in or near land adjacent to the said lengths of road of any sewer or of any main, pipe or apparatus or the exercise of any other statutory power or duty for the maintenance and supply of gas, water or electricity or of any telecommunications system as defined in Section 4 of the Telecommunications Act 1984;
- b) if the vehicle is 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) if the vehicle is to be used for delivering or collecting postal packets as defined in Section 87 of the Post Office Act 2000;
- d) if the vehicle is to be used for fire brigade, ambulance or police purposes in pursuance of statutory powers or duties.
- e) If the vehicle is to wait at or near to any premises situated on or adjacent to the said lengths of road for so long as such waiting by the vehicle is reasonably necessary in connection with any wedding or funeral.
- f) If the vehicle is to be used for the purposes of agriculture, on any land adjacent to the lengths of road, or in connection with the conveyance or haulage of timber felled on such land.

5. Exemptions

Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait in the lengths of road referred to therein, when the person in control of the vehicle:

- a) is required by law to stop;
- b) is obliged to stop in order to avoid an accident;
- c) is prevented from proceeding by circumstances outside his control.

6. 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.

7. Commencement of Order

This Order shall come into force on the 5th December 2011 and may be cited as the "Lancashire County Council (A570 St Helens Road / Ormskirk Road, Ormskirk, West Lancashire Borough) (Part Revocation and Clearway) Order 2011".

Dated this 30th day of November 2011

THE COMMON SEAL of the Lancashire County Council was hereunto affixed pursuant to the Scheme of Delegation to Chief Officers

Authorised Signatory



21090



A570 St Helens Road, Ormskirk - Clearway Order