

**THE ROAD TRAFFIC REGULATION ACT 1984
LANCASHIRE COUNTY COUNCIL
(BOWERHAM ROAD, LANCASTER, LANCASTER CITY) (PROHIBITION OF STOPPING
ON SCHOOL KEEP CLEAR (24-25 NO1E)) 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, (hereinafter called the "1984 Act") and of all other enabling powers 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. Definitions and Interpretations

For all the purposes of this Order the terms described in this Article shall have the meanings specified:

- a) "**Centreline**" means the centre line of a highway as shown on Ordnance Survey graphical information systems at the time that the Order was prepared;
- b) "**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;
- c) "**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;
- d) "**School Keep Clear Marking**" means part of a carriageway outside a School as described in the Schedule to this Order where Vehicles shall not stop or wait, and indicated by a road marking approved by the Department for Transport;
- e) "**Vehicle**" means a motor vehicle, a passenger vehicle, a dual-purpose vehicle, a goods vehicle, a motor cycle or an invalid carriage or any other vehicle of any description whether drawn or propelled along a road by animal or mechanical power.

2. Prohibition Of Stopping On School Keep Clear Markings Monday – Friday 8am – 6pm

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 between 8am and 6pm on each day, Monday to Friday inclusive, on the length of road set out in the Schedule to this Order.

3. Exceptions

Nothing in Article 2 of this Order shall render it unlawful to cause or permit any Vehicle to wait during the prohibited hours in the lengths 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;
 - iv. the laying, erection, alteration or repair in or in 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) 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 to be used for fire brigade, ambulance or police purposes in pursuance of statutory powers or duties.

4. Additional Exceptions

Nothing in Article 2 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 required to stop in order to avoid an accident; or
- c) Is prevented from proceeding along the road due to circumstances beyond his/her control.

5. 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 any other enactment.

6. 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 the Council and/or its agents of a Penalty Charge Notice which shall be payable by such persons in accordance with the legislation.

7. Commencement of Order

This Order shall come into force on the XX XX 202* and may be cited as the "Lancashire County Council (Bowerham Road, Lancaster, Lancaster City) (Prohibition Of Stopping On School Keep Clear (24-25 No1E)) Order 202*".

Dated this ** day of ***.

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 **/**/**** by The Cabinet

Authorised Signatory

Schedule - Prohibition Of Stopping On School Keep Clear Markings Monday – Friday 8am -6pm

Bowerham Road, Lancaster, the south west side, from a point 10 metres south east of its junction with the projected Centreline of Cranwell Avenue for a distance of 43.56 metres in a north westerly direction.