

HALTON BOROUGH COUNCIL

THE HALTON BOROUGH COUNCIL (BAILEYS LANE AND DUNGEON LANE, HALE) (CLEARWAY AND REVOCATION) ORDER 2019

The Halton Borough under Sections 1, 2, and 4 of the Road Traffic Regulation Act, 1984 ("the 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 Act hereby makes the following Order:-

1. The Order shall come into operation on the 18th day of March 2019 and may be cited as The Halton Borough Council (Baileys Lane and Dungeon Lane, Hale) (Clearway and Revocation) Order 2019.

General Provisions

2. Except where otherwise stated, any reference in this Order to a numbered Article is a reference to the Article bearing that number in this Order.
3. In this Order any reference to the provisions of any Act Regulations or Directions shall be deemed to include the equivalent provisions of any re-enactments thereof.
4. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.

Clearway restrictions

5. Subject to the provisions of this Order no person driving a motor vehicle shall cause it to stop or remain at rest at any time on any carriageway comprising the clearway described in the Schedule to this Order.

6. Nothing in Article 5 applies to the driver of a bus being used in the provision of a local service (as defined in section 2 of the Transport Act 1985) who causes the bus to stop within the clearway for so long as may be necessary -
 - (a) to maintain the published timetable for the service the bus is not stopped within the clearway for a period exceeding two minutes);
 - (b) to enable passengers to board or alight from the bus; or
 - (c) to enable the crew of the bus to be changed.

7. (1) Nothing in Article 5 applies in relation to -
 - (a) a vehicle being used for fire service, ambulance or police purposes;
 - (b) anything done with the permission or at the direction of -
 - (i) a constable in uniform;
 - (ii) a traffic warden; or
 - (iii) where the clearway is in a special parking area designated under Part II of the Road Traffic Act 1991 or Schedule 3 to that Act, a parking attendant appointed under section 63A of the 1984 Act;
 - (c) a vehicle which is prevented from proceeding by circumstances beyond the driver's control or which has to be stopped in order to avoid injury or damage to persons or property;
 - (d) a taxi or private hire vehicle which is stationary only for so long as may be reasonably necessary for a passenger to board or alight and to load or unload any luggage of the passenger;
 - (e) a marked vehicle which, whilst used by a universal service provider in the course of the provision of a universal postal service, is stationary only for so long as may be reasonably necessary for postal packets to be collected;
 - (f) a vehicle driven by a person whilst being trained to drive a bus operating local services who, as part of his training, stops the vehicle within a clearway for no longer than necessary to simulate the stopping of a bus at a bus stop for the purpose of picking up and setting down passengers;
 - (g) a vehicle which is stationary in order that it may be used for one or more of the purposes specified in paragraph (3) below and which cannot be used for such a purpose without stopping in the clearway.

(2) In sub-paragraph (1)(e) the expressions "universal service provider", "provision of a universal postal service" and "postal packet" shall bear the

same meanings as in the Postal Services Act 2000.

(3) The purposes referred to in paragraph 1(g) are -

(a) any operation involving building, demolition or excavation;

(b) the removal of any obstruction to traffic;

(c) the maintenance, improvement or reconstruction of a road;

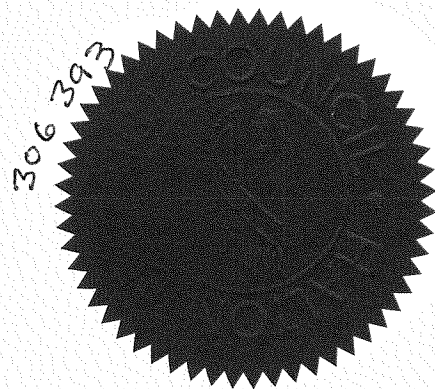
(d) constructing, improving, maintaining or cleaning any street furniture including bus stop infrastructure; or

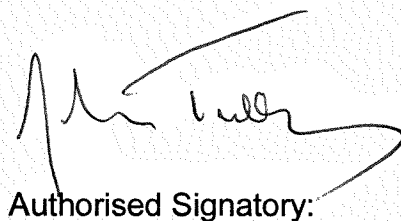
(e) the laying, erection, alteration, repair or cleaning of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any electronic communications apparatus kept installed for the purposes of an electronic communications code system or of any other electronic communications apparatus lawfully kept installed in any position.

Revocations

8. All traffic regulation orders relating to those parts of Baileys Lane and Dungeon Lane Hale covered in this Order in force immediately prior to the date hereof are hereby revoked (but for the avoidance of doubt this revocation does not apply to any speed limit order).

Executed as a Deed by hereunto
affixing the Common Seal of Halton
Borough Council in the presence of-




Authorised Signatory:

SCHEDULE

Clearway Restrictions

Column 1	Column 2	Column 3
Road	Length	Extent of Restriction
Baileys Lane Hale	From a point 395 metres south-west of its junction with Hale Road, westwards to its junction Dungeon Lane.	At any time
Dungeon Lane Hale	Immediately south of its junction with Oglet Lane to immediately north of its junction with Baileys Lane.	At any time

STATEMENT OF REASONS

This Order is designed to avoid obstruction to parts of Baileys Lane and Dungeon Lane, Hale, following the stopping up of part of Dungeon Lane. The creation of a clearway is the most suitable response to the stopping up Order. This Order will also supplement the existing Speed Restriction Order.

For the avoidance of doubt this Order will also repeal the existing traffic regulation order which authorises the placing of the existing barriers on Baileys Lane.

