

BATH AND NORTH EAST SOMERSET DISTRICT COUNCIL**(A4 LONDON ROAD, OUTER AREA, CITY OF BATH)**
(RESERVED BUS LANE) (24 HOURS) ORDER 2000

The Bath and North East Somerset District Council (hereinafter referred to as "the Council") in exercise of its powers under sections 1(1), 2(1) to (3), 4(1) of the Road Traffic Regulation Act 1984 as amended (hereinafter referred to as "the Act of 1984") 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 of 1984, hereby makes the following Order:-

1. This Order shall come into operation on the 3rd July 2000 and may be cited as the Bath and North East Somerset District Council (A4 London Road, Outer Area, City of Bath) (Reserved Bus Lane) (24 Hours) Order 2000.
2. (1) In this order:-

"bus lane" means any area of the carriageway of that length of the A4 London Road in the City of Bath which extends from a point 89 metres north east of a point in line with the north eastern kerbline of Piccadilly Place in a south westerly direction for a distance of 25 metres and which is bounded on the south east side by the south eastern kerbline of the road and where that south eastern kerbline is broken by the junction of that road with another road or an accessway, by the line joining the said south eastern kerbline on either side of that junction and on the north west by a road marking complying with diagram 1049 in Schedule 6 to the Traffic Signs Regulations and General Directions 1994, broken only by the gap opposite the junction of that road on its south eastern side with another road or an accessway, by a crossing for foot passengers marked on the road in accordance with regulations made under section 25 of the Act of 1984, or by a street refuge;

"coach" means:

- a. a vehicle, other than a public service vehicle, which is constructed or adapted to carry 12 or more passengers, or
- b. any vehicle, operating as a public service, which is constructed or adapted to carry disabled persons;

"enactment" means any enactment whether public, general or local and includes any order, byelaw, regulation, scheme or other instrument having effect by virtue of an enactment;

"hackney carriage" has the same meaning as in Part III of Schedule 1 to the Vehicles Excise and Registration Act 1994 but complying with the requirements of the relevant licensing authority in respect of roof-top signs;

"motor cycle" has the same meaning as in Section 136 of the Act of 1984;

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"pedal cycle" means a bicycle, tricycle or cycle having four or more wheels, not being in any case a motor vehicle;

"private hire vehicle" means a motor vehicle constructed or adapted to seat fewer than eight passengers other than a hackney carriage or public service vehicle which is provided for hire with the services of a driver for the purposes of carrying passengers but complying with the requirements of the relevant licensing authority in respect of roof top signs; and

"public service vehicle" has the same meaning as in Section 1(1)(a) of the Public Passenger Vehicles Act 1981.

- (2) Any reference in this order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or having effect by virtue of any subsequent enactment.
 - (3) For the purposes of this order a vehicle shall be deemed to wait for more than two minutes in the same place if any one part of the road is below any part of the vehicles or its load (if any) throughout a period exceeding two minutes whether or not the vehicle is moved during that period.
3. Save as provided in Article 4 of this order no person shall, except upon the direction of a police constable in uniform or of a traffic warden, cause or permit any vehicle other than a coach, hackney carriage, motor cycle, pedal cycle, private hire vehicle or public service vehicles to enter, proceed or wait in the bus lane otherwise than for the purpose of crossing it.
4. (1) Nothing in this order shall render it unlawful for any person to cause or permit any vehicle to enter or proceed in any direction in the bus lane so far as such entry or proceeding is reasonably necessary to enable the vehicle to be used for any of the purposes specified in paragraph (2) of this Article, or to wait in the bus lane for so long as may be necessary for any of those purposes.
- (2) The purposes referred to in paragraph (1) of this Article are:-
- (i) the removal of obstruction to traffic, and
 - (ii) police, fire brigade or ambulance purposes in an emergency.
- (3) Nothing in this order shall render it unlawful for any person to cause or permit any vehicle to enter or proceed in a south westerly direction in the bus lane so far as such entry or proceeding is reasonably necessary to enable the vehicle to be used for any of the purposes specified in paragraph (4) of this Article or (save as provided in that paragraph) to wait in the bus lane for so long as may be necessary for any of those purposes.

(4) The purposes referred to in paragraph (3) of this Article are:-

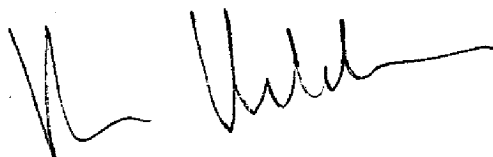
- (i) in the service of any local authority, the Environment Agency, a water undertaker or sewerage undertaker in pursuance of statutory powers or duties or in connection with the supply of gas or of electricity or any telecommunication apparatus as defined in the Telecommunications Act 1984;
- (ii) the avoidance of an accident;
- (iii) the gaining of access to or egress from off-street loading or garaging premises adjacent to or accessible only from the bus lane, and
- (iv) the boarding or alighting of any person -

Provided that such boarding or alighting does not cause the vehicle to wait in the same place for more than two minutes.

5. The provisions of this order shall be in addition to and not in derogation from the provisions of any regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.

Given under the Common Seal of the Bath and North East Somerset District Council the 28th day of June 2000.

The COMMON SEAL of the
BATH AND NORTH EAST SOMERSET
DISTRICT COUNCIL
was hereunto affixed
in the presence of:-



Solicitor to the Council

