



BEDFORD BOROUGH COUNCIL

BEDFORD BOROUGH COUNCIL TRAFFIC REGULATION ORDER

BEDFORD BOROUGH COUNCIL (BUS LANES AND BUS ONLY STREETS, THE BOROUGH OF BEDFORD) CONSOLIDATION ORDER 2014

The Common Seal of the
Bedford Borough Council
Was hereunto affixed this
24th day of July 2014
in the presence of



Executive Director for Environment and Sustainable Communities

Assistant Chief Executive (Governance) and Solicitor to the Council

AUTHORITY FOR EXECUTION		
COUNCIL/COMMITTEE	MINUTE No.	DATE
DELEGATED POWER	By whom executed EDESC	DATE
	OFFICERS INITIALS	DATE
ORIGINATED AND CHECKED BY	JS	22/07/14
APPROVED BY	<i>DM</i>	28/07/14

SECTION 1 – PRELIMINARY

Citation and Commencement

1. This Order shall come into operation on the 11th day of August 2014 and may be cited as the "Bedford Borough Council (Bus Lanes and Bus Only Streets, The Borough of Bedford) Consolidation Order 2014".
2. The Bedford Borough Council (Bus Lanes and Bus Only Streets, The Borough of Bedford) Consolidation Order 2014, including the annexed map schedules and Key (the "Plans") are incorporated into the Order.

Interpretation and Definitions

3. In this Order, except where the context otherwise requires, the following expressions have the same meanings hereby respectively assigned to them:-

"the 1978 Act" means the Interpretation Act 1978.

"the 1980 Act" means the Highways Act 1980.

"the 1984 Act" means the Road Traffic Regulation Act 1984.

"the 2000 Act" means the Transport Act 2000.

"the 2002 Regulations" means the Traffic Signs Regulations and General Directions 2002 *as amended*.

"Bus" means a motor vehicle constructed or adapted to carry more than 8 passengers (exclusive of driver).

"Bus Lane" means an area of road is or forms part of a bus lane if the Order provides that it may be used—

- (a) only by buses (or a particular description of bus), or
- (b) only by buses (or a particular description of bus) and some other class or classes of vehicular traffic, as defined within the 2000 Act.

"Bus Only Street" has the same meaning as a Bus Lane as defined within the 2000 Act.

"Carriageway" means a way constituting or comprised in a highway, being a way over which the public have a right of way for the passage of vehicles.

"Contra-flow" means a part of carriageway of a road where:-

- (a) traffic is authorised to proceed in the opposite direction to the usual direction of traffic on that part; or
- (b) a specified class of traffic is authorised to proceed in the opposite direction to other traffic on that carriageway.

"Enactment" includes any subordinate legislation within the meaning of the Interpretation Act 1978.

"Hackney carriage" has the same meaning as in the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

"Local service" has the meaning given in section 2 of the Transport Act 1985.

"Local bus" means a public service vehicle used for the provision of a local service not being an excursion or tour.

"Motor Cycles" which has the meaning in section 185(1) of the Road Traffic Act 1988 "a mechanically propelled vehicle", not being an invalid carriage, with less than four wheels and the weight of which does not exceed 410 kilograms.

"Motor vehicle" means a vehicle as defined in sections 136(1) and 140 of the 1984 Act.

"PCN" means Penalty Charge Notice.

"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 it to be treated as not being a motor vehicle for the purposes of the 1984 Act.

"Plans" means the annexed map based drawing/schedules forming part of the Traffic Regulation Order used to define the extents and types of restriction which are in force.

"Private Hire Vehicle" has the same meaning given in section 80 of the Local Government (Miscellaneous Provisions) Act 1976.

"Public Service Vehicle" means any public service vehicle as defined in Section 1 of the Public Passenger Vehicles Act 1981.

"Road maintenance vehicle" means a vehicle which is specially designed or adapted for use on a road by or on behalf of a highway authority for the purposes of the Highways Act 1980 for the purposes of road maintenance.

"Road marking" means a traffic sign consisting of a line or mark or legend on the road.

"Sign" means a traffic sign.

"Solo motor cycle" means a motor cycle without a side car and having two wheels.

"Specified hours" means the hours to which the restriction shall apply daily.

"Specified road" means any road or length of road specified in the Schedules to this Order.

"Street works" means the carrying out of any streets works authorised in accordance with the provisions of the New Roads and Street Works Act 1991 or emergency works as defined by section 52 of that 1991 Act.

"Traffic Lane" means, in relation to a road, a part of carriageway having, as a boundary which separates it from another such part, a road marking of that type shown in the 2002 Regulations.

"With-flow lane" means a traffic lane reserved for a specified class of traffic proceeding in the same direction as general traffic in an adjoining traffic lane.

4. Any reference in this Order to a numbered Article or Schedule shall, unless the context otherwise requires, be construed as a reference to the article or Schedule bearing that number in this Order.
5. 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 as having effect by virtue of any subsequent enactment.

SECTION 2 – DESIGNATION OF BUS LANES AND BUS ONLY STREETS

6. The Bus Lane(s) shall comprise of the streets listed in Schedule 1 to this Order and the extents of the Bus Lane shown on the Plans to this Order as shaded and annotated and referenced by the associated key.

Restriction on use of Bus Lanes

7. Save as provided in Article 9 to 11 to this Order, no person shall cause or permit any mechanically propelled vehicle to be in the length of road specified in Schedule 1 to this Order and shown as restricted on the Plans to this Order during the its restricted hours.

Restricted hours of Bus Lanes

8. The restricted hours of the bus lane shall be,as that conveyed on the traffic sign at the start of the bus lane and as shown within the Plans to this Order. Where restrictions are in place during part of the day, then those restricted operational hours and days will be shown on the traffic sign. Where restrictions are in place at all times, then the restricted operational hours or any reference to times and days will be omitted from the traffic sign.

Exemptions relating to classes of vehicles and vehicles being used for certain purposes

9. (1) Article 7 does not apply to:-
 - (a) a bus
 - (b) a vehicle used in the provision of a local service
 - (c) a vehicle being used for ambulance, fire brigade, police or special forces purposes if the observance of any provision of this Order would hinder the use of the vehicle for the purpose for which it is being used on that occasion
 - (d) vehicles operated by door-to-door and other community transport providing a service for the disabled to permit access to Horne Lane via the bus lane
 - (e) electrically assisted pedal cycles
 - (f) motor cycles and any attached side car/trailer
 - (g) pedal cycles
 - (h) a taxi whether it be Hackney carriage or Private hire
 - (i) a vehicle being used in the service of a local authority for the purpose of collecting refuse from premises adjacent to the bus lane
 - (j) a vehicle whom has been granted permission by the local authority to be in the bus lane.

(2) Article 7 does not apply to a vehicle being used in connection with:-

- (a) any building operation or demolition
- (b) the removal of any obstruction to traffic
- (c) the maintenance, improvement or reconstruction of any road
- (d) the laying, erection, alteration or repair of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1984 in or near any road;
- (e) the placing, maintenance or removal of any traffic sign; or
- (f) any statutory powers or duties of a local authority
- (g) agricultural purposes in connection with land adjoining the lengths of road specified in Schedule 1 to this Order
- (h) undertaking works on the public highway and authorised to be in the bus only street by the local authority whilst undertaking the specific works

Provided that in all circumstances it is necessary for the vehicle to be in the bus lane.

Exemptions relating to crossing and turning traffic

10. A person who causes or permits a vehicle to be in the bus lane shall not contravene Article 7 if the vehicle enters a bus lane:-

- (a) from a road which does not comprise the bus lane and leaves the bus lane through the gap in the single white line situated opposite and adjacent to the junction of that road with the bus lane, or if there is no such gap, at a point opposite that road
- (b) from an adjacent part of the road through any gap in the single white line and enters a road which lies opposite that gap
- (c) from any vehicular access way or crossing over the footway adjoining the bus lane and leaves the bus lane at a point opposite that vehicular access way or crossing
- (d) from an adjacent part of road at a point opposite any vehicular access way or crossing over the footway adjoining the bus lane and enters that vehicular access way or crossing
- (e) the gaining of access or egress from off-street loading or garaging premises adjacent to or accessible only from the bus lane
- (f) the gaining of access or egress from any area where no other vehicular access has been made available.

Exemptions in other circumstances

11. (1) A person who causes or permits a vehicle to be in a bus lane shall not contravene Article 7 if they do so in order to prevent an accident and the vehicle then leaves the bus lane as soon as practicable.
- (2) A person who causes a vehicle to be in a bus lane shall not contravene Article 7 if they do so in order to:-
- (a) deliver postal packets to premises adjacent to the bus lane
 - (b) collect postal packets from such premises or post office letter boxes adjacent to the bus lane.
- (3) A person who causes a vehicle to be in a bus lane shall not contravene Article 7 if that vehicle has broken down and cannot be removed from the bus lane without the aid of a vehicle breakdown and/or recovery service.
- (4) Article 7 does not apply to anything done:-
- (a) with the permission or at the direction of a Police Constable in uniform or a Civil Enforcement Officer in uniform
 - (b) in accordance with any indication given by a traffic sign which has been placed pursuant to Section 66 or 67 of the Road Traffic Regulation Act 1984.
12. The prohibition imposed by this Order is in addition to and not in derogation of any restriction, prohibition or requirement imposed by and any other enactment and any exception or exemption from the provision of this Order is without prejudice to the provision of any enactment.
13. The Bus Only Street(s) shall comprise of the streets listed in Schedule 2 to this Order and the extents of the Bus Only Street shown on the Plans to this Order as shaded and annotated and referenced by the associated key.

Restriction on use of Bus Only Streets

14. Save as provided in Article 16 to this Order, no person shall cause or permit any mechanically propelled vehicle to be in the length of road specified in Schedule 2 to this Order and shown as restricted on the Plans to this Order during its restricted hours.
15. The Council is satisfied that for avoiding danger to persons using the road it is requisite that the restriction declared in Section 3(1) of the Act shall not apply in relation to this Order.

Exemptions relating to classes of vehicles and vehicles being used for certain purposes

16. (1) Article 14 does not apply to:-

- (a) a bus
- (b) a vehicle used in the provision of a local service
- (c) a vehicle being used for ambulance, fire brigade, police or special forces purposes if the observance of any provision of this Order would hinder the use of the vehicle for the purpose for which it is being used on that occasion
- (d) electrically assisted pedal cycles
- (e) pedal cycles
- (f) a vehicle whom has been granted permission to by the local authority to be in the bus only street.

(2) Article 14 does not apply to a vehicle being used in connection with:-

- (a) any building operation or demolition
- (b) the removal of any obstruction to traffic
- (c) the maintenance, improvement or reconstruction of any road
- (d) the laying, erection, alteration or repair of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1984 in or near any road;
- (e) the placing, maintenance or removal of any traffic sign; or
- (f) any statutory powers or duties of a local authority
- (g) agricultural purposes in connection with land adjoining the lengths of road specified in Schedule 2 to this Order
- (g) undertaking works on the public highway and authorised to be in the bus only street by the local authority whilst undertaking the specific works

Provided that in all circumstances it is necessary for the vehicle to be in the bus only street.

SECTION 5 – REVOCATION OF ORDERS

From the date that this Order shall come into effect, the following Order shall hereby be revoked:

- BEDFORD BOROUGH COUNCIL (BUS LANES AND BUS ONLY STREETS, THE BOROUGH OF BEDFORD) ORDER 2014

SECTION 6 – SCHEDULES

Schedule 1 – Identification of streets forming a Bus Lane

Road name/Town	Class of vehicles permitted to use Bus Lane	Operational hours of restriction	Extent of restriction as shown on the Plans
Amphhill Road, Bedford	Refer to Article 9	At all times	135, 136, J32, J33, J34, J35
Amphhill Road, Elstow	Refer to Article 9	At all times	137, 138
Bedford Road, Kempston	Refer to Article 9	At all times	H32, H33, 132
Greyfriars, Bedford	Refer to Article 9	At all times	J27,
Home Lane, Bedford	Refer to Article 9	At all times	J28
Kingsway, Bedford	Refer to Article 9	7am-7pm daily	J29, J30, K30
River Street, Bedford	Refer to Article 9	At all times	J28

Schedule 2 – Identification of streets forming a Bus Only Street

Road name/Town	Class of vehicles permitted to use Bus Lane	Operational hours of restriction	Extent of restriction as shown on the Plans
Bedford Road, Wixams,	Refer to Article 16	At all times	K44, K45
Greenkeepers Road, Great Denham	Refer to Article 16	At all times	F29, F30
The Highway, Shortstown	Refer to Article 16	At all times	P39