

BURY METROPOLITAN BOROUGH COUNCIL

THE METROPOLITAN BOROUGH OF BURY (A665 BURY OLD ROAD, PRESTWICH) (RESERVED BUS LANE) (PEAK HOURS) ORDER 2003

The Council of the Metropolitan Borough of Bury in exercise of the powers under Sections 1(1), 2(1) and (2) and 4(1) of the Road Traffic Regulation Act 1984 ("the Act of 1984") and of all other enabling powers and after consultation with the Chief Officer of Police for the County of Greater Manchester in accordance with Part III of Schedule 9 of the said Act of 1984, hereby make the following Order:-

1. This Order shall come into operation on the 23 day of June 2003 and may be cited as the (A665 Bury Old Road, Prestwich) (Reserved Bus Lane) (Peak Hours) Order 2003

General Interpretation

- 2.(1) In this Order:

"The 2002 Regulations" means the Traffic Signs Regulations and General Directions 2002;

"bus" has the same meaning as in the 2002 Regulations;

"Bus Lane" means the area of carriageway, of that length of Bury Old Road, Prestwich as detailed in Schedule 1 bounded by the kerblines of Bury Old Road, Prestwich and on the other by the road marking, complying with diagram 1049 in Schedule 6 of the 2002 Regulations (herein after referred to as the "white line") broken only by the gap opposite the junction of that road with another road or an access way, by a crossing for foot passengers marked on the road in accordance with regulations made under Section 25 of the said Act 1984, or by a street refuge;

"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

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

"Taxi" means a hackney carriage licensed by a local authority to ply for hire;

"Pedal Cycle" has the same meaning as in the 2002 Regulations.

"Pedestrian Crossing" means a crossing for foot passengers marked on a road in accordance with regulations made under Section 25 of the Road Traffic Regulation Act 1984

The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Restriction on use of Bus Lane

3. Save as provided in Articles 4 to 6 of this Order no person shall cause or permit any vehicle to enter, proceed or wait in the bus lane

Exemptions Relating to Classes of Vehicles and Vehicles being used for Certain Purposes

4.(1) Article 3 does not apply to:-

- (a) a Bus
- (b) Pedal Cycle;
- (c) a vehicle being used for ambulance, fire brigade or police purposes if the observance of any provision of this Order would hinder the use of the vehicle for the purpose on which it is being used on that occasion;
- (d) a Taxi

(2) Article 3 does not apply to a vehicle being used in connection with:-

- (a) any building operation or demolition authorised by the highway authority;
- (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, electricity or of any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1984 in or near the road;
- (e) the placing, maintenance or removal of any traffic sign; or
- (f) in the services of a local authority in pursuance of statutory powers;

provided that in all the circumstances it is necessary for the vehicle to enter the bus lane.

Exemptions Relating to Crossing and Turning Traffic

5. A person who causes or permits a vehicle to enter the bus lane shall not contravene Article 3 if the vehicle enters the bus lane:-

- (a) from a road which does not comprise the bus lane and forthwith leaves the bus lane through a 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 that point opposite the road;
- (b) from an adjacent part of the road through any gap in the single white line and forthwith enters a road which lies opposite that gap;
- (c) from any vehicular accessway or crossing over the footway adjoining the bus lane and forthwith leaves the bus lane at a point opposite that vehicular accessway or crossing;

- (d) from an adjacent part of the road at a point opposite any vehicular accessway or crossing over the footway adjoining the bus lane and forthwith enters that vehicular access or crossing; or
- (e) to gain access to or egress from off-street loading or garaging premises or on-street designated parking and loading facilities adjacent to or accessible only from the bus lane.

Exemptions in Other Circumstances

- 6.(1) A person who causes or permits a vehicle to enter or proceed in the bus lane shall not contravene Article 3 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 enter, proceed or wait in the bus lane does not contravene Article 3 if they do so in order to:-
 - (a) deliver postal packets to premises adjacent to the bus lane; or
 - (b) collect postal packets from such premises or post office letterboxes adjacent to the bus lane;

provided that they are in the employment of the Royal Mail or another recognised universal postal service provider and in a liveried vehicle.
- (3) Article 3 of this Order does not apply to anything done:-
 - (a) with the permission or at the direction of a constable in uniform or a traffic warden or other authorised person; or
 - (b) in accordance with any indication given by a traffic sign which has been placed pursuant to Section 66 or Section 67 of the Road Traffic Regulation act 1984.

Savings Related to Other Enactments

- 7. The Prohibition imposed by this Order is in addition to and not in derogation of any restriction, prohibition or requirement imposed by any other enactment and any exception or exemption from the provision of this Order is without prejudice to the provisions of any other enactment.

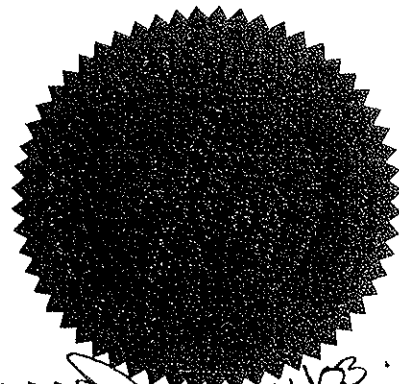
SCHEDULE 1 *BUS LANE*

A665 Bury Old Road, Prestwich **(Southbound)**

(Operative 7.30 am to 9.30 am
and 4.00 pm to 6.00 pm
Mondays to Fridays inclusive)

from Ostrich Lane to 90m north of its junction with
Scholes Lane.

THE COMMON SEAL of THE COUNCIL OF THE)
METROPOLITAN BOROUGH OF BURY was)
hereunto affixed this 20 day of June 2003)
in the presence of:-)



Christine Smith 26/6/03

for Council Solicitor