

The Essex County Council (Ghyllgrove, Basildon) (Bus Lane) Order 2009

The Essex County Council ("the Council") in exercise of its powers under Section 1(1), 2(1) to (3) and 3(2) 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 to Schedule 9 to the Act, hereby makes the following Order:-

1. In this order

"2002 Regulations" means the Traffic Signs Regulations and General Directions 2002.

"authorised vehicles" means private hire cars granted by Basildon District Council and approved under the Basildon Quality Taxi Partnership.

"bus lane" has the same meaning as in Section 144(4) and (5) of the Transport Act 2000 and means the area of carriageway specified in Schedule 1 to this Order and bounded by a traffic sign;

"bus" means

- (i) motor vehicles constructed or adapted to carry more than 8 passengers (exclusive of the driver), and
- (ii) local buses not so constructed or adapted.

"private hire vehicle" means a vehicle constructed or adapted to seat fewer than nine passengers which is made available with a driver for hire for the purpose of carrying passengers, other than a licensed taxi or a public service vehicle;

"motor vehicle" has the same meaning as in Section 136 of the Act of 1984.

"pedal cycle" has the same meaning as in the 2002 Regulations.

"taxi" means a vehicle licensed under s37 of the Town Police Clauses Act 1847.

2. Save as provided in Articles 3 & 4 of this Order, no person shall cause or permit any vehicle to be in the bus lane specified in the Schedule to this Order at any time.

3.

(1) Article 2 does not apply to –

- (a) a bus
- (b) a pedal cycle
- (c) a taxi
- (d) 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 for which it is being used on that occasion
- (e) a vehicle being used in the service of a local authority for the purpose of collecting refuse from premises adjacent to the bus lane
- (f) an authorised private hire vehicle

4. Nothing in Article 3 of this Order shall apply so as to prevent any person from causing any motor vehicle to be in the section of road specified in that Article if the vehicle:-

- (a) Is being used for the conveyance of persons, good or merchandise to or from any premises situated on or adjacent to those lengths of road;
- (b) Is being used for fire brigade, police or ambulance purposes;
- (c) Is being used in connection with any of the following operations, namely:-

- (i) Building or demolition operational;
 - (ii) The removal of any obstruction to traffic;
 - (iii) The maintenance, improvement or reconstruction of those lengths of road;
 - (iii) The laying, erection, alteration or repair in or on land adjacent to those lengths of road, of any sewer, or any main, pipe or apparatus for the supply of water, gas or electricity, or any telegraphic line; or
 - (iv) the placing, maintenance or removal of any traffic sign; or
- (d) Is being used in the service of or contracted to a local authority or water authority in pursuance of statutory powers or duties.
- (e) In any case where the person in control of the vehicle is required by law to stop, or is obliged to do so to avoid an accident, or is prevented from proceeding by circumstances beyond his control.
5. The Council are satisfied that for avoiding danger to persons or other traffic using the road to which the order relates and for preventing the likelihood of any such danger arising, it is requisite that Section 3(1) of the Act should not apply in relation to this Order.
6. This Order shall come into operation on 25 November 2009 and may be cited as the Essex County Council (Ghyllgrove, Basildon) (Bus Lane) Order 2009

Sealed with the Common Seal of the Essex County Council this second day of November Two thousand and Nine.

THE COMMON SEAL of the)
 ESSEX COUNTY COUNCIL was)
 hereunto affixed in the presence of:-)



D. J. ...

Attesting Officer

Schedule

Road	Distance/Location
Ghyllgrove, Basildon	From a point 5.6 metres north of the northern boundary of property No. 11 Ghyllgrove Close, northwards for a distance of 195 metres up to the southern kerb line of Cranes Farm Road (A1235).