



MEDWAY COUNCIL

TRAFFIC REGULATION ORDER

Medway Council (Chatham Town Centre) (Bus Priority) Order 2011

Made 28th October, 2011
Coming into force 1st November, 2011

The Medway Council in exercise of their powers under sections 1(1), 2(1) to (3), 3(2), 4(1) and (2) of the Road Traffic Regulation Act 1984 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 make the following Order:-

CITATION, COMMENCEMENT AND REVOCATIONS

- (1) This Order may be cited as the Medway Council (Chatham Town Centre) (Bus Priority) Order 2011 and shall come into force on 1st November, 2011.

(2) The Medway Council (High Street, Chatham) (Bus Priority) Order 2011 is hereby revoked.

INTERPRETATION

- (1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-

"bus" has the same meaning as in regulation 22 of the Traffic Signs Regulations and General Directions 2002;

"bus lane" means a traffic lane on a length of road specified in column (2) in the table in Schedule 1 and in respect of which traffic signs are in place indicating the controls specified in Article 3(1);

"bus-only route" means a traffic lane on a length of road specified in column (2) in the table in schedule 2 and in respect of which traffic signs are in place indicating the controls specified in Article 3(2);

"cause" includes permits and causing shall be construed accordingly;

"local bus", "pedal cycle", "taxi" and "traffic lane" have the same meanings as in regulation 4 of the Traffic Signs Regulations and General Directions 2002; and

"Medway Private Hire Vehicle" means a vehicle licensed under Part II, Local Government (Miscellaneous Provisions) Act 1976 by Medway Council as a private hire vehicle;

"vehicle" includes part of a vehicle;

"solo motor cycle" means a motor cycle without a side car;

"the Council" means the Medway Council.

- (2) In this Order, except where the context otherwise requires:-

(a) any reference to a numbered Article or a numbered Schedule is a reference to the Article or Schedule bearing that number in this Order;

(b) any reference to a numbered or lettered paragraph or sub-paragraph is a reference to the paragraph or sub-paragraph bearing that number or letter in the Article or Schedule or (in the case of a sub-paragraph) paragraph in which the reference occurs; and

(c) any reference to a Table, or to a numbered Table, is a reference to the Table, or to the Table bearing that number, in the Article or Schedule in which that reference occurs.

(3) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

(4) The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made under or having effect as if made under the Road Traffic Regulation Act, 1984 or by or under any other enactment.

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

BUS PRIORITY MEASURES

3. (1) Except as provided in Articles 4 and 5, no person shall cause a vehicle to be in a bus lane in a length of road specified in an item in column (2) of the table in Schedule 1 during the times specified in column (3) of that item unless that vehicle is proceeding in the direction specified in column (4) of that item and is of a type specified in column (5) of that item.

(2) Except as provided in Articles 4 and 5, no person shall cause a vehicle to be in a bus-only route in a length of road specified in an item in column (2) of the table in Schedule 2 during the times specified in that column (3) of that item unless that vehicle is proceeding in the direction specified in column (4) of that item and is of a type specified in column (5) of that item.

EXEMPTIONS - BUS LANES and BUS ONLY ROUTES

4. (1) Nothing in Articles 3(1) and 3(2) shall apply so as to prevent a vehicle being in a bus lane or bus-only route if the vehicle is being used:

(i) in the service of a local authority for the purpose of collecting refuse;

(ii) for the purposes of the provision of a universal postal service (as defined in the Postal Services Act 2000) provided the vehicle bears the livery of a provider of an universal postal service;

(iii) in connection with the removal of any obstruction to traffic;

(iv) in connection with the maintenance, improvement or reconstruction of any road;

(v) in connection with the maintenance, improvement or construction of any street furniture including bus stop infrastructure;

(vi) with the written consent of Medway Council providing that such conditions and requirements that the Council impose are being complied with;

if the vehicle cannot be used for that purpose without being in the bus lane or the the bus-only route so far as the activity is not prohibited by the provisions of any other Order.

(2) Nothing in Articles 3(1) and 3(2) shall apply in respect of a vehicle being in a bus lane or bus-only route -

(i) to avoid an accident;

(ii) to allow a person to get or give help in consequence of an accident or emergency or otherwise take action for public safety;

(iii) to such an extent and for such a time as is needed to comply with any requirement resulting from works or an emergency in any part of the road adjoining the bus lane or bus-only route;

(iv) on any occasion when the vehicle is being used for fire brigade, ambulance or police purposes if the observance of the controls would hinder the use of the vehicle.

(3) Nothing in Articles 3(1) and 3(2) shall apply in respect of anything done with the permission or at the direction of a police constable in uniform or a person authorised by Medway Council.

(4) Nothing in Article 3(2) shall apply to a vehicle being in a bus-only route -

(i) in connection with the staffing or servicing of the bus station; or

(ii) to gain access to any designated loading area within the bus only route or any vehicular access to premises adjacent to the bus only route.

EXEMPTION FOR EMERGENCY SERVICES

5. Nothing in this Order shall apply to any vehicle on an occasion when it is being used for fire brigade, ambulance or police purposes, if the observance of that provision would be likely to hinder the use of that vehicle for the purpose for which it is being used on that occasion.

EXEMPTION FOR PERMIT HOLDERS

6. Nothing in this Order shall apply to any vehicle being used for a purpose authorised and described on a permit issued by Medway Council provided such permit is displayed on the vehicle in the relevant position.

POWER TO SUSPEND BUS LANE OR BUS ONLY ROUTES.

7. (1) Notwithstanding any other provision of this Order, Medway Council may suspend a bus lane or a bus only route or any part thereof during such period as may be reasonably necessary.

(2) Medway Council when suspending a bus lane or a bus only route or any part thereof in accordance with paragraph (1) of this Article shall remove, cover or appropriately amend the traffic signs to indicate the suspension.

GIVEN under the seal of The Medway Council

This 28th day of October, 2011

EXECUTED AS A DEED)
by affixing THE COMMON)
SEAL of MEDWAY)
COUNCIL in the presence)
of)



Authorised Signatory



SCHEDULE 1 Article 3(1)

Bus Lanes Table

(1) Item	(2) Lengths of Road	(3) Times of operation	(4) Direction of travel	(5) Type of permitted vehicle
1	THE BROOK, CHATHAM - the north-western side from a point 54.5 metres south-west of the centre of the junction of Globe Lane with The Brook/Dock Road for a distance of 36 metres in a south-easterly direction.	All days At any time	North-eastwards	Local buses, taxis and cycles

SCHEDULE 2 Article 3(2)

Bus-only Routes Table

(1) Item	(2) Lengths of Road	(3) Times of operation	(4) Direction of travel	(5) Type of permitted vehicle
1	HIGH STREET, CHATHAM - the southern side of High Street from the junction with Upbury Way to the junction with Union Place	All days At any time	Westwards	Local buses, taxis and cycles
2	WATERFRONT WAY, CHATHAM - from the junction with the entrance to Sir John Hawkins Car Park to the junction with Medway Street	All days At any time	North-eastwards and south-westwards	Local buses; taxis and Medway Private Hire Vehicles; marked police vehicles; military vehicles; cycles; any vehicle requiring access to off-street premises and any vehicle, the overall height of which including any load, exceeds 15' 6".
3	GLOBE LANE, CHATHAM (north-western arm) - from a point 29 metres north-east of the centre of the junction with Medway Street to the junction with Dock Road/The Brook.	All days At any time	North-eastwards and south-westwards	Local buses; taxis and Medway Private Hire Vehicles; marked police vehicles; military vehicles
4	GLOBE LANE, CHATHAM (south-eastern arm) - from the junction with the north-western arm of Globe Lane to the junction with Dock Road/The Brook.	All days At any time	North-eastwards and south-westwards	Local buses; taxis and Medway Private Hire Vehicles; marked police vehicles; military vehicles