

**THE RUSHMOOR BOROUGH COUNCIL
(BUS STOPS CLEARWAY) (CONSOLIDATION) ORDER, 2002**

Rushmoor Borough Council ("the Council") in exercise of its powers under The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Hampshire) (Borough of Rushmoor) Order, 2002 ("the Order") and Schedule 3 of the Road Traffic Act, 1991 and all other enabling powers make the following Order: -

1. This Order shall come into operation on the 5th day of June 2002 and may be cited as The Rushmoor Borough Council (Bus Stops Clearway) (Consolidation) Order, 2002

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

"bus stops" means any area within or adjacent to any length of those roads in the Borough of Rushmoor specified in the Schedule to this Order where the carriageway is bounded partly by a traffic sign consisting of a yellow broken line on the road and the words "BUS STOP" on the road and partly by the edge of the carriageway of that length of road on the same side of the road as that on which the traffic sign is placed;

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

"public service vehicle" has the same means as in the Transport Act, 1985;

"prescribed hours" in relating to a bus stop means the time between 7.00 am and 7.00 pm throughout the week;

"Schedule" means the Schedule 1 to this Order;

"telecommunications system" has the same meaning as in the Telecommunications Act, 1984;
and

"traffic sign" means a road marking as defined in Section 22 of the Traffic Signs Regulations and General Directions 1994 complying with either diagram 1025.1 or 1025.3 in Schedule 6 to the aforesaid Regulations and Directions of 1994.

(2) For the purposes of this Order a vehicle shall be deemed to wait:-

(a) on a bus stop if any point in that area is below the vehicle or its load (if any) and the vehicle is stationary or

(b) in any case to which Article 4(e) hereof applies for more than the period specified therein on a bus stop if any point in that area is below the vehicle or its load (if any) throughout a length of time exceeding the period specified in Article 4(e) hereof whether or not the vehicle is moved during the said length of time

(3) the restriction imposed by this Order is in addition to and not in derogation of any restriction requirement or prohibition imposed by any other enactment.

3. No person shall cause any vehicle to wait on a bus stop during the prescribed hours.

4. Nothing in Article 3 of this Order shall apply:-

- (a) in relation to any vehicle being used as a public service vehicle
- (b) in relation to any vehicle being used for fire brigade, ambulance or police purposes in an emergency or
- (c) in relation to any vehicle being used in the service of a local authority in pursuance of statutory powers or duties provided that in all circumstances it is reasonably necessary in the exercise of such powers or the performance of such duties is on that bus stop for the vehicle to wait on that bus stop or
- (d) in relation to any vehicle being used in connection with any building operation demolition or excavation on or adjacent to that bus stop the removal of any obstruction to traffic on or adjacent to that bus stop the maintenance improvement or reconstruction of the road in which that bus stop is situated the laying erection alteration or repair on or adjacent to that bus stop of any sewer or of any main pipe or apparatus for the supply of gas water or electricity or of any telecommunication system or the placing maintenance or removal of any traffic sign if the vehicle cannot be conveniently and lawfully be used for that purpose in any part of any street which is not a bus stop or outside the prescribed hours or
- (e) in relation to any vehicle waiting for a period not exceeding two minutes to enable a person to board or alight from the vehicle or load thereon or unload therefrom his personal luggage
- PROVIDED THAT if the said person is a person suffering from any disability or injury which seriously impairs his ability to walk or who is blind the vehicle may wait for so long as may be necessary to enable that person to walk to the vehicle to board or alight from the vehicle or load thereon or unload therefrom his personal luggage
- (f) in any case where the person in control of the vehicle is required by law to stop or is obliged to do so in order to avoid an accident or
- (g) to anything done with the permission or at the direction of a police constable in uniform or of a traffic warden

8. For the purposes of this Order, the Orders referred to in Schedule 2 to this Order are hereby revoked.

9. The Council in exercise of its powers under the Local Authorities (Transport Charges) Regulations 1998 (SI 1998 No. 948) and the Order may make a reasonable charge for any dispensation issued in contravention of any traffic regulation order contained in this Consolidation Order to cover the cost of administration.

Given under the Common Seal of the Rushmoor Borough Council the 30th day of May 2002.

SCHEDULE 1 **Lengths of Road to which this Order applies**

- 1) Aldershot**
Alexandra Road, between Sandford Road and Farnborough Road
Ash Road
Church Road
Cranmore Lane
Farnborough Road
Gloucester Road, between Pool Road and its eastern junction with Morland Road
Grosvenor Road

High Street
Holly Road
Lower Farnham Road
Morland Road
a) between Lower Farnham Road and its western junction with Selborne Avenue
b) between its eastern junction with Selborne Avenue and its eastern junction with Gloucester Road
North Lane
Pool Road
Queens Road
Selborne Avenue
The Grove
Victoria Road
Whyte Avenue
York Road

- 2) **Farnborough**
Alexandra Road
Bridge Road
Chapel Lane
Cherrywood Road
Churchill Crescent - the western side between Sand Hill and Greatfield Road
Cove Road
Farnborough Road
Fernhill Road
Fleet Road
Giffard Drive
Grange Road
Kingsmead
Ley Road
Peabody Road, between Lynchford Road and Queens Road
Perring Avenue
Sandy Lane
Southwood Road
Summit Avenue
Victoria Road
Westmead
Wren Way

SCHEDULE 2
Orders to be revoked

The Borough of Rushmoor (Bus Stops Clearway) Order, 1994
The Borough of Rushmoor (Bus Stops Clearway) Order, 2000

The **COMMON SEAL** of)
RUSHMOOR BOROUGH COUNCIL)
was hereunto affixed in the presence of)

MAYOR

SOLICITOR TO THE COUNCIL

Dated:

30th May 2002

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(Bus Stops Clearway) (Consolidation) Order, 2002