

**BATH AND NORTH EAST SOMERSET COUNCIL**

**(A367 ODD DOWN, BATH) (BUS LANE) ORDER 2009**

The Bath and North East Somerset Council (hereinafter referred to as "the Council") in exercise of its powers under sections 1(1), 2(1) to (3) and 4(1) and 4(2) of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 as amended (hereinafter referred to as "the Act of 1984"), and of all other enabling powers, after consultation with the chief officer of police in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following order:-

1. This order shall come into operation on the 23<sup>rd</sup> March 2009 and may be cited as the Bath and North East Somerset Council (A367 Odd Down, Bath) (Bus Lane) Order 2009.

Interpretation

2. In this order:-

"**bus lane**" means an area of road which may be used only by buses (or a particular description of bus) and some other class or classes of vehicular traffic, as provided in this Order;

"**doctor**" means a legally qualified medical practitioner as defined in section 52 of the Medical Act 1956;

"**motor cycle**" has the same meaning as in Section 136 of the Act of 1984;

"**operative times**" means 24 hours a day, on any day;

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

"**public service vehicle**" has the same meaning as in section 1(1)(a) of the Public Passenger Vehicles Act 1981; and

"**taxi**" for the purposes of this Order means a hackney carriage in accordance with section 38 of the Town Police Clauses Act 1847 and/or a private hire vehicle in accordance with section 80 of the Local Government (Miscellaneous Provisions) Act 1976.

Bus lanes

3. Save as provided in Article 4, Article 5 or Article 6 of this order no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle other than a motor cycle, pedal cycle, public service vehicle or taxi to be in any bus lane as specified in the Schedule to this Order during the operative times.
4. Nothing in this order shall render it unlawful for any person to cause or permit any vehicle to be in any bus lane as specified in the Schedule to this Order, during the operative times, insofar as it is reasonably necessary to enable the vehicle to be used:-
  - (i) for the removal of any obstruction to traffic;

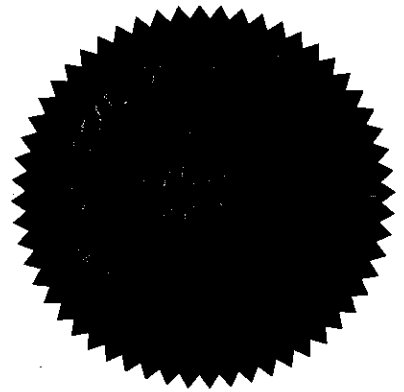
- (ii) by an ambulance, fire or police authority, provided that the vehicle is clearly distinguishable as such; or
  - (iii) by a doctor responding to an emergency call provided that the vehicle is displaying a green flashing light.
5. Nothing in this order shall render it unlawful for any person to cause or permit any vehicle to be in any bus lane as specified in the Schedule to this Order, during the operative times, insofar as it is reasonably necessary to enable the vehicle to be used for the following purposes:-
- (i) the maintenance, improvement or reconstruction of the road;
  - (ii) the laying, erection, alteration or repair in, or in land adjacent to the road of any sewer, or of any main, pipe or apparatus for the supply of water, gas, or electricity or any telecommunication apparatus as defined in the Telecommunications Act 1984; or
  - (iii) in the service of any local authority, Environment Agency, a water undertaker or sewerage undertaker in pursuance of statutory powers or duties.
6. Nothing in this order shall render it unlawful for any person to cause or permit any vehicle to be in any bus lane as specified in the Schedule to this Order, during the operative times in order to avoid an accident.

Given under the Common Seal of the Bath and North East Somerset Council the 18<sup>th</sup> day of March 2009.

The COMMON SEAL of the  
BATH AND NORTH EAST SOMERSET  
COUNCIL

was hereunto affixed  
in the presence of:-

Authorised signatory



<b>AUTHORITY FOR SEALING</b>	
Council resolution	full council meeting
.....Committee minute .....	of 30/08/06
Initials	WJL

**Schedule**  
**Bus Lane - 24 hours a day, every day**

Column 1

**A367, Odd Down**  
Northbound  
Carriageway

Column 2

That length of the A367 northbound carriageway nearside lane which extends from a point 51 metres southwest of the centre of the roundabout at its junction with Sulis Manor Road, in a generally south westerly direction along its length for a distance of 700 metres.