

CITY COUNCIL OF BRISTOL

(AVONVALE ROAD, MARSH LANE AND PILEMARSH, EASTON, LAWRENCE HILL, ST. GEORGE CENTRAL, ST. GEORGE TROOPERS HILL AND ST. GEORGE WEST WARDS, CITY OF BRISTOL) (RESERVED BUS LANES) ORDER 202-

The City Council of Bristol (hereinafter referred to as “the Council”) in exercise of its powers under sections 1(1), 2(1) to (3) and 4(1) of 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:-

Commencement and citation

1. This order shall come into operation on ##### and may be cited as the City Council of Bristol (Avonvale Road, Marsh lane and Pilemarsh, Easton, Lawrence Hill, St. George Central, St. George Troopers Hill and St. George West Wards, City of Bristol) (Reserved Bus Lanes) Order 202-.

Interpretation

2. (1) In this order:-

“**authorised vehicle**” means a vehicle issued with a valid dispensation letter issued by the Council (subject to application as detailed in this order);

“**bus**” means:-

- (i) any motor vehicle constructed or adapted to carry more than 8 passengers (exclusive of the driver); and
- (ii) any local bus;

“**bus lane 1**” means the area of carriageway of **Avonvale Road** identified as **BUS LANE 1** in plan **RS21031-EBLN-BG-01** annexed hereto;

“**bus lane 2**” means the area of carriageway of **Pilemarsh** identified as **BUS LANE 2** in plan **RS21031-EBLN-BG-02** annexed hereto;

“**bus lane 3**” means the area of carriageway of **Pilemarsh** identified as **BUS LANE 3** in plan **RS21031-EBLN-BG-02** annexed hereto;

“**bus lane 4**” means the area of carriageway of **Marsh Lane** identified as **BUS LANE 4** in plan **RS21031-EBLN-BG-03** annexed hereto;

“**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;

“**civil enforcement officer**” has the same meaning as in section 76 of the Traffic Management Act 2004;

“**dispensation letter**” means a letter issued by the Council for the purpose of this order permitting a specified vehicle (‘the authorised vehicle’) to be in bus lane 1, bus lane 2, bus lane 3 and bus lane 4;

“**electronic communications apparatus**” means apparatus comprised in or to be comprised in an **electronic** communications network as defined in the Communications Act 2003;

“**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;

“**goods**” means goods of any kind whether animate or inanimate and includes postal packets of any description;

“**local bus**” means a public service vehicle used for the provision of a local service not being an excursion or tour;

“**local service**” has the same meaning as in section 2 of the Transport Act 1985;

“**motor cycle**” means a mechanically propelled vehicle (not being an invalid carriage) with fewer than 4 wheels, of which the weight unladen does not exceed 410 kilograms;

“**motor vehicle**” means a mechanically propelled vehicle intended or adapted for use on roads;

“**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 that is not treated as a motor vehicle for the purposes of the Act of 1984; and

“**police community support officer**” has the same meaning as in section 38 of the Police Reform Act 2002;

“**postal packet**” has the same meaning as in the Postal Services Act 2000;

“**provision of a universal postal service**” has the same meaning as in the Postal Services Act 2000;

“**public service vehicle**” has the same meaning as in section 1 of the Public Passenger Vehicles Act 1981;

“**Regulations**” means the Traffic Signs Regulations and General Directions 2016;

“**solo motorcycle**” means a motor cycle without a side car;

“**taxi**” means a vehicle licensed under section 37 of the Town Police Clauses Act 1847 or under any similar enactment; and

“**universal service provider**” has the same meaning as in the Postal Services Act 2000.

- (2) For the purposes of this order a vehicle shall be deemed to wait for more than two minutes in the same place if any one part of the road is below any part of the vehicle or its load (if any) throughout a period exceeding two minutes whether or not the vehicle is moved during that period.
- (3) 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 having affect by virtue of any subsequent enactment.

Bus Lanes

3. Save as provided in Article 4 of this order no person shall, except upon the direction or with the permission of a civil enforcement officer, a police community support officer or a police constable in uniform, cause or permit any vehicle other than a bus, pedal cycle, public service vehicle, solo motorcycle, taxi or authorised vehicle to be in **bus lane 1, bus lane 2, bus lane 3 and bus lane 4.**

Exemptions

4. (1) Nothing in Article 3 of this order shall render it unlawful for any person to cause or permit any vehicle to be in **bus lane 1, bus lane 2, bus lane 3 or bus lane 4** by entering or proceeding in any direction so far as it is reasonably necessary to enable the vehicle to be used for any of the purposes specified in paragraph (2) of this Article, or by waiting in the said bus lanes for so long as may be necessary for any of those purposes.
- (2) The purposes referred to in paragraph (1) of this Article are:-
 - (i) the removal of any obstruction to traffic;
 - (ii) police, fire and rescue service or ambulance services in the exercise of their official duties;
 - (iii) the avoidance of an accident;
 - (iv) in connection with building, industrial or demolition operations in or on land adjacent to the bus lanes or removals from land or buildings adjacent to the bus lanes, where the prior written consent of the Council has been received;

- (v) in the service of any local authority, the Environment Agency, a water undertaker or sewerage undertaker in pursuance of statutory powers or duties or in connection with the supply of gas or electricity or any electronic communications apparatus as defined in the Communications Act 2003; and
- (vi) in connection with highway cleansing or household waste collection in the service of the Council.

Dispensation letters

- 5. (1) On receipt of an application for a specific vehicle, the Council may issue a dispensation letter and may impose such terms and conditions as it deems appropriate.
 - (2) A dispensation letter may be cancelled at any time at the sole discretion of the Council and shall thereupon immediately cease to be valid. Notification of such cancellation shall be in writing.
6. In so far as any provision of this order conflicts with any provision of any order made or having effect as if made under the Act of 1984 and which imposes a restriction or prohibition on waiting by vehicles or grants an exemption from such restriction then that provision of this order shall prevail.

Given under the Common Seal of the City Council of Bristol the -- day of ----- 202-.

The COMMON SEAL of the
CITY COUNCIL OF BRISTOL
was hereunto affixed
in the presence of:-

Director of Legal and Democratic Services