

SUFFOLK COUNTY COUNCIL (BOROUGH OF IPSWICH) (WEST END ROAD) (A137) (BUS LANE) ORDER 202-

Suffolk County Council, in exercise of its powers under sections 1, 2, 4 and 124 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984¹ ('the Act of 1984') as amended and of all other enabling powers, and after consulting with the Chief of Police in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following Order:-

Citation and commencement

1. This Order may be cited as the Suffolk County Council (Borough of Ipswich) (West End Road) (A137) (Bus Lane) Order 202- and shall come into operation on []

Interpretation

2. (1) In this Order, the following expressions shall have the meanings hereby respectively assigned, unless the context otherwise requires:-

"Borough Council" means Ipswich Borough Council;

"bus", "pedal cycle", "solo motorcycle" and "traffic lane" have the same meaning as in Schedule 1 to the Traffic Signs Regulations and General Directions 2016²;

"bus lane" means a traffic lane on a length of road which is specified in column (2) of an item in Schedule 1 and in respect of which traffic signs are in place indicating the controls specified in this Order;

"carriageway" has the same meaning as in section 329(1) of the Highways Act 1980³;

"causing" includes "permitting";

"civil enforcement officer" has the same meaning as in section 76 of the Traffic Management Act 2004⁴ and means a person authorised by or on behalf of the Council to supervise and enforce the provisions of this Order;

"County Council" means Suffolk County Council;

"electronic communications network" has the same meaning as in section 32 of the Communications Act 2003⁵;

"enactment" means any enactment, whether public general or local, and includes any order, bylaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment, and any reference in this Order to an 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;

"goods" means goods of any kind, whether animate or inanimate, and includes postal packets of any description;

"hours of operation" means, in relation to a bus lane specified in an item in column 2 of the table in Schedule 1, the times specified in column 3 of that item;

"taxi" means either:

¹ 1984 c.27

² SI 2016/362

³ 1980 c. 66

⁴ 2004 c.18

⁵ 2003 c.21

- (a) a vehicle licensed as a taxi under section 37 of the Town Police Clauses Act 1847⁶, or section 6 of the Metropolitan Public Carriage Act 1869⁷, or under any similar enactment; or
- (b) a private hire vehicle as defined in section 80 of the Local Government (Miscellaneous Provisions) Act 1976⁸ licensed for the purpose by the Borough Council or the County Council, or in the case of a private hire vehicle licensed by another authority, recognised by the Borough Council or County Council as being so licensed;

“traffic sign” means a sign of any size, type and colour prescribed and authorised under, or having effect as though prescribed or authorised under section 64 of The Act of 1984;

“universal postal service” and “universal service provider” have the in the Postal Services Act 2011⁹; and

“vehicle” includes any part of a vehicle.

- (2) Unless the context otherwise requires, any reference in this Order to:
 - (a) a named road or part thereof shall be construed as a reference to such a road or part thereof as lies within the Borough of Ipswich; and
 - (b) a numbered Article or Schedule shall, unless the context otherwise requires, be construed as a reference to the Article or Schedule bearing that number in this Order.
- (3) The Interpretation Act 1978¹⁰ shall apply for the interpretation of this Order as it applies for the Interpretation of an Act of Parliament.

Bus Lane Controls

- 3. (1) Except as provided in Article 4, 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 an item in Schedule 1 during the hours of operation 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.

Exemptions

- 4. (1) The controls specified in Article 3(1) do not apply so as to prevent a vehicle being in a bus lane if and for as long as necessary-
 - (a) to enable a person to get on or off the vehicle; or
- (2) The controls specified in Article 3(1) do not apply in respect of a vehicle which is being used for a purpose which is within an exemption to a restriction or prohibition imposed by any other Order or which is permitted by any other Order.
- (3) The controls specified in Article 3(1) do not apply in respect of a vehicle crossing a bus lane to get to or from any road adjacent to the bus lane or any vehicular access to premises adjacent to the bus lane.

⁶ 1847 c.89

⁷ 1869 c.115

⁸ 1976 c.56

⁹ 2011 c.5

¹⁰ 1978 c.30

- (4) The controls specified in Articles 3(1) do not apply in respect of a vehicle being in a bus lane if the vehicle is being used:
- (a) in the service of a local authority for the purpose of collecting refuse;
 - (b) for the purposes of the provision of a universal postal service provided the vehicle bears the livery of a universal service provider;
 - (c) in connection with the removal of any obstruction to traffic;
 - (d) in connection with the maintenance, improvement or reconstruction of any road;
 - (e) in connection with the maintenance, improvement or construction of any street furniture including bus stop infrastructure;
 - (f) in connection with any building operation or demolition;
 - (g) in connection with the laying, erection, alteration or repair in or near the bus lane of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any electronic communications network, providing the vehicle cannot be used for that purpose without being in the bus lane and in so far as the activity is not prohibited by the provisions of any other Order;
- (5) The controls specified in Article 3(1) do not apply in respect of a vehicle being in a bus lane:
- (a) so as to avoid an accident;
 - (b) to allow a person to get or give help in consequence of an accident or emergency or otherwise take action for public safety;
 - (c) 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;
 - (d) if it is being used for ambulance, fire brigade or police purposes;
 - (e) to set down and pick up passengers provided the vehicle enters and exits the bus lane only over the shortest distance necessary for that purpose.
- (6) The controls specified in Articles 3(1) do not apply in respect of anything done with the permission or at the direction of a police constable in uniform or a civil enforcement officer.

Date: ** ***** 202*

The COMMON SEAL of SUFFOLK)
COUNTY COUNCIL was affixed)
in the presence of:-

An Authorised Officer of the Council

SCHEDULE 1

<i>(1) Item</i>	<i>(2) Length of road</i>	<i>(3) Hours of operation</i>	<i>(4) Direction of travel and type of bus lane</i>	<i>(5) Type of permitted vehicle</i>
1.	West End Road (A137), on its southwest side, from a point 25 metres east of its junction with Sir Alf Ramsey Way (182/06117 - 5U5009/10) in a north-westerly direction for a total distance of 367 metres.	24 hours a day	Both	Bus, taxi (and private hire vehicles), pedal cycle and solo motorcycle