

The Essex County Council (Laindon Link, Basildon) (Bus Gate) Order 2020

The Essex County Council ("the Council") in exercise of its powers under Sections 1(1), 2(1) to (3), 3(2) and Part IV to Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act") and of all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Part III to Schedule 9 to the Act, hereby makes the following Order:-

1. In this order
"2016 Regulations" means The Traffic Signs Regulations and General Directions 2016.
"bus" means
 - (i) motor vehicles constructed or adapted to carry more than 8 passengers (exclusive of the driver), and
 - (ii) local buses not so constructed or adapted."bus gate" has the same meaning as "bus lane" in Section 144(4) and (5) of the Transport Act 2000 and means the area of carriageway specified in the Schedule to this Order;
"local bus" has the same meaning as in the 2016 Regulations.
"motorcycle" has the same meaning as in Section 136 of the Act.
"motor vehicle" has the same meaning as in Section 136 of the Act.
"taxi" has the same meaning as in the 2016 Regulations.
2. Save as provided in Articles 3 and 4 of this Order, no person shall cause any motor vehicle to proceed through the bus gate at any time.
3. Nothing in Article 2 of this Order shall apply so as to prevent any person from causing any motor vehicle to proceed through the bus gate if the vehicle is a bus, taxi or motorcycle.
4. Nothing in Article 2 of this Order shall apply so as to prevent any person from causing any motor vehicle to proceed through the bus gate if the vehicle:-
 - (a) Is being used for fire and rescue, police or ambulance purposes;
 - (b) Is being used in connection with any of the following operations, namely:-
 - (i) Building or demolition;
 - (ii) The removal of any obstruction to traffic;
 - (iii) The maintenance, winter gritting, improvement or reconstruction of the bus gate;
 - (iv) The laying, erection, alteration or repair in or on land adjacent to the bus gate, of any sewer, or any main, pipe or apparatus for the supply of water, gas or electricity, or any telegraphic line; or
 - (c) Is being used in the service of or contracted to a local authority or water authority in pursuance of statutory powers or duties.
 - (d) In any case where the person in control of the vehicle is required by law to stop, or is obliged to do so to avoid an accident, or is prevented from proceeding by circumstances beyond his/her control.

5. The Council are satisfied that to facilitate the passage on the road or any other road of any class of traffic (including pedestrians and cyclists) and thereby preserve and improve the amenities of the area through which the road runs it is requisite that Section 3(1) of the Act should not apply in relation to this Order.
7. 'The District of Basildon (Laindon Link, Basildon) (Prohibition of Driving) Order 2003' is hereby revoked.
8. 'The District of Basildon (Laindon Link, Basildon) (Prohibition of Driving) Order 1978' is hereby revoked.
9. This Order shall come into operation on 21 February 2020 and may be cited as the Essex County Council (Laindon Link, Basildon) (Bus Gate) Order 2020.

Sealed with the Common Seal of the Essex County Council this Fifth day of February Two Thousand and Twenty.

THE COMMON SEAL of the)
 ESSEX COUNTY COUNCIL was)
 hereunto affixed in the presence of:-)

Z. Pasha

Attesting Officer

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Schedule

Road	Description
Laindon Link, Basildon	From point approximately 2.6 metres south east of a point in line with the north western boundary of No.45 Drake Road in the north westerly direction for a distance of approximately 10 metres.