

THE ESSEX COUNTY COUNCIL (PIER AVENUE, CLACTON-ON-SEA)
(BUS GATE) ORDER 2007

The Essex County Council ("the Council") in exercise of its powers under Section 1(1), 2(1) to (3) and 3(2) 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
"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"local bus" has the same meaning as in the 2002 Regulations
"motorcycle" means a mechanically propelled vehicle not being an invalid carriage with less than four wheels and the weight of which unladen does not exceed 410 kilograms, as defined in Section 136(4) of the Act of 1984
"motor vehicle" has the same meaning as in Section 136 of the Act of 1984
"pedal cycle" has the same meaning as in the 2002 Regulations
"taxi" means a vehicle licensed under s37 of the Town Police Clauses Act 1847

2. Save as provided in Articles 3 & 4 of this Order, no person shall cause any motor vehicle to proceed in the length of road in Clacton-on-Sea, in the District of Tendring as specified in the Schedule to this Order.

3. Nothing in Article 2 of this Order shall apply so as to prevent any person from causing any motor vehicle to proceed in the length of road specified in the Schedule if the vehicle is a bus, a taxi, a motor cycle or a pedal cycle.

4. Nothing in Article 2 of this Order shall apply so as to prevent any person from causing any motor vehicle to be in the section of road specified in that Article if the vehicle:-
 - (a) is being used for fire brigade, police or ambulance purposes;
 - (b) is being used in connection with any of the following operations, namely:-
 - (i) building or demolition operational;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of those lengths of road;

- (iv) the laying, erection, alteration or repair in or on land adjacent to those lengths of road, 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 control.
5. The Council are satisfied that for avoiding danger to persons or other traffic using the road to which the order relates and for preventing the likelihood of any such danger arising, it is requisite that Section 3(1) of the Act should not apply in relation to this Order.
6. This Order shall come into operation on 20 April 2007 and may be cited as the Essex County Council (Pier Avenue, Clacton-on-sea) (Bus Gate) Order 2007.

Sealed with the Common Seal of the Essex County Council this 17th day of April Two thousand and seven

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

[Handwritten Signature]
 Attesting Officer



SCHEDULE

**Pier Avenue,
 Clacton-on-Sea**

From a point approximately 3 metres northwest of the boundary wall of No.91 and No.93 to 95 Pier Avenue, westwards, for a distance of approximately 24 metres.

