

**The Essex County Council (Unnamed Road Off Rickstones Road,  
Witham) (Bus Gate) Order 202\***

The Essex County Council ("the Council") in exercise of its powers under Sections 1(1), 2(1) to (3), 3(2), 4(1) 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.  
"authorised vehicle" means a private hire vehicle licensed by a local authority.  
"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 2016 Regulations and means the area of carriageway specified in the Schedule to this Order and as highlighted pink on the attached plan;  
"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.  
"private hire vehicles" has the same meaning as s48 of the Local Government (Miscellaneous Provisions) Act 1976  
"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 motor vehicle is a bus, taxi, 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 motor 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 of 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.
6. This Order shall come into operation on xxxxxxxxx and may be cited as The Essex County Council (Unnamed Road Off Rickstones Road, Witham) (Bus Gate) Order 202\*

Signed this xxxxxx day xxxxxxxx Two Thousand and Twenty xxxxxx.

Signed .....

..... [Print Name]

an authorised signatory on behalf of the Director for Essex Legal Services.

## Schedule

Road	Description
Unnamed Road Off Rickstones Road, Witham	From a point approximately 42 metres south east of its junction with Rickstones Road in a south easterly direction for approximately 164 metres.