

LONDON BOROUGH OF MERTON
TRAFFIC MANAGEMENT ORDER

Merton 2011 No. 66

The London Borough of Merton (Bus Lane)(No. 39) Traffic Order 2011

Made on the : **9th November 2011**
Coming into operation on the : **14th November 2011.**

The Council of the London Borough of Merton, in exercise of the powers conferred by Section 6 of the Road Traffic Regulation Act, 1984, and all other enabling powers, hereby makes the following Order:-

Commencement and citation

1. This Order may be cited as the London Borough of Merton (Bus Lane)(No. 39) Traffic Order 2011, and shall come into force on the 14th November 2011..

Revocation

2. Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order the London Borough of Merton (Bus Lane) (No. 9) Traffic Order 2001 is hereby revoked.

Interpretation

3. In this Order -
 - (a) a reference to an Article or schedule followed by a number is a reference to the Article of, or schedule to, this Order so numbered;
 - (b) causing includes permitting;
 - (c) "carriageway" has the same meaning as in section 329(1) of the Highways Act 1980; and
 - (d) "vehicle" includes part of a vehicle;
 - (e) "bus", "local bus", "pedal cycle", "taxi", "traffic lane", "contra-flow" and "with-flow lane" have the meanings given in the Traffic Signs Regulations and General Directions 2002;
 - (f) "bus lane" means a traffic lane on a length of road which is specified in column (2) in the table in schedule 1 and in respect of which traffic signs are in place indicating the controls specified in this Order;
 - (g) "bus route only" means an area of road which is specified in Column (2) in the table in schedule 2 and in respect of which traffic signs are in place indicating the controls specified in the order;
 - (h) "dial-a-ride bus" means a vehicle -
 - (i) displaying so as to be conspicuous on the outside of the vehicle a logo in a form approved by or with the authority of Transport for London and containing the words "dial-a-ride"; and

- (ii) constructed or adapted for the carriage of disabled persons and their companions and which is being used to provide a service for the carriage of such persons;
- (i) "times 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, and
 - in relation to a bus-only route specified in an item in column (2) of the table in schedule 2, the times specified in column (3) of that item;
- (j) an entry in column (3), (4) or (5) of an item in the table in schedule 1 or 2 applies to that column in subsequent items in that table.

Bus Priority Controls

4. (1) Except as provided in Articles 5 and 6, 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 the table in schedule 1 to this Order during the times specified in that item 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.

(2) Except as provided in Article 6, no person shall cause a vehicle to be in a bus-only route in an area of road specified in an item in column (2) of the table in schedule 2 during the times specified in that column (3) of that item unless that vehicle is proceeding in the direction or directions specified in column (4) of that item and is of a type specified in column (5) of that item.

Exemptions - Bus Lanes

5. (1) The controls specified in Article 4(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
- (b) to enable goods to be loaded on to or unloaded from the vehicle;

if and in so far as the activity is not prohibited by the provisions of any other Order.

(2) The controls specified in Article 4(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 4(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.

Exemptions - Bus Lanes and Bus-Only Routes

6. (1) The controls specified in Articles 4(1) and 4(2) do not apply in respect of a vehicle being in a bus lane or a bus-only route if the vehicle is being used in -

- (a) the service of a local authority for the purpose of collecting refuse;
- (b) the pursuance of any statutory duty of the Post Office for the purpose of collecting or delivering letters provided the vehicle bears the Royal Mail livery;
- (c) connection with the removal of any obstruction to traffic;

- (d) connection with the maintenance, improvement or reconstruction of any road;
- (e) connection with the maintenance, improvement or construction of any street furniture including bus stop infrastructure.
- (f) connection with any building operation or demolition;
- (g) 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 telecommunications apparatus as defined in paragraph 1(1) of Schedule 2 of the

Telecommunications Act 1984 (a);

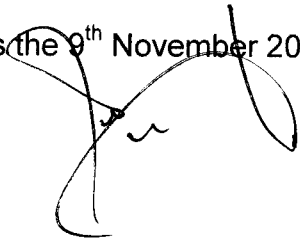
if the vehicle cannot be used for that purpose without being in the bus lane or the bus-only route and in so far as the activity is not prohibited by the provisions of any other Order.

(2) The controls specified in Article 4(1) and 4(2) do not apply in respect of a vehicle being in a bus lane or bus-only route -

- (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 or bus-only route;
- (d) if it is being used for ambulance, fire brigade or police purposes.

(3) The controls specified in Articles 4(1) and 4(2) do not apply in respect of anything done with the permission or at the direction of a police constable in uniform, civil enforcement officer or a traffic warden

Dated this 9th November 2011.



Mario Lecordier
Traffic and Highways Services Manager

SCHEDULE 1

Article 3(1)
Bus Lanes

Table

(1) <i>Item</i>	(2) <i>Lengths of road</i>	(3) <i>Times of operation</i>	(4) <i>Direction of travel and type of bus lane</i>	(5) <i>Type of permitted vehicle</i>
1.	Commonside West and Upper Green East, Mitcham Northbound. from Commonside West roundabout junction with Commonside East northwards to a point 50 metres south-east of Upper Green East junction with London Road	Monday to Saturday, 7.00am to 10.00am and 4.00pm to 7.00pm	With flow, northerly direction	Buses Dial-a-ride bus Taxi Pedal Cycles

SCHEDULE 2

Article 3(2)

Bus-only Routes

Table

(1) <i>Item</i>	(2) <i>Areas of road</i>	(3) <i>Times of operation</i>	(4) <i>Direction of travel</i>	(5) <i>Type of permitted vehicle</i>
--------------------	-----------------------------	--------------------------------------	---------------------------------------	---

NO ITEMS