

THE CITY OF EDINBURGH COUNCIL

THE CITY OF EDINBURGH COUNCIL (VARIOUS ROADS, EDINBURGH) (BUS PRIORITY MEASURES) TRAFFIC REGULATION ORDER 2004

- TRO/04/24B

The City of Edinburgh Council in exercise of their powers under Sections 1(1), 2(1) to (3) and 4(2) of the Road Traffic Regulation Act 1984, as amended by the Roads (Scotland) Act 1984 (which Act as so amended is hereinafter referred to as “the 1984 Act”) and of all other enabling powers and after consultation with the Chief Constable in accordance with Part III of Schedule 9 to the 1984 Act, hereby make the following Order:

1. This Order may be cited as "The City of Edinburgh Council (Various Roads, Edinburgh) (Bus Priority Measures) Traffic Regulation Order 2004" and shall come into operation on the Fourth day of October Two thousand and four.
2. In this Order the following phrases have the meanings respectively assigned to them:

"Article" means an Article of this Order;

"bus lane" means any part of a roadway indicated by a traffic sign of the form and dimensions as set out in diagram 1048 in Schedule 2 to the Traffic Signs Regulations and General Directions 2002 and which is bounded on the one side by the nearside edge of the carriageway and on the other by a longitudinal solid white line of the form and dimensions as set out in diagram 1049 in said Schedule 2;

"Chief Constable" means the Chief Constable of the Police Authority for the Lothian and Borders Police Area;

"Director of Services for Communities" means the Director of Services for Communities of The City of Edinburgh Council;

"local authority" means The City of Edinburgh Council;

“motor cycle” has the same meaning as in Section 136 of the 1984 Act;”

"parking attendant" has the same meaning as in Section 63A of the 1984 Act;

"pedal cycle" shall have the meaning assigned to that phrase by Section 151 of the Roads (Scotland) Act 1984;

"public service vehicle" shall have the meaning assigned to that phrase by Section 1 of the Public Passenger Vehicles Act 1981;

"road" includes part of a road;

“Schedule” means a Schedule to this Order;

"taxi" shall have the meaning assigned to that phrase by Section 23 of the Civic Government (Scotland) Act 1982;

"telecommunication apparatus" shall have the meaning assigned to that phrase by paragraph 1 of Schedule 2 to the Telecommunications Act 1984;

"traffic sign" means a sign of any size, colour and type prescribed or authorised under or having effect as though prescribed or authorised under Section 64 of the 1984 Act and includes any line or mark on a road for conveying warnings, information, requirements, restrictions or prohibitions;

"traffic warden" means an officer employed by the police authority as a traffic warden in pursuance of Section 9 of the Police (Scotland) Act 1967; and

"universal service provider" has the same meaning as that assigned to that phrase by Section 4(3) and (4) of the Postal Services Act 2000.

3. The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made under the 1984 Act or by or under any other enactment.
4. For the purposes of this Order a vehicle shall be deemed to be in, to have entered to remain in, or as the case may be, to be proceeding or waiting in a bus lane described in the Schedule to this Order if any part of said bus lane is below the vehicle or its load.
5. Save as provided in Articles 7, 9 and 10 no person shall, **between 7:30 am and 9:30 am and between 4:00 pm and 6:30 pm hours Monday to Friday both inclusive**, cause or permit any vehicle to be in, to enter or proceed in a bus lane described in the said Schedule; provided that nothing in this Article shall apply to any vehicle being in a bus lane where the person in control of the vehicle is required by law to do so or is obliged to enter or proceed in a bus lane in order to avoid an accident, a parked vehicle or is prevented by circumstances out with his control from avoiding entering or proceeding other than in the bus lane and as soon as possible causes the vehicle to leave the bus lane.
6. Not allocated.
7. Nothing in Articles 5 and 6 shall apply:
 - (i) to a public service vehicle;
 - (ii) to a vehicle being used for fire brigade, ambulance or police purposes if it is reasonably necessary for that vehicle to enter, proceed or wait in a bus lane described in the Schedule;
 - (iii) to a vehicle being used in connection with the removal of any obstruction in a bus lane described in the Schedule;
 - (iv) to a vehicle being used in connection with any building operation, demolition or excavation in or adjacent to a bus lane described in the Schedule, the maintenance, improvement or reconstruction of the road in or adjacent to the said bus lane, the laying, alteration, erection or repair in or adjacent to the said bus lane, of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus, or the placing, maintenance or removal of any traffic sign, bus stops and bus shelters, provided that in all the circumstances it is reasonably necessary for the vehicle to enter or proceed in the bus lane, or, as the case may be, to wait in the bus lane;
 - (v) to a pedal cycle;
 - (vi) to a vehicle entering or waiting in a bus lane described in the Schedule when in actual use in connection with a funeral undertaking; provided that in all the circumstances it is reasonably necessary for the vehicle to enter or wait in the bus lane;
 - (vii) to a vehicle in the service of a universal provider;

SCHEDULE

NEW BUS LANES

TIMES: 7.30 A.M. TO 9.30 A.M. AND 4.00 P.M. TO 6.30 P.M. MONDAY TO FRIDAY BOTH INCLUSIVE.

Length of Road	Description of Sections of Road Containing Bus Lane	Length of Section of Road	Exclusions of Lengths as indicated by the appropriate traffic sign
Ferniehill Drive (South-east side)	From a point 55 metres or thereby south-west of the south-west kerbline of Drum Avenue for a distance of 92 metres or thereby south-westwards.	92 metres or thereby.	None.
Commercial Street (North-east side)	From a point 55 metres or thereby north-west of the north-west kerbline of Dock Place to a point 83 metres or thereby south-east of the south-east kerbline of Dock Place.	147 metres or thereby	Commercial Street at or in the vicinity of Dock Place.
Commercial Street (South-west side)	From a point 78 metres or thereby north-west of the north-west kerbline of Sandport Street to a point 68 metres or thereby south-east of the extended east kerbline of North Leith Mill (North-west to South-east section)	313 metres or thereby	Commercial Street at or in the vicinity of Dock Place. Commercial Street at or in the vicinity of Citadel Place. Commercial Street at or in the vicinity of Cromwell Place. Commercial Street at or in the vicinity of North Leith Mill (North-east to South-west section).
Drumbrae South (East Side)	From a point 40 metres or thereby south of the south kerbline of Pearce Road to a point 10 metres or thereby north of the north kerbline of Corstorphine Bank Terrace.	220 metres or thereby.	Drum Brae South at or in the vicinity of Pearce Avenue. (Northern section) Drum Brae South at or in the vicinity of Pearce Avenue. (Southern section) Drum Brae South at or in the vicinity of Templeland Road. Drum Brae South at or in the vicinity of Corstorphine Bank Terrace.
Duddingston Park (East side)	From a point 50 metres or thereby north of the north kerbline of Park Lane to a point 68 metres or thereby north of the north kerbline of Milton Road.	157 metres or thereby	Duddingston Park at or in the vicinity of Park Lane.

Duddingston Park South (West side)	From a point 37 metres or thereby north of the north kerbline of Mountcastle Drive South to a point 75 metres or thereby south of the south kerbline of Milton Road West.	215 metres or thereby	None.
Inverleith Row (South-west side)	From a point 44 metres or thereby north-west of the north-west kerbline of Inverleith Place to a point 16 metres or thereby south-east of the extended south-east kerbline of Royston Terrace.	130 metres or thereby.	None.
Lindsay Road (North-east side)	From a point 208 metres or thereby north-west of the north-west kerbline of North Leith Sands to a point 75 metres or thereby north-west of the north-west kerbline of Ocean Drive.	292 metres or thereby.	Lindsay Road at or in the vicinity of North Leith Sands.
Milton Road (North side)	From a point 51 metres or thereby east of the east kerbline of Park Avenue to a point 142 metres or thereby west of the west kerbline of Sir Harry Lauder Road.	600 metres or thereby	Milton Road at or in the vicinity of Hope Lane.
Milton Road (South side)	From a point 91 metres or thereby west of the west kerbline of the western leg of Magdalene Drive to a point 20 metres or thereby east of the extended east kerbline of Park Avenue.	550 metres or thereby	Milton Road at or in the vicinity of the access road to No. 27 Duddingston Crescent. Milton Road at or in the vicinity of Bailie Place
Milton Road East (South side)	From a point 7 metres or thereby east of the east kerbline of Brunstane Drive to a point 20 metres or thereby east of the east kerbline of Brunstane Road South.	78 metres or thereby	Milton Road East at or in the vicinity of Brunstane Drive.
Milton Road West (North side)	From a point 51 metres or thereby east of the east kerbline of Mountcastle Drive South to a point 54 metres or thereby west of the west kerbline of Durham Road.	142 metres or thereby	None.
Milton Road West (South side)	From a point 50 metres or thereby west of the west kerbline of Durham Road South to a point 65 metres or thereby west of the west kerbline of Milton Gardens North.	138 metres or thereby	Milton Road West at or in the vicinity of Milton Gardens North.
Portobello Road (North side)	From a point 34 metres or thereby east of the east kerbline of Kekewich Avenue to a point 10 metres or thereby west of the west kerbline of Wakefield Avenue.	190 metres or thereby	Portobello Road at or in the vicinity of Bryce Avenue Portobello Road at or in the vicinity of Goff Avenue
Portobello High Street (North-east side)	From a point 104 metres or thereby south-east of the extended south kerbline of King's Road for a distance of 92 metres or thereby south-eastwards.	92 metres or thereby	None