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STATUTORY INSTRUMENTS

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**2002 No. 412**

**The Chester Guided Busway Order 2002**

**PART IV**

**OPERATION OF BUSWAY SYSTEM**

**Power to operate and use busway system**

**24.**—(1) The Council may operate and use the authorised guided busway and the other authorised works as a system, or part of a system, of transport for the carriage of passengers and goods (which system is in this Order referred to as “the busway system”).

(2) Subject to paragraph (4) and to article 32, the Council shall, for the purpose of operating the authorised guided busway, have the exclusive right to use the authorised guided busway and any apparatus used for the operation of that busway.

(3) Any person who, without the consent of the Council or other reasonable excuse, uses the authorised guided busway or the apparatus mentioned in paragraph (2) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(4) Nothing in this article shall restrict the exercise of any public right of way over any part of a street in which apparatus is situated in pursuance of paragraph (2) except to the extent that the exercise of the right is constrained by the presence of the apparatus.