

DONCASTER BOROUGH COUNCIL

(VARIOUS ROADS, DONCASTER)

(BUS LANES AND BUS GATES)

ORDER 2018

Doncaster Borough Council (hereinafter referred to as "the Council) in exercise of its powers under sections 1, 2 and 4 of The Road Traffic Regulation Act 1984 ("1984 Act"), as amended, The Transport Act 2000, The Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005, The Traffic Management Act 2004 and all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the 1984 Act, hereby makes the following Order:-

PART I – GENERAL

1 CITATION

1 (1) This Order shall come into operation on the 28th day of August 2018 and may be cited as "The Doncaster Borough Council (Various Roads, Doncaster) (Bus Lanes and Bus Gates) Order 2018

1 (2) (a) The Interpretation Act 1978 shall apply to this Order as it applies to an Act of Parliament

(b) In the event that any of the provisions of this Order are inconsistent with any of the provisions of either the Road Traffic Regulation Act 1984 or the Road Traffic Act 1991 then the provisions of the said respective Act shall prevail

(c) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by a subsequent enactment

(d) The Council will carry out civil enforcement of any contravention of any prohibition, retraction or provisions of this Order by permitting the imposition of a Penalty Charge on the basis of a record produced by the means of an "Approved Device"

e) Where the Council have reason to believe that a Penalty Charge is payable in relation to a vehicle which has contravened this order the Council will serve a Penalty Charge Notice (PCN) in accordance with The Bus Lane Contraventions (Penalty Charge, Adjudication and Enforcement) (England) Regulation 2005.

(f) A PCN shall be served before the end of the period of 28 days beginning with the detection date, the Council shall continue to be entitled to serve a PCN during a further period of six months, beginning with the detection date.

2 DEFINITIONS

2 (1) In this Order

"1984 Act" means the Road Traffic Regulation Act 1984

"1988 Act" means the Road Traffic Act 1988

"1991 Act" means the Road Traffic Act 1991

"2000 Act" means the Transport Act 2000

"2004 Act" means the Traffic Management Act 2004

"Approved Device" means a device of a description specified in an Order made by the Relevant National Authority in line with section 144 of the 2000 Act and adhering to The Bus Lane Contraventions (Penalty Charge, Adjudication and Enforcement) (England) Regulation 2005

"Article" means an article of this Order unless otherwise stated and includes reference to any paragraph of that article referred to by number or letter

"Authorised Officer" means a person employed by the Council to record, detect and act on contraventions to this Order by the means of an Approved Device.

"authorised vehicles" means vehicles authorised by the Council

"bicycle" or "pedal cycle" has the same meaning as defined in the "Traffic Signs Regulations and General Directions 2016"

"bus" has the same meaning as defined in the "Traffic Signs Regulations and General Directions 2016"

"bus gate" has the same meaning as a bus lane

"bus lane" means a traffic lane reserved for –

(a) Buses; and

(b) Where indicated on a sign, authorised vehicles and pedal cycles

“Civil Enforcement Officer” means a person employed by the Council for the purposes of the enforcement (inter alia) of this Order

“Council” means Doncaster Borough Council

“driver” means an individual authorised to drive a vehicle who has allegedly contravened this Order that may not necessarily be the owner or keeper of that vehicle and therefore, when identified, shall be responsible for payment of the Penalty Charge

“date of service” means the last day of the period of 3 consecutive working days beginning with the first day of posting. If the notice is not posted on a working day, the first working day after the date of posting will be the first day of posting.

“detection date” means the date on which, according to a record produced by an approved device, the contravention occurred.

“exemptions” are set out in Article 3 of this Order

“Hackney Carriages” has the same meaning as defined in the Town Police Clauses Act 1847

“highway” includes the carriageway, verge and footway

“motor car”, “motor cycle” and “motor vehicle” have the same meaning respectively as in the 1984 Act

“main carriageway” means any carriageway used primarily by through traffic including any carriageway of a slip road but excluding any lay by

“P C N” means a penalty charge notice issued by an approved local authority on the person appearing to them to be the owner of the vehicle or on the person appearing to them to be the person liable to pay the charge subject to the provisions of regulation 8 to The Bus Lane Contraventions (Penalty Charge, Adjudication and Enforcement) (England) Regulation 2005

“penalty charge” has the same meaning as in section 92(1) of the Traffic Management Act 2004

“private hire vehicle” has the same meaning as defined by the Local Government (Miscellaneous Provisions) Act 1976

“regulations” means the Road Traffic Regulations and General Directions 2016

“traffic manager” is the person appointed under Section 17(2) of the 2004 Act to undertake such tasks as the Council consider will assist in the performance of network management duties.

“traffic sign” has the same meaning as defined by Section 64 of the Road Traffic Regulation Act 1984

“vehicle” has the same meaning is defined within the Road Traffic Act 1988

PART II – PROHIBITION AND EXEMPTIONS

2 PROHIBITION OF DRIVING

PROHIBITION OF DRIVING EXCEPT FOR BUSES, CYCLES, HACKNEY CARRIAGE AND AUTHORISED VEHICLES

2 (1) Save as provided in Article 3(1), 3(2) of this Order no motor vehicle other than buses, cycles, Hackney Carriage and authorised vehicles shall proceed in those lengths of road specified in Schedule 1.01 and 1.02 to this Order

3 EXEMPTIONS

3 (1) Nothing in Article 2(1) of this Order shall apply to anything done with the permission of a police constable in uniform or any person duly authorised by the Chief Officer of Police

3 (2) (i) Nothing in Article 2(1) of this Order shall render it unlawful for any motor vehicle to enter or proceed in any of the lengths of road referred to in Schedule 1.01 and 1.02 to this Order to enable the motor vehicle to be used for any of the purposes specified in paragraph (ii) of this Article for so long as may be necessary for any of those purposes.

(ii) The purposes referred to in paragraph (i) of this Article are:-

(a) in an emergency where the motor vehicle is being used for police, fire brigade, ambulance or local authority purposes;

(b) the removal of any obstruction to traffic;

(c) in connection with any of the following operations where the motor vehicle cannot conveniently be used for such purpose in any other road:-

(i) building, industrial or demolition operations;

(ii) the maintenance, improvement or reconstruction of the said lengths of road;

(iii) the laying, erection or repair in or on land adjacent to the said lengths of road or of any sewer or of any main, pipe or apparatus for the supply of

gas, water or electricity or of any telegraphic line as defined in the Telecommunications Act 1984.

PART III – REVOCATIONS

4 The Orders specified in Schedule 2 to this Order are hereby revoked.

Given under the Common Seal of the Doncaster Borough Council this 22nd day of August 2018.

THE COMMON SEAL of DONCASTER)
BOROUGH COUNCIL was hereunto)
affixed in the presence of:-)



Authorised by the Acting Director of Legal and Democratic Services

No. 67111 in Seal Register



SCHEDULE 1.01 (Bus Gates)

PROHIBITION OF DRIVING EXCEPT FOR BUSES, CYCLES, HACKNEY CARRIAGE AND AUTHORISED VEHICLES

Bawtry Road Doncaster	The whole of the gap in the central reservation situated 240 metres west of its junction with Gliwice Way
Booth Avenue (Formerly the unnamed access road serving the Dome Leisure Centre and hotel)	From its junction with the southern kerbline of Bawtry Road (westbound carriageway) in a south westerly direction for a distance of 50 metres
Belle Vue Way (Formerly the unnamed access road on the south side of Bawtry Road (between Bawtry Road and Gliwice Way))	From its junction with the southern kerbline Bawtry Road (westbound carriageway) in a south easterly direction for a distance of 210 metres
North Bridge Road	North East Side Between its junction with the access to North Bridge Depot and its junction with Trafford Way and Church Way in a south easterly direction
Balby Road	That stretch of carriageway between the north western kerbline and the adjacent island from its junction with the eastern kerbline of St John's Road in a north easterly direction for a distance of 8 metres
Warmsworth Road	That stretch of carriageway between the northern kerbline and the adjacent island from a point 79 metres west of its junction with the western kerbline of Oswin Avenue in an easterly direction for a distance of 25 metres
Cleveland Street	From its junction with Duke Street to its junction with Young Street
Waterdale	From its junction with the south eastern kerbline of the access road around Horsefair Public

Square in a south easterly direction to its junction with the north eastern kerbline of the Waterdale Underground Car Park entrance

SCHEDULE 1.02 (Bus Lane)

PROHIBITION OF DRIVING EXCEPT FOR BUSES, CYCLES, HACKNEY CARRIAGE AND AUTHORISED VEHICLES

Balby Road and Cleveland Street

The western kerblines of that length of Balby Road and Cleveland Street which extends from the start of the bus lane situated across the end of Bainbridge Road in a generally northerly direction to its junction with the western kerblines of the unnamed road between 159 and 169 St Sepulchre Gate West linking St Sepulchre Gate West and Cleveland Street

Bawtry Road

- i. The south western kerblines of that length of Bawtry Road (northwest bound carriageway) which extends from a point 45 metres north west of its junction with the north western kerblines of Stoops Lane in a north westerly direction to a point 152 metres north west of its junction with the north western kerblines of Saxton Avenue
- ii. The northern kerblines of that length of Bawtry Road (eastbound carriageway) which extends from its junction with the eastern kerblines of Leger Way (northbound carriageway) in an easterly direction for a distance of 241 metres
- iii. The southern kerblines of that length of Bawtry Road/Bennetthorpe (westbound carriageway) which extends from a point 110 metres east of its junction with the eastern kerblines of Carr House Road (south bound carriageway) in a westerly direction to its junction with the eastern kerblines of Carr House Road (north bound carriageway)

Bennetthorpe

- i. The northern kerblines of that length of Bennetthorpe (eastbound carriageway) which extends from its junction with the eastern kerblines of Granby Crescent for a distance of 225 metres in an easterly direction

- ii. The south western kerblines of South Parade and Bennetthorpe (north westbound carriageway) which extends from its junction with the western kerblines of Roman Road in a north westerly direction for a distance of 60 metres

Cleveland Street

The eastern kerblines of that length of Cleveland Street (southbound carriageway) which extends from a point 28 metres south of its junction with the southern kerblines of St James Street in a southerly direction to a point 111 metres south of its junction with the south western kerblines of Kelham Street

High Road

The north western kerblines of that length of High Road which extends from its junction with the eastern kerblines of Oswin Avenue in a north easterly direction to a point 50 metres south west of the south western kerblines of Greenfield Lane.

South Parade

From a point 60 metres which extends from its junction with the western kerblines of Roman Road in a south-westerly direction for a distance of 280 metres in a north-westerly direction

Thorne Road

The south eastern kerblines of that length of Thorne Road which extends from its junction with the south western kerblines of Armthorpe Road for a distance of 91 metres in a south westerly direction

York Road

- i. The eastern kerblines of that length of York Road (southbound carriageway) which extends from its junction with the south eastern kerblines of Jossey Lane in a southerly direction for a distance of 590 metres

- ii. The eastern kerblines of that length of York Road (southbound carriageway) which extends from its junction with the south eastern kerblines of Piping Lane (West) in a southerly direction for a distance of 693 metres
- iii. The north eastern kerblines of that length of York Road (southbound carriageway) which extends from a point 180 metres south east of its junction with the south eastern kerblines of Watch House Lane in a south easterly direction for a distance of 280 metres
- iv. The southern kerblines of that length of York Road (southeast bound carriageway) a point 13 metres south east of its junction with the south eastern kerblines of Grove Avenue in south easterly direction for a distance of 486 metres

Woodfield Way

Balby

Woodfield Way at Balby (eastbound carriageway) from a point 30 metres west of its junction with the western kerb line of Balby Carr Bank in a westerly direction to its junction with the eastern kerb line of Water Vole Way

Water Vole Way

Balby

The eastern kerblines of that length of Water Vole Way at Balby which extends from its junction with the northern kerblines of Woodfield Way for a distance of 40 metres in a northerly direction

SCHEDULE 2

**DONCASTER BOROUGH COUNCIL (VARIOUS ROADS DONCASTER)
(BUS AND CYCLE LANE) ORDER 2004**

**DONCASTER BOROUGH COUNCIL (VARIOUS ROADS, DONCASTER)
(MOVING TRAFFIC) (CONSOLIDATION) ORDER 2009 Schedule 1.41**