

THE OXFORDSHIRE COUNTY COUNCIL (A4165 KIDLINGTON ROUNDABOUT
TO OXFORD CITY
AND A44 PEARTREE PARK AND RIDE TO WOLVERCOTE ROUNDABOUT)
(BUS LANES AND TRAFFIC MANAGEMENT) ORDER 2006

The Oxfordshire County Council ("the Council") in exercise of its powers under Sections 1(1), 2(1) and (2), 4(1) and (2) of and Part IV of Schedule 9 to 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 of Schedule 9 to the Act, hereby makes the following Order:-

PART 1

GENERAL

(IMPLEMENTATION, CITATION, DEFINITIONS AND CONSTRUCTION)

1. This Order shall come into operation on the 13 March 2006 and may be cited as The Oxfordshire County Council (A4165 Kidlington Roundabout to Oxford City and A44 Peartree Park and Ride to Wolvercote Roundabout) (Bus Lanes and Traffic Management) Order 2006

2. In this Order, except where the context otherwise requires the following expressions have the following meanings;

"bus" means:-

- (a) a motor vehicle constructed or adapted to carry more than eight passengers (exclusive of the driver); or
- (b) a local bus not so constructed or adapted.

"bus lane" means, in relation to a road, a part of the carriageway reserved for buses and having as a boundary, which separates it from another such part, a road marking of the type designated in the definition of "traffic lane" in Regulation 4 of the Traffic Sign Regulations 2002;

"bus lanes hours" means the whole twenty-four hours of every day of the week;

"clearway hours" means the periods between 7.30 am and 9.30 am and between 4.00 pm and 6.30 pm on Mondays to Saturdays;

"disabled persons badge", "parking disc" and "relevant position" having the meanings ascribed to them in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

CERTIFIED A TRUE COPY

COUNTY SOLICITOR
OXFORDSHIRE COUNTY COUNCIL

*John Egan
for Mr Egan*

"disabled persons' vehicle" means a vehicle lawfully displaying in the relevant position a disabled persons' badge

"local bus" means a public service vehicle used for the provision of a local service not being an excursion or tour;

"local service" has the meaning given in section 2 of the Transport Act 1985;

"postal packet" means a letter, parcel, packet or other article transmitted by post;

"private hire vehicle" means a vehicle as described in section 80 of Local Government (Miscellaneous Provisions Act 1976) and licensed under Section 48 of that Act;

"public service vehicle" has the meaning given in Section 1 of the Public Passenger Vehicle Act 1981;

"restricted hours" means the whole twenty-four hours of every day;

"restricted road" means any length of road specified in Schedule 3 to this Order;

"taxi" means a vehicle licensed under section 37 of the Town Police Clauses Act 1847;

"traffic sign" means any object, device, line or mark for conveying to traffic warnings, information, requirements, restrictions or prohibition of any description as provided in Section 64 of the Act

"universal service provider" has the meaning given in Section 4 of the Postal Services Act 2000.

3. (1) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended or replaced by any subsequent enactment
- (2) Words importing the masculine gender shall also include the feminine gender and words in the singular include the plural and vice versa
- (3) The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any other enactment
- (4) Any reference in this Order to a numbered Article or Schedule shall unless the context otherwise requires be construed as a reference to the numbered Article or Schedule bearing that number in this Order
- (5) Headings are inserted for convenience and shall not affect the construction or interpretation of this Order.

NOTICE OF CONCERN
COMMUNITY CONCERN

PART II
BUS LANES

4. Save as provided in Articles 5 and 6 of this Order no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle to enter, proceed or be in any of the lengths of road described in Schedule 1 to this Order which is a bus lane during the bus lane hours.
5. Nothing in Article 4 of this Order shall apply to any;-
 - (1) bus (including but not by way of limitation a bus being used in the provision of a local service waiting at any bus stop in order to set down or pick up passengers);
 - (2) cycle;
 - (3) ambulance;
 - (4) vehicle of the fire service in an emergency
 - (5) police vehicle;
 - (6) taxi (including but not by way of limitation in order to set down or pick up passengers);
 - (7) private hire vehicle in order to set down or pick up passengers only.
6. Nothing in Article 4 of this Order shall apply so as to prevent a vehicle using any of the lengths of road described in Schedule 1 to this Order which is the bus lane for any of the following purposes or eventualities, for so long only as may be necessary to enable it to be so used:-
 - (1) when the person in control of the vehicle is required by law to enter proceed or stop in a bus lane or is obliged so to do in order to avoid an accident or is prevented from avoiding a bus lane by circumstances outside his control;
 - (2) when the vehicle is waiting while any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged is being opened or closed, if it is not reasonably practicable for the vehicle to wait otherwise than in a bus lane while such gate or other barrier is being opened or closed;
 - (3) the vehicle is in the service of a local authority or water undertaking in pursuance of statutory powers or duties;
 - (4) the vehicle is in the service of a universal service provider and is waiting while postal packets are being loaded, unloaded, delivered to or collected from premises or posting boxes in or adjacent to a bus lane;

- (5) to enable a vehicle to cross the bus lane to get to or from any road or layby adjacent to the bus lane or any vehicular access to premises adjacent to the bus lane;
- (6) to enable a person to board or alight from a vehicle outside the clearway hours only.

PART III
WAITING OF VEHICLES

7. Save as provided in Articles 8, 9 and 10 of this Order no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle to wait in any restricted road during the restricted hours.
8. Nothing in Article 7 of this Order shall apply to any:-
 - (1) ambulance;
 - (2) vehicles of the fire service in an emergency; - ;
 - (3) police vehicle;
 - (4) bus being used in the provision of a local service waiting at any bus stop in order to set down or pick up passengers;
 - (5) taxi or private hire vehicle in order to set down or pick up passengers only.
9. Nothing in Article 7 of this Order shall apply so as to prevent vehicles waiting in any of the restricted roads for any of the following purposes or eventualities for so long only as it may be necessary to enable it to be so used:-
 - (1) when the person in control of the vehicle is required by law to stop or is obliged to do so in order to avoid an accident or is prevented from proceeding by circumstances outside his control;
 - (2) where the vehicle is waiting while any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it is emerged is being opened or closed, if it is not reasonably practicable for the vehicle to wait otherwise than in the road while such gate or other barrier is being opened or closed;
 - (3) the vehicle is in the service of a local authority or water undertaking in pursuance of statutory powers or duties;
 - (4) the vehicle is in the service of a universal service provider and is waiting while postal packets are being loaded, unloaded, delivered to or collected from premises or posting boxes, in or adjacent to the road.
10. Nothing in Article 7 of this order shall apply to a vehicle waiting outside the clearway hours in any restricted road (save that the following exemptions shall

only operate in respect of any part of a restricted road which is a bus lane upon the direction or with the permission of a police constable in uniform or the Council)

- (1) for so long as it may be necessary to enable the vehicle to be used in connection with any of the following, if it cannot conveniently be so used without waiting in the road;
 - (a) undertaking any building operation, demolition or excavation;
 - (b) removing any obstruction to traffic;
 - (c) undertaking works in relation to any sewer or water main or in relation to the supply of gas, water, electricity or communication services;
 - (d) undertaking works in relation to the road, a traffic sign, road lighting or other highway equipment;
 - (e) in connection with any funeral.
- (2) for the purpose of loading or unloading a vehicle at premises situated on or adjacent to the road;
- (3) for as long as it may be necessary to enable a person to board or alight from the vehicle;
- (4) if it is a disabled person's vehicle which lawfully displays in the relevant position a disabled person's badge waiting for a period not exceeding three hours (not being a period separated by an interval of less than an hour from a previous period of waiting by the same vehicle in the same length of road on the same day) provided that there is displayed in the relevant position on the vehicle a parking disc marked to show the quarter hour period during which the period of waiting began.

Provided in each case that the person in control of the vehicle shall move it on the instruction of a police constable in uniform whether this shall be necessary for the purposes of preventing obstruction.

PART IV

REVOCATION OF EXISTING TRAFFIC ORDERS

11. The Order specified in Schedule 3 to this Order is revoked.

GIVEN UNDER the Common Seal of the Council this *11th Monday* of March
2006

SCHEDULE 1

BUS LANES

1. A4165 Eastern side; from its junction with the A4260 at the Kidlington roundabout southwards to Oxford City Boundary

2. A44 (Peartree to Wolvercote roundabout) Eastern side; from a point 97 metres south of the centre line of the Peartree Park and Ride junction southwards to a point 180 metres north of the give way line at the junction with Wolvercote Roundabout (A40).

SCHEDULE 2

(PROHIBITION OF WAITING AT ALL TIMES AND NO-STOPPING CLEARWAY
DURING SPECIFIED HOURS)

1. A4165

On the eastern side from its junction with the A4260 at the Kidlington roundabout southwards to Oxford City Boundary.

SCHEDULE 3
REVOCATIONS & VARIATIONS

The A44 Trunk Road (Woodstock Road, Oxford) (Bus and Taxi Lane) Order 2000

THE COMMON SEAL of
OXFORDSHIRE COUNTY
COUNCIL was hereunto
affixed in the presence of:



Jalic Tepl
County Solicitor/
Designated Officer

1058/05