

THE CITY OF PLYMOUTH (MOVING TRAFFIC REGULATION ORDERS) (AMENDMENT No. 2012.1322018 – PLYMOUTH BUS LANE ENFORCEMENT) ORDER 2012

The City of Plymouth in exercise of their powers under the Road Traffic Regulation Act 1984, and of all other enabling powers, and after consultation with the chief officer of police in accordance with Paragraph 20 of Schedule 9 to the Act of 1984, hereby make the following Order:

THE CITY OF PLYMOUTH (MOVING TRAFFIC REGULATION ORDERS) (AMENDMENT No. 2012.1322018 – PLYMOUTH BUS LANE ENFORCEMENT) ORDER 2012

This shall have the effect of amending "The City of Plymouth (Moving Traffic Regulation Orders) (Consolidation) Order 2011" as follows:

1) The following be deleted from Interpretations:

"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

"lay-by" means an area of carriageway intended for the waiting of vehicles and bounded partly by a traffic sign of the type shown in diagram 1010 in schedule 6 to the Traffic Signs Regulations and General Directions 1994 partly by the3 verge or outer edge of the carriageway

"licensed taxi" has the same meaning as in Section 13(3)(a) of the Transport Act 1985

"main carriageway" means any carriageway used primarily by through traffic, includes any carriageway of a slip road, but excludes any lay-by

"permanent user" means that person who not being the legal owner of a vehicle is the normal driver and has responsibility for that vehicle

"public service vehicle" has the same meaning as in the Public Passenger Vehicles Act 1981

(1)c) *any reference to a Table, or to a numbered Table, is a reference to the Table or to the Table bearing that number, in the Article or Schedule in which that reference occurs*

2) The following be deleted from Interpretations:

"Private Hire Vehicle" means a motor vehicle constructed or adapted to seat fewer than eight passengers other than a hackney carriage or bus which is provided for hire with the services of a driver for the purposes of carrying passengers

"restricted road" means any of the roads, lengths of road or sides of road specified in any of the Schedules to this Order

"specified road" means any road or length of road or side of road specified in the Schedules to this Order

And replaced with:

"Private Hire Vehicle" means a motor vehicle constructed or adapted to seat fewer than eight passengers other than a hackney carriage or bus which is licenced and provided for hire with the services of a driver for the purposes of carrying passengers

"restricted road" means any of the roads, lengths of road or sides of road identified in any of the Map Schedules to this Order

"specified road" means any road or length of road or side of road identified in the Map Schedules to this Order

3) The following be added to Interpretations:

A reference to an article followed by a number is a reference to the Article of this order so numbered

"The Act of 2000" means The Transport Act 2000

"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 Act of 2000 and adhering to The Bus Lane (Approved Devices) (England) Order 2005

"PCN" means a Penalty Charge Notice

"pedal cycle" has the same meaning as in regulation 4 of the TSRGD

"vehicle" includes any part of a vehicle

4) The following be deleted from PART II – Weight Limits

No person shall cause or permit any vehicle to proceed in any of the roads identified for the lengths identified, if the maximum gross weight of that vehicle exceeds that identified in the below parts of the First Schedule to this Order. (See attached plans)

PART 1.1 Maximum Gross Weight 7.5 Tonnes

PART 1.2 Maximum Gross Weight 7.5 Tonnes Except for Access

PART 1.3 Maximum Gross Weight 18 Tonnes

And replaced with:

Save as provided in Article 12 of this Order no person shall cause or permit any vehicle to proceed in the roads subject to restriction identified as Weight Limits, as shown on the plans attached to this Order, as specified by the various parts to the First Schedule as defined below

PART 1 Maximum Gross Weight 7.5 Tonnes

PART 2 Maximum Gross Weight 7.5 Tonnes Except for Access

PART 3 Maximum Gross Weight 18 Tonnes

5) The following be deleted from PART II – Prohibition of Entry

No person shall cause or permit any vehicle to enter from the roads identified into the roads identified on the plans attached specified in the below parts of the Second Schedule to this Order

PART 2.1 Prohibition of Entry Except for Buses

PART 2.2 Prohibition of Entry

PART 2.3 Prohibition of Entry Except for Buses with an exemption for authorised vehicles delivering services for or on behalf of Plymouth City Council

- PART 2.4 Prohibition of Entry Except for Buses and Pedal Cycles with an exemption for authorised vehicles delivering services for or on behalf of Plymouth City Council*
- PART 2.5 Prohibition of Entry Except for Pedal Cycles*

And replaced with:

Save as provided in Article 12 of this Order no person shall cause or permit any vehicle to enter from the roads identified into the roads identified as Prohibition of Entry, as shown on the plans attached to this Order, as specified by the various parts to the Second Schedule as defined below

- PART 1 Prohibition of Entry
- PART 2 Prohibition of Entry with an exemption for Buses
- PART 3 Prohibition of Entry with an exemption for authorised vehicles delivering services for or on behalf of Plymouth City Council and Local Bus Services
- PART 4 Prohibition of Entry with an exemption for Buses and Pedal Cycles and authorised vehicles delivering services for or on behalf of Plymouth City Council
- PART 5 Prohibition of Entry with an exemption for Pedal Cycles
- PART 6 Prohibition of Entry except for Access
- PART 7 Prohibition of Entry except for Authorised MOD Vehicles

6) The following be deleted from PART II – Prohibited Turns

No person shall cause or permit any vehicles proceeding in the roads identified to roads identified on the plans attached specified in the below parts of the Third Schedule to this Order

- PART 3.1 No Right Turn*
- PART 3.2 No Left Turn*
- PART 3.3 No 'U' Turn*
- PART 3.4 No Right Turn for Vehicles over 17 Tonnes*
- PART 3.5 No Right Turn except for cycles*

And replaced with:

Save as provided in Article 12 to this Order no person shall cause or permit any vehicle proceeding in the roads identified to turn in to the roads identified as Prohibited Turns, as shown on the plans attached to this Order, as specified by the various parts of the Third Schedule as defined below

- PART 1 No Right Turn
- PART 2 No Left Turn
- PART 3 No 'U' Turn
- PART 4 No Right Turn for Vehicles over 17 Tonnes
- PART 5 No Right Turn with an exemption for pedal cycles
- PART 6 No Right Turn with an exemption for buses

7) The following be deleted from PART II – Prohibition of Driving

No person shall cause or permit any vehicle to proceed in any road identified for that length identified on the plans attached specified in the below parts of the Forth Schedule to this Order

- PART 4.1 Prohibition of Driving of all Vehicles*
- PART 4.2 Prohibition of Driving Except for pedal cycles*

<i>PART 4.3</i>	<i>Prohibition of Driving Except for Access</i>
<i>PART 4.4</i>	<i>Prohibition of Driving of all Vehicles Except for Buses and Taxis</i>
<i>PART 4.5</i>	<i>Prohibition of Driving of all Vehicles Except for Local Services</i>
<i>PART 4.6</i>	<i>Prohibition of Driving of all Vehicles Except for Permit Holders between 9pm and midnight and between midnight and 5am</i>
<i>PART 4.7</i>	<i>Prohibition of Driving and Cycling</i>

And replaced with:

Save as provided in Article 12 of this Order no person shall cause or permit any vehicle to proceed in the roads subject to restriction identified as Prohibition of Driving, as shown on the plans attached to this Order, as specified by the various parts to the Forth Schedule as defined below.

PART 1	Prohibition of Driving of all Vehicles
PART 2	Prohibition of Driving with an exemption for Pedal Cycles
PART 3	Prohibition of Driving with an exemption for Access
PART 4	Prohibition of Driving with an exemption for Buses and Taxis
PART 5	Prohibition of Driving with an exemption for Local Services
PART 6	Prohibition of Driving with an exemption for Permit Holders between 9pm and midnight and between midnight and 5am
PART 7	Prohibition of Driving and Pedal Cycles
PART 8	Prohibition of Driving with an exemption for loading from between midnight to 9.30am and between 4.30pm to midnight

8) The following be deleted from PART II – Reserved Bus Lanes

No person shall cause or permit any vehicle to proceed in any road identified for that length identified on the plans attached specified in the below parts of the Fifth Schedule to this Order.

<i>PART 5.1</i>	<i>At Any Time with an exemption for hackney carriages, private hire vehicles, motorcycles and pedal cycles</i>
<i>PART 5.2</i>	<i>At Any Time</i>
<i>PART 5.3</i>	<i>Between 8am and 9.15am Mondays to Saturdays with an exemption for hackney carriages, private hire vehicles, motorcycles and pedal cycles</i>

And replaced with:

Save as provided in Article 12 of this Order no person shall cause or permit any vehicle other than a local service vehicle to proceed in the roads subject to restriction identified as Bus Lane, as shown on the plans attached to this Order, as specified by the various parts to the Fifth Schedule as defined below.

PART 1	At Any Time with an exemption for buses, taxis, motorcycles and pedal cycles
PART 2	At Any Time
PART 3	Between 8am and 9.15am Mondays to Saturdays with an exemption for buses, taxis, motorcycles and pedal cycles
PART 4	At Any Time with an exemption for buses and taxis
PART 5	At Any Time with an exemption for buses and pedal cycles

The following be deleted from PART II – One Way

No person shall cause or permit any vehicle to proceed in any of the roads identified for the lengths identified as one way on the plans attached specified in the Sixth schedule to this Order

And replaced with:

Save as provided in Article 12 of this Order no person shall cause or permit any vehicle proceeding in the roads identified other than in the direction identified as One Way, as shown on the plans attached to this Order, as specified by the Sixth Schedule.

9) The following be deleted from PART II – Width Limits

No person shall cause or permit any vehicle to proceed in any of the roads identified for the lengths identified if the width of that vehicle exceeds that identified in the below parts of the Seventh Schedule to this Order (See attached plans)

PART 7.1 Width Limit of 1.98m (6' 6") At Any Time

PART 7.2 Width Limit of 1.98m (6' 6") At Any Time except for access

PART 7.3 Width Limit of 1.98m (6' 6") At Any Time except for buses

PART 7.4 Width Limit of 1.98m (6' 6") At Any Time except for local buses

And replaced with:

Save as provided in Article 12 of this Order no person shall cause or permit any vehicle with a width of greater than 1.98 metres to proceed in the roads subject to restriction identified as Width Limits, as shown on the plans attached to this Order, as specified by the Various parts to the Seventh Schedule as defined below.

PART 1	Width Limit At Any Time
PART 2	Width Limit At Any Time except for access
PART 3	Width Limit At Any Time except for buses
PART 4	Width Limit At Any Time except for local buses

10) The following be deleted from PART II – Mandatory Cycle Lanes

No person shall cause or permit any vehicle to proceed in any of the roads identified for the lengths identified if the vehicle is any vehicle other than a pedal cycle in the below parts of the Eighth Schedule to this Order.

And replaced with:

Save as provided in Article 12 of this Order no person shall cause or permit any vehicle other than a pedal cycle to proceed in the roads subject to restriction identified as Mandatory Cycle Lanes, as shown on the plans attached to this Order, as specified by the Eighth Schedule.

11) The following be added to the articles in the correct numerical order:

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EXEMPTIONS

Nothing in Articles 4, 5, 6, 7, 8, 9, 10 and 11 of this Order shall; render it unlawful to cause or permit any vehicle to proceed in any road or length of road as identified in the plans attached to this Order for so long as may be necessary to enable:

- a) the vehicle to comply with directions or with permission of a Police Constable or of a Traffic Officer;
- b) the vehicle, if it cannot conveniently be used for such purpose in any other road, be used in the service of the Council in pursuance of statutory powers or duties;
- c) the vehicle be used in the service of the Police, Fire Brigade or Ambulance Service;
- d) the vehicle be used in any case where the person in control of the vehicle:
 - i) is required by law to stop or wait or is permitted to stop or wait by a Police Constable in uniform;
 - ii) is obliged to stop so as to prevent an accident, or
 - iii) is prevented from proceeding by circumstances outside his control.

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CIVIL ENFORCEMENT

The Council will carry out civil enforcement of any contravention of any prohibitions in the Fifth Schedule of the Order by permitting the imposition of a Penalty Charge only on the basis of a record produced by the means of an 'Approved Device'.

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Where the Council have reason to believe that a Penalty Charge is payable in relation to a vehicle which has contravened article 5 of this Order the Council will serve a Penalty Charge Notice (PCN) in accordance with The Bus Lane Contraventions (Penalty Charge, Adjudication and Enforcement)(England) Regulations 2005 on the person:

- i) appearing to be the owner or keeper of the vehicle or
- ii) appearing to be the person liable to pay the charge

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If a vehicle owner, keeper or driver contravenes any prohibitions or restrictions of article 5 of this Order, a charge set by the Council pursuant to Regulations under Section 144 (3) of the Act of 2000 and in accordance with guidance given by the Relevant National Authority (the Penalty Charge) is to be paid in the manner described in the notice within 28 days of the Date of Service of the PCN or within 14 days of the Date of Service of the PCN in the case of a reduced penalty charge.

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When the owner, keeper or driver has been identified the Council will issue a PCN in accordance with this Order and send the PCN by post.

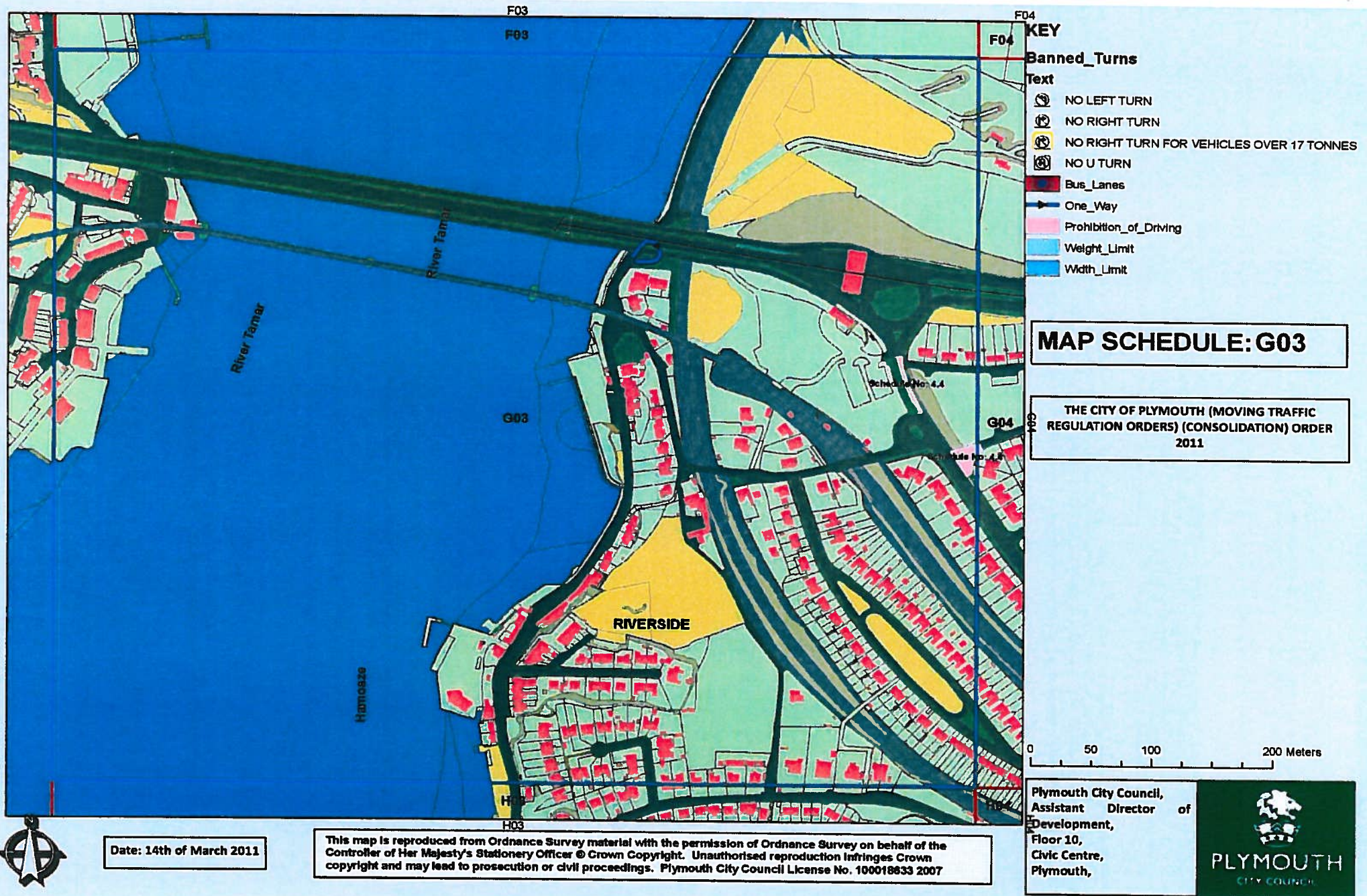
12)The Map Schedules specified in the First Schedule to this Order shall be revoked and the Map Schedule specified in the Second Schedule to this Order shall be implemented:

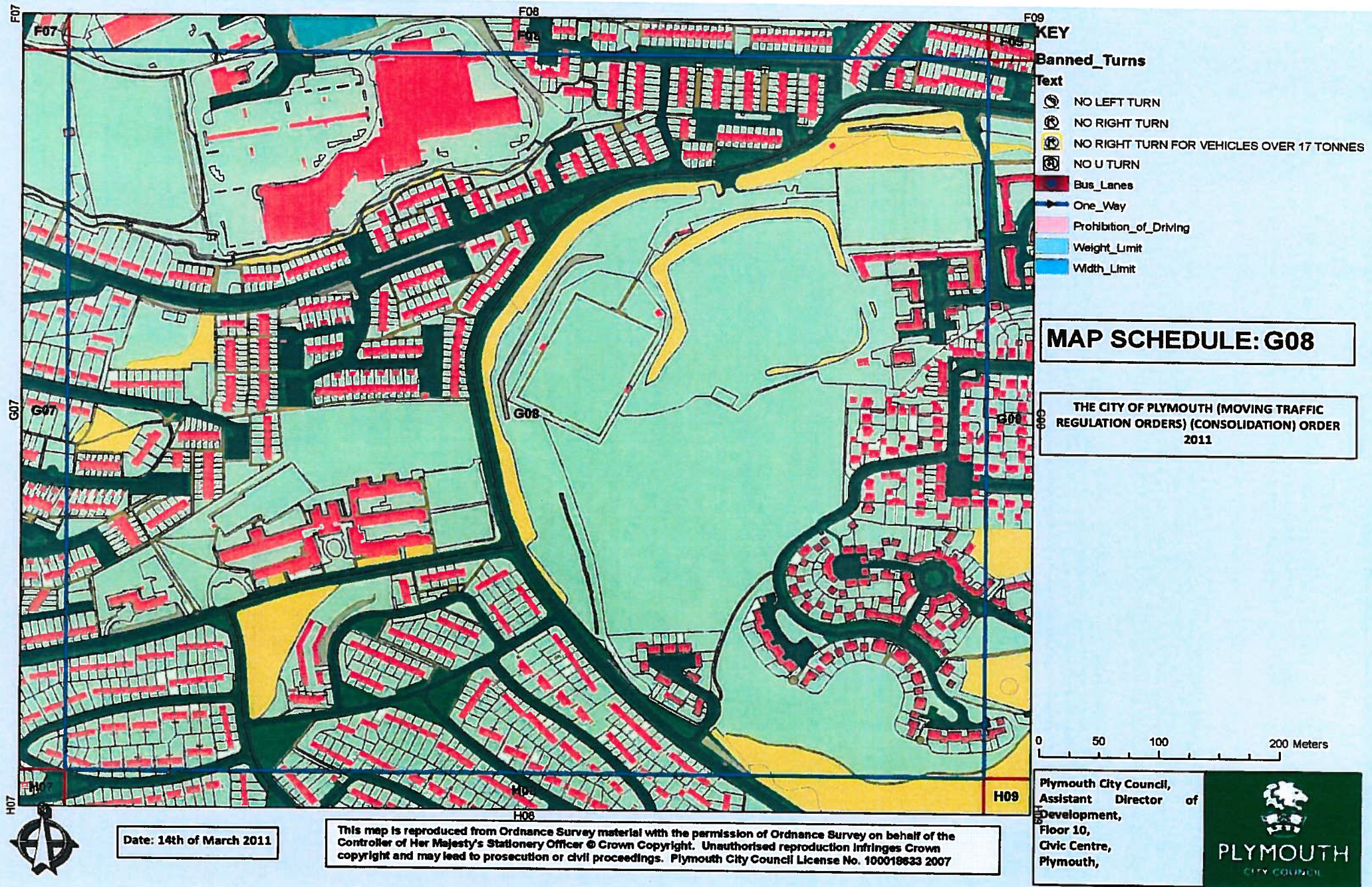
First Schedule

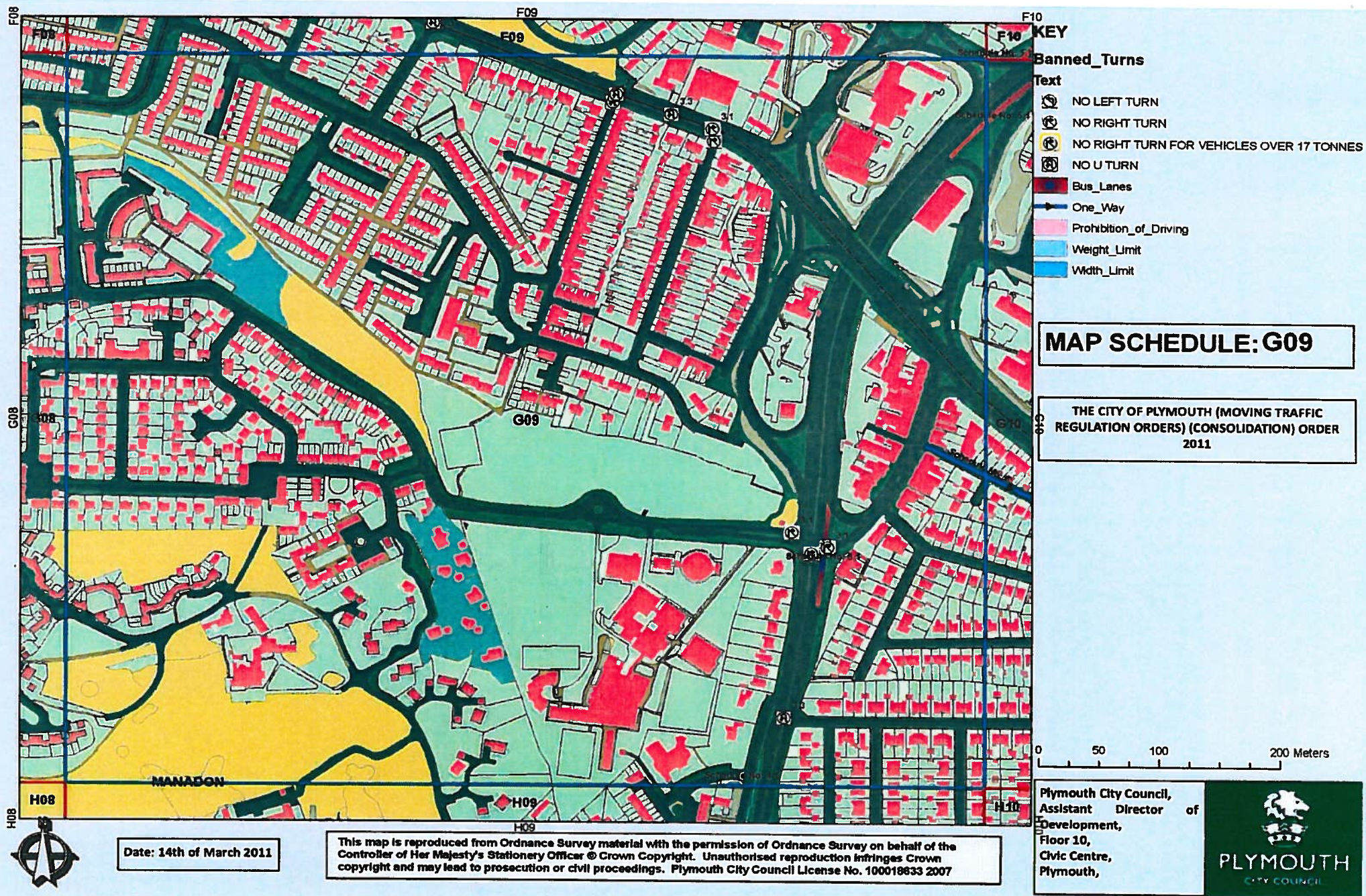
Map Schedule to be revoked
G03
G08
G09
G13

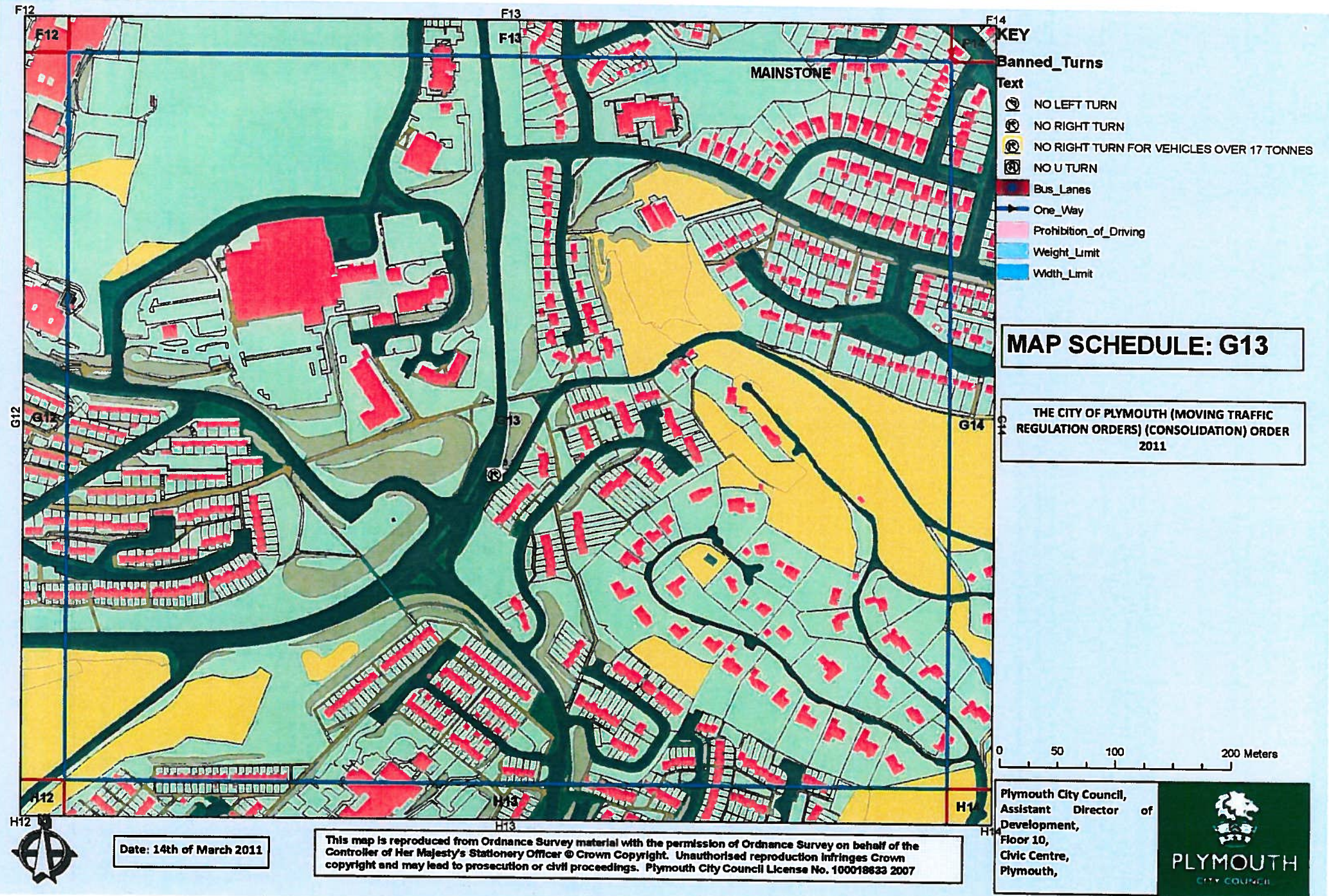
Second Schedule

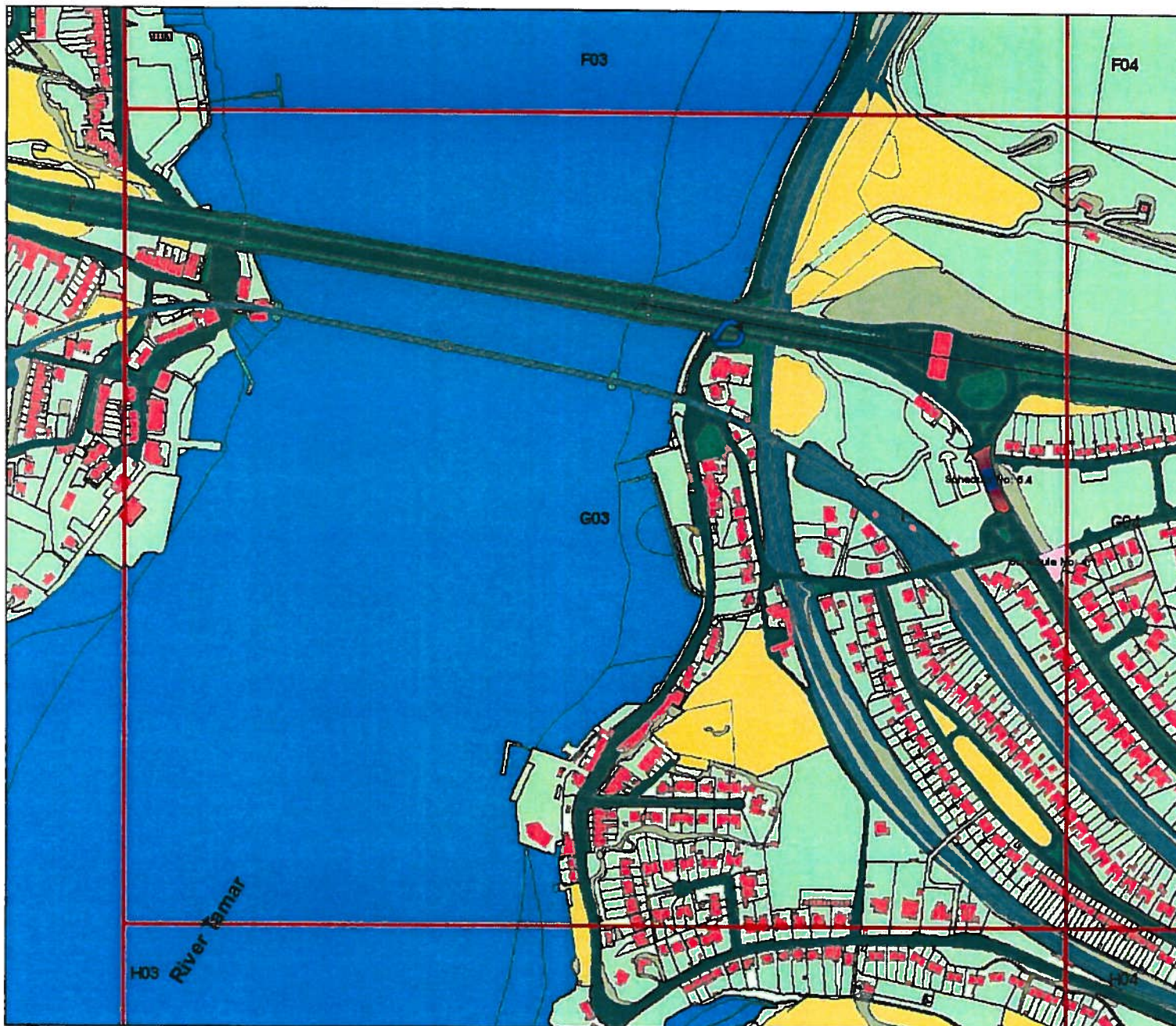
Map Schedule to be inserted
G03A
G08A
G09A
G13A











Key

GRID

Banned_Turns

Text

- NO LEFT TURN
- NO RIGHT TURN
- NO RIGHT TURN FOR VEHICLES OVER 17 TONNES
- NO U TURN
- No_Entry
- One_Way
- Cycle_Lanes
- Bus_Lanes
- Prohibition_of_Driving
- Weight_Limit
- Width_Limit

MAP SCHEDULE: G03A

THE CITY OF PLYMOUTH (MOVING TRAFFIC
REGULATION ORDERS) (AMENDMENT No.
2012.1322018 – PLYMOUTH BUS LANE
ENFORCEMENT) ORDER 2012

0 30 60 120 Meters

Plymouth City Council,
Assistant Director of
Development,
Floor 10,
Civic Centre,
Plymouth,
PL1 2AA



Date: 6th August 2012

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Banned_Turns

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- One_Way
- Cycle_Lanes
- Bus_Lanes
- Prohibition_of_Driving
- Weight_Limit
- Width_Limit

MAP SCHEDULE: G08A

THE CITY OF PLYMOUTH (MOVING TRAFFIC
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2012.1322018 – PLYMOUTH BUS LANE
ENFORCEMENT) ORDER 2012

0 30 60 120 Meters

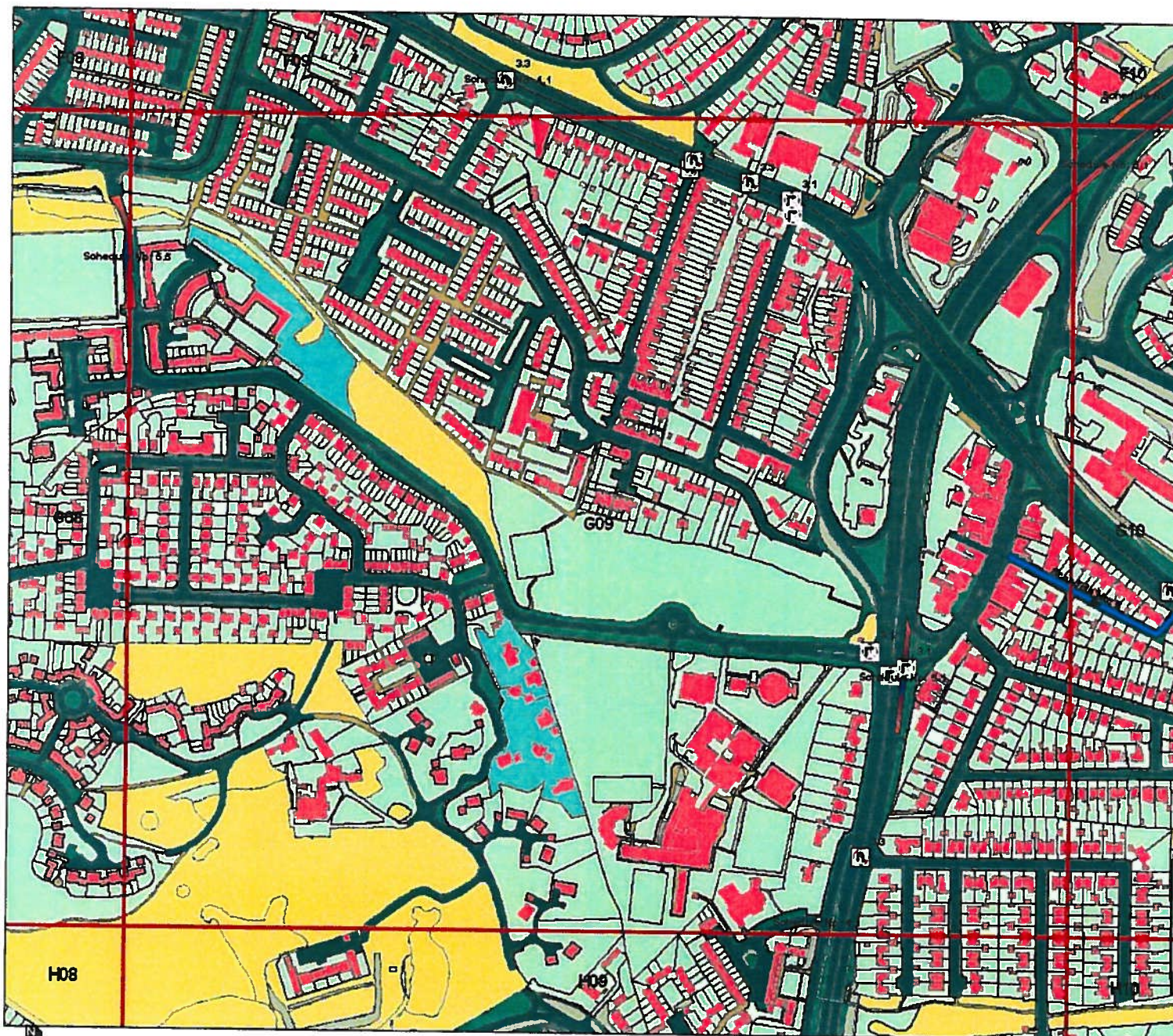


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Plymouth City Council,
Assistant Director of
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PL1 2AA





Key

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Banned_Turns

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- NO RIGHT TURN FOR VEHICLES OVER 17 TONNES
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- Cycle_Lanes
- Bus_Lanes
- Prohibition_of_Driving
- Weight_Limit
- Width_Limit

MAP SCHEDULE: G09A

THE CITY OF PLYMOUTH (MOVING TRAFFIC
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2012.1322018 – PLYMOUTH BUS LANE
ENFORCEMENT) ORDER 2012

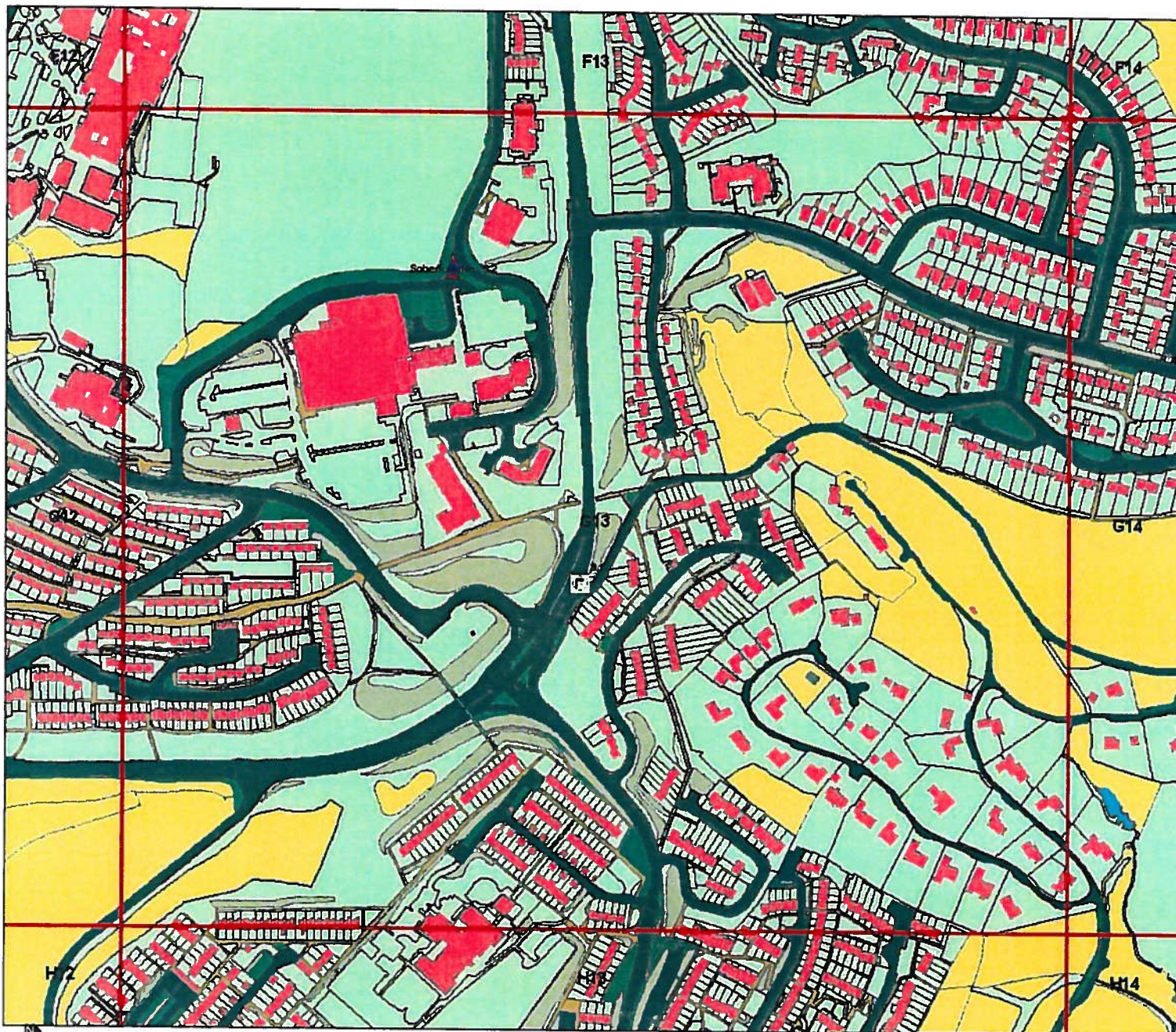
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Key

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Banned_Turns

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- Prohibition_of_Driving
- Weight_Limit
- Width_Limit

MAP SCHEDULE: G13A

THE CITY OF PLYMOUTH (MOVING TRAFFIC
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2012.1322018 – PLYMOUTH BUS LANE
ENFORCEMENT) ORDER 2012

0 30 60 120 Meters

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This Order shall come into force on the
and may be cited as THE CITY OF PLYMOUTH (MOVING TRAFFIC REGULATION
ORDERS) (AMENDMENT No. 2012.1322018 – PLYMOUTH BUS LANE
ENFORCEMENT) ORDER 2012

GIVEN under the Common Seal of the Council of the City of Plymouth
this 8TH day of AUGUST 2012

the COMMON SEAL of the
COUNCIL of the CITY of
PLYMOUTH was hereunto
affixed in the presence of




Plymouth City Council Authorised Signatory