

DATED 4th October 2012

ROAD TRAFFIC REGULATION ACT, 1984

BOROUGH OF READING

(TOWN CENTRE) (BUS AND WHEELCHAIR ACCESSIBLE TAXI LANES)

(SPECIAL ACCESS PERMITS) ORDER 2012

CERTIFIED A TRUE COPY

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**THE BOROUGH OF READING (TOWN CENTRE) (BUS AND WHEELCHAIR
ACCESSIBLE TAXI LANES) (SPECIAL ACCESS PERMITS) ORDER 2012**

The Reading Borough Council (hereinafter referred to as "The Council"), pursuant to its powers under Sections 1, 2 and 4 to The Road Traffic Regulation Act 1984 (The Act of 1984) 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 of 1984, hereby make the following Order :

1. This Order may be cited as "The Borough of Reading (Town Centre) (Bus and Wheelchair Accessible Taxi Lanes) (Special Access Permits) Order 2012" and shall come into operation on 4 October 2012.

**PART I
GENERAL**

2. Definitions

In this Order:-

"Ambulance" has the same meaning as in the Vehicle Excise and Registration Act 1994

"Authorised Officer" means the Head of Transport and Highways any other officer so designated by the Council;

"Bus" has the same meaning as in Regulation 22 of the Traffic Signs Regulations and General Directions 2002;

"Bus Lane" has the same meaning as in Regulation 23 of the Traffic Signs and General Directions 2002;

"Carriageway" means a way constituting or comprised in a highway being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles;

"Civil Enforcement Officer" has the same meaning as in section 76 of the Act of 2004

"Cycle" means a bicycle, tricycle, or cycle having four or more wheels, not being in any case a motor vehicle;

"Delivering" and "Collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection;

"Fire Brigade Vehicle" means a vehicle intended or adapted to be used by the Royal Berkshire Fire and Rescue Service;

"Goods" means goods or burden of any description and includes postal packets of any description;

"Goods Vehicle" means a motor vehicle which is constructed or adapted for use for the carriage of goods or burden of any description and which does not exceed 5.30 metres in length of 2.25 metres in height;

"Hackney Carriage" means a vehicle licensed under Section 37 of the Town Police Clauses Act 1847, Section 6 of the Metropolitan Carriage Act 1869 or any similar enactment;

"Immobilisation device" has the same meaning as in Section 104(9) of the Road Traffic Regulation Act 1984;

"Licensed Hire Car" means a vehicle used as a private hire vehicle and licensed under s48 of the Local Government (Miscellaneous Provisions) Act 1976;

"Motor Cycle" and **"Invalid Carriage"** have the same meanings as in Section 136 of the Road Traffic Act of 1984;

"Owner" in relation to a vehicle means a person who is named in the vehicle registration document as the registered keeper of a goods or passenger vehicle or who has the use of such a vehicle in the course of his employment and who is entitled to use such a vehicle as though he were the registered keeper thereof;

"Passenger Vehicle" means a motor vehicle (other than a motor cycle or invalid carriage) not exceeding 5.30m in length and 2.25m in height and constructed for the carriage of passengers and their effects;

"Penalty Charge" and **"reduced penalty charge"** means a charge set by the Council under the provisions of The Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005 and with the approval of the Secretary of State for Transport;

"Penalty Charge Notice" means a notice issued or served by the Council pursuant to the provisions of regulation 8(1) of The Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005;

"permit holder" means a person to whom a permit has been issued;

"Police Vehicle" means a vehicle intended or adapted for use by the Thames Valley Police Authority;

"Special Access Permit" means a permit issued by the Council for use on the roads as specified in Schedule 5 to this order;

"Taxi" for the purpose of this order has the same meaning as Hackney Carriage and Licensed Hire Car given above;

"Telegraphic Line" has the same meaning as in the Telecommunications Act, 1984;

"The 2002 Regulations" means the Traffic Signs Regulations and General Directions 2002;

"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 Act of 1984;

"Vehicle" means any motor vehicle, (as defined in the Road Traffic Regulation Act 1984), motor cycle, (as defined in the Road Traffic Act 1984), pedal cycle, (as defined in the Road Traffic Act 1988) or any carriage drawn by a horse or other beast intended for use on roads.

"wheelchair accessible taxi" means a licensed hackney carriage that has been constructed or adapted for side loading in order to board, secure and alight a mobility impaired person seated in, at least, a standard wheelchair without the need to remove that person from the wheelchair, in addition to the other able bodied fare paying passengers;

"with-flow lane" means a traffic lane reserved for a specified class of traffic proceeding in the same direction as general traffic in an adjoining traffic lane;

"contra-flow lane" means a traffic lane reserved for a specified class of traffic proceeding in the opposite direction as general traffic in an adjoining traffic lane.

PART II **PROHIBITED MOVEMENTS**

3. No person shall, except upon the direction or with the permission of a Police Constable in uniform or of a civil enforcement officer, use a vehicle or cause or permit any vehicle except a bus, cycle or wheelchair accessible taxi to be in the lengths of roads designated as a bus lane as specified in Schedule 1.
4. No person shall, except upon the direction or with the permission of a Police Constable in uniform or a civil enforcement officer use a vehicle, or cause or permit any vehicle except a bus cycle or wheelchair accessible taxi to proceed along the length of road as detailed in Schedule 2 to this Order.

5. No person shall, except upon the direction or with the permission of a Police Constable in uniform or of a civil enforcement officer cause or permit any vehicle except a bus, cycle, motorcycle or a wheelchair accessible taxi to proceed along the length of roads as detailed in Schedule 3 to this order.
6. No person shall, except upon the direction or with the permission of a Police Constable in uniform or of a civil enforcement officer use a vehicle or cause or permit any vehicle to be in the lengths of roads as designated as bus lanes in as specified in Schedule 4 to this order.
7. Save as provided in Articles 3, 4, 5 and 6, no person shall, except upon the direction or with the permission of a Police Constable in uniform or of a civil enforcement officer, use, cause or permit any bus, cycle, or wheelchair accessible taxi as the case may be to proceed along the length of roads as designated as a bus lane, otherwise than in the direction specified in the relevant schedule referred to in the aforementioned Articles in relation to that length of road.
8. No person shall, except upon the direction of a Police Constable in uniform or of a civil enforcement officer, cause or permit any vehicle proceeding along a bus lane in accordance with Article 3, 4, 5 or 6 to cross over the white line unless it is necessary to do so in order to overtake a vehicle which is stationary in the bus lane.
9. Nothing in the foregoing Articles 3, 4, 5 and 6 shall prevent any person causing or permitting any vehicle to be in a bus lane in the direction specified in the relevant Schedules to the aforementioned Articles, insofar as it is absolutely necessary, to enable the vehicle to be used for any of the purposes set out hereunder or to wait in the bus lane for so long as may be necessary for any of those purposes:-
 - (a) the removal of any vehicle or to effect emergency repairs to a vehicle in the bus lane so as to relieve any obstruction.
 - (b) Police vehicle, Fire Brigade Vehicle or Ambulance purposes; or
 - (c) the service of any local authority or water authority in pursuance of statutory powers or duties; or in connection with the supply of gas or electricity, or any telecommunications system as defined in the Telecommunications Act, 1984.
10. Nothing in Articles 3, 4, 5 and 6 shall prevent any person causing or permitting any vehicle:-
 - (a) To enter or be in a bus lane for any of the purposes set out in paragraphs (i) to (iii) below, by crossing the white line, at a point opposite that person's destination, or a point as close as possible to that point, provided that such entry is absolutely necessary in respect of:-

- (i) the gaining of access to off-street loading or garaging premises adjacent to or accessible only from the bus lane;
- (ii) the loading or unloading of any goods or burden at these premises adjacent to or accessible only from the bus lane; provided that such loading or unloading can reasonably be carried out only from the bus lane and that it takes place only whilst no prohibition on loading or unloading in the bus lane by virtue of any other order is in force;
- (iii) the removal of any obstruction to traffic in the bus lane;

or

- (b) In the service of any local authority or water authority in pursuance of statutory powers or duties to be in the bus lane;
- (c) which is to be used in connection with the maintenance, improvement or reconstruction of any lengths of road, or the laying, erection, alteration or repair in or near any of the lengths of road of any sewer or main, pipe or apparatus for the supply of gas, water, electricity or telegraph line to be in the bus lane;
- (d) having entered a bus lane in accordance with (a) above, to wait therein for the purposes set out in (i), (ii) and (iii);
- (e) having entered a bus lane in accordance with (a) above, to leave the bus lane by crossing the white line at a point as close as possible to the point of entry.

PART III **SPECIAL ACCESS PERMITS**

- 11. The Council may, at the discretion of the Authorised Officer issue a Special Access Permit in respect of those roads listed Schedule 5 to this Order
- 12. Any application for a Special Access Permit shall be made on a form issued and obtained from the Council and shall include the particulars and information required by such form.
- 13. The Council may at any time require an applicant for a special access permit or may require a special access permit holder to produce to an officer of the council such evidence in respect of the application or the permit as they may reasonably require to verify any particulars or information given to them, or to verify that the special access permit is valid.

14. (1) A Special Access Permit holder may surrender such a permit at any time to the Council and shall surrender such permit to the Council on the occurrence of any of the events set out in paragraph (3) of this Article.
(2) The Council may give notice in writing served on the permit holder at the address shown by that person on the application for the permit, or at any other address believed to be that persons residence, withdraw a permit it if appears to the Council that any of the events set out in paragraph (3) of this Article have occurred and the permit holder shall surrender the permit to the Council within 48 hours of the receipt of the said notice.
(3) The events referred to in the foregoing provisions of this Article are:-
(i) The permit holder ceasing to be the owner of the vehicle in respect of which the permit was issued.
(ii) The expiry of the period for which the permit was issued.
15. A resident shall not be entitled to be in possession of more than one Permit at any one time.
16. A Special Access Permit shall only be valid for use in the roads as indicated Schedule 5 below and as indicated on the permit itself.

PART IV **CONTRAVENTION OF ORDER**

17. (1) If a vehicle is in an area of road which is or forms part of a bus lane in contravention of any provision of this Order, a penalty charge shall be payable pursuant to Section 144 of the Transport Act 2000.
- (2) In the case of a vehicle in respect of which a penalty charge is payable, a penalty charge notice showing the information required by section 8 (5) of the Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement)(England) Regulations 2005 may then be issued by the Council in accordance with section 8(2) and (5) of the said Regulations.

PART V
REVOCATIONS

18. The following Orders or parts of Orders are hereby revoked:

1) Stanshawe Road

Borough of Reading, Bus Lane Traffic Regulation Order (2006)

Schedule 8, Prohibition of Vehicles except buses, cycles and hackney carriages

Stanshawe Road, Beyond a point 5 metres east of its junction with Caversham Road in a westbound direction.

2) Oxford Road/Cheapside

Borough of Reading, Bus Lane Traffic Regulation Consolidation Order (2009)

Schedule 3, Prohibition of vehicles except bus, cycles and hackney carriages.

Oxford Road, From a point 11.5 metres east of its junction with Cheapside in an eastbound direction for a distance of 5 metres.

3) Bridge Street

Borough of Reading, Bus Lane Traffic Regulation Consolidation Order (2009)

Schedule 3, Prohibition of vehicles except bus, cycles and hackney carriages.

Bridge Street (Reading), Beyond a point 49 metres south of its junction with Castle Street in a northbound direction to its junction with Castle Street.

4) Duke Street

Borough of Reading, Bus Lane Traffic Regulation Order (2006)

Schedule 3, Bus, Cycle and Taxi Lane

Duke Street, South to North (Contra Flow)

The area of the carriageway of that length of Duke Street which extends from its junction with London Street (North) to its junction with Kings Road.

5) London Street (North)

Borough of Reading, Bus Lane Traffic Regulation Order (2006)

Schedule 3, Bus, Cycle and Taxi Lane

The area of the carriageway of the length of London Street, that extends from its junction with Duke Street to its junction with Mill Lane (North)

6) The Forbury

Borough of Reading, Bus Lane Traffic Regulation Consolidation Order (2009)

Schedule 3, Prohibition of vehicles except bus, cycles and hackney carriages.

The Forbury (East/West Section) From a point 85 metres east of its junction with Friar Street in a westerly direction between the northern kerb edge and the central island for a distance of approximately 32 metres.

7) Kings Road

Borough of Reading, Bus Lane Traffic Regulation Consolidation Order (2009)
Schedule 4, Prohibition of vehicles except bus, cycles and hackney carriages and motorcycles.

Kings Road, From a point 7 metres west of its junction with Forbury Road eastwards to the western kerb line extension of its junction with Forbury Road

8) Gun Street

Borough of Reading, Bus Lane Traffic Regulation Order (2006)
Schedule 3, Bus, Cycle and Taxi Lane
Gun Street, East to West (With Flow)

19. The following Schedules from the Borough of Reading (Town Centre Area) (Waiting Restrictions and Movement Control) Order 2000 will be revoked:

(i) Schedule 16 in so far as it relates to St Marys Butts, West Street, Friar Street, Station Road, Minster Street, King Street, Oxford Road and Gun Street.

(ii) St Marys Butts, Schedule 42 - No Vehicles 11am to 4pm except buses, cycles taxis blue badge holders and permit holders

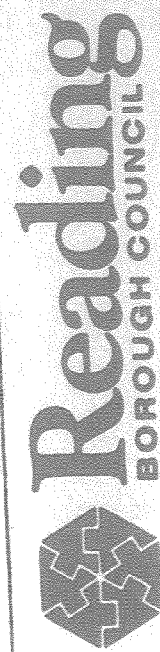
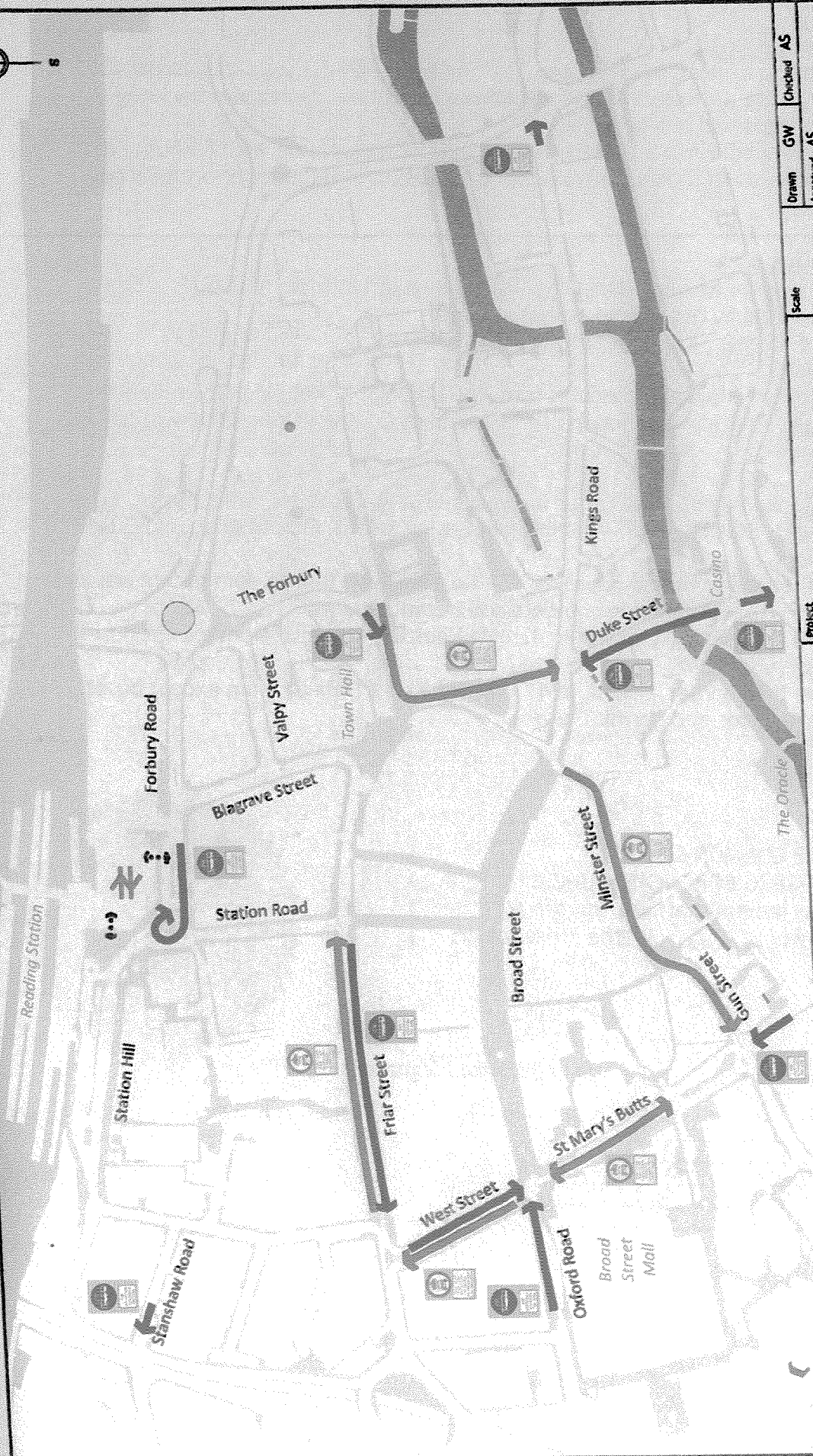
(iii) Friar Street, Schedule 42 - No Vehicles 11 am to 4 pm except buses, cycles, taxis

(iv) King Street, Schedule 43 - No Vehicles 11 am to 4 pm except buses, cycles taxis and permit holders.

THE COMMON SEAL OF
READING BOROUGH COUNCIL
was hereunto affixed on the 4th
day of October 2012 the presence of:-


Authorised Signatory

Minute	11/4/11 Minute
Originator	CA
Seal No.	341/12
Checked	SL



Department of Environment
Culture and Sport
Civic Centre
Reading
Rg1 7TD

Project		Scale	Drawn	GW	Checked	AS
Town Centre Highway Works		NTS	Approved		AS	
Drawing			Date		15.03.11	
Wheelchair Accessible Taxi		Drawing No	Drawing 1			

LIST OF SCHEDULES

SCHEDULE 1 - Bus, Cycle and wheelchair accessible taxi lane

SCHEDULE 2 - Prohibition of vehicles except bus, cycle and wheelchair accessible taxi

SCHEDULE 3 - Prohibition of vehicles except bus, cycles, motorcycles and wheelchair accessible taxi

SCHEDULE 4 - Prohibition of motor vehicles except bus, wheelchair accessible taxi and permit holder, Monday to Sunday 7am -11am and 4pm-7pm

SCHEDULE 5 - Roads of parts of roads for the purpose of the issue of special access permits Monday to Sunday 7am to 11am and 4pm to 7pm

SCHEDULE 1

Bus, Cycle and wheelchair accessible taxi lane

1) Gun Street, East to West (With Flow)

The area of the carriageway of that length of Gun Street which extends from its junction with St Mary's Butts to a point 20 metres east of that point.

2) West Street (North to South)

The area of the carriageway of that length of West Street which extends from its junction with Friar Street (Western Section) to its junction with Broad Street and bounded on the west side by a road marking complying with diagram 1049 in Schedule 6 to the Traffic Signs Regulations and general directions.

3) Friar Street (Western Section) East to West Section

The area of carriageway of that length of Friar Street (western section) which extends from its junction with Greyfriars Road and -bounded on the north side by a road marking complying with Diagram 1049 in Schedule 6 to the Traffic Signs Regulations and general directions.

SCHEDULE 2

Prohibition of vehicles except bus, cycle and wheelchair accessible taxi

4) Stanshawe Road

Beyond a point 5 metres east of its junction with Caversham Road in a westbound direction.

5) Oxford Road

From a point 11.5 metres east of its junction with Cheapside in an eastbound direction for a distance of 5 metres.

6) Bridge Street (Reading),

Beyond a point 49 metres south of its junction with Castle Street in a northbound direction to its junction with Castle Street.

7) Duke Street, South to North (Contra Flow)

The area of the carriageway of that length of Duke Street which extends from its junction with London Street (North) to its junction with Kings Road.

8) London Street (North)

The area of the carriageway of the length of London Street, that extends from its junction with Duke Street to its junction with Mill Lane (North)

9) The Forbury (East/West Section)

From a point 85 metres east of its junction with Friar Street in a westerly direction between the northern kerb edge and the central island for a distance of approximately 32 metres.

10) Blagrove Street (East to West Section)

From a point 22 metres west of its junction with Forbury Road (Centre Line) in a westerly direction

11) Blagrove Street (East to West Section)

From a point 14 metres north of its junction with Station Road in a northerly direction

SCHEDULE 3

Prohibition of vehicles except bus, cycles, motorcycles and wheelchair accessible taxi

12) Kings Road

From a point 7 metres west of its junction with Forbury Road eastwards to the western kerb line extension of its junction with Forbury Road

SCHEDULE 4

Prohibition of motor vehicles except bus, wheelchair accessible taxi and permit holder, Monday to Sunday 7am -11am and 4pm-7pm

13) St Marys Butts, Northbound
from its junction with Hosier Street

14) Friar Street , Eastbound,
between its junction with Greyfriars Road and its junction with Station Road

15) Minster Street Westbound,
From its junction with Broad Street

16) West Street, Northbound,
From its junction with St Marys Butts to its junction with Friar Street

17) The Forbury (East/West Section)
The Forbury (East/West Section) From a point 50 metres east of its junction with Friar Street in a westerly direction

SCHEDULE 5

Roads or parts of roads for the purpose of the issue of special access permits Monday to Sunday 7am to 11am and 4pm to 7pm

- 1) St Marys Butts (between Hosier Street and Broad Street)
- 2) West Street
- 3) Friar Street (between Greyfriars and Station Road)
- 4) Minster Street
- 5) Gun Street
- 6) Oxford Road (between Cheapside and Broad Street)