

DATED 13th December 2012

ROAD TRAFFIC REGULATION ACT, 1984

BOROUGH OF READING (HEMDEAN ROAD) (BUS LANES)

(AMENDMENT) ORDER, 2012

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THE BOROUGH OF READING (HEMDEAN ROAD) (BUS LANES)
(AMENDMENT) ORDER 2012

The Reading Borough Council (hereinafter referred to as "The Council"), pursuant to its powers under Sections 1(1), 2(1) to (3), 4(1) and Part IV of schedule 9 to The Road Traffic Regulation Act 1984 (The Act of 1984), The Transport Act 2000, The Traffic Management Act 2004 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 (Hemdean Road) (Bus Lanes) (Amendment) Order 2012 and shall come into operation on 14th December 2012.

PART I
GENERAL

2. Definitions

In this Order:-

"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 (which also includes sign nos. 953, 958, 959 or approved variants);

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

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

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

"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;

"Motorcycle" has the same meanings as in Section 136 of the Road Traffic Act of 1984;

"Penalty Charge" has the same meaning as in section 92(1) of the Traffic Management Act 2004;

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

"Police, Fire Service or Ambulance" means any vehicle used for police

purposes in emergencies or rescue operations or a vehicle used and or adapted to fight fire and specialised vehicles used for medical purposes

"Taxi" for the purposes of this Order has the same meaning as Hackney Carriage given above;

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

"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 hackney carriage to be in the bus lane specified in the Schedule.
4. Nothing in the forgoing Article 3 shall prevent any person causing or permitting any vehicles to be in the bus lane in the direction specified in the Schedule as the case may be, 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, Fire Service 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 systems as defined in the Telecommunications Act, 1984.
5. Nothing in Article 3 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

CONTRAVENTION OF ORDER

- 6. 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 and The Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005, and Part 6 of the Traffic Management Act 2004.
- 7. In the case of a vehicle in respect of which a penalty charge is payable, a penalty charge notice may be issued by the Council in accordance with Regulation 8 of The Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement)(England) Regulations 2005.


PART IV

REVOCATIONS

- 8. The item entitled Hemdean Road in Schedule 2 of the Borough of Reading (Bus Lanes) Traffic Regulation Order 2006 shall be revoked.

THE COMMON SEAL OF)
READING BOROUGH COUNCIL)
was hereunto affixed on the 13th)
day of December the presence of:-)
2012


Authorised Signatory

| | |
|------------|---|
| Minute | Min 180 CAB 16/4/12 |
| Originator | CA |
| Seal No. | 421 /2012 |
| Checked |  |

**SCHEDULE
BUS, CYCLE AND HACKNEY CARRIAGE LANE**

Hemdean Road

The area of the carriageway of that length of Hemdean Road which extends from a point 28 metres south of its junction with Rectory Road to its junction with Church Street bounded on the east side by the kerb line of that road and, where the kerb line is broken by the junction of that road with another road or an access way, by the line joining the said eastern kerb line on either side of that junction and on the west side by a road marking complying with Diagram 1049 in Schedule 6 to the Traffic Signs Regulations and General Directions 2002, broken only by the gap opposite the junction of that road on its eastern side with another road or access way, by a crossing for foot passengers marked on the road in accordance with Regulations made under Section 25 of the Act or by a street refuge

**North to South
(contra flow)**