

DATED \_\_\_\_\_ 2024

ROAD TRAFFIC REGULATION ACT 1984

**THE BOROUGH OF READING (BUS LANES)  
(BUS SERVICES IMPROVEMENT) ORDER 2024**

Michael Graham Legal and  
Democratic Services  
Civic Offices  
Bridge Street  
Reading, RG1 2LU  
Legal Ref: 024540

**THE BOROUGH OF READING (BUS LANES)**  
**(BUS SERVICES IMPROVEMENT) ORDER 2024**

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:

**COMMENCEMENT AND CITATION**

1. This Order may be cited as The Borough of Reading (Bus Lanes) (Bus Services Improvement) Order 2024 and shall come into operation on 15 August 2024.

**2. DEFINITIONS AND INTERPRETATION**

In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

**“Authorised Vehicles”** means a Hackney Carriage.

**“Approved Device”** means a device of a description specified in an order made by the Secretary of State in line with Section 144 of the Transport Act 2000 and adhering to the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

**"Bus"** means;

- (i) any motor vehicle constructed or adapted to carry more than 8 passengers (exclusive of the driver); and
- (ii) any local bus.

**"Bus Lane"** means an area of road listed in the Schedule to this Order which is reserved for use by buses and where indicated on a Traffic Sign by Authorised Vehicles and Pedal Cycles.

**“Carriageway”** means a way constituting or comprised in a highway, being a way 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 Traffic Management Act 2004.

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

**“Driver”** means the person driving the vehicle and includes any separate person who acts in as a steersman in addition to the driver.

**“contravention”** means a failure to comply with the prohibitions and restrictions set out in this Order that may result in the issue of a penalty charge notice.

**"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.

**“Local Bus”** means any of the following, a bus/vehicle operated by ‘ReadiBus’, an emergency service vehicle, any bus operating a patients transport services, or any buses/coaches, which operate within the Borough of Reading; licensed vehicle operating as a school bus.

**“Pedal Cycle”** means a unicycle, bicycle, tricycle, or cycle having four or more wheels, not being in any case a mechanically propelled unless it is an electrically assisted pedal cycle of such class as to be treated as not being a motor vehicle for the proposes of the Act of 1984.

**“Penalty Charge Notice” or “PCN”** means a notice issued by a person authorised to do so by the Council pursuant to the provisions of regulations 9 of The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

**“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.

**“Traffic Sign”** has the same meaning as Section 64 of the Road Traffic Regulation Act 1984.

**“universal service provider”** has the same meanings as in the Postal Services Act 2000.

3. Any reference in this order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or having affect by virtue of any subsequent enactment.
4. Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the numbered Article or Schedule bearing that number in this Order.
5. Words importing the masculine gender shall also include the feminine gender and words in the singular include the plural and vice versa.

6. 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.

### **PROHIBITIONS: BUS LANE**

7. Save as provided in Article 8, 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 other than a Bus, Pedal cycle or an Authorised Vehicle to be in the length of road designated as a Bus Lane as detailed in the Schedule of this Order.

### **CONDITIONS AND EXEMPTIONS**

8. Nothing in Article 7 of this order shall render it unlawful for any person causing or permitting any vehicle to be in a bus lane by entering or proceeding in the direction/length of road specified in the Schedule so far as it is reasonably necessary to enable the vehicle to be used for any of the purposes set out hereunder of this Article or to wait in the said bus lane for so long as may be necessary for any of those purposes:-

- a) removal of any vehicle or to effect emergency repairs to a vehicle in the bus lane so as to relieve any obstruction to traffic;
- b) Police, Fire Service or Ambulance purposes in the exercise of their statutory duties;
- c) the service of any local authority, the Environment Agency or water undertaker or a sewerage undertaker in pursuance of statutory powers or duties or in connection with the supply of gas or electricity, or any electronic communications systems as defined in the Communications Act 2003;
- d) in the service of a universal service provider for the purpose of delivering or collecting postal packets as defined in section 125(1) of the Postal Services Act 2000 to premises adjacent to the bus lane; and
- e) the vehicle is being used to remove refuse or waste or being used for public road cleansing for or on behalf of the Council if it is reasonably necessary for that vehicle to be in the bus lane.

9. Nothing in Article 7 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 or 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) be in 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.

### **CONTRAVENTION AND ENFORCEMENT OF THIS ORDER**

- 10.** The Council will carry out civil enforcement of any convention of any prohibitions, restrictions or provisions of this Order by permitting the imposition of a Penalty Charge only on the basis of a record produced by the means of an “approved device”.
- 11.** 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 Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022:  
  
on the person appearing to be the owner or keeper or hirer of the vehicle.
- 12.** A PCN shall be served before the end of the period of 28 days beginning with the detection date, provided that:
  - a) The Council has made a request within 14 days of the detection date to the Secretary of State for the supply of Relevant Particulars, and
  - b) Those particulars have not been supplied before the date after which the Council would not be entitled to serve a PCN by the virtue of this Order.
- 13.** If the vehicle owner, keeper and driver contravenes any prohibitions or provisions 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 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.

14. 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.
15. Where a police officer in uniform is satisfied that a driver of a vehicle has committed an alleged offence under the provisions of this Order such that liability to a fixed penalty notice arises, a police officer may issue such a notice at the time and date of the alleged offence to any driver of the vehicle, which shall include the particulars listed in Section 52 of the Road Traffic Offences Act 1988.
16. Where the owner, keeper or driver has been issued a PCN by the Council and it is proven by the owner, keeper or driver that he was also issued a fixed penalty notice or a summons for the same day and time for the same contravention by a police officer, then the Council shall no longer proceed with its PCN or where the PCN was paid will be refunded in full as soon as reasonably practicable.
17. The Council is satisfied that for avoiding danger to persons or other traffic using the road to which the order relates and for facilitating the passage of vehicular traffic on the road it is requisite that Section 3(1) of the 1984 Act should not apply in relation to this Order.

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



Sealed By: Reading Borough Council  
 Sealed Time: 8/7/2024 4:13:36 PM BST

|            |  |
|------------|--|
| Minute     | TMSC 11 January 2024<br>Minute number 39 |
| Originator | PT                                       |
| Seal No.   |  |
| Checked    |  |

Authorised Signatory

Signed by:  
  
 B48454CA6576476...

## SCHEDULE

### Prohibition of vehicles except Bus, Pedal Cycle and Authorised Vehicles

| Column 1<br>Location      | Column 2<br>Description  | Column 3<br>Direction        |
|---------------------------|--|------------------------------|
| Oxford Road (n703)        | The area of the carriageway from a point approximately 130m northwest from its junction with Grovelands Road to a point approx.175m northwest of that point  | Outbound,<br>nearside lane   |
| Oxford Road (n119)        | The area of the carriageway from a point approx.52m west of its junction with Zinzan Street to a point approx. 182m west of that junction.   | Outbound                     |
| Oxford Road               | The area of the carriageway from a point 50m west of its junction with Bedford Road to a point approx. 180m west of that point.  | Outbound                     |
| London Road (A4)          | The area of the carriageway from a point approx.45m east of its junction with St Bartholomews Road to a point approx. 97m east of that point.<br><br>The area of the carriageway from a point approx. 20m west of its junction with St Bartholomews Road to a point approx. 268m west of that point. | Inbound,<br>nearside lane    |
| London Road (A4)          | The area of the carriageway from a point approx.20m west of its junction with Crown Place to a point approx. 47m west of that point.<br><br>The area of the carriageway from its junction with Kendrick Road to a point approx. 140m west of that point.   | Inbound,<br>nearside lane    |
| Southampton Street (A327) | The area of the carriageway from a point approx. 30m northwest of its junction with Mundeslay Street to a point approx. 25m north of that point.   | Northbound,<br>nearside lane |
| Bath Road (A4)            | The area of the carriageway from a point approx. 50m west its junction with Circuit Lane to a point approx. 570m west of that junction.  | Outbound                     |