

DATED \_\_\_\_\_ 202\*

ROAD TRAFFIC REGULATION ACT 1984

**THE BOROUGH OF READING (A33) (BUS LANES) ORDER 202\***

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Democratic Services  
Civic Offices  
Bridge Street  
Reading, RG1 2LU

## THE BOROUGH OF READING (A33) (BUS LANES) ORDER 202\*

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. COMMENCEMENT AND CITATION

This Order may be cited as The Borough of Reading (A33) (Bus Lanes) Order 202\* and shall come into operation on [●]

### 2. DEFINITIONS

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

<b>Ambulance</b>	has the same meaning as in Schedule 2 the Vehicle Excise and Registration Act 1994;
<b>Bus</b>	means: any motor vehicle constructed or adapted to carry more than 8 passengers (exclusive of the driver); and  any local bus;
<b>Bus Lane</b>	means an area of road listed in the Schedule to this Order which is reserved for use by buses.
<b>Carriageway</b>	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.
<b>Civil Enforcement Officer</b>	has the same meaning as in section 76 of the Traffic Management Act 2004;
<b>Delivering and Collecting</b>	means in relation to any Goods, includes checking the Goods for the purpose of their delivery or collection;
<b>Driver</b>	means the person driving the vehicle and includes any separate person who acts in as a steersman in addition to the driver;
<b>Electronic Communications Apparatus</b>	has the same meaning as in Schedule 3A, Part 1 of the Digital Economy Act 2017;
<b>Contravention</b>	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;
<b>Enactment</b>	means any enactment whether public, general or local, and includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment and any reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment;
<b>Goods</b>	means goods of any kind whether animate or inanimate and includes Postal Packets or any description and "delivering" and "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection;
<b>Liveried Vehicle</b>	means a Vehicle having a distinctive design and colour scheme used to

	distinguish a police, fire brigade, ambulance, statutory undertaker, Royal Mail or other Universal Service Provider, a Security Company Vehicle, or a Council highway maintenance Vehicle;
<b>Load and Unload</b>	means the conveyance of Goods and merchandise to or from any premises situated on or adjacent to that length of Road and Loading and Unloading shall be construed accordingly;
<b>Local Bus</b>	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;
<b>NHS Ambulance service</b>	means an NHS trust or NHS foundation trust established under the National Health Service Act 2006 which has a function of providing ambulance services;
<b>Penalty Charge</b>	means a charge payable in accordance with regulation 4 of the 2022 Regulations and is a charge set by the Council in accordance with The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022;
<b>Police, Fire Service or Ambulance</b>	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;
<b>Universal service provider</b>	has the same meanings as in the Postal Services Act 2000; and
<b>Vehicles</b>	means a mechanically propelled vehicle, intended or adapted for use on the road.

### 3. INTERPRETATION

- 3.1. The making of this Order by the Council is done so under the duty imposed by Section 122(1) of the 1984 Act to secure the expeditious, convenient, and safe movement of vehicular and other traffic and the provision of suitable and adequate parking facilities on and off the highway, insofar as practicable having regard to the matters in Section 122(2) of the 1984 Act.
- 3.2. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulation made or having effect as if made under the 1984 Act or by or under any other Enactment provided that where a prohibition or restriction which is imposed, varied or revoked by this Order is in conflict with a prohibition or restriction imposed by a previous Order, then the provision of this Order shall prevail.
- 3.3. The Interpretation Act 1978 (as amended) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
- 3.4. Any reference to a numbered article shall, unless the context requires otherwise, be construed as a reference to the article bearing that number in this Order.
- 3.5. Words importing the masculine gender shall also include the feminine gender and words in the singular include the plural and vice versa.

- 3.6. Headings are inserted for ease of reference only and shall not affect the construction or interpretation of this Order.
- 3.7. In the event this Order contains errors which renders any provision of it void or unenforceable, all other provisions of this Order shall continue to have effect.
- 3.8. The plans annexed of this Order identifies the lengths of Roads subject of this Order, provided that where there is any inconsistency between the plans and the Schedules it is the wording of the Schedules that shall prevail.

#### **4. PROHIBITIONS: BUS LANE**

- 4.1. Save as provided in Article 5 of this Order no person shall, except upon the direction or with the permission of a police constable in uniform or a Civil Enforcement Officer, use, cause or permit any Vehicle other than a Bus, to be in the lengths of roads designated as a Bus Lane and in the direction specified in the Schedule for those lengths of road.

#### **5. CONDITIONS AND EXEMPTIONS**

- 5.1. Nothing in Article 4 of this Order shall render it unlawful to use, cause or permit 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: -
  - 5.1.1. the removal of any obstruction to traffic;
  - 5.1.2. avoiding an accident;
  - 5.1.3. purposes of a local authority in pursuance of a statutory duty;
- 5.2. the Vehicle, if it cannot conveniently be used for such purpose in any other length of Road, to be used in connection with any of the following operations, namely –
  - 5.2.1. the maintenance, improvement or reconstruction of the Bus Lane;
  - 5.2.2. the laying, erection, alteration or repair of a sewer, pipe or apparatus for the supply of water, gas, electricity or Electronic Communications Apparatus in or on land adjacent to the Bus Lane;
  - 5.2.3. the construction, installation, improvement, maintenance, repair or cleaning of any Traffic Sign, bus stop infrastructure or other street furniture or other object lawfully placed or to be placed on, in, over or side the Bus Lane;
  - 5.2.4. building, industrial or demolition operations in or on land adjacent to the Bus Lane or removals from land or buildings adjacent to the Bus Lane where the prior written consent of the Council has been received;
- 5.3. a Liveried Vehicle to be used for; fire and rescue, Ambulance providing a response to an emergency at the request of an NHS ambulance service, Blood Service, police, bomb or explosive disposal, Special Forces, Armed Forces and National Crime Agency purposes;
- 5.4. the Vehicle, if it cannot conveniently be used for such purpose in any other Road, to be used in the service of a local authority, the Environment Agency, a water undertaker or sewerage undertaker in pursuance of statutory powers or duties;
- 5.5. a Vehicle is a Royal Mail Liveried Vehicle or is one in the service of a Universal Service Provider Delivering or Collecting or Loading or Unloading Postal Packets to or from addresses or public letter boxes in or adjacent to the Bus Lane;
- 5.6. the Vehicle is being used for purposes of a local authority in pursuance of statutory power duties if it cannot conveniently be used for such purpose in any other length or Road;

5.7. a Vehicle being a recovery Vehicle and is Waiting to enable it to be used in connection with the removal of a traffic obstruction or a Vehicle which has broken down;

5.8. Nothing in Article 4 shall prevent any person to use, causing or permitting any vehicle:-

5.8.1. To enter or be in a Bus Lane 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 gaining of access to or egress from off-street loading or garaging premises, or a vehicular access, which is adjacent to or accessible only from the bus lanes.

**6. CONTRAVENTION AND ENFORCEMENT OF THIS ORDER**

A Contravention to this Order shall be deemed to have occurred if any person or vehicle fails to comply with the provisions of Article 4 of this Order and a Penalty Charge shall be payable.

**7. REVOCATIONS**

The Borough of Reading (A33) (Bus Lane) Order 2017 is hereby revoked in its entirety.

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

Minute	Council 15 October 2024 Min 20
Originator	PT
Seal No.	
Checked	

Authorised Signatory

<b>SCHEDULE: BUS ONLY LANE</b>			
	<b>Column 1: Location</b>	<b>Column 2: Description</b>	<b>Column 3: Direction</b>
<b>1)</b>	A33 (south section)	The area of carriageway of that length of the A33 which extends from a point 70 metres south of its junction with Bennet Road to a point 74 metres north of its junction with Imperial Way.	Southbound, nearside lane.
<b>2)</b>	A33 (south section)	The area of carriageway of that length of the A33 which extends from its junction with Imperial Way to its junction with Basingstoke Road.	Southbound, offside lane.
<b>3)</b>	A33 (south section)	The area of carriageway of that length of the A33 which extends from a point 54m north of its junction with Imperial Way to a point 175 metres south of its junction with South Oaks Way.	Northbound, nearside lane.