

GLOUCESTERSHIRE COUNTY COUNCIL (CHELTENHAM TOWN CENTRE) (BUS LANES AND NO RIGHT/LEFT TURNS) ORDER 2014

Gloucestershire County Council ("the Council") in exercise of their powers under Sections 1 and 2 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act") and by virtue of both the Road Traffic (Permitted Parking Area and Special Parking Area) (County of Gloucestershire) (Cheltenham, Cotswold, Gloucester, Stroud and Tewkesbury) Order 2007 (SI 2007/2837) made by Order under Section 43 and Schedule 3 of the Road Traffic Act 1991 and The Bus Lane Contraventions (Approved Local Authorities) (England) Order 2005 (as amended) (SI 2005/2755) made by the Secretary of State for Transport pursuant to section 144 of the Transport Act 2000 ("the 2000 Act") 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, hereby make the following order:-

1. (i) This Order shall come into operation on day of
2014 and may be cited as the "Gloucestershire County Council
(Cheltenham Town Centre) (Bus Lanes and No Right/Left Turns) Order
2014
- (ii) The roads fall within the boundary of Cheltenham Borough in the
County of Gloucestershire.
2. The Interpretation Act 1978 shall apply for the interpretation of this Order as it
applies for the interpretation of an Act of Parliament
3. Any reference to any enactment shall be construed as a reference to that
enactment as amended by any subsequent enactment
4. In this Order except where the context otherwise requires the following
expressions shall have the meaning hereby assigned to them:

"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 2000
Act and adhering to The Bus Lane (Approved Devices) (England) Order 2005
(SI 2005/2576)

"Bullion Vehicle" means a Vehicle constructed or specially adapted for the
carriage of cash valuables or other valuable securities to be used to travel to
and from Banks, Building Societies and businesses immediately adjacent to
specified roads, only for so long as may be necessary to enable such cash
valuables or securities to be loaded from and to the Vehicle

"Bus" has the same meaning as in regulation 22 of the Traffic Signs
Regulations and General Directions 2002 ("TSRGD")

“Bus Lane” has the same meaning as that contained in Regulation 23 of the TSRGD

“Contra Flow Bus Lane” means a one way road with an area of road which meets the definition of Bus Lane allowing the passage of permitted Vehicles in the prohibited direction

“Licensed Hackney Carriage” has the same meaning as in Section 38 of the Town Police Clauses Act 1847 and licensed under Section 37 of that Act

“Local Bus” has the same meaning as in the Traffic Signs Regulations and General Directions 2002 (“TSRGD”) and for the avoidance of doubt is a Public Service Vehicle (“PSV”) used for the provision of a Local Service not being an excursion or tour

“Local Service” has the meaning given in Section 2 of the Transport Act 1985

“Motor Vehicle” means a mechanically propelled vehicle intended or adapted for use on the roads as defined in Section 185 of the Road Traffic Act 1988

“Pedal Cycle” has the same meaning as in Regulation 4 of the TSRGD and means a unicycle bicycle tricycle or cycle having 4 or more wheels not being in any case 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 purposes of the Act

“Penalty Charge” means a charge set by the Council under the provisions of the Bus Lane Contraventions (Penalty Charge Adjudication and Enforcement (England) Regulations 2005 (SI 2005/2757) (“the Penalty Charge Regulations”)

“Penalty Charge Notice (“PCN”) means a notice issued by a person authorised to do so by the Council pursuant to the Penalty Charge Regulations

“Permit” means a permit issued under the provisions of this Order or the Permit Scheme

“Permit Holder” means a person, business or other authorised holder to whom a permit has been issued under the provisions of this Order or the Permit Scheme

“Permit Scheme” means a scheme approved by the traffic authority and administered by Cheltenham Borough Council setting out the terms and conditions for the issue of the Permit, including (but not limited to) methods of

applying for a Permit, classes of vehicles for which permits are applicable, use of permits, surrender of permits, withdrawal of permits, validity of permits and form of permits

“Private Hire Vehicle” has the same meaning as given in Section 80 Local Government (Miscellaneous) Provisions Act 1976 and licensed under Section 48 of that Act or any similar enactment

“Public Service Vehicle” has the same meaning given in Section 1 of the Public Passenger Vehicles Act 1981

“Relevant National Authority” means the Secretary of State in respects to England

“Vehicle” means a Motor Vehicle or any other vehicle unless specifically exempted by the provisions of this Order

5. The Council will carry out civil enforcement of any contravention of any prohibitions, restrictions or provisions of this Order of the Bus Lanes defined in Part I of Schedules 1 and 2 to this Order by permitting the imposition of a PCN only on the basis of a record produced by means of an Approved Device.
6. Save as specifically provided in Part II of Schedules 1 and 2 to this Order, no person shall cause or permit any Vehicle except upon the direction or with the permission of a Police Officer in uniform to proceed in those lengths of roads described in Part I of Schedules 1 and 2 to this Order.
6. Save as specifically provided in Part II of Schedule 3 to this Order, no person shall cause or permit any Vehicle except upon the direction or with the permission of a Police Officer in uniform to make a right/left turn manoeuvre along those lengths of roads as described in Part I of Schedule 3 to this Order.
7. No person shall cause or permit any Vehicle except upon the direction or with the permission of a Police Officer in uniform to make a right/left turn manoeuvre along those lengths of roads as described in Schedule 4 to this Order.
8. Nothing in Article 5 shall render it unlawful to cause or permit a Vehicle to proceed along those lengths of roads referred to in Part I of Schedule 1 and Part I of Schedule 2 to this Order as may be necessary to enable:-

- (a) the mechanical cleansing, maintenance, winter operations, servicing, improvement or reconstruction of any of the said lengths of roads or sides of roads; or
- (b) the laying, erection, alteration or repair in, or over land adjacent to any of the said lengths of roads or sides of roads of any sewer or any main, pipe, or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in the Telecommunications Act 1984; or
- (c) the Vehicle to be used for Fire and Rescue, Police or Ambulance emergency service purposes; or
- (d) the Vehicle, if it cannot be conveniently used for such purpose in any other road, to be used in the service of a local authority or water authority in pursuance of their statutory powers or duties in connection with its activities at premises situated on or adjacent to the said roads; or
- (e) the Vehicle, having a valid Permit issued to the Permit Holder under the provisions of the Permit Scheme defined in this Order, or
- (f) the Vehicle, if it cannot be conveniently used for such purpose in any other road, to be used for building, maintenance, removals or demolition purposes; or
- (g) use by a Bullion Vehicle at all times; or
- (h) the Vehicle, if it cannot be conveniently used for such purpose in any other road, to be used for the removal of any obstruction to traffic; or
- (i) the Vehicle to be used by the Post Office for the provision of a universal postal service as defined in the Postal Services Act 2000; or
- (j) use by a Local Bus at all times; or
- (k) use by Pedal Cycles at all times; or
- (l) use by Licensed Hackney Carriages at all times.

9. The orders set out in Schedule 5 to this Order are hereby revoked in whole or part.

SCHEDULE 1

Part I

Bus Lanes

Road Name	Lengths
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North Street (A46)	From Clarence Street to Albion Street (in a northerly direction)
Imperial Circus (490491)	Its entire length (in a westerly direction)
Pittville Street (490298)	Its entire length (in a southerly direction)
Clarence Street (A46)	From a point 1 metre east of its junction with Church Street to North Street (in a northerly direction)
Promenade (491046)	From its junction with the High Street to its junction with Imperial Circus (in a southerly direction)
High Street (491045)	From its junction with Pittville Street to its junction with Bennington Street (in a westerly direction)

Part II

Specific Exemptions

The following specific exemptions will apply to this Schedule 1, Part I:

Vehicles being used for loading and unloading – 6.00pm till 10.00am

Motor Vehicles being used by employees accessing parking connected to business premises located at No. 7 North Street – at all times

Motor Vehicles gaining access and egress to or from premises situated on Church Street – at all times

SCHEDULE 2

Part I

Contra Flow Bus Lane

Road Name	Lengths
Albion Street (A46)	Gloucester Place to Portland Street (in a westerly direction)
Portland Street (A46)	Its entire length (in a southerly direction)

Part II

Specific Exemptions

The following specific exemption will apply to this Schedule 2, Part I:

Private Hire Vehicles – at all times

SCHEDULE 3

Part I

No Right/Left Hand Turns

Road Name	Direction
Fairview Road (eastbound) (A46)	No right turn from Fairview Road (eastbound) into Portland Street (southbound)
Fairview Road (westbound) (A46)	No left hand turn from Fairview Road (westbound) into Portland Street (southbound)

Part II

Specific Exemptions

The following specific exemptions will apply to this Schedule 3, Part I:

Licensed Hackney Carriages – at all times

Local Buses – at all times

Pedal Cycles – at all times

Private Hire Vehicles – at all times

SCHEDULE 4

No Right/Left Hand Turns

Road Name	Direction
Portland Street (A46)	No left turn from Portland Street (southbound) into Fairview Road (eastbound) No right turn from Portland Street (southbound) into Fairview Road
Imperial Square (490500)	No right turn from Imperial Square into Oriel Road
Vittoria Walk (490498)	No right turn from Vittoria Walk into Oriel Road
St Georges Road (A46)	No right turn from St Georges Road into Montpellier Street
Montpellier Walk (A4015)	No right turn from Montpellier Walk into Montpellier Spa Road
Grosvenor Street (490325)	No left turn from Grosvenor Street into High Street
Fairview Street (490274)	No left turn from Fairview Street into Fairview Road

SCHEDULE 5

Revocations

The following Orders are hereby revoked in whole or in part:

1. The Borough of Cheltenham (High Street Area) (Traffic Regulation) Order 2005
2. The Borough of Cheltenham (Evesham Road/Portland Street) Traffic Regulation Order 1997
3. The Borough of Cheltenham (Central Area) Traffic Regulation Order 1975 Part II Section 6
4. The Borough of Cheltenham (Various Streets) (Prohibition of Through Traffic) Order 1971 (3 Tonne Weight Restriction)
5. The Borough of Cheltenham (St Georges Road)(Weight Restriction) Order 1992
6. Gloucestershire County Council (Cheltenham Northern Relief Road, Stage 4) (General Traffic Regulation) Order 1989 Parts 2, 3, 4 and 5

GIVEN under the Common Seal of Gloucestershire County Council this
day of two thousand and fourteen

The COMMON SEAL of

GLOUCESTERSHIRE COUNTY COUNCIL

was hereunto affixed

in the presence of:

Head of Legal Services

