

**The Portsmouth City Council
(Various Roads) (Bus Gates and Bus Lanes) Order 2024**

The Portsmouth City Council ('the Council'), in exercise of its powers under Sections 1(1), 2(1) to (4), and 4(2), in accordance with Parts III and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 as amended ("the Act"), and of all other enabling powers, hereby makes the following Order:

1. Citation and Commencement

This Order may be cited as The Portsmouth City Council (Various Roads) (Bus Gates and Bus Lanes) Order 2024 and shall come into operation on the 12 April 2024.

2. Interpretation

In this Order;

'the 2016 Regulations' means the Traffic Signs Regulations and General Directions 2016;

"authorised vehicles" means Private Hire Vehicles (PHVs), licenced by Portsmouth City Council, which appear on the Council's Whitelist'

'Bus' has the same meaning as defined in the 2016 Regulations, as amended;

'Bus Gate' means the length of road described in the First Schedule to this Order and indicated by signs as prescribed in the 2016 Regulations, as amended;

"Bus Lane" means the length of road described in the Second Schedule to this Order and indicated by signs as prescribed in the 2016 Regulations, as amended;

'Council' means Portsmouth City Council;

'Cycle' has the same meaning as Pedal Cycle;

"Hackney Carriage" has the same meaning as defined in Section 38 of the Town Police Clauses Act 1847;

'Motor Vehicle' has the same meaning as in Section 136(1) of the 1984 Act;

'Pedal Cycle' has the same meaning as in Section 136(1) of the 1984 Act;

"Principal Order" means The Portsmouth City Council (Various Roads) (Bus, Taxi And Cycle Lanes And Prohibition Of Driving Except Buses, Taxis And Cycles) (No.17) Consolidation Order 2016, as amended.

"Private Hire Vehicle (PHV)" means a motor vehicle constructed or adapted to seat fewer than nine passengers, other than a hackney carriage or public service vehicle, which is provided for hire with the services of a driver for the purpose of carrying passengers;

'Taxi' has the same meaning as Hackney Carriage;

3. Except where otherwise stated any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.
4. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
5. Save as provided in Article 6 no person shall cause or permit any vehicle to enter or proceed in the bus gates specified in Schedule 1;
6. Nothing in Article 5 shall apply to -
 - (a) a bus;
 - (b) a pedal cycle;
 - (c) a licensed hackney carriage;
 - (d) a vehicle being used for at least one of the following purposes:
 - i) fire and rescue authority;
 - ii) ambulance;
 - iii) blood service;
 - iv) providing a response to an emergency at the request of an NHS ambulance service;
 - v) bomb or explosive disposal;
 - vi) special forces;
 - vii) police; or
 - viii) National Crime Agency.
 - (e) a vehicle being used for the purposes of:
 - i) the maintenance, improvement or reconstruction of any length of highway specified in Schedule 1; or
 - ii) the laying, erection, alteration, repair or cleaning, in any length of highway specified in Schedule 1, of any sewer, or of any main, pipe or apparatus for the supply of gas, water, or electricity, or of any electronic communications apparatus.
 - (f) a vehicle being used in the service of a local authority for the purpose of collecting refuse from premises adjacent to the bus gate;
 - (g) an authorised vehicle; or
 - (h) a vehicle being used in connection with:
 - i) building, industrial, demolition or excavation operations
 - ii) the removal of any obstructions to traffic
 - iii) the maintenance, improvement or reconstruction of the said side or the length of road
 - iv) the laying, erection, alteration, repair or servicing in, or in land adjacent to, the said side or length of road of any sewer, or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line;
 - v) the placing, maintenance or removal of any traffic sign; or
 - vi) any statutory powers or duties of a local authority, provided that in all the circumstances it is necessary for the vehicle to enter the bus gate.

7. Save as provided in Article 8, no person shall cause or permit any vehicle to enter or proceed in the bus lanes specified in Schedule 2
8. Nothing in Article 7 shall apply to -
 - (a) a bus;
 - (b) a pedal cycle;
 - (c) a licensed hackney carriage;
 - (d) a vehicle being used for fire and rescue, ambulance, coastguard or police purposes;
 - (e) a vehicle being used in the service of a local authority for the purpose of collecting refuse from premises adjacent to the bus lane;
 - (f) an authorised vehicle; or
 - (g) a vehicle being used in connection with:
 - i) building, industrial, demolition or excavation operations;
 - ii) the removal of any obstructions to traffic;
 - iii) the maintenance, improvement or reconstruction of the said side or the length of road;
 - iv) the laying, erection, alteration, repair or servicing in, or in land adjacent to, the said side or length of road of any sewer, or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line;
 - v) the placing, maintenance, or removal of any traffic sign; or
 - vi) any statutory powers or duties of a local authorityprovided that in all the circumstances it is necessary for the vehicle to enter the bus lane.
9. A person who causes or permits a vehicle to enter the bus lane shall not contravene Article 7 if the vehicle enters the bus lane –
 - (a) from a road which does not comprise the bus gate and forthwith leaves the bus gate through the gap in the single white line situated opposite and adjacent to the junction of that road with the bus gate, or if there is no such gap, at a point opposite that road;
 - (b) from an adjacent part of the road through any gap in the single white line and forthwith enters a road which lies opposite that gap;
 - (c) from any vehicle access way or crossing over the footway adjoining the bus gate and forthwith leaves the bus lane at a point opposite that vehicular access way or crossing;
 - (d) from an adjacent part of the road at a point opposite any vehicular access way or crossing over the footway adjoining the bus gate and forthwith enters that vehicular access way or crossing; or
 - (e) the purpose of gaining of access to or egress from off-street loading or garaging premises adjacent to or accessible only from the bus lane.
10. A person who causes or permits a vehicle to enter or proceed in a bus gate shall not contravene Article 5 or Article 7 if he does so in order to prevent an accident and the vehicle then leaves the bus gate or bus lane as soon as practicable.

11. Nothing in Articles 5 and 7 shall apply to –

- (a) anything done with the permission of or at the discretion of a police constable in uniform or a Civil Enforcement Officer, or
- (b) anything done in accordance with any indication given by a traffic sign which has been placed pursuant to Section 66 or 67 of the Road Traffic Regulation Act 1984.
- (c) a vehicle being used in connection with the maintenance, improvement or reconstruction of the said side or the length of road,
- (d) a vehicle being used in connection with the laying, erection, alteration, repair or servicing in, or in land adjacent to, the said side or length of road of any sewer, or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line,
- (e) a vehicle being used in connection with the placing, maintenance, or removal of any traffic sign; or
- (f) a vehicle being used in connection with any statutory powers or duties of a local authority;

provided that in all the circumstances it is necessary for the vehicle to enter the length of road specified.

- 11. the contents of Schedule 3 are hereby revoked from Schedule 1 to the Principal Order.
- 12. the contents of Schedule 4 are hereby revoked from Schedule 5 to the Principal Order.
- 13. The Portsmouth City Council (Kingston Crescent Access Road) (Prohibition of Driving) (No.64) Order 2016 is hereby revoked in its entirety.
- 14. The prohibitions imposed by this Order are in addition to and not in derogation of any restriction, prohibition or requirement imposed by any other enactment and any exception or exemption from the provision of this Order is without prejudice to the provisions of any other enactment.

Given under the Common Seal
of the Portsmouth City Council this 10th day of April 2024.

SCHEDULE 1 - BUS, TAXI, AUTHORISED VEHICLE AND CYCLE GATES

Sides of Lengths of Roads in the City of Portsmouth

1. BISHOP CRISPIAN WAY

Westbound, from its junction with Anglesea Road eastwards for 52 metres

2. CAVELL DRIVE

Eastbound and westbound from its junction with Harvey Road westwards for a distance of 24 metres

3. KINGSTON CRESCENT - ACCESS ROAD

Both sides between its junction with the southbound carriageway of Mile End Road and a point 40 metres north-east of that junction

SCHEDULE 2 - BUS, TAXI, AUTHORISED VEHICLE AND CYCLE LANES

Sides of Lengths of Roads in the City of Portsmouth

1. MARKET WAY

Westbound, the area bounded by;

- (i) the southern edge of the carriageway between its junction with Landport View and a point 50 metres west of that junction.
- (ii) the southern edge of the carriageway from the Marketway / Cascades Approach Roundabout to a point 140 metres west of that point in a westerly direction.

2. MILE END ROAD

Southbound, the area bounded by;

- (i) the eastern edge of the southbound carriageway from a point 40 metres south of Rudmore Roundabout to the junction with Havisham Road and,
- (ii) a single white line on the same side of the road as that edge.

3. KINGSTON CRESCENT

The area bounded by;

- (i) the south-eastern edge of the carriageway from a point 39 metres north-east of its junction with Mile End Road north- eastwards for 91 metres and,

4. QUEEN STREET

- (a) Eastbound, the offside lane from a point 9 metres west of its junction with Anglesea Road in a westerly direction for a distance of 77 metres
- (b) Eastbound, the area bounded by;
 - (i) the northern edge of the carriageway from a point 20 metres east of its junction with York Place in an easterly direction for a distance of 125 metres.

SCHEDULE 3 - BUS, TAXI AND CYCLE LANE (Revocation)

Sides of Lengths of Roads in the City of Portsmouth

2. CAVELL DRIVE

Eastbound and westbound from the eastern end westwards for a distance of 24 metres

9. KINGSTON CRESCENT

The area bounded by;

- (i) the south-eastern edge of the carriageway from a point 39 metres north-east of its junction with Mile End Road north-eastwards for 91 metres, and
- (ii) the white line on the same side of the road as that edge.

14. MARKETWAY

(b) Westbound, the area bounded by;

- (i) the southern edge of the carriageway from the Marketway / Cascades Approach Roundabout westwards for 117 metres, and
- (ii) a single white line on the same side of the road as that edge.

(d) Westbound, the area bounded by;

- (i) the southern edge of the carriageway between its junction with Landport View and a point 50 metres west of that junction, and
- (ii) a single white line on the same side of the road as that edge.

15. MILE END ROAD

Southbound, the area bounded by;

- (i) the eastern edge of the southbound carriageway from a point 40 metres south of Rudmore Roundabout to the junction with Havisham Road and,
- (ii) a single white line on the same side of the road as that edge.

20. QUEEN STREET

(a) Eastbound, the forward lane bounded by two single white lines from a point 9 metres west of its junction with Anglesea Road in a westerly direction for a distance of 77 metres.

(b) Eastbound, the area bounded by;

- (i) the northern edge of the carriageway from a point 20 metres east of its junction with York Place in an easterly direction for a distance of 125 metres, and
- (ii) a single white line on the same side of the road as that edge.

SCHEDULE 4

PROHIBITION OF DRIVING EXCEPT BUSES, TAXIS AND CYCLES (Revocation)

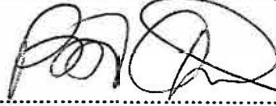
Sides and Lengths of Roads in the City of Portsmouth

1. BISHOP CRISPIAN WAY

Westbound, from its junction with Anglesea Road eastwards for 52 metres

THE COMMON SEAL OF PORTSMOUTH
CITY COUNCIL was hereunto affixed in
pursuance of a resolution of the Council
passed at a meeting duly convened and held:-

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Authorised Signatory

