

THE COUNTY COUNCIL OF THE CITY AND COUNTY OF CARDIFF (BUS LANES) TRAFFIC ORDER 2015

1. The County Council of the City and County of Cardiff in exercise of its powers under Sections 1(1), Sections 2(1) to (3) and Section 9 of the Road Traffic Regulation Act 1984, ("the Act"), Part 6 of the Traffic Management Act 2004 ("the 2004 Act"), The Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013, The Civil Enforcement of Bus Lane and Moving Traffic Contraventions (City and County of Cardiff) Designation Order 2014 and of all other powers enabling it in that behalf and after consultation with the Chief Constable, South Wales Police, in accordance with Part III of Schedule 9 to the Act hereby makes the following Order:-

PART I – PRELIMINARY

2. **Definitions.**

In this Order the following expressions shall have the meanings hereby respectively assigned to them unless the context of their use requires otherwise:

"the 1984 Act" means the Road Traffic Regulation Act 1984;

"the 2004 Act" means the Traffic Management Act 2004;

"the 2013 Regulations" means the Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013;

"Bus Lane" means any area which is bounded on one side by the edge of the carriageway and on the other side by a white line marked on the carriageway or by a white line marked on both sides of the bus lane;

"The Council" means the County Council of the City and County of Cardiff or its predecessors and/or its duly authorised agents;

"Civil Enforcement Officer" has the meaning given by section 76 of the 2004 Act and means a person authorised by or on behalf of the Council to supervise and enforce Road Traffic Contraventions;

"Enactment" means any enactment whether public general or local and includes any order, byelaw, regulation, rule or scheme or other instrument having effect by virtue of an enactment;

"Motorcycle" means a mechanically propelled vehicle not being an invalid carriage with less than four wheels and the weight of which unladen does not exceed 410 kilograms, as defined in Section 136(4) of the Act.

"Private Hire Vehicle" has the same meaning as s48 of the Local Government (Miscellaneous Provisions) Act 1976

"Public Service Vehicle" means a motor vehicle (other than a tramcar) which is:-

C2170

- (a) being a vehicle adapted to carry more than eight passengers, is being used for carrying passengers for hire or reward; or
- (b) being a vehicle not so adapted, is used for carrying passengers for hire or reward at separate fares in the course of a business of carrying passengers

“**Licensed Hackney Carriage**” shall have the same meaning as defined by Section 38(1) of the Vehicles (Excise) Act 1971.

“**Schedule**” without more means a Schedule to this Order;

PART II – GENERAL

- 3. No person shall except upon the direction or with the permission of a police constable in uniform or a traffic warden cause or permit any vehicle to proceed within a marked “Bus Lane” being an area which is bounded on one side by the edge of the carriageway and on the other side by a white line marked on the carriageway or by a white line marked on both sides of the bus lane in the lengths of road specified in the Schedule to this Order.
- 4. No person shall except upon the direction or with the permission of a police constable in uniform or a Civil Enforcement Officer cause or permit any vehicle to wait at any time in the Bus Lanes specified in the Schedule to this Order.

PART III – EXEMPTIONS

- 5. Article 3 of this Order shall not render it unlawful;
 - (i) to cause or permit a Public Service Vehicle or a Licensed Hackney Carriage to use or proceed along the Bus Lane; or
 - (ii) to cause or permit any pedal cycle to use or proceed along the Bus Lane; or
 - (iii) to cause or permit a Private Hire Vehicle or a motorcycle to use or proceed along the Bus Lane
- 6. Article 3 of this Order shall not render it unlawful to cause or permit a vehicle to proceed in any of the lengths of road so referred to for as long as may be necessary:-
 - (a) to enable it to be used for any of the following purposes if it cannot conveniently be used for such purpose in any other road:-
 - (i) in connection with any building operation or demolition;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance improvement or reconstruction of any part or parts of the said length of road referred to; or

- (iv) the laying erection alteration or repair in or near to any of the lengths of road of any sewer or of any main pipe or apparatus for the supply of gas water or electricity or of any telecommunication apparatus pursuant to the Telecommunications Act 1984 (as amended) or the placing, maintenance or removal of any traffic sign.
- (b) where the vehicle is being used for the collection of refuse from premises adjacent to that length of road or only accessible there from.
- (c) where the vehicle is being used in pursuant of its statutory duties and in particular but without prejudice to the generality of the foregoing to enable vehicles to be used for police, ambulance and fire brigade services.
- (d) where the vehicle is being used in connection with the maintenance, repair, replacement or improvement of any street furniture.
- (e) where the vehicle is being used in connection with the maintenance, repair, laying, erection or alteration in or adjacent to the street of any pipe, main or apparatus for the supply of gas, electricity, water or any electronic communications apparatus as defined by the Communications Act 2003.
- (f) Where the vehicle is being used for the repair of a Public Service Vehicle.

7. Article 4 of this Order shall not render it unlawful to cause or permit a vehicle to wait in any of the lengths of road so referred to for as long as may be necessary:-

- (a) to enable persons to board or alight from a vehicle;
- (b) to enable goods to be loaded onto or unloaded from a vehicle subject to the timing of any loading restriction applicable at that place.
- (c) to enable a vehicle to be used in any of the lengths of road for as long as may be necessary to enable it to be used for any of the following purposes if it cannot conveniently be used for such purpose in any other road:-
 - (i) in connection with any building operation or demolition;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance improvement or reconstruction of any part or parts of the said length of road to; or
 - (iv) the laying erection alteration or repair in or near to any of the lengths of road of any sewer or of any main pipe or apparatus

for the supply of gas water or electricity or of any telecommunication apparatus pursuant to the Telecommunications Act 1984 (as amended) or the placing, maintenance or removal of any traffic sign.

- (d) where the vehicle is being used for the collection of refuse from premises adjacent to that length of road or only accessible there from.
- (e) where the vehicle is being used in pursuant of its statutory duties and in particular but without prejudice to the generality of the foregoing to enable vehicles to be used for police ambulance and fire brigade services.
- (f) where the vehicle is being used in connection with the maintenance, repair, replacement or improvement of any street furniture.
- (g) where the vehicle is being used in connection with the maintenance, repair, laying, erection or alteration in or adjacent to the street of any pipe, main or apparatus for the supply of gas, electricity, water or any electronic communications apparatus as defined by the Communications Act 2003.
- (h) as part of a funeral cortege or otherwise in connection with a funeral provided the vehicle is owned by a funeral director or by an owner of funeral vehicles.
- (i) Where the vehicle is being used for the repair of a Public Service Vehicle.
- (j) where the vehicle is being used for the collection of mail from Royal Mail post boxes adjacent to that length of road or only accessible there from.

8. The restrictions in Articles 3 and 4 of this Order shall not apply if:

- (a) The vehicle is in the bus lane only to such extent and for so long as it is necessary to enter or exit a side road or for it to access or leave premises adjacent to the bus lane.
- (b) The vehicle is in the bus lane in circumstances beyond the reasonable control of the driver or in order to avoid an accident.
- (c) The vehicle is in the bus lane only to such extent and for so long as it is necessary to comply with any requirement resulting from street works or an emergency in any part of the road adjacent to the bus lane.
- (d) The vehicle is in the bus lane with the permission of the Council or a police constable or civil enforcement officer in uniform.

PART IV - CONTRAVENTIONS

9. Save as provided in Articles 5, 6, 7 & 8 of this Order, if a vehicle is observed by a Civil Enforcement Officer in a length of Road defined in the Schedule during the permitted hours or prescribed time without complying with the provisions of this Order, a contravention shall be deemed to have occurred and a Penalty Charge shall be payable.
10. The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulation made or having effect as if made under "the Act" or by or under any other enactment.
11. Reference to any statutory provision includes reference to any amendment, substitution or re-enactment of that statutory provision for the time being in force.
12. The Interpretation Act 1978 shall apply to this Order as it applied to an Act of Parliament.
13. If any provision of this Order is held invalid or unenforceable for any reason by a court of competent jurisdiction such provision shall be severed and the remainder of the provisions of the Order shall continue in full force and effect as if the Order had been executed with the invalid illegal or unenforceable provision eliminated.
14. In this Order, except when the context otherwise requires, the singular includes the plural and vice versa.
15. The Council is satisfied that this Order is necessary to facilitate the passage on the road or any other road any class of traffic (including pedestrians and for the purpose of preserving or improving the amenities of the area through which the road runs and shall come into operation on the 27th November 2015.
16. The County Council of the City and County of Cardiff (Bus Lanes) (Consolidation) Traffic Order 2014 is hereby amended to permit Private Hire Vehicles and Motorcycles to use the Bus Lanes as specified in this Order.
17. This Order will supersede the County Council of the City and County of Cardiff (Bus Lanes) (Consolidation) Traffic Order 2014 whilst in force.
18. This Order may be cited as "The County Council of the City and County of Cardiff (Bus Lanes) Traffic Order 2015".

SCHEDULE -- DESIGNATED BUS LANES

ITEM NO.	NAME OF STREET(S) AND LENGTH OF CARRIAGE WAY	DIRECTION OF TRAVEL
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1.	Dumfries Place (a) Eastern side; From a point 40 metres east of its junction with St. Andrews Lane to its junction with Queen Street (Newport Road.)	From North to South.
	(b) Western side; From a point 10 metres north of its junction with Queen Street to its junction with Stuttgarter Strasse.	From South to North.
2.	Stuttgarter Strasse On its South side from its junction with Dumfries Place to its junction with Park Place.	From East to West
3.	Park Place On its Eastern side between its junctions with Stuttgarter Strasse and Greyfriars Road.	From North to South.
4.	Greyfriars Road On its Northside throughout its whole length.	From West to East.
5.	Kingsway On its Eastern side from its junction with Greyfriars Road to its junction with Duke Street.	From North to South.
6.	Kingsway (North East bound) On its Northern side from its junction with North Road to its junction with Greyfriars Road.	South West to North East.
7.	Kingsway (North bound, right turn towards Greyfriars Road) On its Western side (offside lane) from a point 10 metres North of its junction with Kingsway Service Road to its junction with North Road.	South to North.
8.	North Road On its Eastern side from a point 12 metres South of its junction with Boulevard De Nantes to its junction with Kingsway including the left turn lane into Kingsway.	From North to South.
9.	North Road On its Eastern side from a point 100.5 metres North West of its junction with City Hall Road for a distance of 90.5 metres South East and from a point 7 metres South East of its junction with City Hall Road for a distance of 63 metres South East.	From North West to South East.
10.	North Road/A470	From North West

	On its North East side from a point 135 metres North West of its junction with Pen-y-Bryn Way to a point 32 metres North West of its junction with Australia Road.	to South East.
11.	North Road On its West side from a point 283 metres south of its junction with Western Avenue (Gabalfa gyratory carriageway) for a distance of 265 metres North.	From South to North.
12.	Northern Avenue (a) North East side; From a point 375 metres North West of its junction with Curlew Close for a distance of 320 metres South East. (b) South West side; From a point 355 metres South East of its junction with Pantmawr Road for a distance of 261 metres North West.	From North West to South East.
		From South East to North West.
13.	Newport Road On its North side from its junction with Queen Street (Dumfries Place) to a point 57 metres South West of its junction with West Grove.	From West to East.
14.	Newport Road a) Northern side (outbound direction); From its junction with West Grove to a point 20 metres South West of its junction with City Road, and from a point 70 metres North East of its junction with City Road to a point 20 metres South West of its junction with Elm Street. b) Southern side (inbound direction); i) From a point 50 metres West of its junction with Glossop Road to a point 40 metres North East of its junction with Fitzalan Place; ii) And from a point 15 metres South West of its junction with Fitzalan Place to a point 55 metres East of its junction with Queen Street (Station Terrace).	From South West to North East.
		From North East to South West.

15.	<p>Newport Road South and South East side (inbound direction); From a point 25 metres East of its junction with Beresford Road to a point 22 metres North East of its junction with Cyril Crescent.</p>	From East to West and then from North East to South West.
16.	<p>Newport Road a) North West side (outbound direction); i) From a point 45 metres North East of its junction with Dominion Way to a point 40 metres South West of its junction with the service road opposite the junction to Rover Way; ii) And from a point 20 metres North East of its junction with the service road opposite the junction to Rover Way for a distance of 108 metres North East. iii) And from a point 10 metres North East of its junction with Colchester Avenue for a distance of 120 metres North East. b) South East side (inbound direction); i) From a point 190 metres North East of a point opposite its junction with Colchester Avenue to its junction with Colchester Avenue. ii) From a point 25 metres South West of its junction with Colchester Avenue to a point 45 metres North East of its junction with Rover Way; iii) And from a point 15 metres South West of its junction with Rover Way to a point 45 metres North East of its junction with City Link Park, iv) And from a point 25 metres South West of its junction with City Link Park to a point 60 metres North East of its junction with Beresford Road.</p>	<p>From South West to North East.</p> <p>From North East to South West.</p>
17.	<p>Newport Road (Rumney) (a) North West side (Outbound direction); From a point 510 metres South West of its junction with Old Hill for a distance of 480 metres in a North Easterly direction. Excluding Left turn filter lanes for 30 metres and 27</p>	From South West to North East.

	metres respectively at its junctions with Mount Pleasant Avenue South and Mount Pleasant Avenue North. (b) South East side (inbound direction); From a point 25 metres South West of its junction with Old Hill for a distance of 530 metres in a South Westerly direction.	North East to South West.
18.	Southern Way (a) East side; From a point 45 metres East of its junction with the Llanedeyrn Interchange for a distance of 790 metres in a Southerly direction. (b) West side; From a point 20 metres North of its junction with Newport Road for a distance of 840 metres in a Northerly direction.	North to South.
		South to North.
19.	Eastern Avenue (a) East side Within the nearside lane of the Southbound on slip road of the Pentwyn Interchange from its junction with the said interchange for a distance of 1150 metres in a South Westerly direction. (b) West side; From a point 590 metres North East of its junction with the Llanedeyrn Interchange gyratory carriageway for a distance of 940 metres in a North Easterly direction via offslip to Pentwyn Interchange.	North East to South West.
		South West to North East.
20.	Cryws Road On its Northeastern side from a point 240 metres North West of its junction with Mackintosh Place to a point 45 metres North West of that junction.	North West to South East.
21.	Colum Road South West side; From a point 102 metres South East of its junction with North Road for a distance of 70 metres North West.	From South East to North West.

25.	Bute Terrace On its Southern side along the centre lane of the Westbound carriageway from a point 75 metres North East of its junction with Bute Street to a point 15 metres North East of the same junction.	From North East to South West.
26.	Churchill Way On its West side from a point 32 metres North East of its junction with Bute Terrace for a distance of 129 metres North.	From South to North.
27.	Churchill Way (Northbound) On its Western side within the offside lane from a point 115 metres North West of its junction with Bridge Street for a distance of 40 metres North West.	South to North (including right turn for buses only).
28.	Guildford Street/Station Terrace a) Guildford Street; Within the nearside lane of its North Eastbound carriageway from its junction with Station Terrace for a distance of 37 metres south west; b) Station Terrace; Within the nearside lane of its northbound carriageway from its junction with Guildford Street for a distance of 96 metres north.	
29.	St Mary Street On its Eastern side from a point 25 metres North of its junction with Caroline Street to a point 63 metres South of its junction with Caroline Street.	North to South.
30.	St Mary Street (Northbound) On its Western side from a point 28 metres North of its junction with the Callaghan Square roundabout to a point 35 metres South of its junction with Saunders Road.	From South to North.
31.	Wood Street On its North side from its junction with Havelock Street to its junction with St Mary Street.	From East to West.
32.	Tudor Street On its South West side from a point 125 metres East of its junction with Plantagenet Street to a point 40 metres East of its junction with Clare Road.	West to East.

33.	<p>Cowbridge Road East (a) Northern side; From a point 60 metres South East of its junction with Western Avenue to a point 25 metres East of its junction with Victoria Park Road West.</p> <p>(b) Southern side; From a point 70 metres West of its junction with Windway Road to a point 80 metres East of its junction with Cowbridge Road West.</p>	North West to South East.
		South East to North West.
34.	<p>Westgate Street (Northbound) On its South West side from a point 10 metres North West of its junction with Park Street to a point 190 metres South East of its junction with Castle Street.</p>	From South East to North West.
35.	<p>Westgate Street (Southbound) On its Eastern side from a point 75 metres South East of its junction with Castle Street for a distance of 105 metres South East and from a point 23 metres South East of its junction with Quay Street for a distance of 24 metres South East.</p>	North West to South East.
36.	<p>Westgate Street On its Eastern side within the nearside lane of the South Eastbound carriageway from its junction with Park Street to its junction with Wood Street.</p>	North to South.
37.	<p>Castle Street On its Southern side from its junction with High Street for a distance of 120 metres West.</p>	East to West.
38.	<p>Duke Street On its Southern side from its junction with Kingsway to a point 15 metres East of its junction with High Street.</p>	East to West.

THE COMMON SEAL OF THE COUNTY COUNCIL OF THE CITY AND COUNTY OF CARDIFF was hereunto affixed this 27th day of November 2015 in the presence of:-

Authorised Signatory

