

THE FLINTSHIRE COUNTY COUNCIL
(B5129 CHESTER ROAD EAST, DEESIDE
(BUS LANE) ORDER 202-

Flintshire County Council propose to make an Order in exercise of its powers under Sections 1 (1), 2 (1) to (3), 4 of the Road Traffic Regulation Act 1984, the Traffic Management Act 2004, Transport Act 2000 and all other enabling powers.

The effect of the Order will prohibit any vehicle other than a Public Service Vehicle, Refuse Vehicles, Pedal Cycles, Authorised Vehicles and Emergency Service Vehicles to enter and proceed along a designated outside road on both sides of B5129 Chester Road East between Shotton Lane, Shotton and its junction with Station Road, Queensferry.

A copy of the proposed Order, together with a plan showing the length of road to which the proposed Order relates and a statement of the Council's reasons for proposing to make the Order may be examined at Flintshire County Council, Alltami Depot, Mold Road, Alltami, Mold CH7 6LG during office hours and Deeside Library, Deeside Leisure Centre, Chester Road East, Queensferry, Deeside, CH5 1SA during opening hours.

Objections to the proposed Order, together with the grounds on which they are made, should be sent in writing to the undersigned by Friday 20th March 2020 quoting reference SS/TRO/LS/BL



Stephen O Jones, Chief Officer (Streetscene and Transportation),
County Hall, Mold, Flintshire. CH7 6NF.

Dated 28th February 2020



**THE FLINTSHIRE COUNTY COUNCIL B5129 CHESTER ROAD EAST,
DEESIDE (PROHIBITION OF DRIVING- BUS LANE)- TRAFFIC
REGULATION ORDER XXXX**

Flintshire County Council (“The Council”) in exercise of its powers under Sections 1 (1), 2 (1) to (3), 4 of the Road Traffic Regulation Act 1984 (“the Act of 1984”) as amended, the Traffic Management Act 2004 (“the 2004 Act”), The Civil Enforcement of Road Traffic Contraventions (Wales) Regulations 2013, Transport Act 2000 and all other enabling powers hereby makes the following Order:-

Part 1

Citation and Commencement

1. This Order shall come into force for all purposes on the xx day of xxxx and may be cited as “The Flintshire County Council B5129 Chester Road East, Deeside (Prohibition of Driving- Bus Lane)-Traffic Regulation Order xxxx”.

Part 2

Interpretation

2. In this Order except where the context otherwise requires, the following words and phrases have the meaning ascribed to them as follows:

“Authorised Officer” means a person authorised by or on behalf of the Council to record, detect and act on contraventions to the Order by means of an Approved Device.

“Authorised Vehicle” means any vehicle authorised by the Authority.

“Approved Device” has the meaning ascribed to it by Regulation 2 of the Approved Devices Regulations.

“Local Bus” refers to, for the purpose of this Order, a vehicle with 16 or more seats.

“Bus Lane” means an area or length of Road which this Order identifies that it may be used:

- 1) Only by buses of a particular description of Bus; or
- 2) Only by buses or a particular description of Bus and some other class or classes of vehicular traffic.

“Civil Enforcement Officer” shall have the meaning assigned by Section 76 of the Traffic Management Act 2004.

“Taxi” means a hackney carriage licensed by the council under Section 37 of the Town Police Clauses Act 1847.

“Pedal Cycle” has the same meaning as in Regulation 4 of the Traffic Signs Regulations and General Directions (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 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.

“Council” means Flintshire County Council.

“Emergency Services Vehicle” means a vehicle operated by the Police, Fire & Rescue or Ambulance Service.

“Motor Cycle” has the meaning as in Section 136 of the 1984 Act.

“Hours of Operation” means the period during which a designated bus lane restriction applies.

“Vehicle” means a mechanically propelled vehicle, intended or adapted for use on the road.

“Carriageway” means a way constituting or comprised of a highway, being a way over which the public have a right of way for the passage of vehicles.

Part 3

Prohibition

3. Save as provided in Part 4 of this Order no person shall cause or permit any vehicle except for a bus to be in the lengths of road specified as a bus lane in the Schedule in direction of travel unless the vehicles is of a type specified in Column 5 of the Schedule to this Order.

Part 4

Exemptions

4. Nothing in Part 3 of this Order shall apply to a vehicle from being in the lengths of road specified in the Schedule as a bus lane providing the vehicle is under the

- direction of, or with the permission of a Police Constable in uniform, or for the purpose of crossing the bus lane.
5. Article 3 does not apply to a vehicle that is in a bus lane if it is necessary for the vehicle:
 - a. To be used for ambulance, fire brigade or police purposes (if the vehicle is clearly marked as such) (whilst performing its statutory duties) (whilst in use as such);
 - b. To remove an obstruction;
 - c. To avoid an accident;
 - d. Where the vehicle is being used in the service of a Local Authority to collect refuse
 - e. To be used for or in connection with:
 - i. 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;
 - ii. The laying, erection, alteration or repair of a sewer, pipe or apparatus for the supply of water, gas, electricity or telecommunications in or on land adjacent to the bus lane; or
 - iii. The maintenance, improvement or reconstruction of the bus lane and adjoining carriageway;
 - f. Which is in the service of a universal service provider to deliver or collect postal packets as defined in Section 125 (1) of the Postal Services Act 2000 to premises adjacent to the bus lane.
 6. Article 3 shall not apply to any vehicle in any length of road specified in the Schedule as a bus lane if necessary, for the vehicle to enter or leave land or premises adjacent to the bus lane or to gain access to or egress from off-street loading or garaging premises adjacent to or accessible only from the bus lane through an adjacent gap in the single white line
 7. Article 3 shall not apply to any vehicle specified in any length of road in the Schedule as bus lanes providing the vehicle is being used for a special event and authorisation for the vehicle or vehicles has been agreed in writing with the Council for the date, time and duration of the event.
 8. Article 3 does not apply to a vehicle in any length of road specified in the Schedule as a bus lane if the vehicle is part of the County Council's refuse collection service.
 9. Article 3 does not apply to a vehicle in the length of road specified in the Schedule as a bus lane if it is a doctor responding to an emergency call provided that the vehicle is displaying a green flashing light.
 10. Article 3 shall not apply to any vehicle entering any bus lane specified in the Schedule if the vehicle enters the bus lane:
 - a. From a road which does not comprise the bus lane and forthwith leaves the bus lane through the gap in the single white line situated opposite and

- adjacent to the junction of that road with the bus lane, or if there is no 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;

Part 5

Contraventions & Enforcement of Restrictions Imposed by this Order

11. The Council will carry out civil enforcement of any contravention of any prohibitions, restrictions or provisions of this Order by permitting the imposition of a Penalty Charge only based on a record produced by the means of an 'approved device'
12. 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 PCN in accordance with The Wales Penalty Processing Partnership to the person appearing to be the owner, keeper and driver of the vehicle.
13. 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 Offenders Act 1988.

Schedule

Prohibition of Driving (Bus Lane)

Name of Road (Column 1)	Length of Bus Lane (Column 2)	Direction of Travel (Column 3)	Hours of Operation (Column 4)	Permitted Vehicles (Column 5)
Chester Road East (B5129)	From a point 25 metres from the northern kerblines of Mold Road to a point approximately 761 metres in a north westerly direction from the kerblines.	Westbound Carriageway	7 Days a Week 24 Hours a Day	<p style="text-align: center;">Local Bus</p> <p style="text-align: center;">Pedal Cycles</p> <p style="text-align: center;">Flintshire County Council Refuse Vehicles</p> <p style="text-align: center;">Authorised Vehicles</p>
Chester Road East (B5129)	From a point 25 metres from the northern kerblines of Mold Road to a point approximately 240 metres in a north westerly direction from the kerblines.	Eastbound Carriageway		
Chester Road East (B5129)	From a point 42 metres from the western kerblines of the Deeside Leisure Centre to a point approximately 94 metres in a north westerly direction from the kerblines.	Eastbound Carriageway		
Chester Road East (B5129)	From a point 39 metres from the western kerblines of Evans Way to the southern kerblines of Ketland Close approximately 326 metres in a westerly direction.	Eastbound Carriageway		

**The Common Seal of
Flintshire County Council**

was hereunto affixed

this xx day of xxxxx

in the presence of :-

CHAIRMAN

LEGAL SERVICES MANAGER

CHIEF OFFICER (GOVERNANCE)

**THE FLINTSHIRE COUNTY COUNCIL
(B5129 CHESTER ROAD EAST, DEESIDE)
(BUS LANE) ORDER 202-**

Statement of Reasons for Proposing to Make the Order

The Flintshire County Council acting as the Local Traffic Authority intends to make the Order referred to above and as shown on the drawings accompanying this document.

The proposed Order will support the promotion of sustainable modes of transport, making bus travel more efficient, improve time-keeping on the affected routes and enable people to move about without adding to congestion on the roads, all of which is an integral part of a sustainable travel approach.

The use of pedal cycles will be permitted within the bus lane providing cyclists with a safer environment. In addition, emergency vehicles will benefit from improved response times from utilising the proposed bus lane.

The introduction of the Bus Lane will significantly reduce the bus journey time along the above road, promoting greater use of public transport as an alternative to the private motor car and is a key objective of the Council Plan.

Bus lanes are one of the most effective tools available to local authorities for improving the efficiency and reliability of road-based public transport services and hence their attractiveness to the travelling public.

A bus lane's value can be seriously diminished if used by unauthorised vehicles and effective enforcement is fundamental to discouraging contravention.

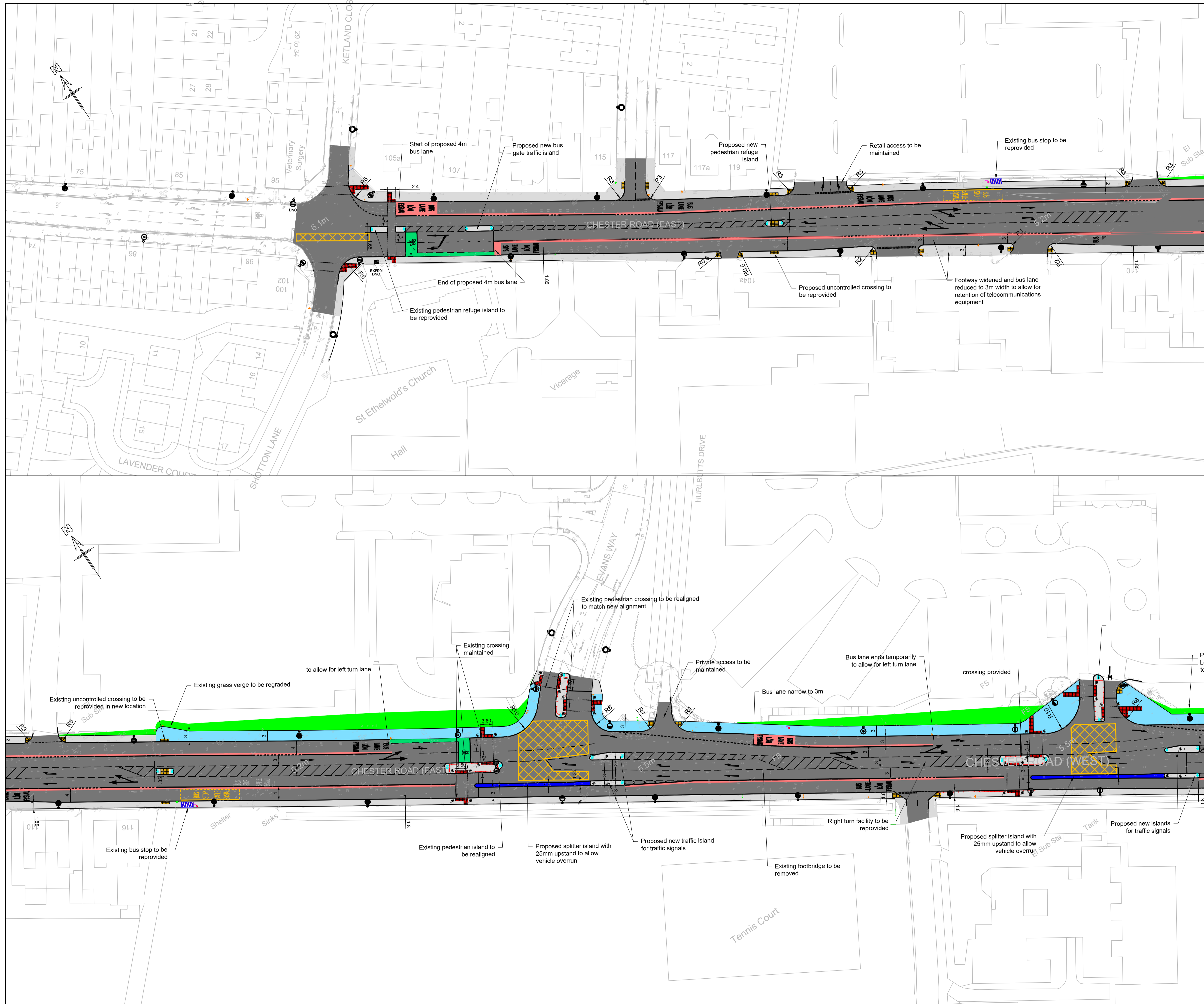
The County Council continues its responsibility to consider the provision of convenient and safe modes of travel, and the proposed measures are aimed at ensuring that a sustainable mode of travel are available to all, improving access to employment and services through a reliable, affordable and environmentally friendly Public Transport Service.

The proposals are detailed in the Public Notice and in the proposed Order

Dated this 28th day of February 2020



Stephen O Jones,
Chief Officer (Streetscene & Transportation),
County Hall,
Mold,
Flintshire.
CH7 6NF



Notes

- THIS DRAWING SHOULD BE READ IN RELATION TO THE SUBJECT OF THE TITLE ONLY. OTHER INFORMATION SHOWN ON THE DRAWING IS TO BE CONSIDERED INDICATIVE ONLY. REFERENCE SHOULD BE MADE TO APPROPRIATE DRAWING SERIES/SPECIFICATIONS FOR OTHER INFORMATION
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- THE HIGHWAY WORKS ARE SUBJECT TO THE APPROVAL OF THE LOCAL HIGHWAY AUTHORITY.
- THE FULL SET OF TRAFFIC SIGNAL LOCATIONS IS YET TO BE CONFIRMED

GENERAL NOTES

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 - HSC SERIES - SITE CLEARANCE
 - HOG SERIES - HIGHWAYS DRAINAGE
 - HFE SERIES - FENCING
 - HPV SERIES - CARRIAGEWAY PAVEMENTS
 - HML SERIES - CONTOUR PLAN
 - HMK SERIES - ROAD MARKINGS
 - HKF SERIES - KERBS, FOOTWAYS AND PAVED AREAS
 - HSN SERIES - TRAFFIC SIGNS
 - ETS SERIES - STREET FURNITURE
- STREET LIGHTING BY 4WAY
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 - TD 50/04 - THE GEOMETRIC LAYOUT OF SIGNAL CONTROLLED JUNCTIONS AND SIGNALISED ROUNDABOUTS.
 - BUS STOPS - THE INSTITUTION OF HIGHWAYS AND TRANSPORTATION - TRANSPORT IN THE URBAN ENVIRONMENT

KEY

- PROPOSED CARRIAGEWAY NEW AND RESURFACED
- EXISTING CARRIAGEWAY WORKS (INLAY & OVERLAY)
- PROPOSED FOOTWAY
- PROPOSED SHARED SURFACE (FOOT & CYCLE)
- PROPOSED TACTILE PAVING (CONTROLLED)
- PROPOSED TACTILE PAVING (UNCONTROLLED)
- PROPOSED VERGE (GRASS)
- PROPOSED VEHICLE OVERRUN

Rev	Date	Revision Details	Dr	Des	Chk	App

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Client
 CYNGOR Sir y Fflint Flintshire COUNTY COUNCIL

Project
 SHOTTON BUS CORRIDORS

Drawing Title
 GENERAL ARRANGEMENT
 SHOTTON LANE TO DESIDE LEISURE CENTRE

Scale	Drawn	Designed	Checked	Approved
1:500	P. CLARK	P. CLARK	M. WILLIS	M. DAVIES

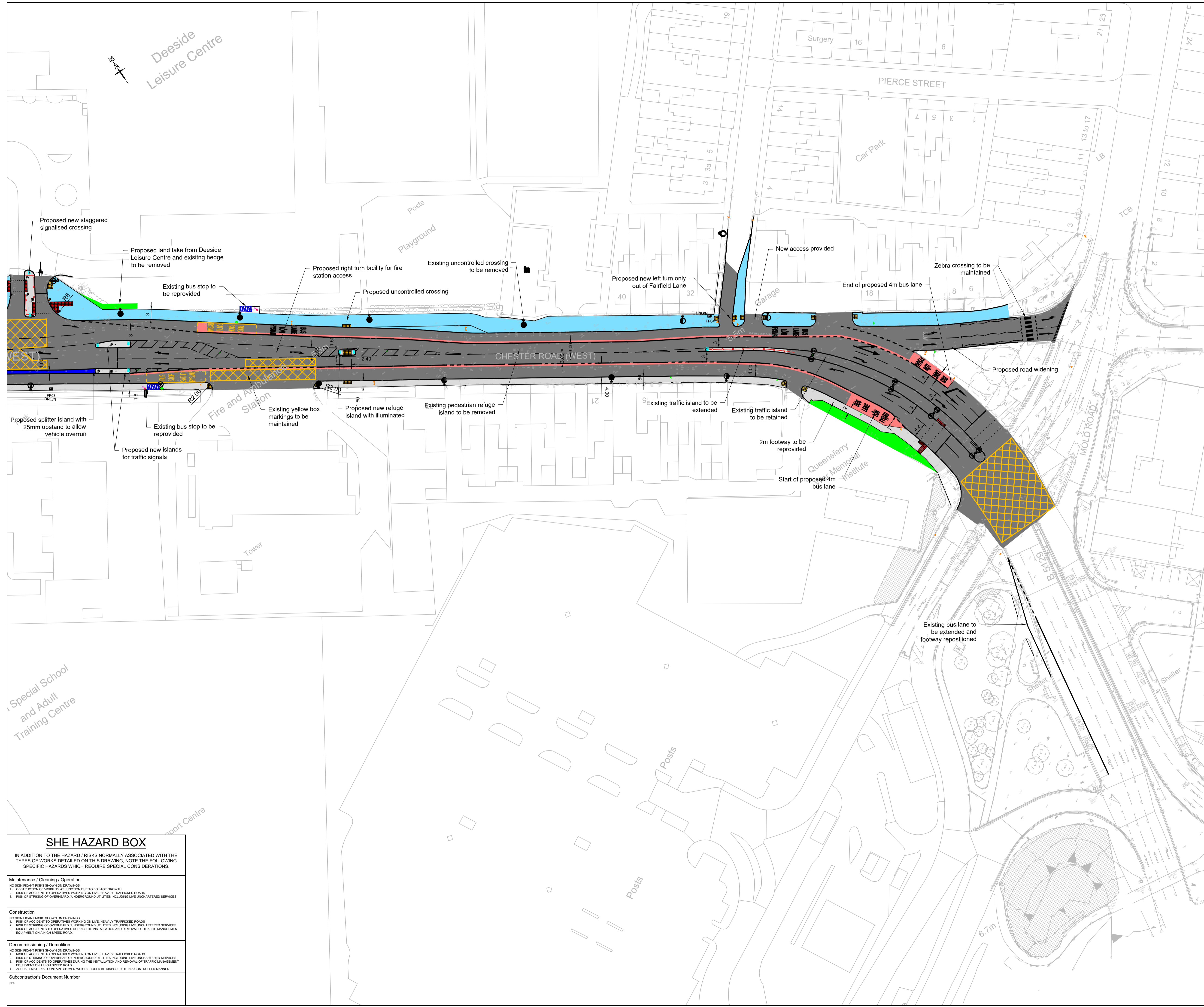
Original Drawing Size	Date	Date	Date	Date
A1	22/08/19	22/08/19	30/08/19	30/08/19

Drawing Status
 PRELIMINARY

Drawing Number	Revision
102854 - PF - HGN - 01 - DR - CH - 0001	P01

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SHE HAZARD BOX
 IN ADDITION TO THE HAZARD / RISKS NORMALLY ASSOCIATED WITH THE TYPES OF WORKS DETAILED ON THIS DRAWING, NOTE THE FOLLOWING SPECIFIC HAZARDS WHICH REQUIRE SPECIAL CONSIDERATIONS.

Maintenance / Cleaning / Operation
 NO SIGNIFICANT RISKS SHOWN ON DRAWINGS
 1. OBSTRUCTION OF VISIBILITY AT JUNCTION DUE TO FOLIAGE GROWTH
 2. RISK OF ACCIDENT TO OPERATIVES WORKING ON LIVE, HEAVILY TRAFFICKED ROADS
 3. RISK OF ACCIDENTS TO OPERATIVES DURING THE INSTALLATION AND REMOVAL OF TRAFFIC MANAGEMENT EQUIPMENT ON A HIGH SPEED ROAD.

Construction
 NO SIGNIFICANT RISKS SHOWN ON DRAWINGS
 1. RISK OF ACCIDENT TO OPERATIVES WORKING ON LIVE, HEAVILY TRAFFICKED ROADS
 2. RISK OF STRIKING OF OVERHEADS (UNDERGROUND UTILITIES INCLUDING LIVE UNCHARTERED SERVICES
 3. RISK OF ACCIDENTS TO OPERATIVES DURING THE INSTALLATION AND REMOVAL OF TRAFFIC MANAGEMENT EQUIPMENT ON A HIGH SPEED ROAD.

Decommissioning / Demolition
 NO SIGNIFICANT RISKS SHOWN ON DRAWINGS
 1. RISK OF ACCIDENT TO OPERATIVES WORKING ON LIVE, HEAVILY TRAFFICKED ROADS
 2. RISK OF STRIKING OF OVERHEADS (UNDERGROUND UTILITIES INCLUDING LIVE UNCHARTERED SERVICES
 3. RISK OF ACCIDENTS TO OPERATIVES DURING THE INSTALLATION AND REMOVAL OF TRAFFIC MANAGEMENT EQUIPMENT ON A HIGH SPEED ROAD.
 4. ASPHALT MATERIAL CONTAIN BITUMEN WHICH SHOULD BE DISPOSED OF IN A CONTROLLED MANNER

Subcontractor's Document Number
 N/A