

**2010 No. 2053**

**ROAD TRAFFIC**

**The A40 Trunk Road (Over Roundabout to Highnam Roundabout, Gloucestershire) (Bus Lane, Prohibition of Use of Gaps in Central Reservation and Prohibition of Turns) Order 2010**

*Made* - - - - - 6 August 2010  
*Coming into force* - - - - - 16 August 2010

The Secretary of State for Transport, in exercise of the powers conferred by sections 1(1), 2(1) and 2(2), and 4(1) of the Road Traffic Regulation Act 1984(a), makes the following Order:-

1. This Order may be cited as the A40 Trunk Road (Over Roundabout to Highnam Roundabout, Gloucestershire) (Bus Lane, Prohibition of Use of Gaps in Central Reservation and Prohibition of Turns) Order 2010 and shall come into force on 16 August 2010.

2. In this Order –

“the trunk road” means the A40 Trunk Road between Over Roundabout and Highnam Roundabout in the City of Gloucester and in the District of Tewkesbury in the County of Gloucestershire;

“the eastbound carriageway and the westbound carriageway” mean, respectively, the eastbound carriageway and the westbound carriageway of the trunk road;

“the bus lane” means the nearside (left hand) lane of the eastbound carriageway of the A40 between Over Roundabout and Highnam Roundabout from a point 24 metres west of its junction with the B4215 to a point 126.9 metres west of its junction with Horseshoe Drive;

“bus lane” has the meaning given in regulation 23(3) of the Traffic Signs Regulations and General Directions 2002(b);

“a bus” has the meaning given in regulation 22(2) of the Traffic Signs Regulations and General Directions 2002(b);

“a pedal cycle” has the meaning given in regulation 4 of the Traffic Signs Regulations and General Guidance 2002(b);

“a motor cycle” has the meaning given in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986(c);

“Licensed Taxi” has the same meaning as in Section 13(3)(b) of the Transport Act 1985(c);

“Hackney Carriage” has the same meaning as in Part III of Schedule 1 to the Vehicle Excise and Regulation Act 1994(d) but complying with the requirements of the relevant licensing authority in respect of roof top signs;

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(a) 1984 c.27; there are amendments to this Act which are not relevant to this Order.  
(b) S.I. 2002 / 3113  
(c) S.I. 1986/1078 there are amendments to this Act which are not relevant to this Order  
(d) 1985 c.67

“traffic sign” means a sign of the size, colour, and type prescribed or authorised under, or having effect as though prescribed or authorised under, section 64 of the Road Traffic Regulation Act 1984(a);

“local service” has the meaning given in section 2 of the Transport Act 1985(b);

“water authority” means a water or sewerage undertaker within the meaning of the Water Industry Act 1991(c).

3. Save as mentioned in articles 9 and 10 of this Order, no person shall cause or permit any vehicle to enter or proceed in the bus lane.

4. No person shall cause or permit any vehicle proceeding in the eastbound carriageway to turn right into the agricultural access at a point 1427 metres east of the centre of its junction with the A48 Trunk Road.

5. No person shall cause or permit any vehicle proceeding in the westbound carriageway to turn right into the access to Over Farm at a point 1427 metres east of the centre of its junction with the A48 Trunk Road.

6. No person shall cause or permit any vehicle entering the A40 from Linton Farm, 402 metres east of the centre of its junction with the A48, to proceed in any direction other than leftwards.

7. No person shall cause or permit any vehicle entering the A40 from Over Farm Shop, 1732 metres east of the centre of its junction with the A48, to proceed in any direction other than leftwards.

8. No person shall cause or permit any vehicle to enter or proceed through the gaps in the central reservation at: a) a point 1842 metres east of the centre of its junction with the A48 Trunk Road, opposite The Dog Inn Public House; and b) a point 1130 metres east of the centre of its junction with the A48 Trunk Road near Pope’s Pool Cottages.

9. Nothing in article 3 of this Order shall: a) apply to i) a bus being used in the provision of a local service; ii) a pedal cycle; iii) a motor cycle; or iv) a Licensed Taxi or Hackney Carriage; and b) render it unlawful to cause or permit any vehicle to wait in the bus lane for as long as may be necessary to: i) enable the vehicle to be used in the service of a local authority or of a water authority in pursuance of statutory powers or duties; ii) enable goods to be loaded on or unloaded from a vehicle, if the vehicle cannot conveniently be used for such purposes otherwise than in the bus lane; iii) enable a vehicle to be used in connection with: any building operation or demolition; the removal of any obstruction to traffic; the maintenance, improvement or reconstruction of that road, or the laying, erection, alteration or repair of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1984 (d) or the placing, maintenance or removal of any traffic signs in or near that road; iv) to comply with any direction given by a traffic sign; or due to circumstances beyond the driver’s control.

10. Nothing in articles 3, 4, 5, 6, and 7 of this Order shall apply to a vehicle being used for police, traffic officer, ambulance or fire and rescue purposes or anything done at the direction of, or with the permission of, a constable or traffic officer in uniform.

Signed by authority of the Secretary of State

*DAVID SLEDGE*  
An Area Performance Manager  
in the Highways Agency

6 August 2010

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(a) 1984 c.27; there are amendments to this Act which are not relevant to this Order.

(b) 1985 c.67

(c) 1991 c.56

(d) 1984 c.12

### EXPLANATORY NOTE

(This does not form part of the Order)

The introduction of a bus lane should increase reliability and reduce journey time for public transport vehicles travelling towards Gloucester.

The prohibition of u turns and restrictions to turning manoeuvres on the eastbound and westbound carriageways should reduce the potential risk of accidents as slow moving vehicles cross dual carriageway lanes and should improve safety on the A40 between Over Roundabout and Highnam Roundabout.