STATUTORY INSTRUMENTS

1999 No. 2345

ROAD TRAFFIC

The A40 Trunk Road (Ealing and Hammersmith & Fulham) Red Route (Clearway) Experimental Traffic Order 1999

Made - - - - - *18th August 1999*

Coming into force - - *6th September 1999*

The Traffic Director for London, in accordance with a direction given to him by the Secretary of State under section 58(1) of the Road Traffic Act 1991(**a**) and in exercise of the powers conferred on the Secretary of State by sections 9 and 10 of the Road Traffic Act 1984(**b**), and of all other enabling powers, hereby makes the following Order:

Commencement and citation

1. This Order may be cited as The A40 Trunk Road (Ealing and Hammersmith & Fulham) Red Route (Clearway) Experimental Traffic Order 1999, and shall come into force on 6th September 1999.

Interpretation

2. In this Order—

(a) a reference to an article or a schedule followed by a number is a reference to the article of, or the schedule to, this Order so numbered;

(b) "carriageway" has the same meaning as in section 329(1) of the Highways Act 1980(**c**);

(c) causing includes permitting;

(d) "disabled person", "disabled person's badge" and "disabled person's vehicle" have the same meanings as in regulation 2(1) of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986(**d**), and "relevant position" in relation to a disabled person's badge has the same meaning as in regulation 2A of those regulations;

(e) "the trunk road red route clearway"means the lengths of road specified in column (2) of the table in schedule 1;

(f) "vehicle" includes part of a vehicle;

(g) an entry in column *(3)*, *(4)* or *(5)* of an item in a schedule to this order applies to that column in subsequent items in that schedule; and

(**a**) 1991 c.40.
(**b**) 1984 c.27.
(**c**) 1980 c.66.
(**d**) S.I. 1986/178 as amended by S.I. 1991/2709.

(h) "bus" has the meaning given by regulation 22(2) of the Traffic Signs Regulations and General Directions 1994(**a**);

(i) "bus stop" means an area bounded by a traffic sign shown in diagram 1025.1 or 1025.3 in schedule 6 of the Traffic Signs Regulations and General Directions 1994 which includes the words "bus stop";

(j) "bus stand" means an area bounded by a traffic sign shown in diagram 1025.1 or 1025.3 in schedule 6 of the Traffic Signs Regulations and General Directions 1994 which includes the words "bus stand";

(k) "London Regional Transport" has the meaning given by the London Regional Transport Act 1984(**b**); and

(l) "pedal cycle" has the same meaning as in regulation 4 of the Traffic Signs Regulations and General Directions 1994.

General prohibition of stopping

3.—(1) Subject to the provisions of paragraph (2) of this article, and of articles 4, 5, 6, 7, 8 and 9, no person shall cause any vehicle to stop at any time in the trunk road red route clearway.

(2) The controls specified in paragraph (1) of this article do not apply in respect of any area of the trunk road red route clearway specified in schedule 2.

Exemptions for parking

4. The controls specified in article 3(1) do not apply in respect of a person causing a vehicle to be parked at the edge of the carriageway on a length of road specified in an item in column *(2)* of the table in schedule 3A during the hours specified in column *(3)* in that item for a period not exceeding the period specified in column *(4)* in that item, provided that not less than the period specified in column *(5)* in that item has elapsed since the vehicle was last parked on any part of the same length of road.

Miscellaneous exemptions for parking

5.—(1) Licensed taxi cabs: The controls specified in article 3(1) do not apply in respect of a person causing a vehicle being used under a licence under section 6 of the Metropolitan Public Carriage Act 1869(**c**) to be parked at the edge of the carriageway on a length of road specified in schedule 3C.

(2) Buses: The controls specified in article 3(1) do not apply in respect of a person causing a bus to be parked at the edge of the carriageway on a length of road specified in an item in column *(2)* of the table in schedule 3D during the hours specified in column *(3)* in that item for a period not exceeding the period specified in column *(4)* in that item, provided that not less than the period specified in column *(5)* in that item has elapsed since the vehicle was last parked on any part of the same length of road.

(3) Doctors' vehicles: The controls specified in article 3(1) do not apply in respect of a person causing a vehicle to be parked at the edge of the carriageway on a length of road specified in an item in column *(2)* of the table in schedule 3E during the hours specified in column *(3)* in that item, provided that—

(a) there is displayed in the windscreen of the vehicle a badge issued by, or with the authority of, the Traffic Director for London to a medical practitioner, and which specifies—

(i) the name of the person to whom it was issued; and

(ii) the premises in relation to which it applies; and

(b) the vehicle was parked by, or with the permission of, the person whose name is specified on the badge and for so long only as the person who parked the vehicle is engaged in work at the premises specified on the badge.

(**a**) S.I. 1994/1519.
(**b**) 1984 c.32.
(**c**) 1869 c.115.

(4) Solo motor bicycles: The controls specified in article 3(1) do not apply in respect of a person causing a motor bicycle without a side-car to be parked at the edge of the carriageway on a length of road specified in an item in column *(2)* of the table in schedule 3F during the hours specified in column *(3)* in that item.

Exemptions for loading and unloading

6. The controls specified in article 3(1) do not apply in respect of a person causing a vehicle which is being loaded or unloaded to stop at the edge of the carriageway on a length of road specified in an item in column *(2)* of the tables in schedules 4A and 4B during the hours specified in column *(3)* in that item for as long as is needed to load or unload the vehicle or 20 minutes, whichever is the less, provided that not less than 20 minutes has elapsed since the vehicle was last parked on any part of the same length of road.

Exemptions for disabled persons

7.—(1) The controls specified in article 3(1) do not apply in respect of a person causing a disabled person's vehicle which displays a disabled person's badge in the relevant position to park at the edge of the carriageway on a length of road specified in an item in column (2) of the table in schedule 3A during the hours specified in column (3) in that item.

(2) The controls specified in article 3(1) do not apply in respect of a person causing a disabled person's vehicle which displays a disabled person's badge in the relevant position to park at the edge of the carriageway on a length of road specified in an item in column (2) of the table in schedule 3B during the hours specified in column (3) in that item.

(3) The controls specified in article 3(1) do not apply in respect of a person causing a disabled person's vehicle which displays a disabled person's badge in the relevant position, and a parking disc on which is shown the time at which the period of parking began, to park at the edge of the carriageway on a length of road specified in an item in column (2) of the table in schedule 4A during the hours specified in column (3) in that item, for a period of up to 3 hours not being a period separated by an interval of less than 1 hour from a previous period when that vehicle was parked in that length of road.

Exemptions at bus stops and stands

8.—(1) The controls specified in article 3(1) and (2) do not apply in respect of a person causing:

(a) a bus to stop at a bus stop for as long as may be required to enable passengers to board or alight; or

(b) a bus to stop at a bus stop or a bus stand and being used for operational reasons in the course of providing a London bus service (as defined in section 34 of the Transport Act 1985(**a**)) under an agreement with London Regional Transport or training drivers to allow such a service to be provided.

(2) In this article "operational reasons" means:

(i) to enable passengers to board and alight;

(ii) to enable crew changes to take place;

(iii) to maintain the scheduled timetable subject, in the case of the bus stop, to a maximum wait of two minutes.

Other exemptions

9.—(1) The controls specified in article 3(1) do not apply in respect of a person causing a vehicle to stop if that person is—

(a) required by law to cause the vehicle to stop or not to proceed;

(b) obliged to stop the vehicle so as to avoid an accident;

(c) prevented from proceeding in the vehicle by circumstances beyond the person's control;

(**a**) 1985 c.67.

(d) getting or giving help in consequence of an accident or an emergency, or otherwise taking action for public safety;

(e) opening or closing a gate or other barrier at the entrance to premises to which the vehicle is being driven or from which it has emerged if it is not reasonably practicable to cause the vehicle to stop elsewhere for the purpose;

(f) using the vehicle for fire brigade, ambulance or police purposes;

(g) using the vehicle in connection with the removal of any obstruction to traffic;

(h) using the vehicle in connection with the maintenance, improvement or reconstruction of any length of road specified in schedule 1;

(i) using the vehicle under a licence under section 6 of the Metropolitan Public Carriage Act 1869 to stop for so long only as may be required to enable a passenger to get on or off the vehicle; or

(j) using a disabled person's vehicle which displays a disabled person's badge in the relevant position to stop for so long only as may be required to enable a disabled person to get on or off the vehicle.

(2) The controls specified in article 3(1) do not apply in respect of a vehicle which bears the Royal Mail livery which is waiting at the edge of a carriageway for as long as may be necessary for the purpose of collecting or delivering letters in pursuance of any statutory duty of the Post Office to collect or deliver letters.

(3) The controls specified in article 3(1) do not apply to anything done with the permission or at the direction of a police constable in uniform or a traffic warden.

(4) The controls specified in article 3(1) and (2) do not apply in respect of a person causing a pedal cycle to be parked at a facility specifically provided for the purpose of pedal cycle parking by, or with the consent of, the highway authority.

Power to modify or suspend this Order

10. If it appears to the Traffic Director for London, or some person authorised by him, essential in the interests of the expeditious, convenient and safe movement of traffic, or of the provision of suitable and adequate parking facilities on the highway, or for preserving or improving the amenities of the area through which any road affected by this Order runs, and after consulting with the Commissioner of Police of the Metropolis, he may modify or suspend any provision of this Order, save that no modification shall make an addition.

Suspensions of existing Orders

11.—(1) Subject to paragraph (2) of this article, The Ealing (Waiting and Loading Restriction) Order 1977, The Ealing (Waiting and Loading Restriction) (Amendment No. 12) Order 1980, The Hammersmith (Waiting and Loading Restriction) Order 1976 and The Hammersmith (Waiting and Loading Restriction) (Amendment No. 2) Order 1976 are hereby suspended, in so far as their provisions relate to any part of the trunk road red route clearway.

(2) The suspension specified in paragraph (1) of this article shall take effect in respect of any provision contained in The Ealing (Waiting and Loading Restriction) Order 1977, The Ealing (Waiting and Loading Restriction) (Amendment No. 12) Order 1980, The Hammersmith (Waiting and Loading Restriction) Order 1976 and The Hammersmith (Waiting and Loading Restriction) (Amendment No. 2) Order 1976 only from the time at which the traffic sign indicating the effect of that provision has been obliterated.

Signed in accordance with a direction from the Secretary of State.

Derek Turner
Traffic Director for London

18th August 1999

SCHEDULE 1

Articles 2 and 3(1)

The Trunk Road Red Route Clearway.

Table

(1) *Item*	*(2)* *Length of Road*
1.	The A40 Western Avenue, from a point where the westbound on-slip road from Hanger Lane Gyratory system meets the main carriageway of the A40 Western Avenue at a point opposite the party wall of 39-40 Greystoke Park Terrace to a point 45 metres north-west of a point opposite the party wall of 398 and 400 Western Avenue.
2.	The slip road linking the A406 Hanger Lane and the eastbound carriageway of A40 Western Avenue, from its junction with the eastbound carriageway of A40 Western Avenue to a point 9 metres north-west of the south-eastern wall of 1 to 6 Ritz Parade.
3.	The slip road linking the westbound carriageway of A40 Western Avenue to the A406 Hanger Lane, from its junction with the westbound carriageway of A40 Western Avenue to a point 9 metres north-west of the south-eastern wall of 1 to 6 Ritz Parade.
4.	A40 Westway, from a point 38 metres west of the western kerb-line of the westernmost arm of Primula Street to the western kerb-line of Wood Lane, including the two western slip roads linking A40 Westway and Wood Lane, but excluding the elevated section of A40 Westway.

SCHEDULE 2

Article 3(2)

Areas of the trunk road red route clearway to which the prohibitions and restrictions specified in article 3(1) do not apply.

(1) *Item*	*(2)* *Area of Road*
1.	A40 Westway, the north side, from a point 25 metres east of the eastern kerb-line of the westernmost arm of Primula Street eastward for a distance of 73 metres.
2.	A40 Westway, the north side, from a point 12 metres west of the western kerb-line of the easternmost arm of Primula Street westward for a distance of 51 metres.
3.	A40 Westway, the north side, from a point 2 metres east of the party wall of 133 and 135 Westway eastward for a distance of 12 metres.
4.	A40 Westway, the north side, from a point 9 metres east of the eastern kerb-line of the easternmost arm of Heathstan Road eastward for a distance of 37 metres.
5.	A40 Westway, the north side, from a point 1 metre west of the party wall of 227 and 229 Westway to a point 1 metre east of the party wall of 239 and 241 Westway.
6.	A40 Westway, the north side, from a point 13 metres east of the party wall of 239 and 241 Westway eastward for a distance of 16 metres.
7.	A40 Westway, the north side, from a point 9 metres east of the eastern kerb-line of Maurice Street to a point 1 metre east of the party wall of 259 and 261 Westway.
8.	A40 Westway, the north side, from a point 2 metres east of the party wall of 271 and 273 Westway to a point 2 metres east of the party wall of 287 and 289 Westway.
9.	A40 Westway, the south side, from a point 24 metres east of the common boundary of 120 to 124 and 126 to 130 Westway eastward for a distance of 94 metres.
10.	A40 Westway, the south side, from a point 12 metres west of the western boundary of 182 Westway eastward for a distance of 26 metres.

SCHEDULE 3A

Articles 4 and 7(1)

Lengths of the trunk road red route clearway on which there are exemptions for parking and disabled persons' vehicles.

Table

(1) *Item*	*(2)* *Length of Road*	*(3)* *Restricted Hours*	*(4)* *Maximum Period of Parking*	*(5)* *Minimum Interval*
1	A40 Western Avenue, the north side, from a point 24 metres west of the western wall of Nos. 1 to 48 Wendover Court, Western Avenue westward for a distance of 60 metres.	At any time	None	None

SCHEDULE 3B

Article 7(2)

Lengths of the trunk road red route clearway on which there are exemptions for parking by disabled persons' vehicles only.

Table

(1) *Item*	*(2)* *Length of Road*	*(3)* *Restricted Hours*
1	A40 Westway, from a point 9 metres east of the common boundary of 117 and 119 Westway eastward for a distance of 12 metres.	At any time
2	A40 Westway, from a point 1 metre east of the party wall of 239 and 241 Westway eastward for a distance of 12 metres.	

SCHEDULE 3C

Article 5(1)

Lengths of the trunk road red route clearway on which there are exemptions for licensed taxi cabs only.

Table

(1) *Item*	*(2)* *Length of Road*
	No Items.

SCHEDULE 3D

Article 5(2)

Lengths of the trunk road red route clearway on which there are exemptions for buses only.

Table

(1) *Item*	*(2)* *Length of Road*	*(3)* *Restricted Hours*	*(4)* *Maximum Period of Parking*	*(5)* *Minimum Interval*
	No Items.			

SCHEDULE 3E

Article 5(3)

Lengths of the trunk road red route clearway on which there are exemptions for doctors' vehicles.

Table

(1) *Item*	*(2)* *Length of Road*	*(3)* *Restricted Hours*
	No items.	

SCHEDULE 3F

Article 5(4)

Lengths of the trunk road red route clearway on which there are exemptions for solo motor bicycles only.

Table

(1) *Item*	*(2)* *Length of Road*	*(3)* *Restricted Hours*
	No items.	

SCHEDULE 4A

Articles 6 and 7(3)

Lengths of the trunk road red route clearway on which there are exemptions for loading or unloading and for disabled persons' vehicles.

Table

(1) *Item*	*(2)* *Length of Road*	*(3)* *Restricted Hours*
	No Items.	

SCHEDULE 4B

Article 6

Lengths of the trunk road red route clearway on which there are exemptions for loading or unloading.

Table

(1) *Item*	*(2)* *Length of Road*	*(3)* *Restricted Hours*
	No Items.	

EXPLANATORY NOTE

(This note is not part of the Instrument)

1. This Order is based on a comprehensive model Order produced by the Traffic Director for London to assist understanding of the regulations, and to assist future consolidation of Orders relating to priority routes.

2. Articles used in the model Order but not required for the purposes of this Order have been marked in this Order as not taken up.

3. A list of schedules used in the model Order and an indication of those schedules (and their respective articles) taken up in this Order are shown in the table below—

Table

Schedule Number	Article	Description	Taken up in this Order	
			Yes	No
1	2 and 3(1)	The Trunk Road Red Route	✓	
2	3(2)	Areas not included in The Trunk Road Red Route	✓	
3A	4 and 7(1)	Exemptions for parking and disabled persons' vehicles	✓	
3B	7(2)	Exemptions for disabled persons' vehicles	✓	
3C	5(1)	Exemptions for licensed taxi cabs	✓	
3D	5(2)	Exemptions for buses	✓	
3E	5(3)	Exemptions for doctors' vehicles	✓	
3F	5(4)	Exemptions for solo motor bicycles	✓	
4A	6 and 7(3)	Exemptions for loading and disabled persons'vehicles	✓	
4B	6	Exemptions for loading	✓	

ISBN 0-11-085336-9

9 780110 853369

£2.00

© Crown copyright 1999

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of
Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.
WO 5527 10/99 449733 19585