



North Tyneside Council

Reference: RFI 1708102

**Request:**

High Flatworth Bus Lane

I am making a Freedom of Information request in relation to the above bus lane.

I understand that the current Order for the bus lane is titled,

“ The Council of the Borough of North Tyneside (Bus Lane) (Consolidation ) Order 2017” and dated 15 February 2017.

The Order is in place to enforce bus lane contraventions by means of an approved device, i.e. CCTV cameras.

Article 8 deals with contravention and enforcement setting out that the council will issue Penalty Charge Notices (PCNs) for infringements.

Prohibitions are dealt with by Article 4 (bus lanes), 5 (bus only street)t and 6 (bus gate).

Exemptions are dealt with by Article 7, however, there are no exemptions for Article 4 as it is not listed in the exemptions (Article 7)

Articles 5 and 6 are not exempt from the prohibitions as these are exempted from the exemptions because Article 7 is included in the Articles that do not apply to the exemptions in Article 7 “Exemptions - 7. Articles 5, 6 and 7 do not apply to:- ...(description of vehicle types and uses)”

**I would like to know, given that the council is using this order to issue PCNs motorists, why the council has failed to fine the users contained within Article 7.** These are not exempt, as the Order clearly states that Article 7 does not apply to Article 7. Also bear in mind Article 3(4) of the Order.

**Response:**

The Council acknowledge that there is a minor typing error in the Bus Lane Consolidation Order. They will undertake the necessary legal process to rectify this error.

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