
Love Lane/Bastion Street, Shaw-cum-Donnington - Bus Gate

Committee considering report:	Individual Executive Member Decisions
Date of Committee:	25 th April 2025
Portfolio Member:	Councillor Stuart Gourley
Date Head of Service agreed report: (for Corporate Board)	N/A
Date Portfolio Member agreed report:	N/A
Report Author:	Neil Stacey, Network Manager (Highways)
Forward Plan Ref:	ID4602

1 Purpose of the Report

To summarise the responses to the statutory consultation of a proposed Traffic Regulation Order to enable the introduction of a Bus Gate on the Bastion Street link to Love Lane, Shaw-cum-Donnington and to make recommendations as to how to proceed in light of the comments received.

2 Recommendation(s)

It is recommended that the proposed Bus Gate order is introduced as advertised.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	<p>The initial costs of this project are externally funded in association with the “Donnington Heights” residential development.</p> <p>There will be ongoing financial costs in respect of maintenance of Automatic Number Plate Recognition (ANPR) camera equipment for enforcement purposes, together with traffic signs and road markings in accordance with traffic regulations. Traffic signs, including necessary road markings, will not need replacement for many years but in order for the restriction to be legally enforceable these should be periodically checked and reinstated or refreshed as appropriate. These ongoing costs will be offset to a degree by income from the issuing of</p>

	Penalty Charge Notices for offences detected by the ANPR system.			
Human Resource:	Whilst not creating an immediate or significant financial pressure, the ANPR enforcement of the Bus Gate will be an ongoing responsibility for the Parking team, subject to the level of long-term non-compliance of the restriction and will place additional workload on that team.			
Legal:	Before making the Order the Council, as Highway Authority, must consider all objections made and which have not been withdrawn. All objections must be considered with an open mind and once assessed should be formally accepted or rejected. All objectors must be notified in writing of the decision on whether (a) the TRO is made as advertised, (b) is modified or (c) is abandoned. Where any substantial modifications are proposed, the authority is required to inform those likely to be affected by such modifications and give them the opportunity to make representations which must again be considered. Should a decision be made to proceed, the Traffic Regulation Order will need to be sealed by the Legal Services Team.			
Risk Management:	N/A			
Property:	N/A			
Policy:	This proposed Bus Gate feature is a planning condition imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006- 2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				

A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		x		
Environmental Impact:		x		Prohibiting use of the Bastion Street link road onto Love Lane by all vehicles other than local buses and cycles will result in fewer traffic movements on this approach route, thereby decreasing vehicle emissions and improving local air quality. Given the small area subject to the proposed restriction and the relatively recent construction of the link road within the Donnington Heights development an in-depth analysis has not however been carried out. The overall environmental impact has therefore been assessed as being neutral.
Health Impact:		x		Prohibiting use of the Bastion Street link road onto Love Lane by all vehicles other than local buses and cycles may lead to an increased likelihood of local residents within the new Donnington Heights development choosing to walk or cycle to local destinations, rather than use the alternative A339 to access the local area, thereby promoting an active and healthy lifestyle.

ICT Impact:		x		The ANPR system will need to be linked to the secure network used by the Parking team so that enforcement can routinely take place. Similar protocols, which link to DVLA data, are already in place for enforcement of a similar restriction on Parkway Bridge in Newbury and need to be expanded to include Bastion Street.
Digital Services Impact:		x		
Council Strategy Priorities:	x			This proposed restriction is relevant to Council Strategy Priority No.5, Thriving Communities with a Strong Local Voice, in that it will implement a bus gate restriction and enable the provision of a bus service.
Core Business:		x		Although contributing to the above Council Strategy Priority and wider social and environmental objectives, the delivery of this proposed restriction is not in itself a statutory service.
Data Impact:		x		<p>The proposed restriction will be enforced by way of ANPR, with captured vehicle registrations correlated against DVLA data to ensure enforcement notices can be sent to registered keepers.</p> <p>Whilst there is a data implication for the operation of the ANPR system itself, the introduction of this system is not a direct consideration of the Decision being made via this report and will therefore be considered separately.</p>

Consultation and Engagement:	<p>Local stakeholders and road users were consulted on the proposed bus gate by way of a Statutory advertisement of the Traffic Regulation Order, including via newspaper and online publication (January to February 2025).</p> <p>This report has been circulated to the local Ward Members, Shadow Portfolio Holder and Minority Group Leader.</p> <p>Councillor Martha Vickers supports the recommendation. Any further comments received prior to the date of the Individual Decision will be reported verbally at the Individual Decision meeting.</p>
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4 Executive Summary

- 4.1 This report summarises the feedback received during the statutory consultation of a proposed Traffic Regulation Order (TRO), which would introduce a Bus Gate for use by local buses and cycles only on the link road from Bastion Street in the new Donnington Heights development onto Love Lane in the parish of Shaw-cum-Donnington. The purpose of this report is to enable a decision to be made as to whether the proposed restriction is to be introduced as advertised, modified or withdrawn.
- 4.2 In view of the local support and the Bus Gate restriction being a key element forming the planning approval for the housing development it is recommended that the proposal is introduced as advertised.

5 Introduction/Background

Introduction

- 5.1 A statutory consultation on a proposed Bus Gate on Bastion Street in the Donnington Heights housing development linking onto Love Lane in Newbury was held during January and February 2025. The proposal is to prohibit use of the Bastion Street link road by all vehicles other than local buses and cycles. Emergency Service vehicles engaged on emergency calls would also be exempt from the restriction. A plan showing the proposed restriction is included in Appendix A.
- 5.2 The Council, as the Local Highway Authority, has powers under the Road Traffic Regulation Act 1984 to restrict vehicular movements on the roads for which it is responsible. In order to be legally enforceable, these restrictions require a legal TRO to be made in accordance with the provisions of the 1984 Act. The process of consulting on and making Traffic Regulation Orders is set out in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

Background

- 5.3 The housing development on land adjacent to Hilltop, Oxford Road, Donnington, now known as 'Donnington Heights', was approved under planning application 14/02480

OUTMAJ and is for the phased development of up to 222 dwellings pursuant to outline planning application number 19/00442/OUTMAJ.

- 5.4 A condition forming the planning approval of the site required the implementation of a proposed bus gate as a means of restricting vehicular access to the site from Love Lane. The supporting reason for this restriction was in the interests of road safety and the free flow of traffic within the local highways infrastructure and was imposed in accordance with the National Planning Policy Framework, Policy CS13 of the West Berkshire Core Strategy (2006-2026) and Policy TRANS1 of the West Berkshire District Local Plan 1991-2006 (Saved Policies 2007).
- 5.5 A Section 278 agreement dated 2nd July 2019 between the developer and West Berkshire Council formally required the provision of two vehicular accesses, one on the A339 roundabout into the development and the other on Love Lane, with the access on Love Lane to be school/bus access arrangement only (including a bus gate set up) and a new pedestrian only access onto the Oxford Road.
- 5.6 Construction at the site for the various phases of development is ongoing but the access out onto Love Lane is now complete and the local bus services, including the X34 bus service, are already using this facility in accordance with the Council's Bus Service Improvements Plan and are providing a valuable and sustainable public transport route through the site for local residents. Traffic signs and road markings in accordance with Traffic Sign Regulations are in place should this proposal be approved and the means of enforcement by an Automatic Number Plate Recognition (ANPR) camera system are also in place. It is now necessary to formalise the bus gate restriction by way of Traffic Regulation Order in the interests of road safety and to address reported regular abuse of the Bus Gate.

Consultation process and responses

- 5.7 The statutory consultation documents and site plan for the Bus Gate restriction detailing use of the link road between Bastion Street and Love Lane are included at Appendix B. The statutory consultation was held during January and February 2025 and included:
 - (a) Notices placed in the local newspaper (Newbury Weekly News).
 - (b) Correspondence to statutory consultees, including Thames Valley Police.
 - (c) Advertisement on the council's online consultation hub at www.westberks.gov.uk/bastion-street-bus-gate
 - (d) Notices placed on-street advising road users, including pedestrians and residents, of the proposals
- 5.8 A total of 23 responses to the consultation were received, of which 12 were in favour of the proposal, four indicated a neutral position (including Thames Valley Police) and seven raised objections, which have not been withdrawn.
- 5.9 Of the statutory consultees, Shaw-cum-Donnington Parish Council indicated support and Thames Valley Police confirmed they did not wish to object. The remaining responses were from members of the public.

- 5.10 Comments in support of the proposal included significant concerns related to devaluation of properties if the bus gate restriction was not introduced in line with planning approval and also road safety fears if traffic volume was to increase and vehicles used the route to short-cut the A339 when that road is congested. Safety concerns were also raised regarding the increased level of traffic on Love Lane if the access road was not controlled.

Objections

Objections received during the statutory consultation and Officers' comments in response are as follows:

Objection	Response
The access route onto Love Lane is a perfectly acceptable route onto a relatively quiet residential road and would provide a safe alternative to the busy A339 for young and inexperienced drivers. This should be a facility that is available to all residents of the development in order to reduce congestion and accidents on the A339. This could be controlled by issuing permits to residents exempting them from the restriction.	Allowing additional traffic to enter from Bastion Street would increase congestion and reduce road safety on a road that is already congested at peak hours of school drop-off and pick-up in particular, due to the presence of four schools along its length. Providing permits to residents exempting them from the restriction would require the TRO to be consulted on again and would be time intensive for staff to operate. New residents should have been aware at the time of conducting searches for their property purchase that the only access route for the development would be via the A339 and that should have formed part of their decision on whether to continue with their purchase if it didn't suit their needs
Denying access to Love Lane will increase fuel costs to residents and increase their carbon footprint and travel and commuting time to other areas locally.	The access road was never intended to be available to residents and as stated above should have been a determining factor when choosing to live in this development. In any case, however, the majority of destinations within and beyond Newbury would be quicker and easier to access via the A339.
Forcing residents to use the A339 will have a detrimental effect on air quality locally if the Love Lane access point could be used as a shorter route and will not help West Berkshire Council satisfy its Net Zero aspirations and target.	As above.

Forcing residents to use the A339 will increase traffic congestion on that road to the detriment of road safety as the Donnington Heights development increases in size.	It is considered that the A339, which is a dual carriageway and has the status of a principal road, is better able to cope with the additional traffic generated by the new development, in terms of both safety and capacity, than the local roads. For example, Love Lane has numerous hazards such as residential accesses and frequent junctions. There is also a higher concentration of vulnerable users on the local roads. It is considered preferable to reduce potential conflict by keeping the additional traffic away from local roads.
The access road onto Love Lane should be available for residents of the Shaw Valley housing development as well as for residents of Donnington Heights in order to improve their quality of life.	Allowing access to non-residents, such as those at Shaw Valley or the general road user would result in significant increase in traffic using the route as a rat-run to avoid the Robin Hood junction and would be detrimental to road safety on roads within the Donnington Heights development and on existing local roads.
Should be made available to resident Permit Holders, with their exemption from the restriction coming into operation overnight between 6pm and 7pm or other hours when the risk of conflict with the bus service is reduced.	Providing permits to residents exempting them from the restriction, even for a time-limited period, would require the TRO to be consulted on again and would be time intensive for staff to operate.
Taxis and Private Hire vehicles should be exempt from the restriction as they currently are at the West Berkshire Community Hospital junction onto the A4.	Taxis and private hire vehicles are not currently exempt from the bus-only restriction on the exit onto the A4 from the West Berkshire Community Hospital.
The Bus Gate should also be made available to Electric Vehicles (EVs) in an effort to support and encourage increased EV ownership.	West Berkshire Council is firmly committed to encouraging greater levels of EV ownership locally, but there is no reason why accessing a facility such as a Bus Gate should be used and there would be no improvement in road safety by allowing such use.

6 Options for consideration

6.1 The following paragraphs outline the three available options.

Amend the proposed Bus Gate Order

- 6.2 Suggested amendments or additions to the proposed Bus Gate included allowing use of the traffic management feature by taxis and also by residents of the Donnington Heights development issued with permits to exclude their vehicles from the enforcement of the restriction in addition to the use by local buses and cycles. As noted in the table above, this would require the proposal to be re-advertised but would in any case be in contravention of the approved planning conditions for the site. It would also be very difficult to manage a range of exemptions, require additional staff resources and be less readily understood by the casual motorist.

Do not introduce the proposed Bus Gate Order

- 6.3 The restricted use of the link road from Bastion Street to Love Lane could be abandoned, which would allow free traffic movement for all road users. A key element forming the planning approval for the development site was that the secondary access road should be restricted to buses and for emergency access only. Removing the proposed restriction would be in direct contravention of the approved planning conditions.
- 6.4 Allowing free movement along Bastion Street to and from Love Lane would almost certainly result in unacceptable levels of traffic choosing to use this route between the A339 and Love Lane in order to avoid the Robin Hood Roundabout junction.

Introduce the proposed Bus Gate order as advertised

- 6.5 Whilst objections have been received to the public consultation, there was significant support for the restriction to be formally introduced so that enforcement could commence and the local bus services could use the route without obstruction and delay from vehicles that are reportedly currently failing to adhere to the traffic signs and road markings on site. The objections and comments received do not override the primary factor determining this Bus Gate proposal in that it formed a key element of the planning permission for the entire site. As noted, the intention to restrict traffic at the Bus Gate was made clear to prospective purchasers of the new houses within the development.

7 Proposals

- 7.1 In view of the above, it is proposed that the Bus Gate order is implemented as advertised.

8 Conclusion

- 8.1 Despite the relatively small number of objections received, the statutory consultation process has indicated support for the proposed Bus Gate on Bastion Street. As such it is recommended that the Bus Gate Order is introduced advertised in the statutory consultation.

Appendices

Appendix A – Plan of proposed restriction

Appendix B – Statutory consultation document

Corporate Board's recommendation

Not applicable.

Background Papers:

None.

Subject to Call-In:

Yes: ☒ No: ☐

- The item is due to be referred to Council for final approval ☐
- Delays in implementation could have serious financial implications for the Council ☐
- Delays in implementation could compromise the Council's position ☐
- Considered or reviewed by Scrutiny Commission or associated Committees or Task Groups within preceding six months ☐
- Item is Urgent Key Decision ☐
- Report is to note only ☐

Wards affected: Newbury Speen

Officer details:

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Job Title: Network Manager (Highways)
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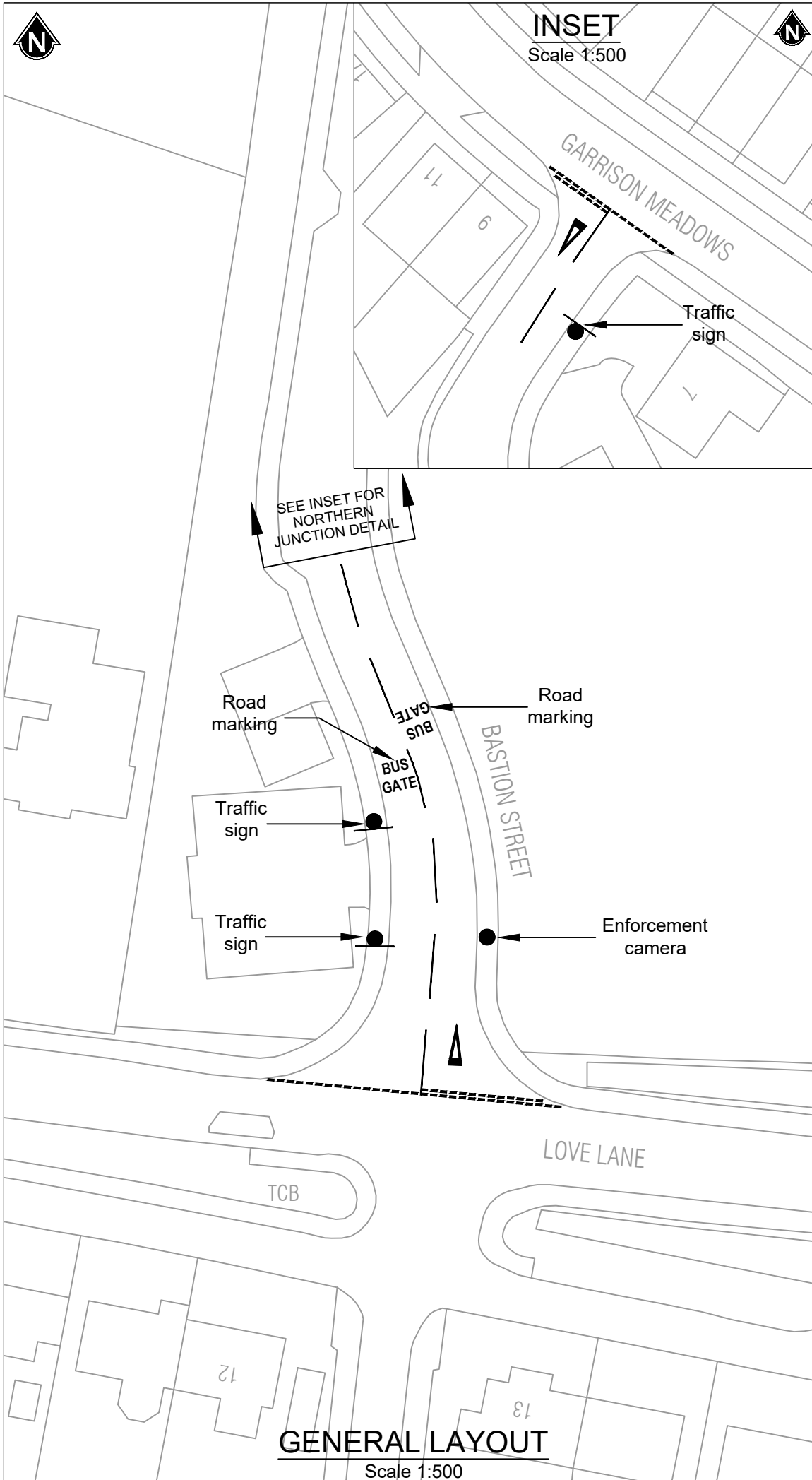
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Document Ref:		Date Created:	
Version:		Date Modified:	
Author:			
Owning Service			

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Appendix A – Plan of proposed restriction



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NOTES

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3. THIS DRAWING SHOWS A PROPOSED FEASIBILITY OPTION AND IS SUBJECT TO CHANGE.

4. WBC STANDARD DETAILS MUST BE ADHERED TO AT ALL TIMES UNLESS SPECIFIED BY THE OVERSEEING ORGANISATION.

5. PRIOR TO ANY EXCAVATIONS THE CONTRACTOR WILL ESTABLISH THE LOCATION OF EXISTING UTILITY SERVICES. THE CONTRACTOR SHOULD UNDERTAKE THEIR OWN UTILITY SEARCHES.

6. THE PURPOSE OF THIS PLAN IS TO IDENTIFY THE VARIOUS UTILITY APPARATUS LOCATIONS. WBC HAVE TRIED TO MAKE IT AS ACCURATE AS POSSIBLE BUT WE CANNOT GUARANTEE ITS ACCURACY. AS THE LOCATIONS HAVE BEEN DRAWN FROM PLANS SUPPLIED BY EACH INDIVIDUAL UTILITY COMPANY, THEREFORE, YOU MUST NOT RELY SOLELY ON THIS PLAN IF YOU ARE CARRYING OUT ANY EXCAVATION OR OTHER WORKS IN THE VICINITY OF THE UTILITY LOCATIONS SHOWN. THE ACTUAL POSITION OF ANY UNDERGROUND SERVICE MUST BE VERIFIED BY CABLE DETECTION EQUIPMENT, ETC. AND ESTABLISHED ON SITE BEFORE ANY EXCAVATION IS UNDERTAKEN. THERE MAY ALSO BE FURTHER SERVICES UNKNOWN TO WBC. WBC ACCEPT NO RESPONSIBILITY OR LIABILITY IN THE EVENT OF INACCURACY.

ISSUED FOR CONSTRUCTION

REV	REV DATE	DESCRIPTION	DR	AU

West Berkshire
COUNCIL

ENVIRONMENT
COUNCIL OFFICES - MARKET STREET - NEWBURY - RG14 5LD

PROJECT TITLE
BASTION STREET, NEWBURY

DRAWING TITLE
PROPOSED BUS GATE

DATE	DRAWN BY	CHECKED BY	PAPER SIZE	SCALE
JAN 2025	CJV	GDo	A4	1:50

DRAWING NUMBER	REVISION
TM/417/001	-

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Appendix B – Statutory Consultation Documents

**WEST BERKSHIRE DISTRICT COUNCIL
(BASTION STREET, IN THE PARISH OF SHAW-CUM-DONNINGTON)
(BUS GATE) ORDER 2025**

NOTICE IS HEREBY GIVEN that **WEST BERKSHIRE DISTRICT COUNCIL PROPOSES** to make the above order under Sections 1(1), 2(1) to (3), s4(2) a124 of the Road Traffic Regulation Act 1984 and of all other enabling powers the effect of which is to prohibit all vehicles except local buses and pedal cycles from proceeding in any direction along Bastion Street in Shaw-cum-Donnington as follows:-

IN THE PARISH OF SHAW-CUM-DONNINGTON

BUS GATE (Local buses and pedal cycles only)

Bastion Street Between points approximately 30 metres and 44 metres north of its junction with Love Lane

FURTHER INFORMATION

For further information please contact Traffic and Road Safety team, Network Management (trafficandroadsafety@westberks.gov.uk), Environment Services, West Berkshire District Council, Council Offices, Market Street, Newbury, Berkshire, RG14 5LD before 13th February 2025

Copies of the draft Order, explanatory statement and map can be inspected during the hours of 9.00 a.m. to 4.30 p.m. Monday to Friday at the offices of West Berkshire District Council (at main reception on the ground floor), Council Offices Market Street Newbury Berkshire RG14 5LD. These are also available for view and comment on the Council's website at www.westberks.gov.uk/consultations and follow relevant links.

Objections to the proposal together with the grounds on which they are made should be sent in writing to the undersigned, quoting reference 9839 by not later than midnight on 13th February 2025

Dated 9th January 2025

Jon Winstanley, Service Director Environment, West Berkshire District Council, Market Street, Newbury, RG14 5LD trafficandroadsafety@westberks.gov.uk

WEST BERKSHIRE DISTRICT COUNCIL (BASTION STREET, IN THE PARISH OF SHAW-CUMDONNINGTON) (BUS GATE) ORDER 2025

STATEMENT OF REASONS

This Order is proposed as part of the Council's Transport Improvement scheme relating to bus services in the District and will provide a controlled bus service link between the Donnington Heights housing development and Love Lane in Shaw-cum-Donnington

Accordingly, with reference to Section 1 (1) of the Road Traffic Regulation Act 1984, this order is necessary in order to:

- a) prevent the use of Bastion Street by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road
- b) preserve or improve the amenities of the area through which Bastion Street runs

WEST BERKSHIRE DISTRICT COUNCIL (BASTION STREET, IN THE PARISH OF SHAW-CUM-DONNINGTON) (BUS GATE) ORDER 2025

WEST BERKSHIRE DISTRICT COUNCIL (hereinafter referred to as “the Council”) in exercise of powers contained in sections 1(1), 2(1) to (3), s4(2), S124 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (“the Act”) as amended and under the Provisions of Part 6 Traffic Management Act 2004 and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act, hereby makes the following order:-

1. This order shall come into operation on the [] day of [] 2025 and may be cited as the **WEST BERKSHIRE DISTRICT COUNCIL, BASTION STREET (IN THE PARISH OF SHAW-CUM-DONNINGTON) (BUS GATE) ORDER 2025**

2. In this Order –

“Bus Gate” ” means the section of road specified in Schedule 1 of this Order that may only be used by buses (or a particular description of bus) and by such other vehicles as permitted by this Order (if any), and which has appropriate road markings and signage in accordance with the Traffic Signs Regulations and General Directions 2016.

“Local Bus” is as defined in Schedule 1 to the Traffic Signs Regulations and General Directions 2016, namely a public service vehicle used for the provision of a local service not being an excursion or tour

“Pedal Cycle” is as defined in Schedule 1 to the Traffic Signs Regulations and General Directions 2016, namely a unicycle, bicycle, tricycle or cycle having four or more wheels, not being in any case mechanically propelled unless it is an electrically assisted pedal cycle that is not treated as a motor vehicle for the purposes of the RTRA 1984 Act

3. Except where otherwise stated any reference in this Order to a numbered article or schedule is a reference to the article or schedule bearing that number in this order
4. No person shall, except upon the direction or with the permission of a Police Constable in uniform, cause or permit any vehicle to proceed along the Bus Gate except Local Buses and pedal cycles
5. Nothing in Article 4, shall apply to:-
 - a. any vehicle which is to be used in connection with the maintenance, improvement or reconstruction of any lengths of road, or the laying, erection, alteration or repair in or near any of the lengths of road of any sewer or main, pipe or apparatus for the supply of gas, water, electricity or telegraph line
 - b. Police, Fire Brigade or Ambulance purposes

- c. any vehicle having received a specific authorisation from the Council

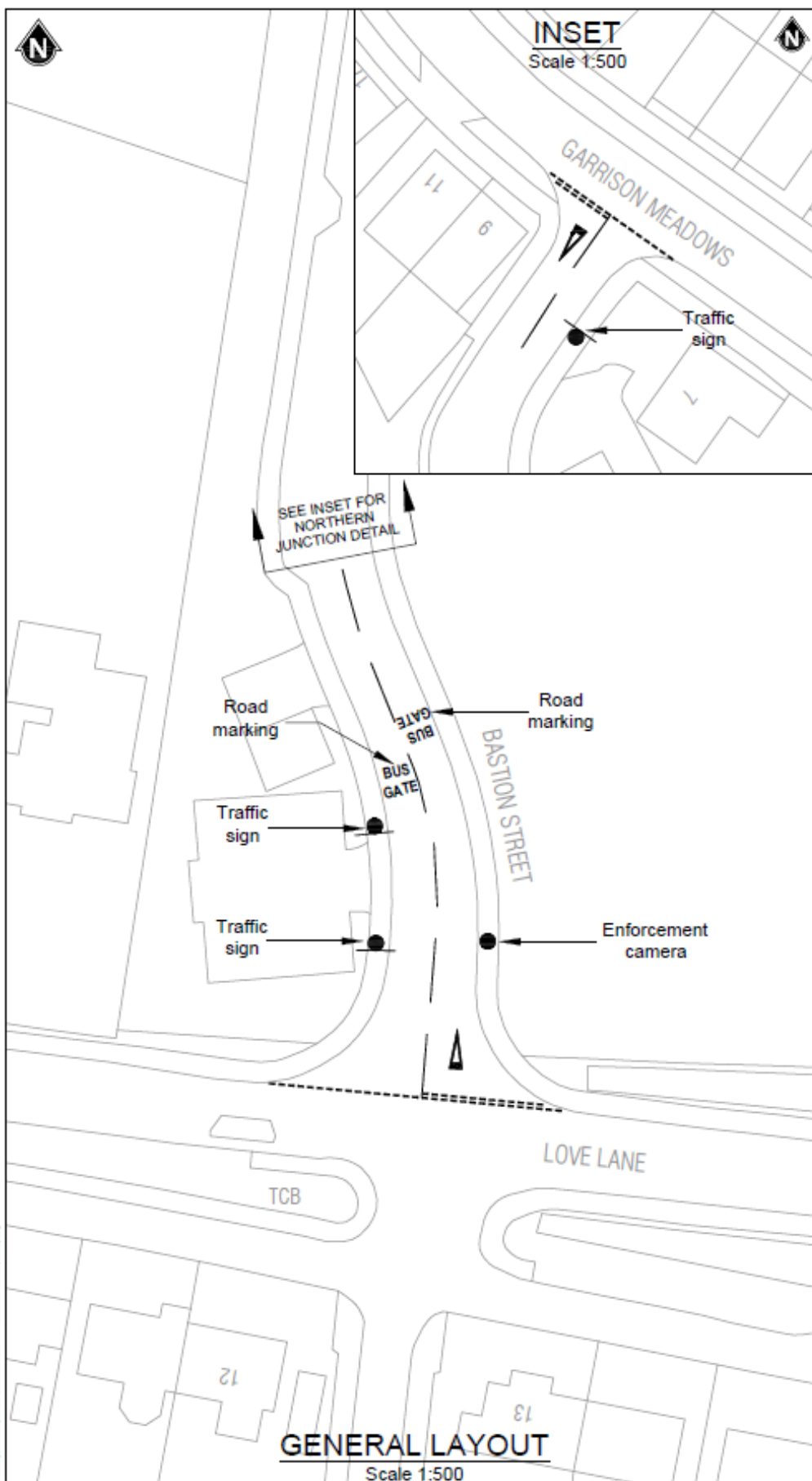
SCHEDULE 1

BUS GATE (Local Buses and Pedal Cycles only)

1. **Bastion Street** – between points approximately 30 metres and 44 metres north of its junction with Love Lane

**THE COMMON SEAL of WEST BERKSHIRE
DISTRICT COUNCIL** hereunto affixed on the
day of 2025
is authenticated by:

Authorised Signatory



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NOTES	
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ISSUED FOR CONSTRUCTION	
NO	YES
NO	YES
<p>West Berkshire Council COUNCIL OFFICE - MARKET STREET - NEWBURY - RG14 6LD</p>	
BASTION STREET, NEWBURY	
PROPOSED BUS GATE	
DATE	DESIGNED
DATE	CHECKED
DATE	APPROVED
DATE	NOTIFIED
DATE	ISSUED
TM/417/001	

STREET NOTICE

Proposed Traffic Regulation Order

WEST BERKSHIRE DISTRICT COUNCIL (BASTION STREET, IN THE PARISH OF SHAW-CUM-DONNINGTON) (BUS GATE) ORDER 202[]

Statement of Reasons and Proposal

This Order is proposed as part of the Council's Transport Improvement scheme relating to bus services in the District and will provide a controlled bus service link between the Donnington Heights housing development and Love Lane in Shaw-cum-Donnington

The effect of which is to prohibit all vehicles **EXCEPT LOCAL BUSES AND PEDAL CYCLES** from proceeding in any direction along Bastion Street in Shaw-cum-Donnington as follows:-

IN THE PARISH OF SHAW-CUM-DONNINGTON

BUS GATE (Local buses and pedal cycles only)

Bastion Street Between points approximately 30 metres and 44 metres north of its junction with Love Lane

Further Information

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Copies of the draft Order, partially revoked order, explanatory statement and map can be inspected during the hours of 9.00 a.m. to 4.30 p.m. Monday to Friday at the offices of West Berkshire District Council (at main reception on the ground floor), Council Offices Market Street Newbury Berkshire RG14 5LD. These are also available for view and comment on the Council's website at www.westberks.gov.uk/consultations and follow relevant links.

Objections to the Proposal together with the grounds on which they are made should be sent in writing to the undersigned, quoting reference **9839** by **not later than midnight on 13th February 2025**

Dated: 16 January 2025

Jon Winstanley, Service Director Environment, West Berkshire District Council, Market Street, Newbury, RG14 5LD trafficandroadsafety@westberks.gov.uk

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