

Bus Lane Enforcement FAQs

Newcastle City Council will commence Bus Lane enforcement in the summer of 2015. If you drive illegally in a bus lane; bus gate or bus only street then you may receive a Penalty Charge Notice (PCN).

Temporary signage will be displayed at locations in the run-up to the go live date of enforcement so that all motorists are aware enforcement by camera will be starting. Permanent signage will inform motorists that bus lanes are in operation.

Bus Lane CCTV Camera Enforcement FAQs

The answers to some of the most frequently asked questions relating to Bus Lanes and CCTV Enforcement covering the issue of PCNs and the appeals process can be found in the following section.

[Why have bus lanes?](#)

[How are bus lanes authorised?](#)

[How are bus lanes enforced?](#)

[What about fines for contraventions of bus lanes?](#)

[Does the Highway Code mention bus lanes?](#)

[When are bus lanes in operation?](#)

[What is the difference between a bus lane and a bus only street/road?](#)

[What is a contravention?](#)

[Who can drive in a bus lane when it is in operation?](#)

[What is a good reason for driving in a bus lane?](#)

[Can I park in a bus lane?](#)

[What happens if I am caught driving in a bus lane or parked illegally by the cameras?](#)

[How much do I have to pay?](#)

[How can I pay?](#)

[What is the date of service?](#)

[Can I view my contravention?](#)

[Does it matter if I have previously never been to Newcastle \(I was unfamiliar with the area\)?](#)

[What happens to all the money collected by the Council from bus lane fines?](#)

[Will I receive points on my driving license?](#)

[Surely there must be a right of appeal against a Penalty Charge notice?](#)

[How do I dispute a PCN by post and make a Representation?](#)

[How long do I have to make a representation?](#)

[Where can I go for further information?](#)

Why have bus lanes?

Bus lanes have the following benefits:

- Increase bus service reliability to timetables;
- Improve bus passenger journey times;

- Encourage use of public transport, which helps reduce traffic pollution and congestion; and
- Provide a safer lane for cyclists.

[Top of page](#)

How are bus lanes authorised?

Bus Lanes are created by Traffic Regulation Orders (TROs) using powers under the Road Traffic Regulation Act 1984. The TRO for bus lane enforcement in Newcastle can be found here ([link to TRO](#)).

A bus lane is a traffic lane reserved for buses (and pedal cycles, motorcycles, taxis and authorised vehicles, where indicated by the signs).

[Top of page](#)

How are bus lanes enforced?

Bus lanes are enforced by camera with the Notice issued by post.

Powers were granted for civil enforcement of traffic contraventions by approved local authorities in the Traffic Management Act 2004.

Newcastle City Council is an approved local authority under The Bus Lane Contraventions (Approved Local Authorities) (England) Order 2005 for the purposes of S.144 of the Transport Act 2000 (civil penalties for bus lane contraventions).

The cameras and recording system have been approved under The Bus Lanes (Approved Devices) (England) Order 2005.

[Top of page](#)

What about fines for contraventions of bus lanes?

The Penalty Charge is £60 for a Bus Lane Contravention. A discount of 50% applies and the discounted charge of £30 applies if the penalty charge is paid by the end of the period of 14 days, beginning with the date of service.

PCNs are issued under the Road Traffic Regulation Act 1984 and S.144 (5) of the Transport Act 2000 (as amended).

[Top of page](#)

Does the Highway Code mention bus lanes?

Rule 141 of the Highway Code gives the general rules for bus lanes.

[Top of page](#)

When are bus lanes in operation?

The times of operation of bus lanes in Newcastle will be clearly signed. The majority of bus lanes in Newcastle operate from 7.00am to 7.00pm, 7 days per week. If there are no times stated on the signs, the bus lane is in operation 24 hours a day.

Road signs and markings will clearly indicate the start and end of bus lanes and highlight the hours of operation. All bus lanes in Newcastle are in operation on Bank Holidays.

Details of the locations of bus lanes, bus gates and bus only streets, the times of operation and permitted vehicles can be found here ([link to Bus Lane Locations document](#))

[Top of page](#)

What is the difference between a bus lane and a bus only street/road?

Bus lanes are separate and can operate alongside other lanes for general traffic on the highway. Their boundaries are marked with a solid white line and the words 'bus lane' are painted on the ground in the bus lane.

Signs are in place before you reach the start of the bus lane to inform motorists on their approach, so they can change lane before entering the bus lane.

Here is an example of a sign used in Newcastle to inform motorists as they are approaching a bus lane:



A bus only street or road is a street or road that only buses are permitted to use. They are clearly marked on the ground at the entrance to the street or the road, along with signs showing permitted vehicles (and times of operation if applicable).

Regulations for the signing of bus only streets is detailed in the Traffic Signs Regulations and General Directions 2002 (TSRGD).

[Top of page](#)

Contraventions

What is a contravention?

A contravention normally involves a non-permitted vehicle breaking and crossing the solid white boundary line between the bus lane and the remainder of the carriageway, without good reason during its time of operation.

A bus only street is a point restriction, therefore the contravention commences when the vehicle enters the bus only street.

[Top of page](#)

Who is allowed to drive in a bus lane when it is in operation?

Vehicles that are permitted can differ between different locations, so you should check the signs at the start of the lane or bus only street before entering.

Only buses can use all bus lanes and bus only streets during their hours of operation. Taxis; motorcycles; pedal cyclists; private hire vehicles or vehicles which have been authorised in writing by Newcastle City Council can use certain bus lanes and bus only streets during their hours of operation. The signage in place will indicate which bus lanes and bus only streets can be used by which type of vehicle.

Goods vehicles over 7.5 tonnes maximum gross weight are also allowed in some bus lanes and the signs for these bus lanes will confirm this.

The definition of a bus contained in the Traffic Signs Regulations and General Directions 2002 is 'motor vehicles constructed or adapted to carry more than eight passengers (exclusive of the driver)'.

Police, fire brigade or ambulance vehicles are permitted in bus lanes or bus only streets, as long as the vehicle is on operational duty.

[Top of page](#)

What is a good reason for driving in a bus lane?

There are a small number of reasons when it is OK to enter a bus lane during the time it is in operation. Among these are;

- when directed to do so by a police officer in uniform;
- to avoid an accident; broken down vehicle; emergency services vehicle or debris; or
- owing to circumstances outside the control of the driver.

In all cases it is expected that the stay in the bus lane is as brief as possible.

[Top of page](#)

Can I park in a bus lane?

Parking is not allowed (even with a blue (disabled) badge) when the bus lanes are in operation.

[Top of page](#)

PCN & Appeals information

What happens if I am caught driving in a bus lane or parked illegally by the cameras?

You can expect to receive a PCN through the post addressed to the registered keeper of the vehicle. It will contain details of the alleged contravention, details of the vehicle and photographs that show that the contravention occurred.

[Top of page](#)

How much do I have to pay?

The Penalty Charge is £60, which should be paid no later than 28 days beginning with the Date of Service of the notice, but Newcastle City Council will accept a discounted sum of £30 if it receives payment within 14 days beginning with the Date of Service.

Options for payment are shown on the front of the Notice.

[Top of page](#)

How can I pay?

Full instructions on what to do next, how and where to pay, who to contact and how to appeal are included on the PCN and you should follow the instructions on the PCN that you receive through the post.

Using our online service - <https://buslanepayments.newcastle.gov.uk/live-3sc-user/> you can pay for a PCN, find out more information about the contravention, or appeal. You will need your PCN reference number (that begins with **LK**) and the Vehicle Registration Number in order to use the online service.

You can send payment by post to the following address, if you prefer to use this payment method:

Newcastle Parking Services
PO Box 1381
Northampton
NN4 4FZ

[Top of page](#)

What is the Date of Service?

The notice or charge certificate will be posted in a letter sent by first class post. The Date of Service is classed as the second working day after the day of posting”.

Working days exclude Saturdays, Sundays, New Year’s Day, Christmas Day, Good Friday and any other day which is a Bank Holiday in England and Wales. Newcastle City Council calculates the Date of Service for you and includes it on the PCN.

[Top of page](#)

Can I view my contravention?

Once bus lane enforcement starts motorists can view the record of their contravention online at <https://buslanepayments.newcastle.gov.uk/live-3sc-user/>

The web service has options to pay the penalty charge; view images and footage or make a representation against paying the penalty charge. The PCN itself should contain images taken from the digital video recording of the alleged contravention.

[Top of page](#)

Does it matter if I have previously never been to Newcastle (I was unfamiliar with the area)?

Bus lane restrictions are used nationwide and there are signs to notify motorists of the prohibition. The Highway Code also covers bus lane enforcement and motorists should be familiar with the Highway Code when driving.

Motorists are expected to comply with the restrictions regardless of where they come from or whether they have driven through the area previously.

[Top of page](#)

I have received a Fixed Penalty Notice from the Police – how come?

Bus Lane offences are not decriminalised and where civil enforcement of bus lanes applies in an area, contraventions of bus lane orders may continue to be enforced as a criminal offence by the Police.

In the event that a Fixed Penalty Notice is issued by the Police for the same offence for which a PCN is issued by the Council, then Newcastle City Council will cancel the PCN.

[Top of page](#)

What happens to all the money collected by the Council from bus lane fines?

The income from PCNs pays the cost of enforcement. These include the costs of employing the Civil Enforcement Officers, the Notice Processing staff involved in collecting the fines and assessing appeals, maintenance of signs and lines and other associated costs. Any surplus remaining after deduction of costs has to go towards measures to improve public transport or other highway associated improvements.

[Top of page](#)

Will I receive points on my driving licence?

Motorists will not receive points on their licence in connection with PCNs issued by Newcastle City Council, where only the applicable charge amount is payable.

Bus Lane restrictions are not decriminalised and in the event that a Fixed Penalty Notice is issued by the Police for this offence, it will also result in a charge to pay only, as it is not an endorsable offence.

[Top of page](#)

Surely there must be a right of appeal against a Penalty Charge notice?

Yes there is a right of appeal by the registered keeper of the vehicle. Appeals are referred to in these cases as 'Representations'. The Bus Lane Contraventions (Penalty Charge Adjudication and Enforcement) (England) Regulations 2005 (SI No 2757) sets out six grounds on which you make representations to the Council. These are:

- a) The alleged contravention did not occur,
- b) The penalty exceeded the relevant amount,
- c) The circumstances leading to the issue of the Penalty Charge Notice are subject to criminal proceedings or a Fixed Penalty Notice has been issued,
- d) I was not the owner/keeper of the vehicle at the time of the alleged contravention,
- e) I was not the hirer of the vehicle at the time of the alleged contravention,
- f) I was the registered owner/keeper of the vehicle on the date of the alleged contravention but the vehicle: was on hire to someone else, who had signed a statement taking liability; kept by a motor trader; or was being used without my consent at the time of the alleged incident.

The Council may consider mitigating circumstances, although some reasons, such as the following examples will not normally be accepted:

- “I was going to turn left at the next junction”
- “My Sat Nav equipment directed me in to the bus lane”
- “there were no buses in the bus lane at the time”
- “I was only in the lane for a few seconds”
- “I was lost”
- “I didn’t see the signs”.

[Top of page](#)

How do I dispute a PCN by post and make a Representation?

All representations against a PCN by post must be made in writing and the options for submitting your appeal will be included on the PCN:

Full instructions on what to do next, how and where to pay, who to contact and how to appeal are included on the PCN and you should follow the instructions on the PCN that you receive through the post.

Using our online service - <https://buslanepayments.newcastle.gov.uk/live-3sc-user/> you can pay for a PCN, find out more information about the contravention, or appeal. You will need your PCN reference number (that begins with **LK**) and the Vehicle Registration Number in order to use the online service.

You can submit a written appeal by post to the following address:

Newcastle Parking Services
PO Box 1381
Northampton
NN4 4FZ

You can make representations against the PCN within 28 days, beginning with the date of service. **If you make representations within 14 days of the date of service, the discounted rate of 50% will be re-offered to you for 14 days from the date of our response if your appeal is rejected.**

The city council will send you a response by first class post. It will be either a ‘Notice of Acceptance of Representations’ or a ‘Notice of Rejection of Representations’.

If the council rejects your representations, you have the right to appeal to an independent adjudication body call the Traffic Penalty Tribunal (TPT). The legal grounds for appeal are included under the earlier question [‘Surely there must be a right of appeal against a Penalty Charge Notice?’](#) (a to f). The

Council will enclose the appropriate form and give you the on-line details with the 'Notice of Rejection of Representations' to enable you to appeal to the Traffic Penalty Tribunal. Again if TPT rejects your appeal, the amount payable will normally be the full £60.

For further information about TPT, please visit their website:-
www.trafficpenaltytribunal.gov.uk.

[Top of page](#)

How long do I have to make a representation?

You need to make your representation within 28 days beginning with the date of service. A representation made after 28 days may be disregarded.

[Top of page](#)

Further Information

Where can I go for further information?

Details of the Council's policy and approach to representations are documented in **The Council of the City of Newcastle upon Tyne ("The Council") Policy for the Consideration of Challenges against Penalty Charge Notices (PCNs) issued for Bus Lane Contraventions** ([link to document](#))

Further information about Civil Parking and Bus Lane Enforcement (including PCNs and NTOs) is available online at www.patrol-uk.info.