



**OXFORDSHIRE COUNTY COUNCIL
(ARDINGTON, LOCKINGE, EAST HENDRED AND
WEST HENDRED - ICKNIELD WAY BYWAY)
(PROHIBITION OF MOTOR VEHICLES AND CARRIAGES) ORDER 20****

NOTICE IS HEREBY GIVEN that Oxfordshire County Council proposes to make the above order under the Road Traffic Regulation Act 1984 and all other enabling powers. The Icknield Way is partly a BOAT (Byway Open to all Traffic) and a Restricted Byway, and between Wantage and Harwell forms part of the Science Vale Cycle Network.

The order seeks to regulate pedestrian traffic and classes of vehicle considered appropriate to use the rights of way as they are improved. The aim therefore is to **prohibit** use by Motor Vehicles and in part horse-drawn carriages between Lockinge and East Hendred.

The sections of byway run from the junction with Well Street, Lockinge (map ref. SU4329 8749) to the junction with Newbury Road, East Hendred (map ref. SU4601 8782). BOAT numbers: 285/8/10, 108/12/10, 108/12/20, 403/9/30, 403/9/40, 403/9/50, 403/9/60, and RB number: 199/17/10

Use will continue to be permitted for pedestrians, cycles, horses, disabled persons wheelchairs and powered mobility conveyances, and for access by agricultural land users, highway maintenance vehicles and refuse collection. Appropriate signage will be displayed at all access points to inform byway users.

Documents giving more details of the proposals are available for public inspection online by visiting: <https://consultations.oxfordshire.gov.uk> or in person at County Hall, Oxford, OX1 1ND, between 9am and 4.30pm Monday to Friday; and at Wantage Library, Stirlings Road, OX12 7BB, from 9am to 8pm Monday & Friday, 9am to 5.30pm Tuesday & Wednesday, 9am to 1pm Thursday, and from 9am to 4.30pm Saturday.

Objections to the proposal, specifying the grounds on which they are made and any other representations should be sent in writing to the address below no later than **Friday 13th September 2019**. The County Council will consider objections and representations received in response to this Notice. They may be disseminated widely for these purposes and made available to the public.

Traffic and Road Safety Team (Ref.CM.12/6/108), for the Director for Community Operations, Oxfordshire County Council, County Hall, New Road, Oxford, OX1 1ND.



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STATEMENT OF REASONS

The County Council continues its responsibility for the provision of convenient and safe movement of vehicles and other traffic, and the proposed measure is aimed at ensuring that danger is minimised whilst considering the needs of the locality, different classes of traffic and the use to which byways are put.

The Council is complying with various sections of the Road Traffic Regulation Act 1984 (as amended) with particular reference to Section 3 (permanent prohibition of motor vehicles) and Section 122 (convenient and safe use of byway).

It is intended, to exclude part of the Icknield Way for use by mechanically propelled vehicles and horse carriages, and to exclude part for use by mechanically propelled vehicles only, and in order to do so the following matters have been considered:

1. The Icknield Way between Wantage and Harwell forms part of the Science Vale Cycle Network which is a range of infrastructure measures to improve cycling access funded through the Local Enterprise Partnership. It is intended that the route is designated, improved and promoted as a named cycle, walk and horse-riding facility suitable for leisure, commuting, recreation and tourist use. As this route is being promoted as a safe facility it is not compatible to share the byway with mechanically propelled vehicles or in some part carriages.
2. The route's sections on public rights of way are to be constructed as a new unsealed surfaced 2.5m to 3.6m wide track that fits in with the surrounding North Wessex Downs Area of Outstanding Natural Beauty landscape and land managing interests. Such construction is not well-suited with motor vehicle usage.
3. Due to the limited width and gradient issues on the constructed sections of the route, shared use is not considered safe or appropriate. Creating a turning area at the field side and/or expecting carriages or motor vehicles to reverse back along the BOAT section is likewise not considered safe or appropriate.

4. Gated/bollard access will be preserved for occasional farm vehicle access to the adjacent fields and highway authority maintenance.

Detailed documents accompany this form.

Date: 15 August 2019

Traffic and Road Safety Team,
for the Director for Community Operations
Oxfordshire County Council
County Hall,
New Road
Oxford,
OX1 1ND

Road Traffic Regulation Act considerations:

- ¹ Section 1 (1) (a) Road Traffic Regulation Act 1984 (avoid danger)
- ² Section 1 (1) (b) Road Traffic Regulation Act 1984 (avoid damage to byway)
- ³ Section 1 (1) (c) Road Traffic Regulation Act 1984 (facilitate passage for users)
- ⁴ Section 1 (1) (d) Road Traffic Regulation Act 1984 (unsuitable road for traffic use)
- ⁵ Section 1 (1) (e) Road Traffic Regulation Act 1984 (preserve character of byway)
- ⁶ Section 1 (1) (f) Road Traffic Regulation Act 1984 (improve effect on local amenities)

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The Oxfordshire County Council ("the Council") in exercise of its powers under Sections 1(1), 2(1), 2(2), 3(1) & (2) and 4 and 122 of the Road Traffic Regulation Act 1984 ("the Act") 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, make the following Order.

1. This order may be cited as The Oxfordshire County Council (Ardington, Lockinge, East Hendred and West Hendred - Icknield Way Byways) (Prohibition of Motor Vehicles and Carriages) Order 20** and shall come into force on the day of 20**.
2. (1) Any reference in this Order to any enactment (meaning any act and any subordinate legislation as defined in the Interpretation Act 1978) shall be construed as a reference to that enactment as amended or replaced by any subsequent enactment.

(2) Words importing the masculine gender shall also include the feminine gender and words in the singular include the plural and vice versa.

(3) The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any other enactment.
3. Save as provided in article 5 of this order no person shall, other than with the consent of a council or a police officer in uniform, cause or permit any motor vehicle or carriage of any description to proceed in any of the lengths of BOAT (Byway Open to All Traffic) specified in Part A of the Schedule to this order.
4. Save as provided in article 6 of this order no person shall, other than with the consent of a council or a police officer in uniform, cause or permit any motor vehicle to proceed in any of the lengths BOAT and Restricted Byway specified in Part B of the Schedule to this order.
5. The Council is satisfied under Section 3(1) & (2) of the Road Traffic Regulation Act 1984 (as amended) that:
 - (1) for avoiding danger to or preventing the likelihood of danger to persons using the byway
 - (2) for preventing damage to the byway
 - (3) for facilitating the passage of non-motorised traffic
 - (4) for preserving or improving the amenities of an area by restricting or prohibiting the use of certain classes of vehicles,it is requisite that motor vehicles and (as appropriate) carriages are prohibited from using the lengths of Byways.

6. Nothing in article 3 or 4 of this order shall apply to a vehicle:
- (1) Which is a cycle or electrically assisted cycle;
 - (2) Being used by the Police, Ambulance or Fire Service in the course of their duties;
 - (3) Being used by local or County authorities to undertake statutory duties for the purposes of highway maintenance, improvement or refuse collection;
 - (4) Which is a wheelchair, or similar conveyance powered by any means for use by a disabled person or persons.

GIVEN UNDER the Common Seal of the Oxfordshire County Council

dated this day of 20**.

SCHEDULE

Icknield Way Part A

Lengths of BOAT where Motor Vehicle & Carriage Drivers are Prohibited

No.285/8/10 from the junction with Well Street, Lockinge, eastwards through Ardington No.108/12/10 and 108/12/20 through No.403/9/30 to the junction with Ginge Road, West Hendred.

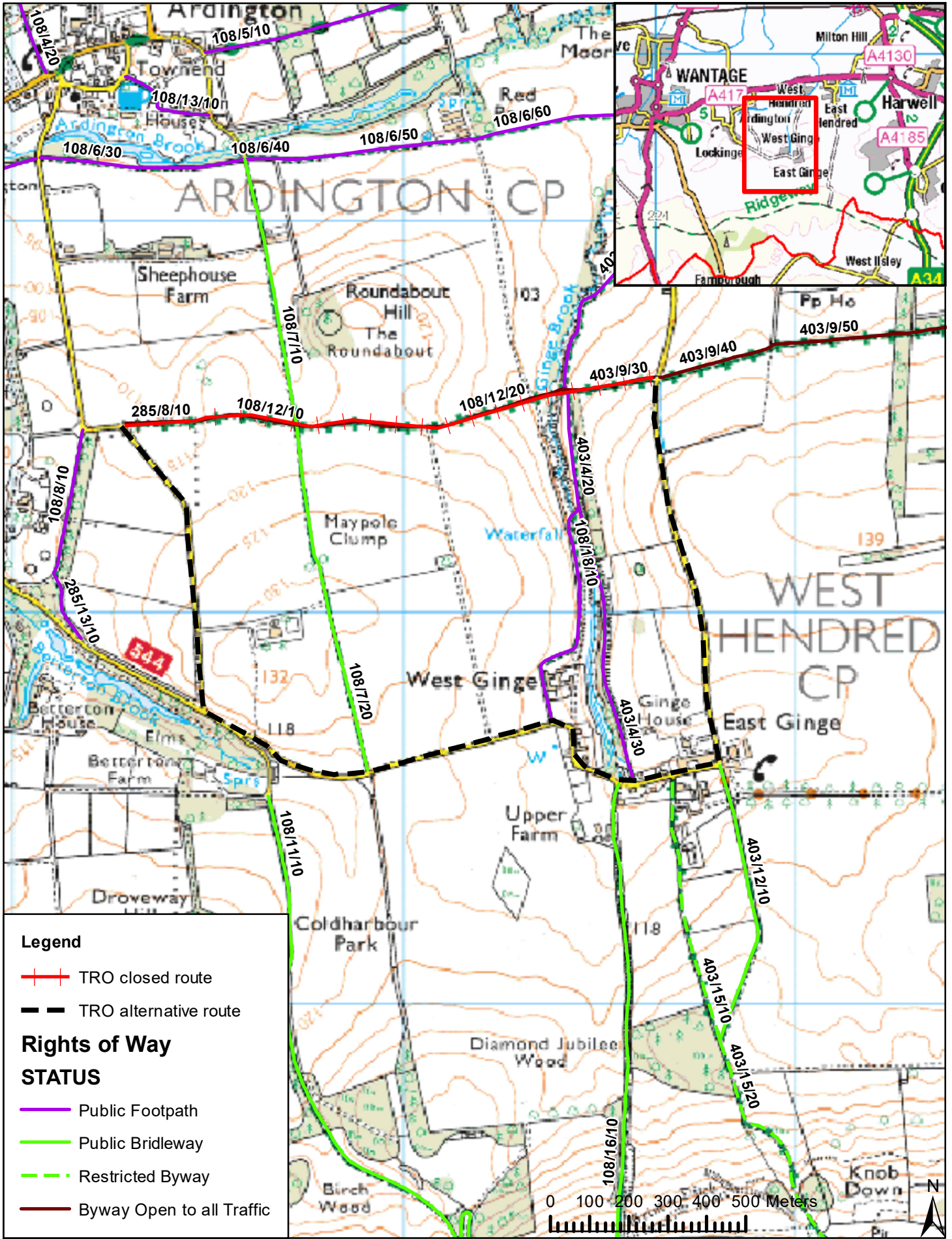
Part B

Lengths of BOAT and RESTRICTED BYWAY where Motor Vehicle are Prohibited

BOAT No.403/9/40 & 403/9/50 & 403/9/60 West Hendred eastwards through RESTRICTED BYWAY No.199/17/10 East Hendred to the junction with Newbury Road.

THE COMMON SEAL of
THE OXFORDSHIRE COUNTY COUNCIL
was hereunto affixed in the presence of:

Director of Law & Governance / Designated Officer



Proposed Permanent Traffic Regulation Order Mechanically Propelled Vehicles
West Hendred BOAT 403/9 and East Hendred restricted byway 199/17.

