

BATH AND NORTH EAST SOMERSET COUNCIL

(VARIOUS ROADS, BATH)

(PROHIBITION AND RESTRICTION OF WAITING) ORDER 2004

The Bath and North East Somerset Council (hereinafter referred to as “the Council”) in exercise of its powers under sections 1(1), 2(1) to (3), 4(1) of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 as amended (hereinafter referred to as “the Act of 1984”) **the Road Traffic Act 1991 (hereinafter referred to as “the Act of 1991”)** and of all other enabling powers, after consultation with the chief officer of police in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following Order: -

PART I

General

1. This Order shall come into operation on the 10th May 2004 and may be cited as the Bath and North East Somerset Council (Various Roads, Bath) (Prohibition and Restriction of Waiting) Order 2004.

2. (1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby assigned to them: -

“delivering” and “collecting” in relation to any goods includes checking the goods for the purpose of their delivery or collection;

"disabled person's badge" has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

"disabled person's vehicle" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 2000;

“goods” includes postal packets of any description;

"hackney carriage" has the same meaning as in Section 38 of the Town Police Clauses Act 1847;

"parking disc" means a disc, issued by a local authority, coloured blue if issued on or after 1 April 2000 or orange if issued before that date, and capable of showing the quarter hour period during which a period of waiting begins;

"public service vehicle" has the same meaning as in the Section 1(1)(a) of the Public Passenger Vehicles Act 1981;

"relevant position" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"vehicle" includes part of a vehicle.

- (2) For the purposes of this Order, a vehicle shall be regarded as displaying a disabled person's badge in the relevant position if the badge is exhibited in the manner referred to in relation to the display of a disabled person's badge in Regulation 4 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;
 - (3) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
 - (4) 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.
3. This order shall be enforced in accordance with the provisions set out in the Bath and North East Somerset Council (Decriminalisation of Parking Enforcement) Minor Order 2003 as varied by the Bath and North East Somerset Council (Decriminalisation of Parking Enforcement) Minor (Variation) Order 2003.

PART II

Prohibition and Restriction of Waiting

4. Save as provided in Article 6 and Article 7 of this Order, no person shall, except upon the direction or with the permission of a police constable in uniform or of a traffic warden, cause or permit any vehicle to wait at any time in those roads or lengths of road as listed in Schedule 1 to this Order.
5. Save as provided in Article 6 and Article 7 of this Order, no person shall, except upon the direction or with the permission of a police constable in uniform or of a traffic warden, cause or permit any vehicle to wait for a period exceeding two hours Monday to Saturday inclusive or cause or permit any vehicle to return to wait within 1 hour in those roads or lengths of road as listed in Schedule 2 to this Order
6. (1) Save as provided in this Article, nothing in Article 4 and Article 5 of this Order shall render it unlawful to cause or permit any vehicle to wait in those roads or lengths of road described in Schedule 1 and Schedule 2 to this Order for so long as may be reasonably necessary:-
 - (a) to enable a person to board or alight from the vehicle;
 - (b) to enable the vehicle, if it cannot conveniently be used for such purpose in any road not being a road described in the Schedule 1 and Schedule 2 to

this Order to be used in connection with any of the following operations, namely -

- (i) building, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of the said lengths of road or sides of road; or
 - (iv) the laying, erection, alteration or repair in or in land adjacent to the said lengths of road or sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus as defined in the Telecommunications Act 1984;
- (c) to enable the vehicle, if it is in the service of or employed by the Post Office, to be used for the delivery or collection of postal packets as defined in Section 125(1) Postal Services Act 2000;
- (d) to enable the vehicle to take in petrol, oil, water or air from any garage situated in or adjacent to that road;
- (e) if a person in control of the vehicle is required by law to stop, or is obliged to do so in order to avoid an accident, or is prevented from proceeding by circumstances outside his control;
- (f) to enable the vehicle to be used in connection with a wedding or funeral;
- (g) to enable the vehicle to be used in connection with the cleaning of external windows or of chimneys of premises adjacent to, or the posting or the removal of advertising material in the form of posters in or adjacent to, that road:

Provided that the exemptions conferred by this Article in relation to the uses mentioned in paragraphs (f) and (g) hereof shall not have effect in those areas of roads which are access ways or loading bays, bus stops, or hackney carriage stands.

- (2) Nothing in Article 4 and Article 5 of this Order shall render it unlawful for any person to cause or permit any vehicle to wait in those lengths of road as described in Schedule 1 and Schedule 2 to this Order for so long as may be reasonably necessary for the purpose of loading thereon or unloading therefrom his personal luggage or to enable goods to be loaded on to or unloaded from the vehicle or to be delivered or collected at premises adjacent to that road, if in any such case the vehicle cannot conveniently be loaded or unloaded or the goods delivered therefrom or collected thereto in any road not being a road described in Schedule 1 and Schedule 2 to this Order, or if the premises do not include an off-street loading area adequate for use by the vehicle.

7. Save as provided in this Article, the restrictions imposed by Article 4 and Article 5 of this Order shall not apply to the following vehicles, that is to say:-
- (a) fire brigade, ambulance or police vehicles whilst in actual use as such;
 - (b) other local authority vehicles whilst in actual use in pursuance of statutory powers or duties;
 - (c) hackney carriages whilst waiting at an authorised stand for hackney carriages;
 - (d) public service vehicles operating stage carriage services whilst waiting at a bus stop;
 - (e) vehicles waiting in a specified part of a road as described in the Schedule 1 and Schedule 2 to this Order in accordance with a special authorisation so to do given by the Council or any person duly authorised by the Council;
 - (f) any disabled person's vehicle which displays in the relevant position a disabled person's badge shall be exempted for a period of three hours subject to the conditions that:
 - (i) the period of exempted waiting does not begin less than one hour after a previous period of exempted waiting by the same vehicle in the same road on the same day;
 - (ii) a parking disc is displayed in the relevant position on the vehicle marked to show the quarter hour period during which the period of exempted waiting began.
8. The County Council of Avon (City of Bath) (Outer Area) (General Traffic Regulation) (Consolidation) Order 1988 as varied by the County Council of Avon (City of Bath) (Outer Area) (General Traffic Regulation) (Consolidation) (Variation No. 1) Order 1990; the County Council of Avon (City of Bath) (Outer Area) (General Traffic Regulation) (Consolidation) (Variation No. 2) Order 1993; the County Council of Avon (City of Bath) (Outer Area) (General Traffic Regulation) (Consolidation) (Variation No. 3) Order 1993; the County Council of Avon (Coronation Avenue and Sladebrook Avenue, City of Bath) (Outer Area) (Prohibition and Restriction of Waiting) Order 1993; the County Council of Avon (Stanhope Place, City of Bath) (One Way Traffic and Cycle Lane) Order 1994; the County Council of Avon (Various Roads, Combe Down Area, City of Bath) (Prohibition of Use by Vehicles of Over 7.5 Tonnes Maximum Gross Weight) (Prohibition of Waiting/Loading) Order 1995; the County Council of Avon (A4 London Road and A367 Wells Road, Outer Area, City of Bath) (Prohibition and Restriction of Waiting) Order 1995; the County Council of Avon (Great Stanhope Street, City of Bath) (Prohibition of Waiting) (Revocation of One Way Traffic) Order 1995; the Bath and North East Somerset District Council (City of Bath) (Outer Area) (General Traffic Regulation) (Consolidation) (Variation No. 6) Order 1998; the Bath and North East Somerset District Council (Various Roads,

Combe Down Area, City of Bath) (Prohibition of Use by Vehicles of Over 7.5 Tonnes Maximum Gross Weight) (Prohibition of Waiting/Loading) (Variation No. 1) Order 1998; the Bath and North East Somerset District Council (City of Bath) (Outer Area) (General Traffic Regulation) (Consolidation) (Variation No. 5) Order 1998; the Bath and North East Somerset District Council (City of Bath) (Outer Area) (General Traffic Regulation) (Consolidation) (Variation No. 7) Order 1998; the Bath and North East Somerset District Council (City of Bath) (Outer Area) (General Traffic Regulation) (Consolidation) (Variation No. 8) Order 1999; the Bath and North East Somerset District Council (Belgrave Crescent, Camden Road and Claremont Road, Bath) (Prohibition of Waiting) Order 1999; the Bath and North East Somerset District Council (City of Bath) (Outer Area) (General Traffic Regulation) (Consolidation) (Variation No. 9) Order 2000; the Bath and North East Somerset District Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 1) Order 2000; the Bath and North East Somerset District Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 7) Order 2000; the Bath and North East Somerset District Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 6) Order 2000; the Bath and North East Somerset District Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 5) Order 2000; the Bath and North East Somerset District Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 4) Order 2000; the Bath and North East Somerset District Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 2) Order 2001; the Bath and North East Somerset District Council (Locksbrook Road, Bath) (One Way Traffic) Order 2001; the Bath and North East Somerset District Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 1) (Variation) Order 2001; the Bath and North East Somerset District Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 5) (Variation) Order 2001; the Bath and North East Somerset District Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 7) (Variation) Order 2001; the Bath and North East Somerset District Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 3B) Order 2001; the Bath and North East Somerset District Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 3B) (Variation) Order 2002; the Bath and North East Somerset Council (Various Roads, Northgate Area, Bath) (CI:TE Project) (Prohibition of Left Turn) (One Way Traffic) (Prohibition of Driving) (Prohibition and Restriction of Waiting) Order 2002; the Bath and North East Somerset Council (Decriminalisation of Parking Enforcement) Minor Order 2003; the Bath and North East Somerset Council (Decriminalisation of Parking Enforcement) Minor (Variation) Order 2003; the Bath and North East Somerset Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 6) (Variation) Order 2003; the Bath and North East Somerset Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 3B) (Variation No. 2) Order 2003; the Bath and North East Somerset Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 2) (Variation) Order 2003; the Bath and North East Somerset Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 1) (Variation No. 3) Order 2003; the Bath and North East Somerset Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 8) Order 2003 is varied further in so far as the restrictions relating to Bellots Road in Schedule 5 of that Order (which are re-produced below for the avoidance of doubt) are hereby revoked.

SCHEDULE 5

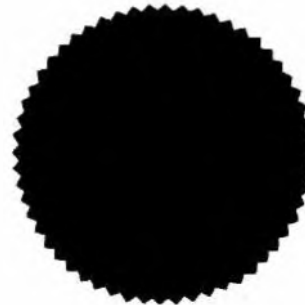
Restricted roads and restricted hours

<p>BELLOTS ROAD, easternmost closed length</p> <p>(iii) the east side only, between a point 100 metres north of its southernmost</p>	<p>(i) the east side, for the whole of the length specified in column 1</p>
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<p>closed end and a point 60 metres north of its southernmost closed end</p> <p>(ii) the east side only, between a point 15 metres north of its southernmost closed end and its southernmost closed end</p> <p>(iii) the west side only between a point 100 metres north of its southernmost closed end and a point 60 metres north of its southernmost closed end</p>	<p>(ii) the east side, for the whole of the length specified in column 1</p> <p>(iii) the west side, for the whole of the length specified in column 1</p>
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Given under the Common Seal of the Bath and North East Somerset Council the 5th day of May 2004.

THE COMMON SEAL of
BATH AND NORTH EAST
SOMERSET COUNCIL
was hereunto affixed in the
presence of:-



AK Brookes

Authorised signatory

AUTHORITY FOR SEALING	
Council resolution...	<i>Full council meeting</i>
Committed minute...	<i>9/5/02</i>
Initials...	<i>WR</i>

SCHEDULE 1

No Waiting at any Time

Bathwick Hill

North side

From a point 365 metres west of its junction with Oakley for a distance of 335 metres in a westerly direction

South side

From a point 458 metres west of its junction with Copseland for a distance of 46 metres in a westerly direction

From a point 574 metres west of its junction with Copseland for a distance of 32 metres in a westerly direction

Bellots Road

West side

From its junction with Lower Bristol Road for a distance of 80 metres in a southerly direction

Crandale Road

Both sides

From its junction with Triangle North for a distance of 5 metres in a southerly direction

Greenway Lane

Both sides

From its junction with Lyncombe Vale Road for a distance of 70 metres in a westerly direction

Hadley Road

Both sides

From a point 8 metres north of its junction with Trinity Road for a distance of 28 metres in a south easterly direction

Lyncombe Vale Road

East side

From its junction with Greenway Lane for a distance of 25 metres in a southerly direction

West side

From its junction with Greenway Lane for a distance of 5 metres in a southerly direction

North Road

Both sides

From a point 925 metres north west of its junction with Bathwick Hill for a distance of 185

metres in a north westerly direction

Rosemount Lane

Both sides

From its junction with Lyncombe Hill for a distance of 10 metres in an easterly direction

Thomas Street

Both sides

From its junction with Roman Road for a distance of 10 metres in a northerly direction

Triangle North

South side

From a point 8 metres west of its junction with the easterly kerbline of Crandale Road for a distance of 40 metres in a westerly direction

North side

From opposite a point 32 metres east of its junction with the eastern kerbline of Triangle East for a distance of 10 metres in an easterly direction

Trinity Road

North side

From its junction with Hadley Road for a distance of 120 metres in a westerly direction

South side

From its junction with Hadley Road for a distance of 8 metres in a westerly direction

Weston Park

East side

From its junction with the northern kerbline of Weston Lane for a distance of 80 metres in a northerly direction

West side

From its junction with the northern kerbline of Weston Lane for a distance of 50 metres in a northerly direction

Weston Park East

West side

From its junction with the kerbline of Weston Park for a distance of 26 metres in a northerly direction

East side

From its junction with the kerbline of Weston Park for a distance of 20 metres in a northerly direction

Weston Road

North side

From its junction with the eastern kerbline of Weston Park for a distance of 13 metres in an easterly direction

South side

From a point 4 metres west of its junction with the eastern kerbline of Weston Park for a distance of 32 metres in an easterly direction

SCHEDULE 2

2 Hours Limited Waiting Monday to Saturday inclusive,
no return within 1 hour

Prospect Road

East side

From a point 10 metres south east of its junction with Widcombe Hill for a distance of 32 metres