

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 (hereinafter referred to as "the Council") in exercise of its powers under sections 1(1), 2(1) to (3) and 4(2) of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 as amended (hereinafter referred to as "the Act of 1984") 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:-

1. This order shall come into operation on the 20th March 1995 and may be cited as the County Council of Avon (A4 London Road and A367 Wells Road, Outer Area, City of Bath) (Prohibition and Restriction of Waiting) Order 1995.

2. In this order :-

"authorised cab rank" means any area of carriageway which is comprised within and indicated by a road marking complying with diagram 1028.1 in the Traffic Signs Regulations and General Directions 1994;

"authorised parking place" means any parking place on a road authorised or designated by an order made or having effect as if made under the Act of 1984;

"authorised vehicle" means any vehicle authorised by an order to use any authorised parking place authorised or designated by that order made or having effect as if made under the Act of 1984;

"bank holiday" has the same meaning as in the Banking and Financial Dealings Act 1971;

"bus waiting area" in relation to a length or side of a road means all that area of carriageway which is bounded by the outer line of a road marking shown in diagram 1025 or 1025.1 or 1025.2 or 1025.3 in the Traffic Signs Regulations and General Directions 1994;

"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) Regulations 1982 as amended by the Disabled (Badges for Motor Vehicles) (Amendment) Regulations 1991;

AUTHORITY FOR SEALING	
Council resolution	P.H.T. (Highways and Transport)
Sub-Committee minute	142 of 15.11.94
Initials	JRS. BT

"disabled person's vehicle" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986 as amended by the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) (Amendment) Regulations 1991;

"goods" includes postal packets of any description;

"hackney carriage" has the same meaning as in Section 38(1) of the Vehicles (Excise) Act 1971;

"local service" has the same meaning as in the Transport Act 1985;

"parking disc" means a disc, issued by a local authority, complying with the requirements of the British Standard Specification for Parking Discs (BS No 4631: 1970) but coloured orange and capable of showing the quarter hour period during which a period of waiting begins;

"public service vehicle" has the same meaning as in 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 and Wales) Regulations 1986 as amended by the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) (Amendment) Regulations 1991;

"restricted hours" means -

- (a) save as provided in sub-paragraph (b), in relation to any restricted road described:-
- i) in column 1 of Schedule 1 to this order, the period between 7.00 a.m. and 6.00 p.m.; or
 - ii) in column 1 of Schedule 2 to this order, the period 8.00 a.m. and 6.30 p.m.; or
 - iii) in column 1 of Schedule 3 to this order, the period between 7.00 a.m. and 10.00 a.m.; or
 - iv) in column 1 of Schedule 4 to this order, the period between 4.00 p.m. and 6.30 p.m.; or
 - v) in column 1 of Schedule 5 to this order, the period between 8.00 a.m. and 6.00 p.m. -

on any day not being Sunday, Christmas Day, Good Friday or a bank holiday; and

- (b) in relation to any bus waiting area in a restricted road, whether provided before or after the date of operation of this order and in relation to any length or side of a length or end of a restricted road described in column 2 of Schedule 1 and Schedule 2 and Schedule 3 and Schedule 4 and Schedule 5 to this order, the whole twenty four hours of every day;

"restricted road" means any road (whether described by a single name or by a combination of names) or any length or side of a length or end of a road in the City of Bath specified in column 1 of Schedule 1 and Schedule 2 and Schedule 3 and Schedule 4 and Schedule 5 to this order -

Provided that the expression "restricted road" shall not include:

- (i) a parking place which, for the time being, is defined by the County Council of Avon (City of Bath) (Outer Area) (Street Parking Places) (Consolidation) Order 1988 as varied, other than an area of carriageway therein which is an access way or a loading bay as respectively defined by that order;
 - (ii) a doctor's parking place as defined by the City of Bath (Doctors' Street Parking Places) Order 1972 as varied; or
 - (iii) any side of road or length of road specified in the County Council of Avon (City of Bath) (Various Roads, Outer Areas) (Prohibition and Restriction of Waiting) Order 1978.
3. Save as provided in Article 4 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 during the restricted hours in a restricted road.
4. (1) Nothing in Article 3 of this order shall render it unlawful to cause or permit any vehicle to wait during the restricted hours in a restricted road for so long as may be necessary to enable:-
- (a) a person to board or alight from the vehicle;
 - (b) the vehicle, if it cannot conveniently be used for such purpose in any other road, 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;

- (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 water, gas or electricity or of any telecommunication apparatus as defined in the Telecommunications Act 1984;
- (c) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority, the National Rivers Authority, a water undertaker or sewerage undertaker in pursuance of statutory powers or duties;
- (d) the vehicle to be used for the purpose of delivering or collecting postal packets as defined in Section 87 of the Post Office Act 1953;
- (e) the vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said lengths of road or sides of road;
- (f) the vehicle to wait at or near to any premises situated on or adjacent to the said lengths of road or sides of road for so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral;
- (g) the vehicle to be used at premises situated on or adjacent to the said lengths of road or sides of road in connection with the cleaning of external windows or of chimneys, or the posting or the removal of advertising material in the form of posters; or
- (h) the vehicle to be used for fire brigade, ambulance or police purposes -

Provided that the exemptions conferred by this paragraph in relation to the uses specified in sub-paragraphs (f) and (g) hereof shall not apply so as to exempt any vehicle from the prohibitions contained in the said Article in so far as those prohibitions apply in those areas of roads which are access ways or loading bays as respectively defined by the County Council of Avon (City of Bath) (Outer Area) (Street Parking Places) (Consolidation) Order 1988 as varied, bus waiting areas, or authorised cab ranks.

Provided further that the exemptions conferred by this paragraph in relation to the uses specified in sub-paragraph (g) hereof shall not have effect in any restricted road described in column 1 of Schedule 1 or Schedule 2 or Schedule 3 or Schedule 4 or Schedule 5 to this order in so far as they apply to the lengths of road or sides of road specified:-

- (i) in Schedule 1 to this order and in so far as any time necessary for the purpose before mentioned in this paragraph falls between the hours of 7.00 a.m. and 10.00 a.m. or between the hours of 4.15 p.m. and 6.00 p.m. on any day other than a Sunday, Christmas Day, Good Friday or a bank holiday;

- (ii) in Part II of Schedule 2 to this order and in so far as any time necessary for the purpose before mentioned in this paragraph falls between the hours of 8.00 a.m. and 9.15 a.m. or between the hours of 4.00 p.m. and 6.30 p.m. on any day other than a Sunday, Christmas Day, Good Friday or a bank holiday;
 - (iii) in Schedule 3 to this order and in so far as any time necessary for the purpose before mentioned in this paragraph falls between the hours of 7.00 a.m. and 10.00 a.m. on any day other than a Sunday, Christmas Day, Good Friday or a bank holiday;
 - (iv) in Schedule 4 to this order and in so far as any time necessary for the purpose before mentioned in this paragraph falls between the hours of 4.00 p.m. and 6.30 p.m. on any day other than a Sunday, Christmas Day, Good Friday or a bank holiday;
 - (v) in Part II of Schedule 5 to this order and in so far as any time necessary for the purpose before mentioned in this paragraph for a period of 24 hours on any day other than a Sunday, Christmas Day, Good Friday or a bank holiday;
 - (vi) in Part III of Schedule 5 to this order and in so far as any time necessary for the purpose before mentioned in this paragraph falls between the hours of 8.00 a.m. and 9.15 a.m. or between the hours of 4.15 p.m. and 6.00 p.m. on any day other than a Sunday, Christmas Day, Good Friday or a bank holiday.
- (2) Nothing in Article 3 of this order shall render it unlawful to cause or permit any vehicle to wait during the restricted hours in a restricted road for so long as may be 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 restricted road, or if the premises do not include an off-street loading area adequate for use by the vehicle -

Provided that the exemption conferred by this paragraph shall not apply so as to exempt any vehicle from the prohibitions contained in the said Article in so far as those prohibitions apply to the lengths of road or sides of road specified:-

- (i) in Schedule 1 to this order and in so far as any time necessary for the purpose before mentioned in this paragraph falls between the hours of 7.00 a.m. and 10.00 a.m. or between the hours of 4.15 p.m. and 6.00 p.m. on any day other than a Sunday, Christmas Day, Good Friday or a bank holiday;

- (ii) in Part II of Schedule 2 to this order and in so far as any time necessary for the purpose before mentioned in this paragraph falls between the hours of 8.00 a.m. and 9.15 a.m. or between the hours of 4.00 p.m. and 6.30 p.m. on any day other than a Sunday, Christmas Day, Good Friday or a bank holiday;
- (iii) in Schedule 3 to this order and in so far as any time necessary for the purpose before mentioned in this paragraph falls between the hours of 7.00 a.m. and 10.00 a.m. on any day other than a Sunday, Christmas Day, Good Friday or a bank holiday;
- (iv) in Schedule 4 to this order and in so far as any time necessary for the purpose before mentioned in this paragraph falls between the hours of 4.00 p.m. and 6.30 p.m. on any day other than a Sunday, Christmas Day, Good Friday or a bank holiday;
- (v) in Part II of Schedule 5 to this order and in so far as any time necessary for the purpose before mentioned in this paragraph for a period of 24 hours on any day other than a Sunday, Christmas Day, Good Friday or a bank holiday;
- (vi) in Part III of Schedule 5 to this order and in so far as any time necessary for the purpose before mentioned in this paragraph falls between the hours of 8.00 a.m. and 9.15 a.m. or between the hours of 4.15 p.m. and 6.00 p.m. on any day other than a Sunday, Christmas Day, Good Friday or a bank holiday -

unless the vehicle is in the service of or employed by the Post Office and is in actual use in any of the lengths of road or on any of the sides of road specified in the said Schedules or Parts of Schedule for the purpose of delivering or collecting postal packets as defined in Section 87 of the Post Office Act 1953.

- (3) Nothing in Article 3 of this order shall render it unlawful to cause or permit any vehicle:-
 - (a) being an authorised vehicle, to wait upon an authorised parking place;
 - (b) being a hackney carriage, to wait upon an authorised cab rank;
 - (c) being a public service vehicle to wait in any bus waiting area whilst in operation as a local service; or
 - (d) to wait in a specified part of a restricted road in accordance with a special authorisation so to do given by the Council or any person duly authorised by the Council.

- (4) Nothing in Article 3 of this order shall render it unlawful to cause or permit any disabled person's vehicle which displays in the relevant position a disabled person's badge and a parking disc (on which the driver, or other person in charge of the vehicle has marked the time at which the period of waiting began) to wait in any of the lengths of road or on any of the sides of road referred to in that Article for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same length or on the same side of road on the same day) -

Provided that the exemption conferred by this paragraph shall not apply so as to exempt any vehicle from the prohibitions contained in the said Article in so far as those prohibitions apply to the lengths of road or sides of road specified:-

- (i) in Schedule 1 to this order and in so far as any time necessary for the purpose before mentioned in this paragraph falls between the hours of 7.00 a.m. and 10.00 a.m. or between the hours of 4.15 p.m. and 6.00 p.m. on any day other than a Sunday, Christmas Day, Good Friday or a bank holiday;
- (ii) in Part II of Schedule 2 to this order and in so far as any time necessary for the purpose before mentioned in this paragraph falls between the hours of 8.00 a.m. and 9.15 a.m. or between the hours of 4.00 p.m. and 6.30 p.m. on any day other than a Sunday, Christmas Day, Good Friday or a bank holiday;
- (iii) in Schedule 3 to this order and in so far as any time necessary for the purpose before mentioned in this paragraph falls between the hours of 7.00 a.m. and 10.00 a.m. on any day other than a Sunday, Christmas Day, Good Friday or a bank holiday;
- (iv) in Schedule 4 to this order and in so far as any time necessary for the purpose before mentioned in this paragraph falls between the hours of 4.00 p.m. and 6.30 p.m. on any day other than a Sunday, Christmas Day, Good Friday or a bank holiday;
- (v) in Part II of Schedule 5 to this order and in so far as any time necessary for the purpose before mentioned in this paragraph for a period of 24 hours on any day other than a Sunday, Christmas Day, Good Friday or a bank holiday;
- (vi) in Part III of Schedule 5 to this order and in so far as any time necessary for the purpose before mentioned in this paragraph falls between the hours of 8.00 a.m. and 9.15 a.m. or between the hours of 4.15 p.m. and 6.00 p.m. on any day other than a Sunday, Christmas Day, Good Friday or a bank holiday.

5. 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 and the County Council of Avon (Stanhope Place, City of Bath) (One Way Traffic and Cycle Lane) Order 1994 is hereby revoked in so far as it relates:-
 - a) to the items relating to **LONDON ROAD** numbered (i) and (ii) in column 1 and column 2 of Schedule 5 thereto;
 - b) to the item relating to **WELLS ROAD** numbered (i)(a) in column 2 of Schedule 5 thereto; and
 - c) to the items relating to **LONDON ROAD** in Schedule 6 thereto.
6. The County Council of Avon (A4 London Road and A367 Wells Road, Outer Area, City of Bath) (Prohibition and Restriction of Waiting) Experimental Order 1994 is hereby revoked.
7. Save as provided in Article 5 or Article 6 of this order, the restrictions imposed by this order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulations made or having effect as if made under the Road Traffic Regulation Act 1984 as amended, or by or under any other enactment.

Given under the Common Seal of the County Council of Avon the 2nd day of March 1995.

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

23500

Bethan Evans

Acting County Solicitor
and Clerk

(All distances in the Schedule as being to or from a specified kerbline of a road are taken from or to a point which is the point of intersection of a projection of that kerbline and, unless otherwise stated, a projection of the kerbline of the restricted road)

SCHEDULE 1

Restricted roads and restricted hours

1	2
Restricted roads in respect of which, save as otherwise specified in respect of lengths, sides of lengths, or ends of such roads in column 2 to this Schedule, the restricted hours are the period between 7am and 6pm on any day not being a Sunday, Christmas Day, Good Friday or a bank holiday.	Lengths, sides of lengths, or ends of restricted roads in respect of which the restricted hours are the whole twenty four hours of every day.
LONDON ROAD	
(i) the south east side only, between a point 15 metres north east of the south western kerbline of St. Saviour's Way and its junction with Cleveland Place West	(i)(a) the south east side, between a point 15 metres north east of the south western kerbline of St. Saviour's Way and a point 37 metres north east of the south western kerbline of the north eastern carriageway of Upper East Hayes
	(b) the south east side, between a point 6 metres north east of the north eastern kerbline of Piccadilly Place and its junction with Cleveland Place West
(ii) the south east side only, of the central dual carriageway reservation at Snow Hill	(ii) the south east side, for the whole of the length specified in column 1

SCHEDULE 2
Restricted roads and restricted hours

1

Restricted roads in respect of which, save as otherwise specified in respect of lengths, sides of lengths, or ends of such roads in column 2 to this Schedule, the restricted hours are the period between 8am and 6.30pm on any day not being a Sunday, Christmas Day, Good Friday or a bank holiday.

Part I

LONDON ROAD

(i) the north west side only, between its junction with St. Saviour's Way and a point in line with the common boundary of Nos. 4 and 5 Balustrade

(ii) the north west side only, between its junction with St. Saviour's Road and its junction with the road between Piccadilly House and No. 2 Piccadilly

2

Lengths, sides of lengths, or ends of restricted roads in respect of which the restricted hours are the whole twenty four hours of every day.

(i)(a) the north west side, between its junction with St. Saviour's Way and a point 40 metres south west of the south western kerbline of St. Saviour's Way

(b) the north west side, between a point 115 metres south west of the south western kerbline of St. Saviour's Way and a point in line with the common boundary of Nos. 4 and 5 Balustrade

(ii)(a) the north west side, between a point 30 metres north east of the north eastern kerbline of Hanover Street and its junction with the road between No. 2 Piccadilly and Piccadilly House

(b) the north west side, between a point 40 metres south west of the south western kerbline of the north eastern carriageway of Upper East Hayes and a point 114 metres north east of the north eastern kerbline of Hanover Street

- (c) the north west side, between a point 20 metres north east of the south western kerblines of the north eastern carriageway of Upper East Hayes and a point 15 metres south west of that kerblines
- (d) the north west side, between its junction with St. Saviour's Road and a point 37 metres north east of the south western kerblines of the north eastern carriageway of Upper East Hayes

Part II

LONDON ROAD

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| <ul style="list-style-type: none"> (i) the north west side only, between a point 21 metres north east of the north eastern kerblines of Weymouth Street and a point 68 metres north east of the north eastern kerblines of Bedford Street (ii) the north west side only, of the central dual carriageway reservation at Snow Hill | <ul style="list-style-type: none"> (i) the north west side, for the whole of the length specified in column 1 (ii) the north west side, for the whole of the length specified in column 1 |
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SCHEDULE 3
Restricted roads and restricted hours

1

2

Restricted roads in respect of which, save as otherwise specified in respect of lengths, sides of lengths, or ends of such roads in column 2 to this Schedule, the restricted hours are the period between 7am and 10am on any day not being a Sunday, Christmas Day, Good Friday or a bank holiday.

Lengths, sides of lengths, or ends of restricted roads in respect of which the restricted hours are the whole twenty four hours of every day.

LONDON ROAD

- i) the north west side only, between 40 metres south west of the south western kerbline of the north eastern carriageway of Upper East Hayes and a point 15 metres south west of the south western kerbline of the north eastern carriageway of Upper East Hayes
- (ii) the north west side only, between a point 20 metres north east of the south western kerbline of the north eastern carriageway of Upper East Hayes and a point 37 metres north east of the south western kerbline of the north eastern carriageway of Upper East Hayes
- (iii) the south east side only, between a point 109 metres south west of its junction with Grosvenor Bridge Road and a point 15 metres north east of the south western kerbline of St. Saviour's Way

SCHEDULE 4
Restricted roads and restricted hours

1	2
<p>Restricted roads in respect of which, save as otherwise specified in respect of lengths, sides of lengths, or ends of such roads in column 2 to this Schedule, the restricted hours are the period between 4pm and 6.30pm on any day not being a Sunday, Christmas Day, Good Friday or a bank holiday.</p>	<p>Lengths, sides of lengths, or ends of restricted roads in respect of which the restricted hours are the whole twenty four hours of every day.</p>
 LONDON ROAD	
<p>(i) the north west side only, between 30 metres north east of the north eastern kerbline of Hanover Street and a point 70 metres north east of the north eastern kerbline of Hanover Street</p>	-
<p>(ii) the north west side only, between a point 70 metres north east of the north eastern kerbline of St. Saviour's Way and a point 195 metres north east of the north eastern kerbline of St. Saviour's Way</p>	-
<p>(iii) the north west side only, between a point 114 metres north east of the north eastern kerbline of Hanover Street and a point 70 metres north east of the north eastern kerbline of Hanover Street</p>	<p>(iii) the north west side, for the whole of the length specified in column 1</p>

SCHEDULE 5
Restricted roads and restricted hours

1

Restricted roads in respect of which, save as otherwise specified in respect of lengths, sides of lengths, or ends of such roads in column 2 to this Schedule, the restricted hours are the period between 8am and 6pm on any day not being a Sunday, Christmas Day, Good Friday or a bank holiday.

Part I

WELLS ROAD

- (i) the north side only, between a point 21 metres north west of the eastern kerbline of Wells Road Cul-de-Sac and its junction with Upper Oldfield Park
- (ii) the south side only, between its junction with Claverton Street and its junction with Upper Oldfield Park

Part II

WELLS ROAD

- (i) the north and west side only, between its junction with Lower Bristol Road and a point 21 metres north west of the eastern kerbline of Wells Road Cul-de-Sac

2

Lengths, sides of lengths, or ends of restricted roads in respect of which the restricted hours are the whole twenty four hours of every day.

- (i) the north side, between a point 21 metres north west of the eastern kerbline of Wells Road Cul-de-Sac and a point in line with the common boundary of Nos. 79 and 81 Wells Road
- (ii) the south side, between its junction with Claverton Street and a point in line with the common boundary of Nos. 79 and 81 Wells Road

- (i) the north and west side, for the whole of the length specified in column 1

Part III**LONDON ROAD**

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| <p>(i) the north west side only, between a point 5 metres north east of the north eastern kerbline of Bedford Street and its junction with Cleveland Place West</p> <p>(ii) the north west side only, between its junction with the road between Piccadilly House and No. 2 Piccadilly and a point 68 metres north east of the north eastern kerbline of Bedford Street</p> <p>(iii) the north west side only, between a point in line with the common boundary of Nos. 4 and 5 Balustrade and its junction with St. Saviour's Road</p> | <p>(i) the north west side, for the whole of the length specified in column 1</p> <p>(ii) the north west side, for the whole of the length specified in column 1</p> <p>(iii) the north west side, for the whole of the length specified in column 1</p> |
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