

**BATH AND NORTH EAST SOMERSET COUNCIL**

**(THE AVENUE, CLAVERTON, BATH)**  
**(PROHIBITION OF STOPPING) ORDER 2003**

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) and 4(1) of 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 11<sup>th</sup> June 2003 and may be cited as the Bath and North East Somerset Council (The Avenue, Claverton Down, Bath) (Prohibition of Stopping) Order 2003.
2. (1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby assigned to them: -  
  
“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 or verge in the City of Bath specified in column 1 of the Schedule to this Order;  
  
"vehicle" includes part of a vehicle.  
  
(2) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.  
  
(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.
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 of Stopping**

4. Save as provided in Article 4 and Article 5 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 stop at any time in a restricted road.
5. Save as provided in this Article, nothing in Article 3 of this Order shall render it

unlawful to cause or permit any vehicle to stop in a restricted road for so long as may be reasonably necessary:-

- (a) to enable the vehicle, if it cannot conveniently be used for such purpose in any road not being a restricted 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; 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;
- (b) 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;

Provided that the exemptions conferred by this Article in relation to the uses mentioned shall not have effect in those areas of roads which are access ways or loading bays or bus stops.

6. Save as provided in this Article, the restrictions imposed by Article 3 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) a vehicle being used in the service of the local authority, the Environment Agency, or water or sewerage undertaker within the meaning of the Water Act 1989, whilst in actual use in pursuance of statutory powers or duties;

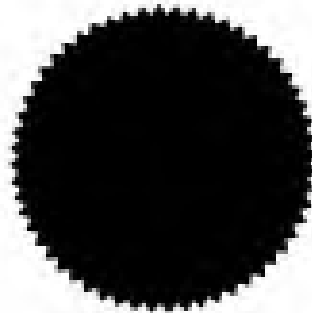
Given under the Common Seal of the Bath and North East Somerset Council the 4<sup>th</sup> day of June 2003.

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



Authorised signatory

<b>AUTHORITY FOR SEALING</b>	
Council resolution	Full Council Meeting
Commence date	of 9/ 5/ 02
Initials	KE



## **SCHEDULE**

### **Restricted Roads - No Stopping at Any Time**

#### **THE AVENUE**

From a point 410 metres east of its junction with Norwood Avenue eastwards to a point 100 metres west of its junction with the A36 Warminster Road.