

**BATH AND NORTH EAST SOMERSET COUNCIL**

**(VARIOUS ROADS, MIDSOMER NORTON AND RADSTOCK)**  
**(PROHIBITION OF WAITING) ORDER 2005**

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) to 4(3) of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 as amended, the Road Traffic Act 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 27<sup>th</sup> June 2005 and may be cited as the Bath and North East Somerset Council (Various Roads, Midsomer Norton and Radstock) (Prohibition of Waiting) Order 2005.

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;

“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.

"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 of Waiting

4. Save as provided in Article 5 and Article 6 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 a road as described in the Schedule to this Order.
5. (1) Save as provided in this Article, nothing in Article 4 of this Order shall render it unlawful to cause or permit any vehicle to wait in a restricted road for so long as may be reasonably necessary:-
- (a) to enable a person to board or alight from the vehicle;
  - (b) to enable goods to be loaded or unloaded from the vehicle;
  - (c) to enable the vehicle, if it cannot conveniently be used for such purpose in any road not being a restricted road or outside the restricted hours, 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;

- (d) 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;
- (e) to enable the vehicle to take in petrol, oil, water or air from any garage situated in or adjacent to that road;
- (f) to enable the vehicle to be used in connection with a wedding or funeral;
- (g) to enable a fire brigade, ambulance or police vehicle to be used whilst in execution of its duties;
- (h) to enable a hackney carriage to be used whilst waiting at an authorised stand for hackney carriages;
- (i) to enable the vehicle to wait upon an authorised parking place;
- (j) to enable a local authority vehicle or water authority vehicle to be used whilst in pursuance of statutory powers or duties;

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

6. Save as provided in this Article, the restrictions imposed by Article 4 of this Order shall not apply to 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.

7. The County Council of Avon (Wells Road Area, Radstock, District of Wansdyke) (Prohibition and Restriction of Waiting) Order 1983 is varied in so far as the restrictions relating to Bath Old Road in Schedule 2 of that order (reproduced below for the avoidance of doubt) are hereby revoked:

**SCHEDULE 2**

**No Waiting at any Time**

**Bath Old Road**

North side

From its junction with Bath New Road in an easterly direction for a distance of 60 metres

South side

From its junction with Bath New Road in an easterly direction for a distance of 80 metres

8. The County Council of Avon (Various Roads, Midsomer Norton, District of Wansdyke) (Prohibition and Restriction of Waiting) Order 1987 is varied in so far as the restriction relating to Chilcompton Road in Schedule 1 of that order (reproduced below for the avoidance of doubt) is revoked and replaced as follows:

**SCHEDULE 1**

**Chilcompton Road**

East side

From its junction with Redfield Road in a southerly direction for a distance of 21 metres

is revoked

**SCHEDULE 1**

**Chilcompton Road**

East side

From its junction with Redfield Road in a southerly direction for a distance of 38 metres

is added

and the restriction relating to Church Square in Schedule 2 of that order is revoked from the said Schedule and added to Schedule 1 of the same order (reproduced below for the avoidance of doubt)

**SCHEDULE 2**

**Church Square**  
North east side

From its junction with High Street in a westerly direction for a distance of 10 metres

is revoked

**SCHEDULE 1**

**Church Square**  
North east side

From its junction with High Street in a westerly direction for a distance of 10 metres

is added

Given under the Common Seal of the Bath and North East Somerset Council the 22<sup>nd</sup> day of June 2005.

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



*AK Brooker*

Authorised signatory

Authority for Sealing  
Name of Resolution: Executive  
Date of Decision: 25/4/05  
No call in confirmed.

Member for Transportation and Highways,  
Councillor Sir Elgar Jenkins OBE  
Date of Decision - 25/4/05.  
No call in confirmed.

## SCHEDULE

### No Waiting at Any Time

#### **Bath Old Road, Radstock**

North side

From its junction with Bath New Road in an easterly direction to its junction with Bristol Road

South side

From its junction with Bath New Road in an easterly direction to a point 10 metres east of its junction with Waldegrave Terrace

East side

From its junction with Woodborough Road in a northerly direction for a distance of 25 metres

#### **Morley Terrace, Radstock**

North west side

From its junction with Woodborough Road in a north easterly direction for a distance of 15 metres

From its most northerly termination in a south westerly direction for a distance of 40 metres

South east side

From its most northerly termination in a south westerly for a distance of 45 metres

From its junction with Woodborough Road in a north easterly direction for a distance of 15 metres

#### **Woodborough Road, Radstock**

Both sides

From its junction with Bath Old Road to a point 18 metres north east of its junction with Morley Terrace