

## BATH AND NORTH EAST SOMERSET COUNCIL

### (VARIOUS ROADS, BATH) (BUS LANE) (RESTRICTION OF LOADING) (DISABLED PARKING PLACES) (PROHIBITION OF ENTRY) EXPERIMENTAL ORDER 2007

The Bath and North East Somerset Council (hereinafter referred to as "the Council") in exercise of its powers under section 9 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 as amended and the Transport Act 2000 as amended 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 25<sup>th</sup> June 2007 and may be cited as the Bath and North East Somerset Council (Various Roads, Bath) (Bus Lane) (Restriction of Loading) (Disabled Parking Places) (Prohibition of Entry) Experimental Order 2007.

#### Interpretation

2. In this order:-

"**bus lane**" means an area of road which may be used only by buses (or a particular description of bus) and some other class or classes of vehicular traffic, as provided in this Order.

"**doctor**" means a legally qualified medical practitioner as defined in section 52 of the Medical Act 1956;

"**operative times**" are specified in the Schedules to this Order;

"**pedal cycle**" means a unicycle, bicycle, tricycle, or cycle having four or more wheels, not being in any case mechanically propelled unless it is an electrically assisted pedal cycle of such class as is to be treated as not being a motor vehicle for the purposes of the Act of 1984".

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

"**taxi**" for the purposes of this Order means a hackney carriage in accordance with section 38 of the Town Police Clauses Act 1847 and/or a private hire vehicle in accordance with section 80 of the Local Government (Miscellaneous Provisions) Act 1976.

#### Bus lanes

3. Save as provided in Article 4, 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, cause or permit any vehicle other than a pedal cycle, public service vehicle or taxi to be in any bus lane as specified in Schedule 1 or Schedule 2 to this Order, during the operative times.
4. Nothing in this order shall render it unlawful for any person to cause or permit any vehicle to be in any bus lane as specified in Schedule 1 or Schedule 2 to this Order, during the operative times,

insofar as it is reasonably necessary to enable the vehicle to be used:-

- (i) for the removal of any obstruction to traffic;
- (ii) by an ambulance, fire or police authority, provided that the vehicle is clearly distinguishable as such; or
- (iii) by a doctor responding to an emergency call provided that the vehicle is displaying a green flashing light.

5. Nothing in this order shall render it unlawful for any person to cause or permit any vehicle to be in any bus lane as specified in Schedule 1 or Schedule 2 to this Order, during the operative times, insofar as it is reasonably necessary to enable the vehicle to be used for the following purposes:-

- (i) the carrying out of building, industrial or demolition operations or removals in connection with any business, providing prior written authority from the Highway Authority has been gained;
- (ii) the maintenance, improvement or reconstruction of the road;
- (iii) the laying, erection, alteration or repair in, or in land adjacent to the road of any sewer, or of any main, pipe or apparatus for the supply of water, gas, or electricity or any telecommunication apparatus as defined in the Telecommunications Act 1984; or
- (iv) in the service of any local authority, Environment Agency, a water undertaker or sewerage undertaker in pursuance of statutory powers or duties.

6. Nothing in this order shall render it unlawful for any person to cause or permit any vehicle to be in any bus lane as specified in Schedule 1 or Schedule 2 to this Order, during the operative times, in so far as it is reasonably necessary to enable the vehicle to be used for the collection or removal of refuse or waste.

7. Nothing in this Order shall render it unlawful to cause or permit any vehicle to be in any bus lane as specified in Schedule 1 or Schedule 2 to this Order, during the operative times, if the vehicle is being used for the conveyance of goods or merchandise to or from any premises situated on or adjacent to the said bus lanes and at which that vehicle intends to load or unload the said goods or merchandise.

#### Prohibition of Waiting/Loading/Unloading

8. (1) No person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle to wait at any time in any road or length of road as specified in Schedule 3 of this Order.
- (2) No person shall, except upon the direction or with the permission of a police constable in uniform, load or unload any vehicle at any time in any road or length of road as specified in Schedule 3 to this Order.

### Designation of Disabled Parking Places

9. (1) Each area of road described in Schedule 4 to this Order shall be designated as a disabled persons' parking place between the hours of 8.00 a.m. and 6.00 p.m. on any day.
- (2) The limits of any disabled persons' parking place shall be indicated by the Council on the carriageway by appropriate carriageway markings.
- (3) No person shall, except upon the direction or with the permission of a police constable in uniform use a disabled parking place unless the vehicle displays a disabled person's badge in the relevant position.

### Variation of Existing Orders

10. The County Council of Avon (City of Bath) (Central Area) (General Traffic Regulation) (Consolidation) Order 1988 as varied by the County Council of Avon (City of Bath) (Central Area) (General Traffic Regulation) (Consolidation) (Variation No. 1) Order 1988, the County Council of Avon (City of Bath) (Outer Area) (General Traffic Regulation) (Consolidation) Order 1988, 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) (Central Area) (General Traffic Regulation) (Consolidation) (Variation No. 2) Order 1993, the County Council of Avon (City of Bath) (Central Area) (General Traffic Regulation) (Consolidation) (Variation No. 4) 1993, the County Council of Avon (City of Bath) (Central Area) (General Traffic Regulation) (Consolidation) (Variation No. 5) Order 1995, the County Council of Avon (Monmouth Street and Prices Street, Central Area, City of Bath) (Variation of Waiting Restrictions) Order 1996, the County Council of Avon (City of Bath) (Central Area) (General Traffic Regulation) (Consolidation) (Variation No.7) Order 1996, the County Council of Avon (City of Bath) (Central Area) (General Traffic Regulation) (Consolidation) (Variation No.6) Order 1996, the County Council of Avon (Various Roads, Central Area, City of Bath) (Traffic and Environmental Study) (Street Parking Places) (Waiting Restrictions) (Variation) Order 1998, the Bath and North East Somerset District Council (Avon Street, Bath) (Prohibition of Driving) Order 1998, the Bath and North East Somerset District Council (Green Park Road, Bath) (Prohibition of Right Turn) Order 1999, the Bath and North East Somerset District Council (Swallow Street and York Street, Bath) (Prohibition of Driving) 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 6) 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 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, and the Bath and North East Somerset Council (Decriminalisation of Parking Enforcement) Minor (Variation) Order 2003 and the Bath and North East Somerset Council (Beau Street, Bath) (Prohibition of Waiting and Loading) Order 2004; the Bath and North East Somerset Council (Central Area, City of Bath) (Prohibition and Restriction of Waiting) (Residents' and Controlled Parking) Order 2006 and the Bath and North East Somerset Council (City of Bath) (Central Area) (General Traffic Regulation) (Consolidation) (Variation No 8) Order 2006 is further varied

and shall have effect as though:

(i) the following items are added to Schedule 1:

SCHEDULE 1  
One Way Traffic

Roads and Lengths of Road 1	Direction 2
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New Orchard Street	From Lower Borough Walls towards Henry Street
Henry Street, from its junction with New Orchard Street for a distance of 55 metres in a north easterly direction	From New Orchard Street towards Pierrepont Street

(ii) the following items, reproduced below, are deleted from Schedule 5:

SCHEDULE 5  
Restricted roads and restricted hours

(All measurements stated in this Schedule as being to or from a specified kerb-line of a road are taken from or to a point which is the point of intersection of a projection of that kerb-line unless otherwise stated, a projection of the kerb-line of the restricted road.)

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1	2
HENRY STREET	(a) The north side, between its junction with Pierrepont Street and a point 17.37 metres (57 feet) west of the western kerbline of Pierrepont Street  (c) The south side, between its junction with New Orchard Street and its junction with the western kerbline of Manvers Street

11. The County Council of Avon (Various Roads, Central Area, City of Bath) (Traffic and Environmental Study) Order 1995 as varied by The County Council of Avon (Various Roads, Central Area, City of Bath) (Traffic and Environmental Study) (Street Parking Places) (Waiting Restrictions) (Variation) Order 1998, the Bath and North East Somerset District Council (Swallow Street and York Street, Bath) (Prohibition of Driving) Order 2000 and the Bath and North East Somerset Council (Various Roads, Bath) (Bus Lanes) Order 2006 is further varied and shall have effect as though the following are deleted:

(i) the following item, reproduced below, relating to New Orchard Street in Schedule 1 is deleted:

## SCHEDULE 1

### Prohibition of Driving – Exemption provided for pedal cycles

2. That length of **NEW ORCHARD STREET** which extends from its junction with Lower Borough Walls in a south easterly direction for a distance of 30 metres
- (ii) the following item in Schedule 4 reproduced below, which prohibits access for vehicles between 10.00 a.m. and 5.30 p.m. on any Saturday and which relates to Lower Borough Walls, is deleted:

## SCHEDULE 4

### PART 1

column 1

**LOWER BOROUGH WALLS** west of its junction with Bilbury Lane

column 2

**LOWER BOROUGH WALLS** east of its junction with Bilbury Lane

And

- (iii) the following item is added to Schedule 4 which prohibits access for vehicles between 10.00 a.m. and 5.30 p.m. on any Saturday and relates to Stall Street:

## SCHEDULE 4

### PART 1

column 1

**STALL STREET**

column 2

**LOWER BOROUGH WALLS**

12. The County Council of Avon (City of Bath) (Central Area) Street Parking Places) (Consolidation) Order 1986 as varied by the County Council of Avon (City of Bath) (Central Area) (Street Parking Places) (Consolidation) (Variation No. 1) Order 1987, the County Council of Avon (City of Bath) (Central Area) (Street Parking Places) (Consolidation) (Variation No. 2) Order 1991, the County Council of Avon (City of Bath) (Central Area) (Street Parking Places) (Consolidation) (Variation No. 3) Order 1993, the County Council of Avon (City of Bath) (Central Area) (Street Parking Places) (Consolidation) (Variation No. 4) Order 1993, the County Council of Avon (City of Bath) (Central Area) (Street Parking Places) (Consolidation) (Variation No. 5) Order 1996, the County Council of Avon (Various Roads, Central Area, City of Bath) (Traffic and Environmental Study) (Street Parking Places) (Waiting Restrictions) (Variation) Order 1998, the Bath and North East Somerset District Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 1) Order 2000 and the Bath and North East Somerset District Council (Central Area, City of Bath) (Residents' and Controlled Parking) (Consolidation) (Variation) Order 2001 is further varied and shall have effect as though the

following item, reproduced below, is deleted from Schedule 3:

**SCHEDULE 3**

(All measurements stated in this 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 road in which the parking place is situated).

No. of Parking Place	AREAS ON ROADS AUTHORISED FOR USE AS DISABLED PERSONS' PARKING PLACES. Each are described below, being an area forming part of the carriageway of a specified road or roads, is authorised for use as a disabled persons' parking place.	Special manner of standing of vehicles in parking places
1	2	3
2	All that part of the south side of <b>NEW ORCHARD STREET</b> which is bounded on the south by so much of the edge of the carriageway of that road as extends from a point 25 metres east of a point in line with the north eastern kerbline of Stall Street eastwards for a distance of 60 metres and which has a width throughout of 1.83 metres.	-

Given under the Common Seal of the Bath and North East Somerset Council the 13<sup>th</sup> June 2007.

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

Authorised signatory



AUTHORITY TO SIGN  
 Date of issue: *Full council meeting*  
 Valid until: *9/5/02*  
 Name: *WR*

**Schedule 1**  
**Bus Lane 24 hours a day, every day**

Column 1	Column 2
<b>New Orchard Street</b>	From its junction with Lower Borough Walls to its junction with Henry Street in an easterly direction
<b>Henry Street</b>	From its junction with New Orchard Street for a distance of 55 metres in a north easterly direction

**Schedule 2**  
**Bus Lane Between 10.00 a.m. and 5.30 p.m. on any Saturday**

Column 1	Column 2
<b>Lower Borough Walls</b>	From its junction with Hot Bath Street to its junction with New Orchard Street

**Schedule 3**  
**No Waiting/No Loading/No Unloading at any time**

<b>Henry Street</b> North side	From its junction with Pierrepont Street for a distance of 17.4 metres in a westerly direction
South side	From its junction with Kingston Road to its junction with Manvers Street

**Schedule 4**  
**Disabled Parking Places**  
**Between 8.00 a.m. and 6.00 p.m. on any day**

(All measurements stated in this 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 road in which the parking place is situated).

No. of Parking Place	AREAS ON ROADS AUTHORISED FOR USE AS DISABLED PERSONS' PARKING PLACES. Each are described below, being an area forming part of the carriageway of a specified road or roads, is authorised for use as a disabled persons' parking place.	Special manner of standing of vehicles in parking places
1	2	3

	<p>All that part of the south side of <b>South Parade</b> which extends from a point 17.80 metres east of its junction with Pierrepont Street in an easterly direction for a distance of 35.03 metres and which has a width throughout of 1.83 metres.</p>	
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