

## BATH AND NORTH EAST SOMERSET COUNCIL

### (HENRY STREET AND NEW ORCHARD STREET, BATH) (DESIGNATED PARKING PLACES) ORDER 2007

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 32 and 45 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 (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 PREAMBLE

##### Citation

1. This Order shall come into operation on the 21<sup>st</sup> December 2007 and may be cited as The Bath and North East Somerset Council (Henry Street and New Orchard Street, Bath) (Designated Parking Places) Order 2007.

##### Interpretation

2. (1) In this Order:-

"**Council**" means the Bath and North East Somerset Council;

"**disabled person**" means a disabled person of a description prescribed by Regulation 2 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

"**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;

"**driver**" in relation to a vehicle waiting in a parking place, means the person driving the vehicle at the time it was left in the parking place;

"**enactment**" means any enactment whether public, general or local and includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;

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

"**parking attendant**" means any person duly authorised by or on behalf of the Council in accordance with provisions contained in Section 63A of the Road



Traffic Regulation Act 1984 to supervise and enforce the restrictions imposed by any of the orders referred to in the Schedule to this Order;

**“parking place”** means any part of a road designated by this Order to be used as a parking place;

**“relevant position”** has the same meaning as in the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

**“taxi stand”** means any area of carriageway which is comprised within and indicated by a road marking complying with diagram 1028.2 in Schedule 6 of the Traffic Signs Regulations and General Directions 2002;

- (2) Any reference in this Order to a numbered Article or Schedule shall, unless the context otherwise requires, be construed as a reference to the Article or Schedule bearing that number in this Order.
  - (3) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.
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**

### **DESIGNATION OF PARKING PLACES**

#### **Disabled Persons’ Parking Places**

4. (1) Each area of road described in Schedule 1 to this Order is designated as a parking place for disabled persons’ vehicles.
- (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 cause or permit any vehicle to wait in a disabled persons’ parking place unless the vehicle displays a disabled person’s badge in the relevant position.

#### **Taxi Stand**

5. (1) Each area of road described in Schedule 2 to this Order is designated as a taxi stand.
- (2) The limits of any taxi stand 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, cause or permit any vehicle to wait in a taxi stand unless the vehicle is a licensed hackney carriage and then only for so long as may be



necessary for the purposes of plying for hire or waiting for a fare.

6. (1) Nothing in Article 4 or Article 5 of this order shall apply to:
- (a) any vehicle waiting for so long as is necessary to enable a person to board or alight from the vehicle;
  - (b) any vehicle waiting upon the direction or with the permission of a police constable in uniform;
  - (c) any vehicle waiting because the driver is being prevented from proceeding owing to circumstances beyond his control;
  - (d) any vehicle being used by the police, fire brigade and ambulance services whilst in execution of their duties;
  - (e) any vehicle waiting only for so long as is necessary to enable it to be used in connection with the removal of any obstruction to traffic;
  - (f) any vehicle being used for the purpose of any building operation, demolition or excavation in or adjacent to the parking place, or the maintenance, improvement or reconstruction of the road or the cleansing of gullies in or adjacent to the parking place, or the laying, erection, alteration, removal or repair in or adjacent to the parking place 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 or the placing, maintenance or removal of any traffic sign.
- (2) Any person duly authorised by the Council or a police constable in uniform may temporarily suspend the use of the parking place or taxi stand, wholly or in part, whenever he considers such suspension reasonably necessary.
- (3) Any person duly authorised by the Council or a police constable in uniform suspending the use of the parking place or taxi stand either wholly or in part must place a hood or cover over those traffic signs or parts of traffic signs which relate to the parking place or taxi stand.

### PART III

#### Variation of Existing Orders

7. 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

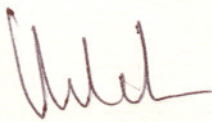
(All measurements stated in this Schedule as being to or from a specified kerbline of a road are taken from or to a point which is the point of intersection of a projection of that kerbline and, unless otherwise stated, a projection of the kerbline of the road in which the parking place is situated).

| No. of Parking Place | AREAS ON ROADS AUTHORISED FOR USE AS DISABLED PERSONS' PARKING PLACES.<br>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  |
|                      | 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 19<sup>th</sup> day of December 2007.

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

  
Authorised signatory





Council resolution... *full council meeting*  
 Committee minute... of *30.03.06*  
 Initials... *wk*

## **SCHEDULE 1**

### **Disabled Persons' Parking Places**

#### **Henry Street**

North-west side

- From a point 6 metres south-west of its junction with Old Orchard Street in a south-westerly direction for a distance of 11 metres.

## **SCHEDULE 2**

### **Taxi Stand**

#### **Henry Street**

North-west side

- From a point 17 metres south-west of its junction with Old Orchard Street in a south-westerly direction for a distance of 15 metres.