

BATH AND NORTH EAST SOMERSET COUNCIL

(BATHWICK HILL, BATH)

(PROHIBITION AND RESTRICTION OF WAITING AND LOADING)

(DESIGNATED PARKING PLACES) ORDER 2008

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), 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") 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 31st October 2008 and may be cited as the Bath and North East Somerset Council (Bathwick Hill, Bath) (Prohibition and Restriction of Waiting and Loading) (Designated Parking Places) Order 2008.

2. (1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby assigned to them: -

"**delivered**" and "**collected**" 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**" means any article not easily carried by hand and includes postal packets of any description;

"**goods vehicle**" means a motor vehicle which is constructed or adapted for use for the carriage of goods or burden of any description, or a trailer so adapted;

"**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.

- (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.

PART II

Prohibition of Loading/Unloading/Waiting

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, or load or unload any vehicle in any road or length of road as specified in Schedule 1 to this Order.

Designation of Parking Places

4. (1) Each part of the carriageway of a road specified in Schedule 2 to this Order is designated as a loading bay.
(2) The Council shall indicate the limits of any parking place on the carriageway by appropriate carriageway markings.
5. (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 in a loading bay as specified in Schedule 2 to this Order, unless the vehicle is a goods vehicle and then only for so long as may be reasonably necessary to enable goods to be loaded, unloaded, delivered or collected, during the permitted hours.
(2) The permitted hours for each loading bay as specified in Schedule 2 to this Order are from 9.00 a.m. – 4.30 p.m. Monday – Saturday; 6.30 p.m. – 9.00 p.m. Monday – Saturday and 9.00 a.m. – 6.00 p.m. Sundays and Bank Holidays.

PART III

Variation of Existing Orders

6. The Bath and North East Somerset District Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 1) Order 2000 as varied by the Bath and North East Somerset District Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 1) (Variation) Order 2001, the Bath and North East

Somerset Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 1) (Variation No 2) Order 2003 and the Bath and North East Somerset Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 1) (Variation No 3) Order 2003, the Bath and North East Somerset Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 1) (Variation No. 4) Order 2004, the Bath and North East Somerset Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 1) (Variation No. 5) Order 2005 and the Bath and North East Somerset Council (Outer Area, Bath) (Residents' and Controlled Parking) (Zone 1) (Variation No. 6) Order 2007 is varied further and shall have effect as though:

(i) the following item is deleted from Schedule 1 Part 1:

SCHEDULE 1

Part 1

No Waiting At Any Time

Bathwick Hill

North east side

- From a point 153 metres north west of its junction with St Anns Way in a north westerly direction to its junction with Darlington Street.

South west side

- From a point 45 metres north west of its junction with Sydney Buildings in a north westerly direction to its junction with Darlington Street.

(ii) the following item is added to Schedule 1 Part 1:

SCHEDULE 1

Part 1

No Waiting At Any Time

Bathwick Hill

North east side

(i) From a point 20 metres south east of its junction with Sydney Wharf to its junction with Darlington Street

South west side

(i) From its junction with Darlington Street in a south easterly direction for a distance of 125 metres

(iii) the following item is deleted from Schedule 3:

SCHEDULE 3

Parking Places on Roads

In relation to a parking place referred to in this Schedule the expression 'permitted hours' means the period between 8 am and 6 pm on Monday to Saturday (inclusive) not being Christmas Day, Good Friday or a bank holiday.

Number of parking place	Designated parking place	Minimum total length in metres within parking place to be provided as loading bays or access ways or disabled persons parking places	Special manner of standing of vehicle	Maximum Waiting Period
1	2	3	4	5
01063	All that part of the south west side of Bathwick Hill which extends from a point 125 metres south east from its junction with Darlington Street in a south easterly direction for a distance of 65 metres and which has a width throughout of 1.8 metres			20 minutes

(iv) the following item is added to Schedule 3:

SCHEDULE 3

Parking Places on Roads

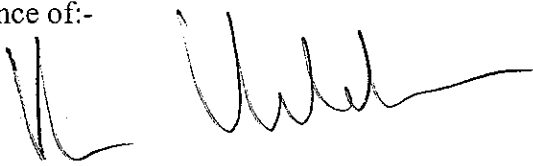
In relation to a parking place referred to in this Schedule the expression 'permitted hours' means the period between 8 am and 6 pm on Monday to Saturday (inclusive) not being Christmas Day, Good Friday or a bank holiday.

Number of parking place	Designated parking place	Minimum total length in metres within parking place to be provided as loading bays or access ways or disabled persons parking places	Special manner of standing of vehicle	Maximum Waiting Period
01063	All that part of the south west side of Bathwick Hill which extends from a point 125 metres			20 minutes

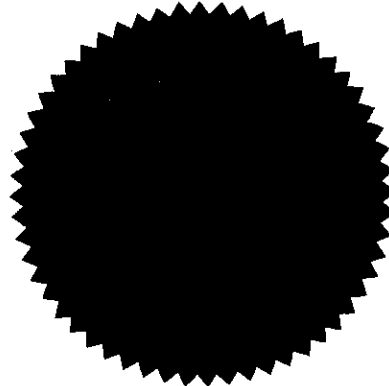
	south east from its junction with Darling Street in a south easterly direction for a distance of 23 metres and which has a width through of 1.8 metres			
--	--------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	--

Given under the Common Seal of the Bath and North East Somerset Council the 29th day of October 2008.

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



Authorised signatory



Authority for Sealing
Cabinet member for Transportation and Highways,
Councillor Charles Gerrish
Dated Decision: 06/10/08
Date confirmed no call-in: 20/10/08.

SCHEDULE 1

No Waiting or Loading/Unloading At Any Time

Bathwick Hill
South west side

- (i) From a point 148 metres south east of its junction with Darlington Street for a distance of 6 metres in a south easterly direction.
- (ii) From a point 166 metres south east of its junction with Darlington Street for a distance of 36 metres in a south easterly direction.

North side

- From a point 45 metres south east of its junction with Sydney Wharf to a point 153 metres north west of its junction with St Ann's Way.

SCHEDULE 2

Loading Bay Operative During The Permitted Hours

9.00 a.m. – 4.30 p. m. Monday – Saturday

6.30 p.m. – 9.00 p.m. Monday – Saturday

9.00 a.m. – 6.00 p.m. Sundays and Bank Holidays

Bathwick Hill
South West side

- From a point 154 metres south east of its junction with Darlington Street in a south easterly direction for a distance of 12 metres and which has a width throughout of 3 metres.