

BATH AND NORTH EAST SOMERSET COUNCIL

(CENTRAL AREA, 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"), 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 25th January 2008 and may be cited as the Bath and North East Somerset Council (Central Area, 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: -

"coach" means:

- a) a vehicle, other than a public service vehicle, which is constructed or adapted to carry 12 or more passenger, or
- b) any vehicle, operating as a public service, which is constructed or adapted to carry disabled persons;

"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" 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;

"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.

"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;

"traffic sign" means a sign of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under, section 64 of the Act of 1984;

"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

WAITING AND PARKING RESTRICTIONS

Prohibition and Restriction of Waiting

4. 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 the roads or lengths of road as described in Schedule 1 to this Order.
5. 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 the roads or lengths of road as described in Schedule 2 to this Order between the hours of 8.00 a.m. and 6.00 p.m. Monday to Saturday inclusively.
6. (1) Nothing in Article 4 or Article 5 of this Order shall render it unlawful to cause or permit any vehicle to wait in the roads or lengths of road as described in Schedule 1 and Schedule 2 to this Order for so long as may be reasonably necessary:-
 - (a) to enable a person to board or alight from the vehicle;
 - (b) to enable the vehicle, if it cannot conveniently be used for such purpose in any road not being a road described in Schedule 1 to this Order, 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;
 - (c) 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;
 - (d) to enable the vehicle to take in petrol, oil, water or air from any garage situated in or adjacent to that road;
 - (e) 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;
 - (f) to enable the vehicle to be used in connection with a wedding or funeral;
 - (g) to enable the vehicle to be used in connection with the cleaning of external windows or of chimneys of premises adjacent to, or the posting or the removal of advertising material in the form of posters in or adjacent to, that road:

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

- (2) Nothing in Article 4 or Article 5 of this Order shall render it unlawful for any person to cause or permit any vehicle to wait in any road or length of road as described in Schedule 1 or Schedule 2 to this Order for so long as may be reasonably necessary for the purpose of loading or unloading his personal luggage or to enable goods to be loaded on to or unloaded from the vehicle or to be delivered or collected at premises adjacent to that road, if in any such case the vehicle cannot conveniently be loaded or unloaded or the goods delivered or collected in any road not being a road or length of road described in Schedule 1 or Schedule 2 to this Order, or if the premises do not include an off-street loading area adequate for use by the vehicle.

7. The restrictions imposed by Article 4 or Article 5 of this Order shall not apply to the following vehicles, that is to say:-

- (a) any vehicle when it is being used for fire brigade, ambulance or police purposes;
- (b) other local authority vehicles whilst in actual use in pursuance of statutory powers or duties;
- (c) hackney carriages whilst waiting at an authorised stand for hackney carriages;
- (d) public service vehicles operating stage carriage services whilst waiting at a bus stop;
- (e) vehicles waiting in a specified part of any road or length of road as described in Schedule 1 or Schedule 2 to this Order in accordance with a special authorisation to do so given by the Council or any person duly authorised by the Council;
- (f) 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.

Prohibition of Loading/Unloading/Waiting

8. 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 3 to this Order.

Designation of Parking Places

Loading Bays

9. (1) Each area of road described in Schedule 4 to this Order shall be designated as a loading bay during the permitted hours.
- (2) The permitted hours for each loading bay described in Schedule 4 to this Order are from Monday to Saturday from 8.00 a.m. to 6.00 p.m. inclusive.
- (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 loading bay as described in Schedule 4 to the 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.
- (4) The limits of any loading bay shall be indicated by the Council on the carriageway by appropriate carriageway markings and appropriate traffic signs.

Disabled Persons' Parking Places

10. (1) Each area of road described in Schedule 5 to this Order shall be designated as a disabled persons' parking place.
- (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

11. (1) Each area of road described in Schedule 6 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 only for so long as may be necessary for the purposes of plying for hire or waiting for a fare.

Coach Bay

12. (1) Each area of road described in Schedule 7 to this Order is designated as a Coach Bay.
 - (2) The limits of any Coach Bay 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 coach bay unless the vehicle is a coach and for no more than the period specified in column 3 of Schedule 7, with no return within one hour.
13. (1) Nothing in Article 9, Article 10, Article 11, or Article 12 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 loading bay, disabled persons parking place, taxi stand or coach bay, 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 loading bay, disabled persons parking place, taxi stand or coach bay either wholly or in part must place a hood or cover over those traffic signs or parts of traffic signs which relate to the bay or stand.

PART III

Variation and Revocation of Existing Orders

14. 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; the Bath and North East Somerset Council (City of Bath) (Central Area) (General Traffic Regulation) (Consolidation) (Variation No 8) Order 2006 and the Bath and North East Somerset Council (The Ambury, Bath) (Bus Lane) (One Way) Experimental Order 2007 is further varied and shall have effect as though the following items, reproduced below, are deleted from Schedule 5:

SCHEDULE 5

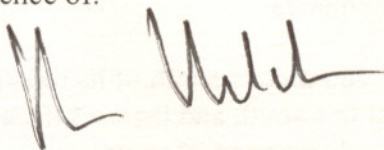
Restricted roads and restricted hours

(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.)

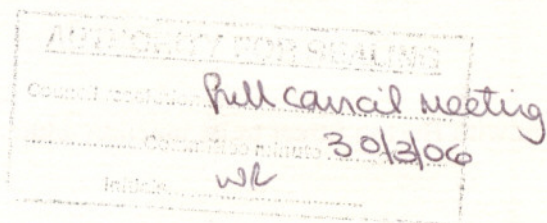
1	2
CHEAP STREET	(c) The south side, between its junction with High Street and a point 33 metres east of the eastern building line of Union Passage
	(d) The south side, between a point 2.74 metres (9 feet) west of the western building line of Union Passage and its junction with Stall Street
HIGH STREET	(a) The east side, between its junction with Bridge Street and a point 49 feet south of the southern kerb-line of Bridge Street
MILSOM STREET	(a) The east side, between its junction with George Street and a point 64 feet south of the southern kerb-line of George Street
QUEEN SQUARE	
(ii) east carriageway	(ii) (a) The east side, for the whole of its length
(iii) south carriageway	(iii) (c) The south side, for the whole of its length
UPPER BOROUGH WALLS	Both sides, for the whole of its length
WESTGATE STREET	(a) The north side for the whole of its length

Given under the Common Seal of the Bath and North East Somerset Council the 23rd day of January 2008.

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



Authorised signatory



SCHEDULE 1
No Waiting At Any Time

Milsom Street

East side

- (i) From its junction with George Street in a southerly direction for a distance of 18 metres
- (ii) From a point 100 metres south of its junction with George Street in a southerly direction for a distance of 30 metres
- (iii) From a point 160 metres south of its junction with George Street in a south and then south easterly direction for a distance of 71 metres

New Bond Street

North side

From its junction with Green Street in a south easterly direction for a distance of 50 metres

Upper Borough Walls

North side

From its junction with Burton Street to its junction with High Street

South side

From its junction with Sawclose in an easterly direction to its junction with Parsonage Lane

SCHEDULE 2

No Waiting Between 8.00 a.m. and 6.00 p.m. Monday - Saturday

Milsom Street

East side

From a point 130 metres south of its junction with George Street in a southerly direction for a distance of 30 metres

SCHEDULE 3

No Waiting or Loading At Any Time

Bridge Street

North side

- The whole length.

South side

- From its junction with High Street for a distance of 25 metres in a westerly direction.

Cheap Street

- | | |
|--|--|
| South side | - From a point 28 metres west of its junction with High Street for a distance of 55 metres in a westerly direction. |
|
 | |
| High Street
East side | - From its junction with High Street for a distance of 22 metres in a southerly direction. |
|
 | |
| New Bond Street
North side | - From its junction with Northgate Street for a distance of 57 metres in a westerly direction. |
|
 | |
| Northgate Street
East side | - From a point 112 metres south of its junction with the southern kerbline of Saracen Street for a distance of 17 metres in a northerly direction. |
|
 | |
| Queen Square
East side | - From a point 74 metres south of its junction with Old King Street for a distance of 28 metres in a south westerly direction. |
|
 | |
| Stall Street
East side | <ul style="list-style-type: none"> - (i) From its junction with Lower Borough Walls for a distance of 15 metres in a northerly direction. - (ii) From a point 38 metres north of its junction with Lower Borough Walls for a distance of 40 metres in a northerly direction. |
|
 | |
| West side | - From its junction with Lower Borough Walls to its junction with York Street. |
|
 | |
| Upper Borough Walls
North side | - From its junction with Sawclose in an easterly direction to its junction with Burton Street. |
|
 | |
| South side | - From its junction with Parsonage Lane in an easterly direction to its junction with High Street. |
|
 | |
| Westgate Street
North side | - The whole length. |

SCHEDULE 4

Loading Bay

8.00 a.m. – 6.00 p. m. Monday – Saturday

Grand Parade

West side

- From a point 18 metres south of its junction with Bridge Street for a distance of 29 metres in a south easterly direction.

Milsom Street

East side

- From a point 40 metres south of its junction with George Street for a distance of 25 metres in a southerly direction.

SCHEDULE 5

Disabled Parking Places

Milsom Street

East side

- From a point 18 metres south of its junction with George Street for a distance of 22 metres in a southerly direction.

New Bond Street

North side

- From a point 50 metres south east of its junction with George Street for a distance of 22 metres in a southerly direction.

SCHEDULE 6

Taxi Stand

Cheap Street

South side

- From a point 28 metres west of its junction with High Street for a distance of 15 metres in an easterly direction.

SCHEDULE 7

Coach Bay

Number of parking place	Designated parking place	Maximum waiting period
1	2	3
	All that part of the south side of North Parade which extends from a point 41 metres east of its junction with Pierrepont Street for a distance of 52 metres in an easterly direction.	10 minutes
	All that part of the south side of Orange Grove which extends from a point 12 metres west of its junction with Terrace Walk for a distance of 30 metres in a westerly direction.	10 minutes