

CITY OF OXFORD

THE CITY OF OXFORD (CLEVELAND DRIVE, GERARD PLACE AND
ST. OMER ROAD) (TRAFFIC MANAGEMENT AND PARKING)

CONSOLIDATION ORDER 1997

The Oxford City Council ("the Council") as agent for the Oxfordshire County Council in exercise of the powers of the said County Council under Sections 1(1), 2(1) and (2), 32(1), 35(1), 37 and 124(1)(c), (d) and (f) of the Road Traffic Regulation Act 1984 ("the Act of 1984") and of all other enabling powers makes the following Order:-

PART IIMPLEMENTATION, CITATION AND DEFINITIONS

1. This Order shall come into operation on 3rd February 1997 and may be cited as "The City of Oxford (Cleveland Drive, Gerard Place and St. Omer Road) (Traffic Management and Parking) Consolidation Order 1997".
2. this Order is made for the purpose of a general scheme of traffic control in the roads stated in Schedule 1 to this Order.
3. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-
 "access way" means a length of road sufficient to enable a vehicle to have access to and egress from land or premises in or adjacent to the road;
 "disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) Regulations 1982;
 "disabled persons' parking disc" means a disc issued by a local authority in accordance with the provisions of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986;
 "disabled person's vehicle" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986;
 "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;

"dual purpose vehicle" has the same meaning as in the Sixth Schedule to the Act of 1984;

"goods" includes cash or other valuable securities; and 'delivering' and 'collecting' in relation to any goods includes checking the goods for the purpose of their delivery or collection;

"goods vehicle" means a motor vehicle with or without a trailer which is constructed or adapted for use for the carriage of goods of any description and which exceeds 2.25 tonnes gross laden weight;

"invalid carriage" has the same meaning as in Section 136 of the Act of 1984;

"light goods vehicle" means a motor vehicle with or without a trailer which is constructed or adapted for use for the carriage of goods of any description and which does not exceed 2.25 tonnes gross laden weight;

"motor cycle" has the same meaning as in Section 136 of the Act of 1984;

"parking attendant" means a person authorised by or on behalf of the Oxfordshire County Council under Section 63A of the Act of 1984 to supervise and enforce the restrictions imposed by this Order;

"parking place" means a length of road authorised to be used as a parking place by Part III of this Order;

"parking space" means a space in a parking place which is provided for the leaving of a vehicle of one of the classes specified in Article 7 of this Order;

"passenger vehicle" means a motor vehicle (other than a motor cycle or invalid carriage) constructed solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the driver, and not drawing a trailer;

"penalty charge" and "reduced penalty charge" means a charge set by the Oxfordshire County Council under the provisions of Section 74 of the Road Traffic Act 1991 in accordance with guidance given by the Secretary of State for Transport which is to be paid in the manner described in the penalty charge notice within twenty-eight days of the date of the notice or fourteen days of the date of the notice in the case of a reduced penalty charge;

"penalty charge notice" means a notice issued by a parking attendant pursuant to the provisions of Section 66 of the Road Traffic Act 1991;

"postal packets" has the same meaning as in Section 87 of the Post Office Act 1953;

"prescribed hours" means in relation to any road or length of road specified in Parts A and B of Schedule 3 the period between 8.00 a.m. and 6.30 p.m. on Mondays to Saturdays inclusive, any such day not being a Christmas Day, Good Friday or a Bank Holiday being a public holiday;

"public telecommunications operator" has the same meaning as in Section 9 of the Telecommunications Act 1984;

"relevant position" means a position where a disabled person's badge is readily visible and legible from the front or nearside of the vehicle;

"restricted hours" means:-

- (i) in relation to any restricted road specified in Part A of Schedule 2 or in relation to any accessway in any restricted road specified in Part B of Schedule 2, the whole 24 hours of every day;
- (ii) in relation to any restricted road specified in Part B of Schedule 2 the period between 8.00 a.m. and 6.30 p.m. on Mondays to Saturdays inclusive, any such day not being a Christmas Day, Good Friday or a Bank Holiday being a public holiday;

"restricted road" means any road or length of road specified in Schedule 2 to this Order;

"roundsman" means a person employed by a tradesman to visit customers to take orders and to deliver goods;

"statutory undertaker" has the same meaning as in Section 329 of the Highways Act 1980;

"telecommunications apparatus" has the same meaning as in the Telecommunications Act 1984;

"traffic sign" means a sign or marking 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.

4. (1) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
- (2) The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any other

regulations made or having effect as if made under the Act of 1984, or by or under any other enactment.

PART II

WAITING OF VEHICLES

5. Subject to the provisions of Article 6 of this Order, no person shall, except upon the direction or with the permission of a parking attendant or a police officer in uniform, cause or permit any vehicle to wait in any restricted road during the restricted hours.
6. Nothing in Article 5 of this Order shall apply:-
 - (a) so as to prevent any person from causing or permitting any vehicle to wait for the purpose of loading or unloading the vehicle at premises situated on or adjacent to any restricted road;
 - (b) so as to prevent any person from causing or permitting a vehicle to wait for so long as may be necessary to enable a person to board or alight from the vehicle;
 - (c) so as to restrict the use of any vehicle in connection with any funeral, or any vehicle reasonably required in connection with any building operation, demolition or excavation in or adjacent to any restricted road, the removal of any obstruction to traffic in any restricted road, the maintenance, improvement or reconstruction of any restricted road or the laying, erection, alteration, removal, repair or servicing in or adjacent to any restricted road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus;
 - (d) to an ambulance or a vehicle in the service of the fire brigade, a local authority, water undertaking, statutory undertaker or police force, in each case being used in pursuance of statutory powers or duties;
 - (e) to any vehicle in the service of or employed by the Post Office while in use for the purpose of loading, unloading, delivering or collecting postal packets at premises or posting boxes adjacent to the restricted road;
 - (f) to any vehicle in the service of or employed by a public telecommunications operator waiting in any restricted road in connection

with the servicing of telephone kiosks or telecommunications apparatus adjacent to that restricted road;

- (g) to a vehicle waiting while any gate or other barrier at the entrance to land or premises to which the vehicle requires access or from which it has emerged is being opened or closed, if it is not reasonably practicable for the vehicle to wait otherwise than in the restricted road while such gate or other barrier is being opened or closed;
- (h) to any vehicle waiting in any case where the 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;
- (i) to a disabled person's vehicle which displays in the relevant position a disabled person's badge waiting for a period not exceeding 3 hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same length of road in the same day) in any restricted road except where there is a loading ban in operation or where a bus lane or cycle lane has been provided, provided that the vehicle displays in the relevant position a disabled person's parking disc on which the driver or other person in charge of the vehicle marks the time at which the period of waiting has begun;

Provided in each of the cases mentioned above that the person in control of the vehicle shall move it on the instruction of a police officer in uniform, wherever such moving shall be necessary for the purpose of preventing obstruction.

PART III

AUTHORISATION AND USE OF PARKING PLACES

- 7. Each of the lengths of road specified in Parts A, B and C of Schedule 3 to this Order is authorised to be used, subject to the provisions of this Part of this Order, as a parking place for passenger vehicles, dual purpose vehicles, light goods vehicles, motor cycles and invalid carriages, and, except in the case of motor cycles, in position in single line with the whole nearside or offside of the vehicle (subject during hours of darkness to the provisions of the law on vehicle

lighting) adjacent to the kerb in those parking places so indicated in various Parts of Schedule 3, provided that no vehicle may by virtue of this Article park in any part of a parking place which is an access way.

8. (1) Save as provided for in Articles 13 and 17 of this Order, no person shall, except upon the direction or with the permission of a parking attendant or a police officer in uniform cause or permit any vehicle, other than a motor cycle, to park during the prescribed hours:-
 - (a) in any parking place specified in Part A of Schedule 3 to this Order:-
 - (i) for a period longer than thirty minutes, or
 - (ii) if a period of less than one hour has elapsed since the termination during the prescribed hours of the last period of parking (if any) of the vehicle in the same parking place;
 - (b) in any parking place specified in Part B of Schedule 3 to this Order:-
 - (i) for a period longer than two hours, or
 - (ii) if a period of less than one hour has elapsed since the termination during the prescribed hours of the last period of parking (if any) of the vehicle in the same parking place;
9. Where a vehicle, having been left in a parking place, remains there at the beginning of the prescribed hours, then the vehicle shall be treated, for the purposes of this Part of this Order as if it had arrived in the parking place at the beginning of those hours.
10. The driver of a vehicle shall not permit it to park in a parking place:-
 - (a) unless it is a vehicle of a class specified in Article 7 of this Order, and
 - (b) unless it is in a position specified in Article 7 of this Order.
11. The limits of each parking place and the limits of any access way in a parking place shall be indicated by the Council on the carriageway by the appropriate traffic signs and any vehicle standing in a parking place shall stand wholly within the limits so marked.
12. The driver of a vehicle using a parking place shall stop the engine as soon as the vehicle is in position in the parking place, and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.

13. The provisions of this part of this Order which prohibit the waiting of vehicles in any of the said parking places either:-
- (a) beyond the specified period of parking, or
 - (b) if less than the specified period has elapsed since the previous period of parking by that vehicle in the same parking place,
- shall not apply to any disabled persons' vehicle or invalid carriage which displays in the relevant position a disabled persons' badge.
14. (1) Where a parking attendant or a police officer in uniform is of the opinion that any of the provisions contained in this Part of this Order have been contravened or not complied with in respect of a vehicle left in a parking place he may remove or cause to be removed the vehicle from the parking place and, where it is so removed, he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle, provided that when a vehicle is waiting in a parking place in a position contravening the provisions of this Part of the Order a parking attendant or a police officer in uniform may alter or cause to be altered the position of the vehicle in order that its position shall comply with the provisions.
- (2) A police officer in uniform may, in case of emergency, move, or cause to be moved to any place he thinks fit, any vehicle left in a parking place.
 - (3) Any person authorised to remove a vehicle or alter its position by virtue of parts (1) and (2) of this Article may do so by towing or driving the vehicle or in such other manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position as the case may be.
15. (1) A parking attendant, a police officer in uniform or person authorised by the Council may suspend the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary:-
- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
 - (b) 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 parking place or the laying, erection,

alteration, removal, repair or servicing in or adjacent to the parking place of any sewer or any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus or traffic sign;

- (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture or household effects to or from one shop, office or dwellinghouse;
- (d) on any occasion on which it is likely by reason of some special attraction that any road will be thronged or obstructed, or
- (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions.

(2) Any person suspending the use of a parking place or any part thereof in accordance with the provisions of part (1) of this Article shall thereupon place or cause to be placed in or adjacent to that parking place or the part thereof the use of which is suspended a traffic sign indicating that waiting by vehicles is prohibited.

(3) No person shall cause or permit a vehicle to be left in any parking place or part of a parking place during any period when there is in or adjacent to that parking place or part thereof the use of which is suspended a traffic sign placed in pursuance of part (2) of this Article.

16. No person shall use any vehicle while it is in a parking place in connection with the sale of any article to any person in or near the parking place or in connection with the selling or offering for hire of his skill or services, provided that nothing in this Article shall prevent the sale of goods from a vehicle by a roundsman if the vehicle is of a class specified in Article 7 or a goods vehicle.

17. Nothing in the foregoing provisions of this Part of the Order shall apply to a vehicle waiting in a parking place, other than a parking place the use of which has been suspended, if:-

- (a) the vehicle is being used for any purpose or eventuality specified in parts (a), (b), (c), (d), (e), (f), (g) and (h) of Article 6 of this Order (which said parts shall be construed as if "parking place" was substituted for "restricted road" wherever the latter phrase occurs);

- (b) the vehicle is waiting only for so long as is necessary to enable it to be used in connection with the posting or removing of advertising material in the form of posters, or cleaning windows or chimneys in premises adjacent to the parking place on which the vehicle is waiting.

PART IV

CONTRAVENTIONS OF THE ORDER

18. (1) If a vehicle is left at any time in contravention of a provision of this Order a penalty charge shall be payable.
- (2) In the case of a vehicle in respect of which a penalty charge is payable a penalty charge notice showing the information required by Section 66 of the Road Traffic Act 1991 may then be issued by a parking attendant in accordance with the requirements of Section 66 of that Act.

PART V

REVOCATIONS

19. The Order specified in Schedule 4 to this Order is revoked.

SCHEDULE 1

ROADS IN THE CITY OF OXFORD TO WHICH THIS ORDER APPLIES

Cleveland Drive

Gerard Place

St. Omer Road

SCHEDULE 2

PART A

RESTRICTED ROADS IN THE CITY OF OXFORD

NO WAITING AT ANY TIME

1. Cleveland Drive The whole road with the exception of the lengths specified in Part B of this Schedule
2. Gerard Place The whole road with the exception of the lengths specified in Part B of this Schedule
3. St. Omer Road The whole road with the exception of the lengths specified in Part B of this Schedule
4. Accessways All accessways in the lengths of road specified in Part B of this Schedule.

PART B

RESTRICTED ROADS IN THE CITY OF OXFORD

NO WAITING MONDAY TO SATURDAY 8.00 A.M. - 6.30 P.M.

1. Cleveland Drive North-western side; from a point 66 metres south-west of the south-western kerblines of Oxford Road south-westwards for a distance of 46 metres.
2. Gerard Place Southern side; from a point 8 metres east of the eastern kerblines of St. Omer Road eastwards for a distance of 33 metres.
3. St. Omer Road (a) North-eastern side; from a point 10 metres south-east of the south-eastern kerblines of Cleveland Drive, south-eastwards for a distance of 38 metres.

- (b) South-western side; from a point 88 metres south-east of the south-eastern kerblines of Cleveland Drive south-eastwards for a distance of 61 metres.

SCHEDULE 3
PARKING PLACES

PART A

30 MINUTE PARKING PLACES

1. Cleveland Drive
 - (a) South-eastern side, from a point 14 metres south-west of the south-western kerblines of Oxford Road south-westwards for a distance of 14 metres.
 - (b) North-western side, from a point 14 metres south-west of the south-western kerblines of Oxford Road, south-westwards for a distance of 22 metres.

PART B

2 HOUR PARKING PLACES

1. Cleveland Drive
North-western side, from a point 41 metres south-west of the south-western kerblines of Oxford Road south-westwards for a distance of 24 metres.

PART C

PARKING PLACES FOR UNLIMITED STAYS

1. Cleveland Drive
 - (a) South-eastern side; from a point 40 metres south-west of the south-western kerblines of Oxford Road south-westwards for a distance of 50 metres.
 - (b) South-eastern side; from a point 10 metres south-west of the south-western kerblines of St. Omer Road south-westwards for a distance of 23 metres.
 - (c) North-western side; from a point 112 metres south-west of the south-western

kerbline of Oxford road south-westwards for a distance of 24 metres.

2. Gerard Place

- (a) Southern side; from a point 41 metres east of the eastern kerbline of St. Omer Road eastwards to the end of the road.
- (b) Northern side; from a point 8 metres east of the eastern kerbline of St. Omer Road eastwards to the end of the road.

3. St. Omer Road

- (a) North-eastern side; from a point 16 metres south of the southern kerbline of Gerard Place south-eastwards for a distance of 58 metres.
- (b) South-western side; from a point 10 metres south-east of the south-eastern kerbline of Cleveland Drive, south-eastwards for a distance of 78 metres.

SCHEDULE 4
REVOCATIONS

The City of Oxford (Gerard Place and St. Omer Road) (Traffic Management and Parking) Order 1991

THE COMMON SEAL of THE)
OXFORD CITY COUNCIL was)
hereunto affixed by Order of the)
Council in the presence of:-)