

23-1999

CITY OF OXFORD

THE CITY OF OXFORD (NEW HINKSEY AREA) (TRAFFIC MANAGEMENT)

ORDER 1999

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) 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 the 12th July 1999 and may be cited as "The City of Oxford (New Hinksey Area) (Traffic Management) Order 1999".
2. 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;
 - "bus" means:-
 - (a) a motor vehicle constructed or adapted to carry more than eight passengers (exclusive of the driver);
 - (b) a local bus not so constructed or adapted;
 - "disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) Regulations 1982;
 - "disabled person's parking disc" means a disc issued by a local authority in accordance with 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;

"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 metric weight;

"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 metric 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 waiting and parking restrictions imposed by 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;

"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 in relation to any restricted road specified in Schedules 2 and 3 to this Order the whole 24 hours of every day;

"restricted road" means any road or length of road specified in Schedules 2 and 3;

"roundsman" means a person employed by a tradesman to visit customers to take orders and 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.

3. (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.
4. This Order regulates traffic in the roads or parts of roads specified in Schedule 1 to this Order.

PART II

WAITING OF VEHICLES

5. Subject to the provisions of Articles 6 and 7 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 in respect of the lengths of restricted road specified in Schedule 2 :-
 - (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 a 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 being used in connection with any funeral, or any vehicle reasonably required in connection with any building operation, demolition or excavation in or adjacent to a restricted road, the removal of any obstruction to traffic in a restricted road, the maintenance, improvement or reconstruction of a restricted road or the laying, erection, alteration, removal, repair or servicing in or adjacent to a restricted road of any sewer or 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 or employed by a fire service, 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 a restricted road;
- (f) to any vehicle in the service of or employed by a public telecommunications operator waiting in a restricted road in connection with the servicing of telephone kiosks or telecommunications apparatus adjacent to any such length of road;
- (g) to a vehicle waiting while any gate or other barrier at the entrance to 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 a 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 any 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 a restricted road, 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 a 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.

7. Nothing in Article 5 of this Order shall apply in respect of the lengths of restricted road specified in Schedule 3 if a vehicle is being used for any of the following purposes or eventualities:-
- (a) if the vehicle is waiting where the person in control of the vehicle is required by law to stop or is obliged to stop in order to avoid an accident or is prevented from proceeding by circumstances outside his control;
 - (b) if the vehicle is waiting while any gate or other barrier at the entrance to premises to which it 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 a length of road specified in Schedule 3 whilst such gate or other barrier is being opened or closed;
 - (c) if the vehicle is in the service of the fire or ambulance services and is being used in cases of emergency;
 - (d) if the vehicle is being used in the service of a local authority, water undertaking or statutory undertaker in pursuance of statutory powers or duties;
 - (e) if the vehicle is in the service of or employed by the Post Office and is waiting while postal packets are being loaded, unloaded, delivered to or collected from premises or posting boxes in or adjacent to a length of road specified in Schedule 3;
 - (f) if the vehicle is a bus being used in the provision of a local service and is waiting at any bus stop in order to set down or pick up passengers;
 - (g) if the vehicle is being used for the delivery or collection of goods at premises in or adjacent to a length of road specified in Schedule 3 provided that the permission of a parking attendant or police officer in uniform has been sought and his consent has been obtained;
 - (h) if the vehicle is being used for the removal of furniture or effects to or from one shop, office or dwellinghouse in or adjacent to a length of

road specified in Schedule 3 provided that the permission of a parking attendant or police officer in uniform has been sought and his consent obtained;

- (i) if the vehicle is in the service of the Police;
- (j) so as to restrict the use of any vehicle being used in connection with any funeral, or any vehicle reasonably required in connection with any building operation, demolition or excavation in or adjacent to a length of road specified in Schedule 3 the removal of any obstruction to traffic in such a length of road, the maintenance, improvement or reconstruction of such a length of road or the laying, erection, alteration, removal, repair or servicing in or adjacent to such a length of road of any sewer or any main, pipe or apparatus for the supply of gas, water or electricity, or of any telecommunications apparatus, provided in each case that the permission of a parking attendant or police officer in uniform has been sought and his consent obtained.

PART III

PROHIBITION OF ENTRY

8. (1) No person shall cause any motor vehicle proceeding in any length of road specified in column 1 of Part A of Schedule 4 to this Order to enter the length of road specified in relation to that road in column 2 of Part A of Schedule 4.
- (2) No person shall cause any vehicle proceeding in any length of road specified in column 1 of Part B of Schedule 4 to enter the length of road specified in relation to that road in column 2 of Part B of Schedule 4.
- (3) Save as provided in part (4) of this Article no person shall cause any motor vehicle proceeding in the length of road specified in column 1 of Part C of Schedule 4 to enter the length of road specified in relation to that road in column 2 of Part C of Schedule 4.

- (4) Nothing in part (3) of this Article shall apply to:-
- (a) a vehicle which requires access to properties within that length of road or in Bertie Place;
 - (b) a bus;
 - (c) a hackney carriage;
 - (d) a police vehicle.

PART IV

PROHIBITION OF DRIVING

9. No person shall cause any motor vehicle to proceed in the length of road specified in Schedule 5 to this Order.

PART V

CONTRAVENTIONS OF THE ORDER

10. (1) If a vehicle is left at any time in contravention of a provision of this Order contained in Part II 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 the Act.

PART VI

REVOCATIONS

11. The Order specified in Schedule 6 to this Order is revoked.

SCHEDULE 1

ROADS AFFECTED BY A PROVISION OF THE ORDER

Abingdon Road (A4144)

Abingdon Road (unnumbered)

Canning Crescent

Chatham Road

Fox Crescent

Lincoln Road

Monmouth Road

Norreys Avenue

Northampton Road

Oswestry Road

Sunningwell Road

Weirs Lane

Wytham Street

SCHEDULE 2

NO WAITING AT ANY TIME

LENGTHS OF ROAD IN THE CITY OF OXFORD:-

1. Abingdon Road (A4144)
 - (a) Western side:-
 - (i) from a point 57 metres north of the junction with Lake Street to a point 18 metres south of that junction.
 - (ii) from a point 18 metres north of the junction with Vicarage Road to a point 18 metres south of that junction.
 - (iii) from a point 18 metres north of the junction with Norreys Avenue to a point 18 metres south of that junction.
 - (iv) from a point 14 metres north of the junction with Sunningwell Road to a point 21 metres south of that junction.
 - (v) from a point 18 metres north of the junction with Lincoln Road to a point 18 metres south of that junction.
 - (vi) from a point 18 metres north of the junction with Monmouth Road to a point 18 metres south of that junction.
 - (b) Eastern side:-
 - (i) from a point 18 metres north of the junction with Weirs Lane to a point 18 metres south of that junction.

- (ii) from a point 18 metres north of the junction with Canning Crescent to a point 18 metres south of that junction.
 - (c) Both sides, from its junction with Weirs Lane southwards to its junction with A423 at the Kennington roundabout.
2. Abingdon Road (unnumbered)
- (a) Both sides, from the north junction with Abingdon Road (A4144) southwards to its intersection with the length of road described in (b) below.
 - (b) Both sides, from the south junction with Abingdon Road (A4144) westwards and southwards to the north-east kerbline of Kennington Road.
3. Canning Crescent
- (a) North side, from a point 16 metres east of the kerbline at the western end of the road at its junction with Abingdon Road, eastwards for a distance of 24 metres measured around all sides of the turning head on the north side.
 - (b) South side, from a point 10 metres east of the kerbline at the western end of the road at its junction with Abingdon Road, eastwards for a distance of 21 metres.
 - (c) The whole length of the western kerbline of the road at its junction with Abingdon Road.
 - (d) All access ways on both sides of the whole length of the road.
4. Chatham Road
- Both sides, north-eastwards for a distance of 18 metres from its junction with Abingdon Road.
5. Fox Crescent
- (a) On the east side of the main carriageway of the road, from a point 48 metres north of the north kerbline

of Weirs Lane northwards for a distance of 21 metres.

- (b) North-west side of the crescent of Fox Crescent, from its south junction with the main carriageway of the road, north-eastwards for a distance of 26 metres.
- (c) South-east side of the crescent of Fox Crescent, from its south junction with the main carriageway of the road, north-eastwards for a distance of 26 metres.
- (d) On all sides of the access way to the Fox Crescent recreation ground.

- 6. Lincoln Road Both sides, westwards for a distance of 18 metres from its junction with Abingdon Road.
- 7. Monmouth Road Both sides, westwards for a distance of 18 metres from its junction with Abingdon Road.
- 8. Norreys Avenue Both sides, westwards for a distance of 18 metres from its junction with Abingdon Road.
- 9. Northampton Road Both sides, westwards for a distance of 18 metres from its junction with Abingdon Road.
- 10. Oswestry Road Both sides, westwards for a distance of 18 metres from its junction with Abingdon Road.
- 11. Sunningwell Road
 - (a) North side:-
 - (i) from its junction with Abingdon Road westwards for a distance of 18 metres.
 - (ii) from a point 18 metres east of its junction with Wytham Street to a point 18 metres west of that junction.
 - (b) South side:-

- (i) from its junction with Abingdon Road westwards for a distance of 14 metres.
- (ii) from a point 14 metres east of its junction with Wytham Street to a point 14 metres west of that junction.

12. Weirs Lane

- (a) North side, north-eastwards for a distance of 18 metres from the east kerbline of Abingdon Road.
- (b) North side, from a point 12 metres south-west of the south-western kerbline of Fox Crescent, north-eastwards to its junction with Donnington Bridge Road.
- (c) South side, from the eastern kerbline of Abingdon Road to its junction with Donnington Bridge Road.

13. Wytham Street

Both sides, from a point 14 metres south of its junction with Sunningwell Road to a point 14 metres north of that junction.

SCHEDULE 3

NO LOADING OR UNLOADING

LENGTHS OF ROAD IN THE CITY OF OXFORD:-

1. Abingdon Road (A4144)
 - (a) Western side; from the south kerbline of Northampton Road to a point 18 metres south of the junction with Oswestry Road
 - (b) Eastern side; from a point 57 metres north of the junction with Chatham Road to a point 18 metres south of that junction.

SCHEDULE 4
PROHIBITION OF ENTRY

PART A

Column 1

1. Abingdon Road
2. Canning Crescent

Column 2

- Canning Crescent
- Abingdon Road

PART B

Column 1

1. Abingdon Road (A4144)
2. Abingdon Road
3. Wytham Street

Column 2

- Abingdon Road (unnumbered) between the common boundary between Nos. 404 and 402 Abingdon Road and its junction with Bertie Place.
- Wytham Street
- Abingdon Road

PART C

Column 1

1. Abingdon Road (unnumbered) west of Bertie Place

Column 2

- Abingdon Road between Bertie Place and the common boundary between Nos. 404 and 402 Abingdon Road.

SCHEDULE 5

PROHIBITION OF DRIVING

1. FOX CRESCENT
 - (a) The main carriageway, from a point 6 metres south of the south kerbline of Chatham Road, for a distance of 4 metres in a southward direction.
 - (b) The crescent of Fox Crescent from a point 9 metres south of the common boundary between Nos. 18 and 20 Fox Crescent in a southward direction for a distance of 1.5 metres.

SCHEDULE 6
REVOCATIONS

The City of Oxford (New Hinksey Area) (Traffic Management) Consolidation Order
1997

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