

SOUTH GLOUCESTERSHIRE COUNCIL

(CHURCH VIEW, FILTON) (DESIGNATED LOADING PLACE) ORDER 2021

The South Gloucestershire District Council (hereinafter referred to as "the Council") in exercise of its powers under sections 32 and 35 of 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:-

1. This order shall come into operation on the 17 June 2021 and may be cited as the South Gloucestershire Council (Church View, Filton) (Designated Loading Place) Order 2021.

2. (1) In this order:-

"civil enforcement officer" means a person authorised by the Council to act as a "civil enforcement officer" as defined in section 76 of the Traffic Management Act 2004;

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

"loading place" means any area on a highway designated as a loading place by Article 3 of this order;

"parking attendant" means a person authorised by or on behalf of the Council to supervise any parking place in accordance with provisions contained in section 63A of the Act of 1984;

"permitted hours" in relation to a loading place, means the period specified in the plans;

"plans" means the drawings which are annexed hereto as specified in the Schedule to this order;

"police community support officer" has the same meaning as in section 38 of the Police Reform Act 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, and

"traffic warden" means a traffic warden employed by a police authority in pursuance of sections 95 and 96 of the Act of 1984.

- (2) 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.

PART II

DESIGNATION OF LOADING PLACES

Designation of loading places

3. Each area on a highway which is identified as **Loading only**, in the plans, and unless otherwise so indicated on the said plans bounded on one side of that length by the edge of the carriageway and having a width throughout of 2.5 metres is hereby designated to be used as a loading place during the permitted hours, subject to the following provisions of this order.
4. The limits of each loading place shall be indicated on the carriageway by appropriate traffic signs.

Vehicles for which loading places are designated

5. Each loading place may be used, subject to the provisions of this order, for the waiting during the permitted hours of any vehicle to enable goods to be loaded on or unloaded from the vehicle for the purposes of delivering or collecting the said goods from premises situated on or adjacent to the lengths of road in which the loading place is situated for so long as such waiting by that vehicle is reasonably necessary in connection with this purpose.
6. The driver of a vehicle using a loading place as specified in Article 5 shall stop the engine as soon as the vehicle is in position in the loading place and shall not start the engine except when about to change the position of the vehicle in or to depart from the loading place.
7. No person shall use any vehicle while it is in a loading place either for the purpose of selling it or in connection with the sale of any article to any person in or near the loading place or in connection with the selling or offering for sale of his skill in handicraft or his services in any other capacity or carry out or permit the carrying out of any work of maintenance or repair as may be necessary to enable the vehicle to be moved from the loading place.

Manner of standing in loading parking places

8. The driver of a vehicle waiting in a loading place shall cause it so to stand:-

- a. in the case of a loading place in relation to which special provisions as to the manner of standing of vehicles in that place are indicated on the carriageway by appropriate traffic signs as to be in accordance with those provisions;
 - b. in the case of any other loading place on a road in single line parallel to the edge of the carriageway and so that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than three hundred millimetres; and
 - c. so that every part of the vehicle is within the limits of a loading place.
9. No person shall leave a vehicle in a loading place -
- a. unless it is a vehicle specified in Article 3 of this order; and
 - b. in a position other than that specified in Article 8 of this order.

Power to suspend the use of loading places

10. (1) Any person generally or specially authorised by the Council may suspend the use of any loading place or any part thereof whenever that person 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 loading place or the maintenance improvement or reconstruction of the loading place or the laying, erection, alteration, removal or repair in or adjacent to the loading place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus or traffic sign;
 - c. for the convenience of occupiers of premises adjacent to the loading place on any occasion of the removal of furniture from one office or dwellinghouse to another or the removal of furniture from such premises to a depository or to such premises from a depository;
 - d. on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
 - e. for the convenience of occupiers of premises adjacent to the loading place at times of weddings or funerals, or on other special occasions.

- (2) A police constable in uniform may suspend for not longer than twenty-four hours the use of a loading place or any part thereof whenever that police constable considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (3) Any person suspending the use of a loading place or any part thereof in accordance with the provisions of paragraph (1) or paragraph (2) 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 disabled persons' vehicles is prohibited.
- (4) No person shall cause or permit a vehicle to be left in any part of a loading place during such period as there is in or adjacent to that part of the loading place a traffic sign placed in pursuance of paragraph (3) of this Article -

Provided that nothing in this paragraph shall render it unlawful to cause or permit any vehicle being used for fire brigade, ambulance or police purposes to be left in any part of the loading place during such period as is referred to therein, or to any other vehicle so left if that vehicle is left with the permission (i) of the person suspending the use of the loading place or the part thereof in pursuance of paragraph (1) of this Article, (ii) of a police constable in uniform or (iii) of a police community support officer (iv) of a traffic warden or (v) of a parking attendant or (vi) of a civil enforcement officer.

Alteration of position of vehicle in loading places

11. Where a vehicle is standing in a loading place in contravention of the provisions of Article 8 of this order, a police constable in uniform or a police community support officer or a traffic warden or a parking attendant or a civil enforcement officer may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

Removal of vehicles from loading places

12. When a vehicle is left in a loading place in contravention of any of the provisions contained in Article 3 or Article 10(4) of this order or when a vehicle other than a vehicle specified in Article 5 is left in a loading place in contravention of the provisions of Article 9 of this order, a police constable in uniform or a police community support officer or a traffic warden or a parking attendant or a civil enforcement officer may remove or arrange for the removal of the vehicle from that loading place.
13. A police constable in uniform or a police community support officer or a traffic warden or a parking attendant or a civil enforcement officer removing a vehicle by virtue of Article 12 of this order may do so by towing or driving the vehicle or

in such other manner as that a police constable in uniform or a police community support officer or a traffic warden or a parking attendant or a civil enforcement officer may think necessary and may take such measures in relation to that vehicle as may be thought necessary to enable the removal as aforesaid.

Safe custody of vehicles from loading places

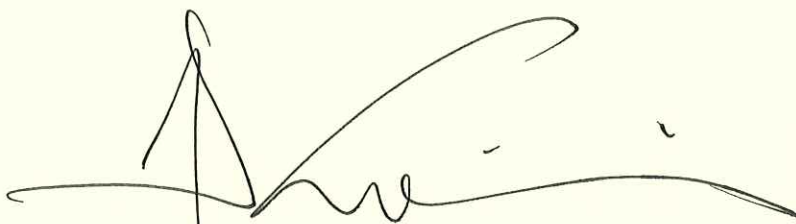
14. When a police constable in uniform or a police community support officer or a traffic warden or a parking attendant or a civil enforcement officer removes or makes arrangements for the removal of a vehicle from a loading place by virtue of Article 13 of this order, that a police constable in uniform or a police community support officer or a traffic warden or a parking attendant or a civil enforcement officer shall make such arrangements as may be reasonably necessary for the safe custody of that vehicle.

Movement of vehicles in loading places in an emergency

15. Any person generally or specially authorised by the Council or a police constable in uniform or a police community support officer or a traffic warden or a parking attendant or a civil enforcement officer may move or cause to be moved, in case of emergency, to any place he thinks fit any vehicle left in a loading place.

Given under the Common Seal of South Gloucestershire District Council 9th day of June 2021.

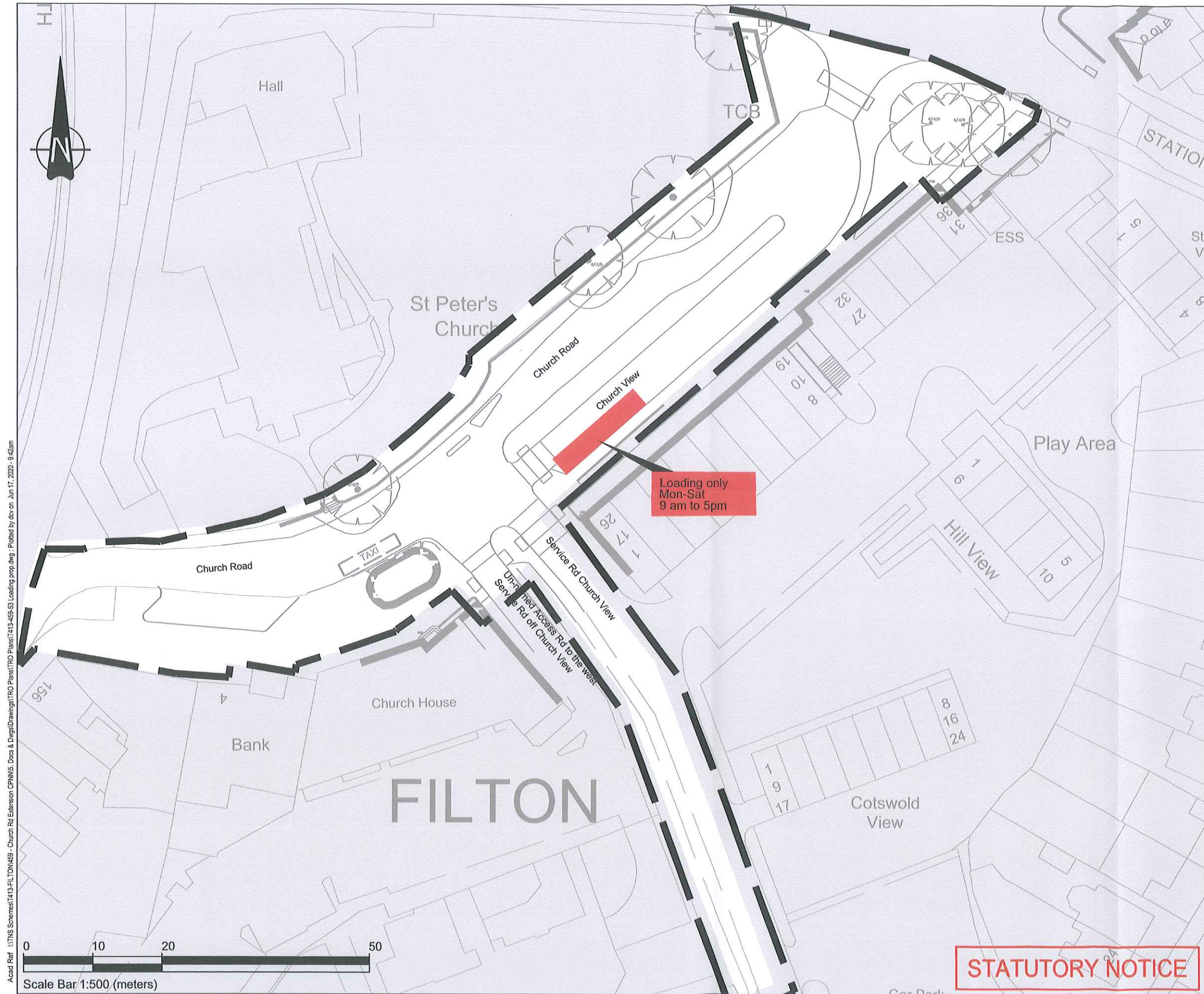
THE COMMON SEAL of
SOUTH GLOUCESTERSHIRE
DISTRICT COUNCIL was hereunto
affixed in the presence of:-


Solicitor



SCHEDULE
Plans

T413-459-53



Acad Ref: I:\TNS Schemes\1413-FILTON\459 - Church Rd Extension CPNN\5. Docs & Drawings\TPO Plans\1413-459-53 Loading pmp.dwg - Plotted by dcr on Jun 17, 2020 - 9:42am

ORDNANCE SURVEY

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This map has been provided for this scheme consultation and must not be used for any other purpose. Only one paper copy may be made for your own use.

TRAFFIC ORDER KEY

Loading only

Handwritten signature

Rev	Description	Drawn	App'd	Date

South Gloucestershire Council
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Project: A38 CPNN
Church Road Contra-Flow Cycle Lane

Title: Parking and Waiting Restrictions
Traffic Order
Loading

Scale @ A3		1:500	
Drawn	DRG	Checked	JS
Date	Apr.19	Date	Apr.19
Dwg No.	T413 - 459 - 53	Number	Rev.

STATUTORY NOTICE