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STATUTORY INSTRUMENTS

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2002 No 1051

ROAD TRAFFIC

THE A36 TRUNK ROAD (WILTSHIRE) (24 HOURS CLEARWAY)  
ORDER 2002

Made 8 April 2002

Coming into force 19 April 2002

The Secretary of State for Transport, Local Government and the Regions, in exercise of the powers conferred by sections 1 (1), 2 (1) and (2), 3(2) and 4 (1) of, and paragraph 27 (1) of Schedule 9 to, the Road Traffic Regulation Act 1984 (a) and of all other powers enabling him in that behalf, hereby makes the following Order:-

1. This Order may be cited as the A36 Trunk Road (Wiltshire) (24 Hours Clearway) Order 2002 and shall come into force on 19 April 2002.
2. In this Order:

"the trunk road"

means the A36 Trunk Road in the Districts of West Wiltshire and Salisbury, in the County of Wiltshire from

(a) the point where it crosses the Wiltshire/Somerset County boundary, 50 metres south east of the access to Maidsgrove Farm, Standerwick, Somerset, to a point 110 metres west of the access to 'Hunters Lodge', west of Stapleford, and

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(a) 1984 c 27; sections 1(1) and 2(1) and (2) were amended by the New Roads and Street Works Act 1991 (c.22), section 168 and Schedule 8, paragraphs 17(2) and 18(2) and (3)



(b) a point 50 metres east of the centre of its junction with the C324 to Alderbury at the western end of the Alderbury Bypass to a point 260 metres east of the centre of its junction with the B3079 Lyndhurst Road at Landford;

"a slip road"	means any slip road leading to or from the trunk road;
"a connecting road"	means any road connecting the trunk road with the A303 Trunk Road at the Deptford/Wylve interchange;
"a road"	means the trunk road, a slip road or a connecting road;
"carriageway"	means a way consisting of, or comprised in a road being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles;
"layby"	means any area of carriageway intended for the waiting of vehicles and bounded partly by a traffic sign of the type shown in diagram 1010 in Schedule 6 to the Traffic Signs Regulations and General Directions 1994 (a) and partly by the outer edge of the carriageway on the same side of the road as the traffic sign;
"verge"	means any part of a road that is not a carriageway;
"water authority"	means a water or sewage undertaker within the meaning of the Water Industry Act 1991 (b); and



"a bus stop area"

means an area of carriageway comprised in a road which is intended for the waiting of public service vehicles, and is comprised within and indicated by a road marking complying with either diagram 1025, 1025.1, 1025.2 or 1025.3 in Schedule 6 to the Traffic Signs Regulations and General Directions 1994.

3. Save as provided in article 4 of this Order, no person shall cause or permit any vehicle to wait on any part of a road, other than a layby, except upon a direction, or with the permission, of a police constable in uniform or a traffic warden, or within the area of Salisbury District Council, a Parking Attendant in uniform.
4. Nothing in this Order shall apply:
  - (a) so as to prevent a vehicle waiting on any part of the carriageway, for so long as may be necessary to enable that vehicle to be used in connection with-
    - (i) any building operation or demolition,
    - (ii) the removal of any obstruction to traffic,
    - (iii) the maintenance, improvement or reconstruction of a road , or
    - (iv) the laying, erection, alteration or repair in or near a road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in Schedule 2 of the Telecommunication Act 1984 (a);
  - (b) in relation to a vehicle being used-
    - (i) for fire brigade, ambulance or police purposes,
    - (ii) in the service of a local authority or of a water authority in pursuance of statutory powers or duties,
    - (iii) by a universal service provider for the purposes of the provision of a universal postal service as defined by the Postal Services Act 2000 (b) or
    - (iv) the picking up and setting down of passengers by a public service vehicle in a bus stop area;

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(a) 1984 c. 12

(b) 2000 c.26



- (c) in relation 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 opened or closed, if it is not reasonably practicable for the vehicle to wait elsewhere, or
  - (d) in relation to a vehicle waiting when the person in control of it is-
    - (i) required by law to stop,
    - (ii) obliged to stop in order to avoid an accident, or
    - (iii) prevented from proceeding by circumstances outside his or her control.
5. The Secretary of State is satisfied that, for facilitating the passage of vehicular traffic on a road, it is requisite that section 3 (1) of the Road Traffic Regulation Act 1984 (a) shall not apply to the provisions of article 3 above.
6. Any order under the Road Traffic Regulation Act 1984 or any enactment replaced by that Act which imposed a waiting restriction on the trunk road or any part thereof is hereby revoked.
7. The following article applies to the part of the trunk road which is situated within the area of Salisbury District Council:
- (a) Where a vehicle has been left in contravention of the waiting, loading and unloading restrictions imposed by this Order, a Penalty Charge shall be incurred, the amount of which will be set by Wiltshire County Council under the provisions of the Road Traffic Act 1991 relating to special parking areas and permitted parking areas.
  - (b) Where a Penalty Charge is payable, a Penalty Notice shall be issued by a Parking Attendant in accordance with the requirements of Schedule 3 of the Act of 1991.
  - (c) The Penalty Charge Notice shall be paid within 28 days payable to Salisbury District Council under the terms referred to in the said Notice.

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(a) Section 3 (1) was amended by the New Roads and Street Works Act 1991, Section 168 and Schedule 8, paragraph 19.



Signed by authority of the  
Secretary of State for Transport,  
Local Government  
and the Regions

C JONES  
Operations Directorate South West  
Highways Agency  
Department for Transport, Local Government  
and the Regions

8 April 2002