

SOUTH GLOUCESTERSHIRE COUNCIL**(KELSTON CLOSE, YATE) (PROHIBITION OF DRIVING RESTRICTED HOURS)**
EXPERIMENTAL ORDER 2020

The South Gloucestershire District Council (hereinafter referred to as "the Council") in exercise of its powers under section 9 and section 10 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:-

Commencement and Citation

1. This order shall come into operation on the 1 September 2020 and may be cited as the South Gloucestershire Council (Kelston Close, Yate) (Prohibition of Driving Restricted Hours) Experimental Order 2020.

Interpretation

2. (1) In this Order:-

"electronic communications apparatus" means apparatus comprised in or to be comprised in an electronic communications network as defined in the Communications Act 2003;

"motor vehicle" has the same meaning as in section 136 of the Act of 1984;

"restricted hours" means the period indicated on a traffic sign complying with item 10 in Part 4 of Schedule 7 to the Traffic Signs Regulations and General Directions 2016;

"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

"vehicle" means any vehicle, whether or not it is in a fit state for use on a road, and includes chassis or body, with or without wheels, appearing to have formed part of such a vehicle, and any load carried by and anything attached to such a vehicle.

- (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.

Provisions

3. Save as provided in Article 4 of this order no person shall cause or permit any motor vehicle to enter on or proceed in the length of road specified in the Schedule to this order during the restricted hours.

Exemptions

4. Nothing in Article 3 of this order shall render it unlawful to cause or permit any motor vehicle to enter, proceed or wait in the length of road referred to therein if the vehicle is being used:
 - a. in connection with the carrying out on, or on premises situated on that length of road of 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 road;
 - (iv) the laying, erection, alteration or repair in, or in land adjacent to the road of any sewer, or of any main, pipe or apparatus for the supply of gas, water or electricity or any electronic communication apparatus as defined in the Communications Act 2003;
 - b. In the service of a local authority, the Environment Agency, a water undertaker or sewerage undertaker in pursuance of statutory powers or duties.
- (3) Nothing in Article 3 of this order shall apply to any vehicle being used for fire brigade, ambulance or police purposes in exercise of official duties.

Power to Modify or Suspend this Order

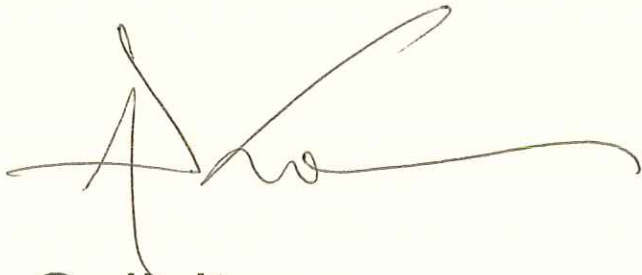
5. If it appears to the Council's Director Environment and Community Services, or some person, authorised by him, essential in the interests of the expeditious, convenient and safe movement of traffic and after consulting with the chief officer of police, he may modify or suspend any provision of this order, save that no modification shall make an addition.

Miscellaneous

6. In so far as any provision of this order conflicts with any provision of any order made or having effect as if made under the Act of 1984 and which imposes a restriction or prohibition on waiting by vehicles or grants an exemption from such restriction or prohibition then that provision of this Order shall prevail.
7. The provisions of this order shall be in addition to and not in derogation from the provisions of any regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.

Given under the Common Seal of South Gloucestershire District Council the 12th day of August 2020.

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



Solicitor



SCHEDULE

Kelston Close - that length of road which extends from a point 87 metres south of its junction with Rodford Way for a distance of 72 metres

