

SOUTH GLOUCESTERSHIRE COUNCIL

(BROOK ROAD, KINGSWOOD) (PROHIBITION OF DRIVING RESTRICTED HOURS)
(VARIATION NO.1) EXPERIMENTAL ORDER 2021

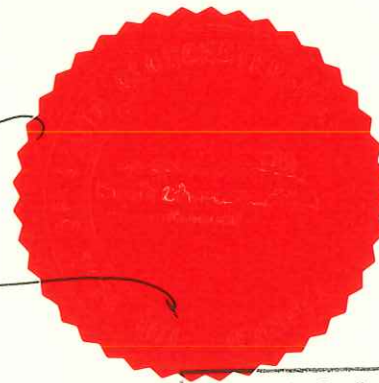
The South Gloucestershire District Council (hereinafter referred to as "the Council") in exercise of its powers under section 9 and section 10 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 as amended (hereinafter referred to as "the Act of 1984") and of all other enabling powers, 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 7 July 2021 and may be cited as the South Gloucestershire Council (Brook Road, Kingswood) (Prohibition of Driving Restricted Hours) (Variation No.1) Experimental Order 2021.
2. The South Gloucestershire Council (Brook Road, Kingswood) (Prohibition of Driving Restricted Hours) Experimental Order 2020 (hereinafter referred to as "the Experimental Order") is hereby varied and shall have effect as though:-
 - a) there were substituted for Article 2 thereof the following Article 2 as set out in Schedule 1 to this order; and
 - b) there were substituted for Article 4 thereof the following Article 4 as set out in Schedule 2 to this order.

Given under the Common Seal of South Gloucestershire District Council the 23rd day of June 2021.

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


Solicitor



Authority for Sealing Comm Min/Del Power Seal Reg No 24604
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SCHEDULE 1

Substitution for Article 2 of the Experimental Order

"2. (1) In this Order:-

"disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 as amended by the Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) Regulations 2000;

"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."

SCHEDULE 2

Substitution for Article 4 of the Experimental Order

"4. (1) 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 herein 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.
- (2) 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.
- (3) Nothing in Article 3 of this order shall apply to any vehicle being used by the parent/carer for the transport of their child who holds a valid disabled person's badge and who attends and is travelling to or from Kings Oak Academy."