

SOUTH GLOUCESTERSHIRE COUNCIL

(HIGHWOOD ROAD, PATCHWAY)  
(PROHIBITION OF ENTRY EXCEPT FOR BUSES) EXPERIMENTAL ORDER 2012

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:-

**Commencement and Citation**

1. This order shall come into operation on the 15 October 2012 and may be cited as the South Gloucestershire Council (Highwood Road, Patchway) (Prohibition of Entry except for Buses) Experimental Order 2012.

**Interpretation**

2. (1) In this Order:-

"bus" means a motor vehicle constructed or adapted to carry more than 8 passengers (exclusive of the driver) and local bus not so constructed or adapted;

"coach" means a large bus with a maximum gross weight of more than 7.5 tonnes and with a maximum speed exceeding 60 mph;

"community bus" means a public service vehicle being used as a community bus service and for which a community bus permit has been issued and not withdrawn;

"dial-a-ride bus" means a vehicle -

- (i) displaying so as to be conspicuous on the outside of the vehicle a logo in a form approved by or with the authority of the Council and containing the words "dial-a-ride"; and
- (ii) constructed or adapted for the carriage of disabled persons and their companions and which is being used to provide a service for the carriage of such persons;

"hackney carriage" has the same meaning as in Part III of Schedule 1 to the Vehicles Excise and Registration Act 1994;

"parking attendant" means a person duly 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;

"pedal cycle" means a bicycle, tricycle or cycle having four or more wheels, not being in any case a motor vehicle;

<b>AUTHORITY FOR SEALING</b>	
Council Resolution	Full Council
Committee minute	26 of 18/7/12
Initials	DRS (LT)

**"school bus"** means a vehicle constructed or adapted to carry 12 or more passengers and being used to carry persons to or from school as defined by section 114(1) of the Education Act 1944.

- (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, except upon the direction or with the permission of a police constable in uniform or of a parking attendant, cause or permit any vehicle other than a bus, coach, community bus, dial-a-ride bus, hackney carriage, school bus or pedal cycle proceeding in any of the roads specified in column 1 of the Schedule to this order to enter the road specified in column 2 of the said Schedule.

### **Exemptions**

4. (1) Nothing in this order shall render it unlawful for any person to cause or permit any vehicle proceeding in any of the roads specified in column 1 of the Schedule to this order to enter the length of road specified in column 2 of the said Schedule so far as such entry is reasonably necessary to enable the vehicle to be used for any of the purposes specified in paragraph (2) of this Article.
- (2) The purposes referred to in paragraph (1) of this Article are:-
- (i) the removal of any obstruction to traffic in the length of road specified in that paragraph; and
  - (ii) police, fire brigade or ambulance purposes.
- (3) Nothing in this order shall render it unlawful for any person to cause or permit any vehicle proceeding in the lengths of road referred to in column 1 of the Schedule to this order to enter the length of road specified in column 2 of the said Schedule so far as such entry is reasonably necessary to enable the vehicle to be used for any of the purposes specified in paragraph (4) of this Article.
- (4) The purposes referred to in paragraph (3) of this Article are:-
- (i) in the service of any local authority, the Environment Agency, a water undertaker or sewerage undertaker in pursuance of statutory powers or duties or in connection with the supply of gas or electricity or any telecommunication apparatus as defined in the Telecommunications Act 1984;
  - (ii) the gaining of access to or egress from off-street loading or garaging premises adjacent to or accessible only from the length of road referred to in that paragraph;

- (iii) the loading or unloading of any goods or burden at premises adjacent to, or accessible only from the length of road referred to in that paragraph:

Provided that such loading or unloading can be reasonably carried out only from the said length of road and that it takes place only whilst no prohibition of loading and unloading in the said length of road by virtue of any other order is in force.

#### Power to Modify or Suspend this Order

5. If it appears to the Council's Director of Engineering 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. Save as provided in Article 6 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 26<sup>th</sup> day of September 2012.

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

  
**Solicitor**



**SCHEDULE**

column 1

Charlton Boulevard

column 2

Highwood Road between Coniston Road and  
Charlton Boulevard

Coniston Road  
Highwood Road between Durban Road and  
Charlton Boulevard

Unnamed access road to Charlton Hayes located  
opposite Coniston Road