CITY COUNCIL OF BRISTOL

(TORMARTON CRESCENT AREA, HENBURY & BRENTRY WARD, CITY OF BRISTOL) (PROHIBITION OF WAITING) ORDER 202-

The City Council of Bristol (hereinafter referred to as "the Council") in exercise of its powers under sections 1(1), 2(1) to (3) and 4(2) 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 ##### and may be cited as the City Council of Bristol (Tormarton Crescent Area, Henbury & Brentry Ward, City of Bristol) (Prohibition of Waiting) Order 202-.

Interpretation

2. (1) In this order:-

"**authorised cab rank**" means any area of carriageway which is comprised within and indicated by road marking diagram 1028.2 as provided for at item 5 of the sign table in Part 4 of Schedule 7 to the Traffic Signs Regulations and General Directions 2016, as amended;

"**authorised parking place**" means any parking place on a road authorised or designated by an order made or having effect as if made under the Act of 1984;

"**authorised vehicle**" means any vehicle authorised by an order to use any authorised parking place authorised or designated by that order made or having affect as if made under the Act of 1984;

"**bus**" has the same meaning as in Schedule 1 of the Traffic Signs Regulations and General Directions 2016, as amended;

"**bus stop clearway**" in relation to a length or side of road means all that area of carriageway which is bounded by the outer line of road marking diagram 1025.1 as provided for at item 9 of the sign table in Part 4 of Schedule 7 to the Traffic Signs Regulations and General Directions 2016, as amended;

"**carriageway**" means a way constituting or comprised in a highway, being a way over which the public have a right of way for the passage of vehicles;

"**civil enforcement officer**" has the same meaning as in section 76 of the Traffic Management Act 2004;

"**disabled person**" means a disabled person of a description prescribed by the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000, as amended);

1st draft // 14.10.26

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

"**disabled person's vehicle**" means a vehicle lawfully displaying a disabled persons badge and which is a vehicle which, immediately before or after any period of waiting allowed by provision of this order, has been or is to be driven by a disabled person or, as the case may be, has been or is to be used for carrying one or more disabled persons as passengers;

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

"**enactment**" means any enactment whether public, general or local and includes any order, byelaw, regulation, scheme or any other instrument having effect by virtue of an enactment;

"**goods**" means goods of any kind whether animate or inanimate and includes postal packets of any description;

"**hackney carriage**" has the same meaning as in section 38 of the Town Police Clauses Act 1847 but complying with the requirements of the relevant licensing authority in respect of roof-top signs;

"**local service**" has the same meaning as in the Section 2 of the Transport Act 1985;

"**motor vehicle**" has the same meaning as it has in Section 136 of the Act of 1984;

"**parking disc**" has the same meaning as in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) (Regulations) 2000;

"**police community support officer**" has the same meaning as in section 38 of the Police Reform Act 2002;

"**postal packet**" has the same meaning as in the Postal Services Act 2000;

"**prescribed**" means prescribed by any enactment or any regulations, order, direction or other instrument made thereunder;

"**provision of a universal postal service**" has the same meaning as in the Postal Services Act 2000;

"**relevant position**" has the same meaning as in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) (Regulations) 2000;

"**traffic sign**" has the same meaning as in Section 64 of the Act of 1984;

"**universal service provider**" has the same meaning as in the Postal Services Act 2000; and

1st draft // 14.10.26

"**vehicle**" means a motor vehicle (whether or not it is in a fit state for use on a road, and includes any 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.

Prohibition of Waiting of Vehicles

3. Save as provided in Article 4 and Article 5 of this order no person shall, except upon the direction or with the permission of a civil enforcement officer, a police community support officer or a police constable in uniform, cause or permit any vehicle to wait at any time in any of the lengths of road or on any of the sides of road identified as **No waiting at any time** in plan **TRO-26-028P** annexed hereto.

Exemptions

4. (1) Nothing in Article 3 of this order shall render it unlawful to cause or permit any vehicle to wait in any of the lengths of road or on any of the sides of road referred to therein for so long as may be necessary to enable:-

(a) a person to board or alight from the vehicle;

(b) goods to be loaded on or unloaded from the vehicle;

(c) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely –

(i) building, industrial, demolition or excavation operations;

(ii) the removal of any obstruction to traffic;

(iii) the maintenance, improvement or reconstruction of the said lengths of road or sides or road;

(iv) the laying, erection, alteration or repair in, or in land adjacent to, the said lengths of road or sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any electronic communications apparatus as defined in the Communications Act 2003; or

(v) the construction, installation, improvement, maintenance, repair or cleaning of any traffic sign, bus stop infrastructure or other street furniture or other object lawfully placed or to be placed on, in or over the said lengths of roads or sides of roads;

1st draft // 14.10.26

(d) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority, the Environment Agency, a water undertaker or sewerage undertaker in pursuance of statutory powers or duties;

(e) the vehicle to be used by a universal service provider for the purpose of delivering or collecting postal packets in the course of the provision of a universal postal service;

(f) the vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said lengths of road or sides of road;

(g) the vehicle to wait at or near to any premises situated on or adjacent to the said lengths of roads or sides of roads for so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral; or

(h) the vehicle to be used for fire and rescue service, ambulance or police purposes.

(2) Nothing in Article 3 of this order shall render it unlawful to cause or permit any vehicle –

(a) being an authorised vehicle, to wait upon an authorised parking place;

(b) being a hackney carriage, to wait upon an authorised cab rank; or

(c) being a bus used in the provision of a local service to wait in any bus stop clearway for the purposes set out in Part 6 of Schedule 7 to the Traffic Signs and Regulations and General Directions 2016, as amended.

5. Nothing in Article 3 of this order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge and parking disc (on which the driver, or other person in charge of the vehicle, has marked the time at which the period of waiting began) to wait in any of the lengths of road or on any of the sides of road referred to therein for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same length or on the same side of road on the same day).

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 any other enactment.

1st draft // 14.10.26

Given under the Common Seal of the City Council of Bristol the --th day of --------- 202-.

The COMMON SEAL of the
CITY COUNCIL OF BRISTOL
was hereunto affixed
in the presence of:-

Director of Legal and Democratic Services

1st draft // 14.10.26