

## NORTH SOMERSET COUNCIL

### (WESTON-SUPER-MARE, TOWN CENTRE AREA) (PROHIBITION OF DRIVING) ORDER 2022

The District Council of North Somerset (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"), the Traffic Management Act 2004 as amended (hereinafter referred to as "the Act of 2004"), 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:-

#### **PART 1: COMMENCEMENT AND CITATION**

1. This order shall come into operation on the \*\*<sup>th</sup> \*\*\*\*\* 2022 and may be cited as the North Somerset Council (Weston-super-Mare, Town Centre Area) (Prohibition of Driving) Order 2022.

#### **PART 2: PRELIMINARY**

2. IN THIS ORDER, except where the context requires otherwise, the following expressions shall have the meanings hereby attributed to them:-
  - a) “**Civil Enforcement Officer**” shall have the same meaning as that defined in Section 76 of the Act of 2004;
  - b) “**the Council**” shall mean North Somerset Council, and shall include any parking services, contractors or agents appointed by or acting on behalf of the Council for the purposes of any function required under the provisions of this Order;
  - c) “**emergency services**” shall mean the Police, Ambulance Service, Fire Brigade and Coastguard;
  - d) “**enactment**” shall mean any enactment whether public, general or local, and shall include any Order, Byelaw, Rule, Regulation, Scheme or Instrument having effect by virtue of an enactment;
  - e) “**goods**” shall mean goods of any description, whether animate or inanimate, and shall include postal packets of any kind or description as defined in the Postal Services Act 2000;
  - f) “**goods vehicle**” shall have the same meaning as that defined in the Road Traffic Regulation Act 1984;
  - g) “**load**” and “**unload**” shall mean the delivery or collection of any goods to or from any premises, and shall include the checking of those goods for the purposes of their delivery or collection;
  - h) “**pedal cycle**” shall have the same meaning as that defined in the TSRGD;

- i) “**postal packet**” shall have the same meaning as defined in the Postal Services Act 2000;
  - j) “**TSRGD**” shall mean the Traffic Signs Regulations and General Directions 2016, as amended;
  - k) “**universal postal service**” shall have the same meaning as that defined in Sections 30-33 and 65(3) of the Postal Services Act 2011;
  - l) “**vehicle**”, unless the context otherwise requires, shall mean a vehicle of any description, and shall include a machine or implement of any kind, either drawn or propelled along roads whether or not by mechanical power;
3. EXCEPT WHERE OTHERWISE STATED, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.
4. 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.
5. THE INTERPRETATION ACT 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament unless otherwise stated.
6. IN THE EVENT OF any conflict between the wording of this Order and lines and signs displayed on site then the lines and signs shall prevail.

### **PART 3: PROHIBITION OF DRIVING.**

#### **No access except for pedal cycles**

7. Save as provided in Articles 11 and 12 of this Order, no person shall, except upon the direction of a police constable in uniform or of a Civil Enforcement Officer, cause or permit any vehicle to enter or proceed in that length of road specified in Schedule 1 to this Order.

#### **No access between 12pm and 12am, except for pedal cycles**

8. Save as provided in Articles 11 and 12 of this Order, no person shall, except upon the direction of a police constable in uniform or of a Civil Enforcement Officer, cause or permit any vehicle to enter or proceed in that length of road specified in Schedule 2 to this Order between the hours of 12pm and 12am.

#### **No access except for buses and westbound hackney carriages**

9. Save as provided in Articles 11, 13 and 14 of this Order, no person shall, except upon the direction of a police constable in uniform or of a Civil Enforcement Officer, cause or

permit any vehicle to enter or proceed in that length of road specified in Schedule 3 to this Order.

**No access between 12pm and 12am, except for pedal cycles, buses and southbound hackney carriages**

10. Save as provided in Articles 11, 13 and 15 of this Order, no person shall, except upon the direction of a police constable in uniform or of a Civil Enforcement Officer, cause or permit any vehicle to proceed in the length of road specified in Schedule 4 to this Order.

**PART 4: EXEMPTIONS**

**General exemptions**

11. Nothing in Articles 7 or 8 of this Order shall render it unlawful to cause or permit any vehicle, to enter or proceed in the length of road referred to in those Articles to be used in connection with any of the following operations, namely-

- (a) 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 supply undertaker or sewerage undertaker in pursuance of statutory powers or duties;
- (b) 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 or demolition operations;
  - (ii) the removal of any obstruction to traffic;
  - (iii) the maintenance, cleaning, improvement or reconstruction of the said lengths of road or sides of 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 telecommunication apparatus;
- (c) the vehicle to be used for emergency services purposes in an emergency.

**Exemption for pedal cycles**

12. Nothing in Articles 7, 8 and 10 of this Order shall render it unlawful to cause or permit a pedal cycle to enter or proceed in the length of road referred to in those Articles.

**Exemption for buses**

13. Nothing in Articles 9 and 10 of this Order shall render it unlawful to cause or permit any vehicle used in connection with any scheduled local bus service to enter or proceed in the length of road referred to in that Article.

**Exemptions for hackney carriages**

14. Nothing in Articles 9 and 10 of this Order shall render it unlawful to cause or permit a licensed hackney carriage to enter or proceed in the length of road referred to in that Article, so long as it proceeds in a westerly direction only.
15. Nothing in Articles 9 and 10 of this Order shall render it unlawful to cause or permit a licensed hackney carriage to enter or proceed in the length of road referred to in that Article, so long as it proceeds in a southerly direction only.

**PART 5: VARIATIONS AND REVOCATIONS**

16. The North Somerset District Council (Weston-super-Mare, Seafront) (Prohibition of Driving) Order 2012 is hereby revoked.
17. Various Road, Weston-super-Mare, North Somerset (Temporary Prohibition Of Use By Vehicles) 2022 is hereby revoked.

Given under the Common Seal of the District Council of North Somerset the \*\*th day of \*\*\*\*\* 202\*.

The COMMON SEAL of     )  
the DISTRICT COUNCIL    )  
of NORTH SOMERSET       )  
was hereunto affixed in   )  
the presence of :-         )

Assistant Director Governance & Monitoring Officer

### **SCHEDULE 1**

#### **(No access except for pedal cycles)**

- Beach Road - From its junction with Regent Street to its junction with Oxford Street (except where crossed by Richmond Street's exit to Marine Parade).
- Regent Street - From its junction with High Street to its junction with Royal Parade / Marine Parade, also including that area bounded to the north by Regent Street, to the east by Beach Road, to the south by the unnamed link road between Richmond Street and Marine Parade and to the west by Marine Parade.
- St James Street - From its junction with Regent Street to its junction with Richmond Street.
- Un-named link road - From its junction with Regent Street to its junction with Alexandra Parade and Orchard Place.
- York Street - From its junction with Regent Street for a distance of 43 metres in a southerly direction.

### **SCHEDULE 2**

#### **(No access between 12pm and 12am, except for pedal cycles)**

- Regent Street - From its junction with High Street to its junction with Walliscote Road.
- High Street - From its junction with Regent Street to its junction with Union Place.

### **SCHEDULE 3**

#### **(No access except for buses and westbound hackney carriages)**

- Locking Road - From its junction with Walliscote Road for a distance of 172 metres in an easterly direction (to its junction with the link road between Locking Road and Alfred Street).

### **SCHEDULE 4**

#### **(No access between 12pm and 12am, except for pedal cycles, buses and southbound hackney carriages)**

- Walliscote Road - From a point 30 metres north of its junction with Oxford Street to its junction with Regent Street and Locking Road.