

BATH AND NORTH EAST SOMERSET COUNCIL

(VARIOUS BYWAYS OPEN TO ALL TRAFFIC, ENGLISHCOMBE, PUBLLOW WITH PENSFORD, PRISTON) (WIDTH RESTRICTION) ORDER 2010

The Bath and North East Somerset Council (hereinafter referred to as "the Council") in exercise of its powers under sections 1(1), 2(1) to (3) and 4(1) 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: -

1. This Order shall come into operation on the 19th November 2010 and may be cited as the Bath and North East Somerset Council (Various Byways Open To All Traffic, Englishcombe, Publow with Pensford, Priston) (Width Restriction) Order 2010.
2. (1) In this Order, except where the context otherwise requires, the following expressions have the meaning hereby assigned to them:-

"delivered" and "collected" in relation to any goods includes checking the goods for the purpose of their delivery or collection;

"goods" includes postal packets of any description;

"motor vehicle" means a mechanically propelled vehicle intended or adapted for use on roads;

"road" means any road (whether described by a single name or by a combination of names) or any length or side of a length or end of a road;

(2) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

(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.
3. No person shall, except upon the direction or with the permission of a police constable in uniform cause or permit any motor vehicle, the width of which, inclusive of any load on or being drawn by the vehicle, exceeds 3 feet and 3 inches, to proceed in those roads or lengths of road specified in the Schedule to this Order.
4. Nothing in Article 3 shall apply to any vehicle if it cannot reasonably be used for such purpose in any other road, to enter on or proceed in the roads or lengths of road as specified in the Schedule to this Order if the vehicle is being used in connection with any of the following operations, namely -
 - (a) building, industrial or demolition operations,
 - (b) the removal of any obstruction to traffic,
 - (c) the maintenance, improvement or reconstruction of the roads or lengths or road referred to in the said Schedule,

(d) the laying, erection, alteration or repair in, or in land adjacent to, any of the roads or lengths of road referred to in the said Schedule or any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus as defined in the Telecommunications Act 1984, or

(e) agricultural or forestry operations.

5. Nothing in Article 3 shall render it unlawful for any person to cause or permit any vehicle to proceed in the roads or lengths of road specified in the Schedule to this Order:

(a) for access to premises adjacent to that road; or

(b) for the purpose of loading or unloading his personal luggage or to enable goods to be loaded on to or unloaded from the vehicle or to be delivered or collected at premises adjacent to that road, for so long as may be reasonably necessary.

6. Nothing in Article 3 shall apply to:-

(a) any vehicle when it is being used for fire brigade, ambulance or police purposes;

(b) other local authority vehicles whilst in actual use in pursuance of statutory powers or duties.

Given under the Common Seal of the Bath and North East Somerset Council the 11th day of November 2010.

THE COMMON SEAL of
BATH AND NORTH EAST
SOMERSET COUNCIL
was hereunto affixed in the
presence of:-



Authorised signatory



3376

Sealing Authority:
Cabinet member for Transportation and Highways
Councillor Charles Gerrish
Date of Decision: 18/10/10
Date of No call-in: 1/11/10

SCHEDULE

3ft 3in Width Restriction

**Birchwood Lane,
Publow with
Pensford and
Compton Dando**

That length of **Byway Open To All Traffic CL17/34, Publow with Pensford and BA8/87, Compton Dando** which extends from its junction with Woollard Lane to a point 750 metres due south of said junction, a distance measured along the said length of approximately 800 metres.

**Mill Lane,
Englishcombe and
Priston**

That length of **Byway Open to All Traffic BA11/22, Englishcombe and BA20/18, Priston** which extends from its junction with BA11/11 west of Home Farm, Inglesbatch, to the north side of Conygre Brook at Priston Mill Farm, Priston, a distance measured along the said length of approximately 650 metres.

**Ringspit Lane,
Publow with
Pensford**

That length of **Byway Open To All Traffic CL17/41, Publow** which extends from its junction with the A37 Hursley Hill to its junction with Blackrock Lane, a distance measured along the said length of approximately 450 metres.