

SOUTH GLOUCESTERSHIRE COUNCIL

(LOWER STONE CLOSE, COALPIT HEATH) (DESIGNATED ELECTRIC VEHICLE PARKING PLACES) ORDER 202(-)

The South Gloucestershire District Council (hereinafter referred to as "the Council") in exercise of its powers under sections 32 and 35 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 _____ and may be cited as the South Gloucestershire Council (Lower Stone Close, Coalpit Heath) (Designated Electric Vehicle Parking Places) Order 202(-).

2. (1) In this order:-

"charge point" has the same meaning as in section 9 of the Automated and Electric Vehicles Act 2018;

"civil enforcement officer" means a person authorised by the Council to act as a "civil enforcement officer" as defined in section 76 of the Traffic Management Act 2004;

"driver", in relation to an electric vehicle waiting in an electric vehicle charging place, means the person driving the vehicle at the time it was left in the electric vehicle charging place;

"electric vehicle" means a motor vehicle that is powered entirely or partially by electricity and is capable of being charged from an external source;

"electric vehicle parking place" means any area on a highway provided solely for recharging the battery of an electric vehicle by means of a charge point as indicated by means of a sign, surface marking or other indication;

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

"parking attendant" means a person 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;

"permitted hours" in relation to an electric vehicle parking place, means the period specified in the plans;

"plans" means the drawings which are annexed hereto as specified in the Schedule to this order;

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

"**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

"**traffic warden**" means a traffic warden employed by a police authority in pursuance of sections 95 and 96 of the Act of 1984.

- (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.

PART II

DESIGNATION OF ELECTRIC VEHICLE PARKING PLACES

Designation of electric vehicle parking places

3. Each area on a highway which is identified as '**Electric Vehicles Only**' in the plans, is hereby designated to be used as an electric vehicle parking place during the permitted hours, subject to the following provisions of this order.
4. The limits of each electric vehicle parking place shall be indicated on the carriageway by appropriate traffic signs.

Vehicles for which electric vehicle parking places are designated

5. Each electric vehicle parking place may be used, subject to the provisions of this order, for the waiting during the permitted hours of any electric vehicle by any person, to enable the battery of an electric vehicle to be charged. The electric vehicle must be connected at all times by means of a charging lead to an electric vehicle charging point.
6. The driver of an electric vehicle using an electric vehicle parking place as specified in Article 5 shall stop the engine as soon as the vehicle is in position in the electric vehicle parking place and shall not start the engine except when about to change the position of the vehicle in or to depart from the electric vehicle parking place.
7. No person shall use any electric vehicle while it is in an electric vehicle parking place either for the purpose of selling it or in connection with the sale of any article to any person in or near the electric vehicle parking place or in connection with the selling or offering for sale of his skill in handicraft or his services in any other capacity or carry out or permit the carrying out of any work of maintenance or repair as may be necessary to enable the vehicle to be moved from the electric vehicle parking place.

Manner of standing in electric vehicle parking places

8. The driver of an electric vehicle waiting in an electric vehicle parking place shall cause it so to stand:-
 - a. in the case of an electric vehicle parking place in relation to which special provisions as to the manner of standing of vehicles in that place are indicated on the carriageway by appropriate traffic signs as to be in accordance with those provisions;
 - b. in the case of any other electric vehicle parking place on a road in single line parallel to the edge of the carriageway and so that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than three hundred millimetres; and
 - c. so that every part of the vehicle is within the limits of an electric vehicle parking place.
9. No person shall leave any vehicle in an electric vehicle parking place -
 - a. unless it is a vehicle specified in Article 5 of this order; and
 - b. in a position other than that specified in Article 8 of this order.

Power to suspend the use of electric vehicle parking places

10. (1) Any person generally or specially authorised by the Council may suspend the use of any electric vehicle parking place or any part thereof whenever that person considers such suspension reasonably necessary -
 - a. for the purpose of facilitating the movement of traffic or promoting its safety;
 - b. for the purpose of any building operation, demolition or excavation in or adjacent to the electric vehicle parking place or the maintenance improvement or reconstruction of the electric vehicle parking place or the laying, erection, alteration, removal or repair in or adjacent to the electric vehicle parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus or traffic sign;
 - c. for the convenience of occupiers of premises adjacent to the electric vehicle parking place on any occasion of the removal of furniture from one office or dwellinghouse to another or the removal of furniture from such premises to a depository or to such premises from a depository;
 - d. on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
 - e. for the convenience of occupiers of premises adjacent to the electric vehicle parking place at times of weddings or funerals, or on other special occasions.

- (2) A police constable in uniform may suspend for not longer than twenty-four hours the use of an electric vehicle parking place or any part thereof whenever that police constable considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (3) Any person suspending the use of an electric vehicle parking place or any part thereof in accordance with the provisions of paragraph (1) or paragraph (2) of this Article shall thereupon place or cause to be placed in or adjacent to that electric vehicle parking place or the part thereof the use of which is suspended, a traffic sign indicating that waiting by disabled persons' vehicles is prohibited.
- (4) No person shall cause or permit a vehicle to be left in any part of an electric vehicle parking place during such period as there is in or adjacent to that part of the electric vehicle parking place a traffic sign placed in pursuance of paragraph (3) of this Article -

Provided that nothing in this paragraph shall render it unlawful to cause or permit any vehicle being used for fire brigade, ambulance or police purposes to be left in any part of the electric vehicle parking place during such period as is referred to therein, or to any other vehicle so left if that vehicle is left with the permission (i) of the person suspending the use of the electric vehicle parking place or the part thereof in pursuance of paragraph (1) of this Article, (ii) of a police constable in uniform or (iii) of a police community support officer (iv) of a traffic warden or (v) of a parking attendant or (vi) of a civil enforcement officer.

Alteration of position of vehicle in electric vehicle parking places

11. Where an electric vehicle is standing in an electric vehicle parking place in contravention of the provisions of Article 8 of this order, a police constable in uniform or a police community support officer or a traffic warden or a parking attendant or a civil enforcement officer may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

Removal of vehicles from electric vehicle parking places

12. When a vehicle is left in an electric vehicle parking place in contravention of any of the provisions contained in Article 3 or Article 10(4) of this order or when a vehicle other than a vehicle specified in Article 5 is left in an electric vehicle parking place in contravention of the provisions of Article 9 of this order, a police constable in uniform or a police community support officer or a traffic warden or a parking attendant or a civil enforcement officer may remove or arrange for the removal of the vehicle from that electric vehicle parking place.
13. A police constable in uniform or a police community support officer or a traffic warden or a parking attendant or a civil enforcement officer removing a vehicle by virtue of Article 12 of this order may do so by towing or driving the vehicle or in such other manner as that a police constable in uniform or a police community support officer or a traffic warden or a parking attendant or a civil enforcement officer may think necessary and may take such measures in relation to that vehicle as may be thought necessary to enable the removal as aforesaid.

Safe custody of vehicles from electric vehicle parking places

14. When a police constable in uniform or a police community support officer or a traffic warden or a parking attendant or a civil enforcement officer removes or makes arrangements for the removal of a vehicle from an electric vehicle parking place by virtue of Article 13 of this order, that a police constable in uniform or a police community support officer or a traffic warden or a parking attendant or a civil enforcement officer shall make such arrangements as may be reasonably necessary for the safe custody of that vehicle.

Movement of vehicles in electric vehicle parking places in an emergency

15. Any person generally or specially authorised by the Council or a police constable in uniform or a police community support officer or a traffic warden or a parking attendant or a civil enforcement officer may move or cause to be moved, in case of emergency, to any place he thinks fit any vehicle left in an electric vehicle parking place.

Given under the Common Seal of South Gloucestershire District Council .

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

SCHEDULE
Plans

T001-335-FC005