

WILTSHIRE COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

**THE COUNTY OF WILTSHIRE (VARIOUS BYWAYS, AVEBURY, BERWICK
BASSETT, FYFIELD AND WINTERBOURNE MONKTON) (PROHIBITION OF
DRIVING) EXPERIMENTAL ORDER 2021**

The Council of the County of Wiltshire in exercise of its powers under Sections 9 and 10 of the Road Traffic Regulation Act 1984 (hereinafter referred to as “the Act”) as amended and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby makes the following Order: -

1. Save as provided in Articles 2, 3, and 4 of this Order, no person shall, except upon the direction or with the permission of a Police Constable in uniform or of a Civil Enforcement Officer use, or cause or permit to be used, any motor vehicle in such a way that it proceeds along the lengths of byways specified in the Schedule to this Order.
2. Nothing in Article 1 of this Order shall apply so as to prevent any person from using or causing or permitting any motor cycle (as defined in Article 76(1) of the Traffic Management Act 2004) to proceed on the lengths of byways referred to in the Schedule to this Order.
3. Nothing in Article 1 of this Order shall apply so as to prevent any person from using or causing or permitting any motor vehicle to proceed on the lengths of byways referred to in the Schedule to this Order if the vehicle is being used:
 - (i) in the service of the Local Authority in pursuance of statutory powers or duties or in the services of the Police Authority, the Fire and Rescue Authority, or Ambulance Service;
 - (ii) in connection with any building operation, or demolition in or adjacent to the byways and footpath, the removal of any obstruction to traffic in the byways and footpath, the maintenance, improvement or reconstruction of the byways and footpath, or the laying, erection, alteration or repair in or adjacent to the byways and footpath of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in Schedule 2 of the Telecommunications Act 1984;
 - (iii) to enable the vehicle to be loaded or unloaded while it is in actual use in connection with the repair or maintenance of the properties served by the byways;
 - (iv) by landowners or tenants to access their own or occupy or for the purposes of agriculture in connection with land adjacent to the lengths of byways.
4. Nothing in Article 1 of this Order shall make it unlawful for any invalid carriage (as defined in Section 136 of the Act) to proceed on the lengths of byways specified in the Schedule to this Order.

5. The Council of the County of Wiltshire is satisfied that for preventing damage to the byways to which the Order relates, it is requisite that Section 3(1) of the Act should not apply.
6. The Director for Highways and Transport, or a person authorised by him, may modify or suspend the operation of this Order, or any provision of it if it appears to him essential:
 - (a) in the interests of the expeditious, convenient and safe movement of traffic;
 - (b) in the interests of providing suitable and adequate on-street parking facilities; or
 - (c) for preserving or improving the amenities of the area through which any road affected by the Order runs.
7. This Order shall come into operation on 1st May 2021 and may be cited as The County of Wiltshire (Various Byways, Avebury, Berwick Bassett, Fyfield and Winterbourne Monkton) (Prohibition of Driving) Experimental Order 2021.

SCHEDULE

Lengths of Byways in the Parishes of Avebury, Berwick Bassett, Fyfield and Winterbourne Monkton Subject to a Prohibition of Driving At All Times

| <u>Byways and Footpath</u> | <u>Description</u> |
|-----------------------------------|---|
| Byway 1, Avebury | From its junction with Byway 5 Avebury to its junction with Byway 40, Fyfield |
| Byway 12, Berwick Bassett | The complete length |
| Byway 40, Fyfield | The complete length |
| Byway 10, Winterbourne Monkton | The complete length |

THE COMMON SEAL of
WILTSHIRE COUNCIL
was hereunto affixed this
6th day of April 2021
in the presence of: -