

**BRIGHTON & HOVE CITY COUNCIL  
ROAD TRAFFIC REGULATION ACT 1984**

**Brighton & Hove (Madeira Drive) (Various Restrictions) Experimental Order  
2020**

Brighton & Hove City Council in exercise of its powers under sections 9 and 10 of the Road Traffic Regulation Act 1984 ("the Act") as amended and Part IV of Schedule 9 to the Act 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. This Order shall be cited as the "Brighton and Hove (Madeira Drive) (Various Restrictions) Experimental Order 2020".
2. The provisions of this Order will come into operation on the 7th day of August 2020.
3. In this Order, except where the context otherwise requires, the following expressions have the meanings assigned to them:-
  - **"Authorised Person"** means an employee or agent of the Council authorised to exercise all or any of the functions of the Council under this Order;
  - **"Blue Badge Scheme"** means the national arrangement of parking concessions for disabled and blind persons as described in the Chronically Sick and Disabled Persons Act 1970 (as amended);
  - **"Emergency services vehicle"** means a vehicle operated by the police, fire & rescue service or ambulance service;
  - **"Pedal cycle"** has the same meaning as in Schedule 1 of the Traffic Signs Regulations and General Directions 2016;
  - **"Motor Vehicle"** means a mechanically propelled vehicle intended or adapted for use on roads subject to Section 20 Chronically Sick and Disabled Persons Act 1970;
  - **"Road marking"** means a traffic sign consisting of a line or mark or legend on the surface on the road of a size, colour and type prescribed or authorised under Section 64 of the Road Traffic Regulation Act 1984;
  - **"Traffic Signs Regulation and General Directions"** means the Traffic Signs Regulation and General Directions 2016 as amended from time to time;

- **“Traffic Sign”** means a sign of a size, colour and type prescribed or authorised under, or having an effect as though prescribed or authorised under Section 64 of the Road Traffic Regulation Act 1984;
- **“Undertaker”** has the same meaning as in the meaning ascribed to it in section 48 of the New Roads and Streetworks Act 1991;
- **“Universal postal service provider”** shall have the meaning ascribed to it in section 4 (1) of the Postal Services Act 2000;

4. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended applied consolidated or re-enacted by or as having effect by virtue of any subsequent enactment.

5. In so far as any provision of this Order conflicts with a provision which is contained in an Order made or having effect as if made under the Act, and existing when this Order comes into operation, and which imposes a restriction or prohibition on movement by vehicles or grants an exemption from such restriction or prohibition, the provisions of this Order shall prevail with the exception of those provisions of the East Sussex Act 1981 that apply to Madeira Drive in which case the provisions of the East Sussex Act 1981 shall prevail.

6. No person shall except upon the direction or with the permission of a police officer in uniform cause or permit any motor vehicle to proceed in that part of road length specified in column 2 and 3 in Schedule 1 at any time other than:

(a) A vehicle being used in the course of an emergency by Emergency services vehicles.

(b) Pedal Cycles

7. No person shall except upon the direction or with the permission of a police officer in uniform or authorised person cause or permit any motor vehicle to travel along those parts of roads lengths specified in column 2 and 3 in Schedule 2 at any time other than;

(a) A vehicle being used in the course of an emergency by Emergency services vehicles.

(b) to enable the vehicle (if it cannot reasonably be used for the same purpose in any other road) to be used in connection with any of the following operations in an emergency: building works; the removal of any obstruction to traffic; the maintenance, improvement or reconstruction of the road; the laying, erection, alteration or repair in or adjacent to the road by an Undertaker of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or any telecommunications apparatus.

(c) a vehicle in the service of a local authority being used in pursuance of its statutory powers or duties and if that vehicle cannot reasonably be used for the same purpose in any other road.

(d) for the purpose of delivering or collecting goods or merchandise or for loading or unloading at premises immediately adjoining and only accessible from those roads.

e) for business owners needing to access their premises

8. Articles 6 and 7 are subject to the Council exercising its powers under the East Sussex Act to allow events including motor vehicles on Madeira Drive

**Schedule 1 – Road Closure**

1.	2.	3.
Item No.	Road	Description
1	Madeira Drive	At its junction with A259 /Aquarium roundabout

**Schedule 2 - Prohibition of Motor Vehicles**

1.	2.	3.
Item No.	Road	Description
1	Madeira Drive	From a point 250 metres west of its junction with Dukes Mound to its junction with A259/Aquarium roundabout.

9. Brighton & Hove Seafront (Various Restrictions) Consolidation Order 2018 is amended as follows:-

**Schedule 1**

**Part 5.1 - Disabled Badge Holder's Parking Places At Any Time**

Delete the following:-

Item No	Street Name	Side of Road	Description
---------	-------------	--------------	-------------

4	Madeira Drive	South	From a point 1 metre west of the arch post labelled 113 westwards for a distance of 13 metres.
---	---------------	-------	--

And add the following:-

Item No	Street Name	Side of Road	Description
4	Madeira Drive	North	From arch post labelled 113 eastwards for a distance of 18 metres.

**MADE UNDER THE COMMON SEAL OF  
BRIGHTON & HOVE CITY COUNCIL**

This 29<sup>th</sup> day of July 2020

Executed as a deed by affixing the common seal of  
**BRIGHTON & HOVE CITY COUNCIL** in the presence of



.....  
Authorised Officer

