

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

**Brighton & Hove (Prohibition of Motor Vehicles) (Queens Park Rise)
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 (Prohibition of Motor Vehicles) (Queens Park Rise) Experimental Order 2020".
2. The provisions of this Order will come into operation on the 4th day of September 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);
 - "**Carer**" is a person who provides care on a non-professional basis to a resident whose normal place of abode is within a Restricted Road and who needs to be cared for by virtue of physical or mental infirmity or for antenatal or postnatal reasons;
 - "**Compass Card Holder**" means a young person who is on the children's and young people's disability register for Brighton & Hove and has been issued with a Compass Card;
 - "**Contractual Vehicle**" means a bus, or licensed Taxi or Licenced Hire Vehicle contracted by the Council to take children to or from a school, fronting or adjacent to a restricted road;
 - "**Emergency services vehicle**" means a vehicle operated by the police, fire & rescue service or ambulance service;
 - "**Healthcare workers**" means any such person currently identified by an NHS Trust (or any other name it may subsequently be known) as a being a general practitioner, registered nurse or any other nominated medical persons undertaking domiciliary visits to patients who reside within premises

accessible by vehicle only in the restricted roads of this order; or Professional Carers or Carers giving support to patients within premises accessible by vehicle only from the restricted roads;

- **“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;
 - **“Postal Operator”** shall have the meaning ascribed to it in section 27 of the Postal Services Act 2011;
 - **“Professional Carer”** means a person who is employed professionally to provide medical or clinical care regularly away from their usual place of work to individuals in their homes;
 - **“Restricted Road”** means any road or part of a road specified in Schedule 1 to therein in which access is restricted by reference to time and/or place and/or day in accordance with the provisions of this Order;
 - **“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;
 - **“Term Time only”** means the part of the year during which schools in Brighton & Hove are holding classes;
 - **“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 Service Provider”** shall have the meaning ascribed to it in section 35 of the Postal Services Act 2011.
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.
6. No person shall except upon the direction or with the permission of a police officer in uniform or an Authorised Person cause or permit any motor vehicle to travel along those parts of roads lengths specified in column 2 and 3 in Schedule 1 Monday to Friday 8am to 10am and 2pm to 4pm -Term Time Only 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 and if that vehicle cannot reasonably be used for the same purpose in any other road.
 - e) For using the off-street parking facilities immediately adjoining and only accessible from those roads.
 - (f) For residents who live within or vehicles gaining egress from the restricted roads.
 - (g) Blue Badge Holders.
 - (h) Healthcare workers providing support to patients residing within the restricted roads and if that vehicle cannot reasonably be used for the same purpose in any other road.
 - (i) Contractual Vehicles.

(j) Hearses, Bridal cars and vehicles in which immediate family members are travelling.

(k) Vehicles in which individuals officiating at places of worship within the closure zone.

(l) A driver who has at least one Compass Card Holder in the vehicle with them and needs to be able park in close proximity to the school.

Schedule 1 - Prohibition of Motor Vehicles Monday to Friday 8am to 10am and 2pm to 4pm (Term Time only)

1.	2.	3.
Item No.	Road	Description
1	Queens Park Rise (St Luke's Primary)	From its junction with St Luke's Terrace and Queens Park Terrace

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

This 26th day of August 2020

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

.....*[Signature]*.....

Authorised Officer

