

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

Brighton & Hove (Prohibition of Motor Vehicles) (School Streets) Order 202*

Brighton & Hove City Council in exercise of its powers under sections 1(1), 2(1) to (3), 4 and 124(1)(c) and (d) of the Road Traffic Regulation Act 1984 (“the Act”) as amended and Part IV of Schedule 9 to the Act, the Traffic Management Act 2004 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) (School Streets) Order 202*”.
2. The provisions of this Order will come into operation on the day of MONTH 202*.
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);
 - **“Bus”** has the same meaning as in Schedule 1 of the Traffic Signs Regulations and General Directions 2016:
 - a motor vehicle constructed or adapted to carry more than 8 passengers (exclusive of the driver);
 - a local bus
 - **“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;
 - **“Contracted Vehicle”** means a Taxi or Bus that has been specifically arranged by a resident, school or business for a journey that starts or ends at their property located within the restricted road;
 - **“Disabled Person’s Badge”** has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;
 - **“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;

- **“Local Bus”** means a public service vehicle used for the provision of a local service not being an excursion or tour

- **“Local Service”** has the meaning given in section 2 of the Transport Act 1985

- **“Home to School Transport”** means a service provided by local authorities for eligible children who live beyond certain distances from their nearest suitable school, or who have a disability or special educational need that prevents them from walking

- **“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;

- **“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;

- **“Taxi”** has the same meaning as in Schedule 1 of the Traffic Signs Regulations and General Directions 2016;

- **“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;
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 (except Local Buses) to travel along those parts of roads lengths (Restricted Roads) specified in column 2 and 3 in Schedule 1 Monday to Friday 8.15am to 9.15am and 2.45pm to 3.45pm -Term Time Only other than;
 - a) An Emergency Service Vehicle being used by the emergency services in response to an incident or in the course of official emergency duties.
 - b) To enable the vehicle, if it cannot reasonably be used for the same purpose in any other road or outside of the restricted hours, to be used in connection with any of the following operations: 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 or outside of the restricted hours and only for as long as may be necessary in conjunction with these purposes;
 - d) A vehicle may access the restricted road if it is being used by or for a resident whose property is located on that road, and where access cannot reasonably be gained via an alternative route;

- e) A vehicle registered to a business located on the restricted road may access the road, and where access to the premises cannot reasonably be gained via an alternative route;
 - f) To enable a vehicle being driven by a person working at a school (Headteacher nominated), or business which is located within a restricted road, if that vehicle cannot reasonably be used for the same purpose in any other road or outside of the restricted hours and only for as long as may be necessary in conjunction with these purposes;
 - g) 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 or outside of the restricted hours and only for as long as may be necessary in conjunction with these purposes;
 - h) Contracted Vehicles if that vehicle cannot reasonably be used for the same purpose in any other road or outside of the restricted hours and only for as long as may be necessary in conjunction with these purposes;
 - i) Vehicles providing Home to School transport to a school within the restricted road
 - j) To allow a funeral undertaking from any property located within the specified roads
7. Disabled Badge Holders who need to access a property within a restricted road may apply for an exemption. If the disabled person is not the registered keeper of the vehicle, they may nominate a vehicle for the exemption. All exemptions are subject to verification of need.
8. The Council may at any time require evidence to verify that access is needed for the exempted reasons stated above.
9. The Council may at its absolute discretion allow individuals to access the restricted road on a case-by-case basis and for only as long as may be necessary.

Revocation of Order

10. Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into force of this Order, the following Traffic Regulations Orders are hereby revoked and any reference to either Orders in any enactment, shall be construed as a reference to this Order.
- Brighton & Hove (Prohibition of Motor Vehicles) (School Streets) Order 2021

- Brighton & Hove (Prohibition of Motor Vehicles) (School Streets) Order 2021 Amendment Order No.1 2022
- Brighton & Hove (Prohibition of Motor Vehicles) (School Streets) Order 2021 Amendment Order No.1 & 2 2023
- Brighton & Hove (Prohibition of Motor Vehicles) (School Streets) Order 2021 Amendment Order No.1,2,3 & 4 2024
- Brighton & Hove (Prohibition of Motor Vehicles) (School Streets) Order 2021 Amendment Order No.1,2 & 3 2025

Schedule 1 - Prohibition of Motor Vehicles Monday to Friday 8.15am to 9.15am and 2.45pm to 3.45pm (Term Time only)

Item	Road	Description	School
1	Barn Rise	From the western junctions with Dene Vale to its eastern junction with Dene Vale.	Westdene Primary
2	Church Street	From St Nicholas Road eastward to its end (at the modal filter)	St Paul's CE Primary
3	Dale View	From its junction with Summerdale Road to its termination at the Hangleton Primary School gate	Hangleton Primary
4	Edburton Avenue	From the southern kerbline of Grantham Road to the junction with Rugby Road	Downs Junior
5	Eridge Road	Entire Length	Aldrington Primary
6	Florence Place	Entire Length	Downs Infant
7	Freshfield Place	Entire Length	Queens Park Primary
8	George William Mews	Entire Length	St Nicolas CE Primary
9	Grantham Road	From its junction with Ditchling Road to its junction with Edburton Avenue.	Downs Junior
10	Haddington Street	Entire Length	St Andrews Primary
11	Hastings Road	Entire length	Fairlight Primary School

12	Highlands Road	West of the western kerbline of Fairfield Gardens	St Nicolas CE Primary
13	Marmion Road	From the junction with School Road to its junction with Mainstone Road	West Hove
14	Northeast Drive	From its junction with Poplar Avenue to its junction with Spencer Avenue	Hangleton Primary
15	Park Close	Entire Length	St Nicolas CE Primary
16	Queens Park Rise	From its junction with St Luke's Terrace and Queens Park Terrace	St Luke's Primary
17	St Nicholas Road	Entire Length	St Paul's CE Primary
18	School Lane	Entire length	Saltdean Primary School
19	School Road	From the junction with Portland Road to its junction with Milnthorpe Road	West Hove
20	Somerhill Road	Somerhill Avenue to Lansdowne Road	Brunswick Primary
21	Vale Gardens	Entire Length	St Marys Catholic Primary School

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

This day of 202

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

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Authorised Officer