

Experimental Traffic Regulation Order

THE SHEFFIELD CITY COUNCIL
(PHILLIMORE ROAD AND HENSON STREET, SHEFFIELD)
(EXPERIMENTAL TRAFFIC)
(PROHIBITION OF DRIVING) ORDER 2023

NOTICE IS HEREBY GIVEN that on the 11th day of May, 2023 The Sheffield City Council made the above Order which comes into operation on the 22nd day of May, 2023 under the provisions of the Road Traffic Regulation Act 1984.

The effect of the Order will be to introduce:

Prohibition of Driving except Authorised Vehicles and Permit Holders (School Street) Mondays to Fridays 8.00am - 9.00am and 2.45pm – 3.30pm at:

Phillimore Community Primary School - Phillimore Road (between its junction with south western kerb line of Coleridge Road and its junction with the northern kerb line of Henson Street) and Henson Street (the whole).

A copy of the Experimental Order, a plan showing the roads concerned and a statement of the Council's reasons for proposing to make the Order may be examined within the **Experimental Traffic Orders** section on the Council website at <https://www.sheffield.gov.uk/home/roads-pavements/traffic-orders>

The City Council will be considering in due course whether the provisions of the Experimental Order should be continued in force indefinitely. Any person wishing to object to the making of an Order for such indefinite continuation may do so, giving the grounds for the objection, in writing, to The Director of City Growth, at the address given below within a period of six months from the 22nd May, 2023.

Any alterations to these Order which will render it less restrictive may be authorised by the Head of Strategic Transport, Infrastructure and sustainability without the requirement to re-advertise the Order under Section 10(2) of the said Act, and after consultation with the Chief Officer of Police.

Any person who wishes to question the validity of the Order or any of its provisions on the grounds that it is not within the powers of the enabling Act or that a requirement of the enabling Act or any of the relevant regulations made thereunder has not been complied with may, within six weeks of 22nd May, 2023, make application for that purpose to the High Court.

Dated this 11th day of May, 2023

Tom Finnegan-Smith, Head of Strategic Transport, Sustainability and Infrastructure
Howden House, 1 Union Street, SHEFFIELD, S1 2SH

Email: traffic.regs@sheffield.gov.uk

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(PHILLIMORE ROAD AND HENSON STREET, SHEFFIELD)
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(PROHIBITION OF DRIVING) ORDER 2023

STATEMENT OF REASONS

**Prohibition of Driving except Authorised Vehicles and Permit Holders (School Streets)
Mondays to Fridays 8.00am - 9.00am and 2.45pm – 3.30pm**

The prohibition of driving except authorised vehicles and permit holders will create school streets with safer school entrances for Phillimore Community Primary School. A reduction in vehicle numbers and movements in the immediate vicinity of the school will make it easier and safer to walk, scoot and cycle the journey to school. The reduction in vehicles will also improve air quality around the school gates.

SCHOOL STREETS – PROPOSED PEDESTRIAN AND CYCLE ZONES (PROHIBITION OF DRIVING EXCEPT PERMIT HOLDERS) (shown by red boundary on plan)

Phillimore Community Primary School

School Streets: Phillimore Road (between its junction with the south western kerb line of Coleridge Road and its junction with the northern kerb line of Henson Street) and Henson Street (the whole).

Times: Monday to Friday (term time only, excluding bank holidays) 8.00 - 9.00am and 2.45 – 3.30pm.



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(PHILLIMORE ROAD AND HENSON STREET, SHEFFIELD)
(EXPERIMENTAL TRAFFIC)
(PROHIBITION OF DRIVING) ORDER 2023

The Sheffield City Council in exercise of its powers under Section 9 and Schedule 9 of the Road Traffic Regulation Act 1984 (“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 come into operation on the 22nd day of May, 2023 and may be cited as The Sheffield City Council (Phillimore Road and Henson Street, Sheffield) (Experimental Traffic) (Prohibition of Driving) Order 2023.

PART 1

2. Definitions

In this Order:-

“Access Permit” means a permit issued by the Council, which may be virtual or physical, and used in the manner directed by the Council.

“Authorised Vehicle” means;

- (a) A Private Hire Vehicle booked in advance for the purpose of picking up or setting down passengers to or from premises accessible by vehicle only from a Restricted Road; or
- (b) A Taxi for the purpose of picking up or setting down passengers to or from premises accessible by vehicle only from a Restricted Road; or
- (c) A Contractual Vehicle; or
- (d) a Disabled Persons Vehicle displaying a Disabled Person’s Badge requiring access to a property on a Restricted Road;

“Bus” has the same meaning as Public Service Vehicle as in Section 1 of the Public Passenger Vehicles Act 1981;

“Contractual Vehicle” means a Bus, Private Hire Vehicle or Taxi, contracted by the Council and/or school, to take children to or from a school which is fronting or adjacent to the Restricted Roads;

“Council” means Sheffield City Council;

“Disabled Person’s Badge” has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (SI 2000 No.682 as amended by SI 2000 No. 1507 and SI 2007 No.2531);

“Disabled Person’s Vehicle” has the same meaning as in Section 142 of the Act;

“Goods” includes merchandise and postal packets of any description and “delivering” or “collecting” in relation to any goods includes checking the goods for the purpose of their delivery or collection;

“Healthcare Worker” means

- (a) Any such persons currently identified by an NHS Trust (or any other name that it may subsequently be known) as being a general practitioner, doctor, registered nurse or any other nominated medical persons undertaking domiciliary visits to patients residing within premises accessible by vehicle only from a Restricted Road; or

- (b) Any such persons as are authorised by the Council to be essential healthcare or family support visitors to patients residing within premises accessible by vehicle only from Restricted Road;

“Local Bus” has the same meaning as Schedule 1 of the Traffic Signs Regulations and General Directions;

“Motor Vehicle” has the same meaning as that in Section 136 of the Road Traffic Regulation Act 1984;

“Private Hire Vehicle” has the same meaning as in Section 13 of the Transport Act 1985;

“Relevant Position” means with respect to an Access Permit which is physical or a Disabled Person’s Badge and where either is displayed on a vehicle where –

- (a) they are exhibited on the dashboard or facia of the vehicle, or
- (b) where the vehicle is not fitted with a dashboard or facia, they are exhibited in a conspicuous position on the vehicle,

so that the front of the Access Permit or Disabled Person’s Badge is clearly legible from the outside of the vehicle;

“Resident” means a person whose usual place of residence is at the postal address of which is situated in any parts of the roads identified as a Restricted Road on the plans to this Order;

“Restricted Road” means any Road or part of Road specified in Schedule 1 to therein access is restricted to time, place, day in accordance with the provisions of this Order;

“Road” has the same meaning as in Section 142 of the Act;

“Schools” means a school situated on the length of a Restricted Road;

“Taxi” is a vehicle licensed as a hackney carriage under the Town Police Clauses Act 1847 as amended;

“Term Time” means the part of the year during which the Schools are open for holding classes.

PART 2

3. Prohibition of Driving

- (1) Save as provided in Articles 4 and 5 no person shall cause or permit any Motor Vehicle to proceed in those parts of Roads specified in Column 1 of Schedule 1 within the length of Road described in Column 2 of that Schedule and the times specified in Column 3 to this Order, during Term Time and excluding Bank Holidays.

4. The provisions of Article 3 do not apply to any vehicle:

- (a) displaying a valid Permit in the Relevant Position and that Permit is so displayed for the whole time that the vehicle remains in the Restricted Road; or
- (b) has a valid Virtual Permit; or
- (c) being an Authorised Vehicle.

PART 3

5. General Exemptions

- a) being used for police, fire brigade or ambulance on an emergency;
- b) proceeding upon the direction of or with the permission of a police officer in uniform;
- c) in the service of the Council being necessarily used in connection with highway maintenance, parking enforcement, waste collection or street cleansing activities in pursuance of statutory powers and duties;
- d) being used, if it cannot conveniently be used for such purpose in any other road, in the service of a local authority or of a statutory undertaker in pursuance of statutory powers or duties;
- e) for so long as may be necessary to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely –
 - (i) building, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of the said road; and
 - (iv) the laying, erection, alteration or repair in or on land adjacent to the said road of any sewer or of any main, pipe, line or apparatus for the supply of gas, water or electricity or of any line which is, or forms part of electronic communications apparatus as defined in the Communications Act 2003;
- f) a vehicle in the service of a universal service provider as defined in section 4 of the Postal Services Act 2011 being used for delivering or collecting postal packets from premises that can only be assessed via a Restricted Road;
- g) for so long as may be necessary for the purpose of delivering or collecting Goods or loading or unloading a vehicle at premises that can only be assessed via a Restricted Road and evidence is provided to the satisfaction of the Council;
- h) to access any premises accessible by vehicle only from a Restricted Road so long as access by these vehicles is reasonably necessary in connection with any wedding or funeral;
- i) being used to access a property on a Restricted Road if it cannot conveniently be used for such purpose in any other road by a Healthcare Worker whilst undertaking healthcare worker duties where evidence is provided to show reason.
- j) being used by a Local Bus service.

GIVEN under the Common Seal of the Sheffield City Council this 11th day of May, 2023.

EXECUTED as a DEED)
by The Sheffield City Council)
whose Common Seal)
was hereunto affixed in the)
presence of:-)

SCHEDULE 1
PROHIBITION OF DRIVING EXCEPT PERMIT HOLDERS

<u>Column 1</u> <u>Road Name</u>	<u>Column 2</u> <u>Length of Road</u> <u>(excluding Bank Holidays)</u>	<u>Column 3</u> <u>Times/Days in Term Time</u>
Henson Street	The whole.	Monday to Friday 8.00am to 9.00am and 2.45pm to 3.30pm
Phillimore Road	Between its junction with the south western kerb line of Coleridge Road and its junction with the northern kerb line of Henson Street.	Monday to Friday 8.00am to 9.00am and 2.45pm to 3.30pm