

THE SHEFFIELD CITY COUNCIL
(DIVISION STREET)
(PROHIBITION OF DRIVING) ORDER 2023

NOTICE IS HEREBY GIVEN that on the 13th day of July 2023 the Sheffield City Council made the above Order which comes into operation on the 17th day of July 2023 under the provisions of the Road Traffic Regulation Act 1984.

The effect of the Order will be to introduce:

- Prohibition of Driving on parts of Division Street;
- Prohibition of Driving except permit access and loading at times on parts of Division Street and Canning Street.

A copy of the Order may be examined during normal opening hours at First Point Reception, Howden House, 1 Union Street, Sheffield, S1 2SH or within the **Sealed Traffic Orders** section on the Council website at

<https://www.sheffield.gov.uk/home/roads-pavements/traffic-orders>

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 the 13th day of July 2023 make application for that purpose to the High Court.

Dated this 13th day of July 2023

Tom Finnegan-Smith, Head of Strategic Transport, Sustainability and Infrastructure,
City Futures, Howden House, 1 Union Street, SHEFFIELD, S1 2SH
Email: traffic.regs@sheffield.gov.uk

THE SHEFFIELD CITY COUNCIL
(DIVISION STREET)
(PROHIBITION OF DRIVING) ORDER 2023

The Sheffield City Council in exercise of its powers under Sections 1(1), 2(1) to (3), 4 (2), 32(1), 35(1), 45, 46, 46A, 49, 51, 53 and 124 (1) (c) (d) and (f) of the Road Traffic Regulation Act 1984 (c.27) (“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 17th day of July, 2023 and may be cited as The Sheffield City Council (Division Street)(Prohibition Of Driving) Order 2023.

PART 1

2. Definitions

“Permit Holder” means a vehicle with a permit provided for accessing the private parking facility off Canning Street for Division House, 87 Division Street, or which is permitted to access the service areas at Aberdeen Court, 95 - 97 Division Street or at Division House, 87 Division Street;

“Council” means Sheffield City Council;

“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;

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

“Relevant Position” means with respect to an Access Permit which is physical and where it is displayed on a vehicle where –

(a) they are exhibited on the dashboard or fascia of the vehicle, or

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

so that the front of the Access Permit is clearly legible from the outside of the vehicle;

PART 2

3. Save as provided in Article 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 Schedule 1 to this Order.
4. Save as provided in Articles 5 and 6, no person shall cause or permit any Motor Vehicle to proceed in those parts of roads specified in Column 1 of Schedule 2 within the length of road described in Column 2 of Schedule 2 to this Order.
5. Nothing in Articles 3 and 4 of this Order shall apply to a Motor Vehicle which is:-
 - a) being used for police, fire brigade or ambulance purposes in an emergency; or
 - b) proceeding upon the direction of or with the permission of a police officer in uniform; or
 - 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; or

- 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; or
- 6. Nothing in Article 4 of this Order shall apply to a Motor Vehicle which is accessing Division Street or Canning Street via Westfield Terrace only and is:-
 - a) a Permit Holder; or
 - c) 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 accessed via Division Street or Canning Street, between the hours of 24:00 and 10:00 and evidence is provided to the satisfaction of the Council.

SCHEDULE 1
PROHIBITION OF DRIVING

| <u>Column 1</u> | <u>Column 2</u> |
|-----------------|--|
| Division Street | From a point 9 metres east of its junction with the eastern kerb line of Canning Street to its junction with the south western kerb line of Rockingham Street. |

SCHEDULE 2
PROHIBITION OF DRIVING EXCEPT PERMIT ACCESS AND LOADING AT TIMES

| <u>Column 1</u> | <u>Column 2</u> |
|-----------------|--|
| Division Street | From its junction with the north eastern kerb line of Westfield Terrace to a point 9 metres east of its junction with the eastern kerb line of Canning Street. |
| Canning Street | From its junction with the south western kerb line of Division Street to its junction with the north eastern kerb line of Devonshire Lane (the whole). |

GIVEN under the Common Seal of the Sheffield City Council this 13th day of July 2023.

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