

**CITY COUNCIL OF BRISTOL**

**(UPTON ROAD, SOUTHVILLE WARD, CITY OF BRISTOL) (PROHIBITION OF DRIVING) ORDER 202-**

The City Council of Bristol (hereinafter referred to as “the Council”) in exercise of its powers under sections 1(1), 2(1) to (3) of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 as amended (hereinafter referred to as “the Act of 1984”) and of all other enabling powers, after consultation with the chief officer of police in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following order:-

Commencement and citation

1. This order shall come into operation on ----- and may be cited as the City Council of Bristol (Upton Road, Southville Ward, City of Bristol) (Prohibition of Driving) Order 202-.

Interpretation

2. (1) In this order:-

“disabled person’s badge” has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000, as amended;

“disabled person’s vehicle” means:

- (a) a vehicle which is lawfully displaying a disabled person’s badge in the relevant position and is a vehicle which, immediately before or after any period of waiting allowed by a provision of this order, has been or is to be driven by a disabled person or, as the case may be, has been or is to be used for carrying one or more disabled persons as passengers; or
- (b) an invalid carriage as prescribed in Section 136 of the Act of 1984;

“electronic communications apparatus” means apparatus comprised in or to be comprised in an electronic communications network as defined in the Communications Act 2003;

“enactment” means any enactment whether public, general or local and includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;

“hours of operation” means the period between 8.15 a.m. and 9.00 a.m. and the period between 2.45 p.m. and 3.30 p.m. on Monday to Friday inclusive, any such day being Ashton Gate Primary School school term days;

“pedal cycle” means a unicycle, bicycle, tricycle or cycle having four or more wheels, not being in any case mechanically propelled unless it is an electrically assisted pedal cycle that is not treated as a motor vehicle for the purposes of the Act of 1984;

“police community support officer” has the same meaning as in section 38 of the Police Reform Act 2002;

“School Street” means the prohibited road as identified as **Prohibition of Driving (except permit holders and blue badge holders) Mon - Fri 8.15 – 9.00 am 2.45 - 3.30 pm** in plan **RS21014 AGP PoD B** annexed hereto;

“School Streets permit” means any permit issued by the Council under the terms of Article 7 of this Order;

“School Streets permit holder” means a person to whom a School Streets permit has been issued by the Council under the provisions of Article 7 of this order; and

“traffic sign” has the same meaning as in Section 64 of the Act of 1984.

- (2) Any reference in this order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.

#### Prohibition of Driving (School Street)

3. Save as provided in Article 5 of this order no person shall, except upon the direction or with the permission of a police constable in uniform or a police community support officer, cause or permit any vehicle, other than any vehicle displaying a valid School Streets permit or any disabled person’s vehicle, to enter or proceed between the hours of 8.15 a.m. and 9.00 a.m. and between the hours of 2.45 p.m. and 3.30 p.m. on any day other than a Saturday or Sunday in the length of road identified as **Prohibition of Driving (except permit holders and blue badge holders) Mon - Fri 8.15 – 9.00 am 2.45 - 3.30 pm** in plan **RS21014 AGP PoD B** annexed hereto.

#### Prohibition of Driving

4. Save as provided in Article 5 of this order no person shall, except upon the direction or with the permission of a police constable in uniform or a police community support officer, cause or permit any vehicle to enter or proceed in the length of road identified as **Prohibition of Driving** in plan **RS21014 AGP PoD B** annexed hereto.

#### Exemptions

5. (1) Nothing in Article 3 or Article 4 of this order shall render it unlawful to cause or permit any vehicle to enter or proceed in the length of road referred to therein so long as it may be necessary to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used:-
  - (a) in connection with the carrying out on that length of road of any of the

following operations, namely -

- (i) building, industrial, demolition or excavation operations;
  - (ii) the removal of any obstruction to traffic;
  - (iii) the maintenance, improvement or reconstruction of the said length of road or sides of road;
  - (iv) the laying, erection, alteration or repair in, or in land adjacent to, the said length of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any electronic communications apparatus as defined in the Communications Act 2003; or
  - (v) the construction, installation, improvement, maintenance, repair or cleaning of any traffic sign, bus stop infrastructure or other street furniture or other object lawfully placed or to be placed on, in or over the said length of road;
- (b) in the service of a local authority, the Environment Agency, a water undertaker or sewerage undertaker in pursuance of statutory powers or duties;
  - (c) in order to access premises situated on or adjacent to the said length of road within a School Street for so long as such access by that vehicle is reasonably necessary in connection with any wedding or funeral; or
  - (d) the vehicle to be used for fire and rescue service, ambulance or police purposes.
- (2) Nothing in Article 3 or Article 4 of this order shall render it unlawful to cause or permit any pedal cycle to enter or proceed in the length of road referred to therein.
  - (3) Any vehicle waiting on the carriageway within a School Street, or accessing a property adjacent to and only accessible from a School Street prior to its hours of operation, may proceed in order to gain necessary egress from within the School Street during its hours of operation.

#### School Streets Permit

6. The Council may issue a School Streets Permit:-

- (a) subject to such limitations as the Council may impose as to any of the following matters, namely:-
  - (i) the period of validity of the permit;
  - (ii) the length of road in which the permit may be used; and

- (iii) the identity or class of vehicle which is permitted to enter or proceed in the length of road by virtue of the issue of the permit;
  - (b) subject to a condition (if the Council so determines) that the School Streets Permit holder shall display the permit and/or other supplementary identification prescribed by the Council in a conspicuous position on or within the vehicle so as to be clearly visible to a police officer in uniform or police community support officer whilst the vehicle enters or proceeds in the length of road; and
  - (c) subject to such other conditions or limitations (whether in addition to, in variation of or in substitution for the foregoing) as the Council may determine and which are specified at the point of application.
7. The provisions of Article 3 of this order shall apply only during such times as necessitated by Ashton Gate Primary School school term days and to such extent as shall be indicated by traffic signs as prescribed by the Traffic Signs Regulations and General Directions 2016 as amended.
8. The Council is satisfied that it is requisite that section 3(1) of the Act of 1984 should not apply for the following reasons:
- (a) for avoiding danger to persons or other traffic using the road to which the order relates or any other road, or
  - (b) for preventing the likelihood of any such danger arising.

#### Revocation of Order

9. The City Council of Bristol (Upton Road, Southville Ward, City of Bristol) (Prohibition of Driving) Order 2018 is hereby revoked.
10. The provisions of this order shall be in addition to and not in derogation from the provisions of any regulations made or having effect as if made under the Act of 1984 or by any other enactment.

Given under the Common Seal of the City Council of Bristol the --<sup>th</sup> day of ----- 202-.

The COMMON SEAL of the  
CITY COUNCIL OF BRISTOL  
was hereunto affixed  
in the presence of:-

Director of Legal and Democratic Services