

CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL
ST PHILIPS PRIMARY SCHOOL (WHITBY TERRACE, BRADFORD)

SCHOOL STREET EXPERIMENTAL TRAFFIC REGULATION ORDER 2023

City of Bradford Metropolitan District Council, in exercise of its powers under Sections 9 and 10 of the Road Traffic Regulation Act 1984 (the "Act") and of all other enabling powers and, after consultation with the Chief of Police in accordance with Part III of Schedule 9 to the Act hereby make the following Order:-

PART 1 GENERAL

Citation and commencement

1. This Order is made on the 15th day of June 2023 and shall come into operation on the 22nd day of June 2023 and shall be cited as "City of Bradford Metropolitan District Council St Philips Primary School (Whitby Terrace, Bradford) School Street Experimental Traffic Regulation Order 2023".
2. This Order is made on an experimental basis and will remain in force for a maximum period of eighteen months.

Interpretation

3. The Interpretation Act 1978 shall apply to this Order as it applies to an Act of Parliament.
4. Where a provision of this Order is in conflict with a provision contained in a previous order, the provisions of this Order shall prevail for the period that this Order is in force.
5. Where a statute, statutory instrument, specification or regulation is referred to such reference shall include an amendment to or replacement thereof.
6. The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction, regulation or other requirement imposed by law.
7. For the avoidance of doubt any reference in this Order to a length of road shall be deemed to be a reference to more than one length of road where the context requires it. The lengths of road specified in the Schedule to this Order are shown for illustrative purposes only on drawing number: - HS/TRSS/105420/SPP/LP-1A annexed hereto.

Definitions

8. In this Order, the following expressions have the meaning hereby respectively assigned to them:

"Bus" has the same meaning as in Section 1 of the Public Passenger Vehicles Act 1981;

"Contractual Vehicle" means a bus, Licensed Hire Vehicle, Licensed Taxi or Hackney Carriage contracted by the Council and/or school to take children to or from a school, fronting or adjacent to a Restricted Road;

"Council" means the City of Bradford Metropolitan District Council and includes any contractors or authorised agents appointed by or acting on behalf of the Council for the purposes of any function under the provisions of this Order;

"Exempt Vehicle" means the following;

- a. any Motor Vehicle being driven by a care worker, healthcare professional or social worker required to visit any dwelling fronting onto or adjacent to a Restricted Road in the course of their employment;
- b. any bus, Licensed Hire Vehicle, Licensed Taxi or Hackney Carriage entering the Restricted Road for the sole purpose of picking up or dropping off an occupant of a dwelling fronting onto or adjacent to a Restricted Road;
- c. any Motor Vehicle entering the Restricted Road for the sole purpose of making a collection or delivery to or from a dwelling fronting onto or adjacent to a Restricted Road in the course of business; and
- d. any Motor Vehicle displaying a valid Blue Badge entering a Restricted Road for the purposes of either picking up or dropping off a Blue Badge holder.

“Hackney Carriage” means a vehicle licensed under Section 37 of the Town Police Clauses Act 1847 (for the avoidance of doubt this does not include a private hire vehicle within the meaning of Section 80 of the Local Government (Miscellaneous Provisions) Act 1976;

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

“Licensed Taxi” has the same meaning as in Section 13 of the Transport Act 1985;

“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 that in Section 80 of the Local Government (Miscellaneous Provisions) Act 1976;

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

“Road” has the same meaning as that in Section 142 of the Road Traffic Regulation Act 1984;

“School Street Exemption Permit” means a permit issued by the Council in respect of a Motor Vehicle owned and registered to a resident of a Restricted Road or staff member of the school on the Restricted Road.

“Undertaker” has the same meaning as that in Section 48 of the New Roads and Street Works Act 1991.

PART 2 PROHIBITION OF DRIVING

9. Save as hereinafter provided, no person shall except upon the direction or with the permission of a police constable in uniform cause or permit any Motor Vehicle to proceed in the length of Road specified in the Schedule to this Order Monday to Friday during the hours 8:25 am – 8:45 am and 3:05 pm – 3:20 pm, from 1st September to 31st July other than:

- a) a Motor Vehicle being used for police, ambulance, fire brigade, local authority or water authority purposes when used in pursuance of statutory powers or duties;
- b) a Motor Vehicle (if it cannot reasonably be used for the same purpose in any other Road) being 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 Motor Vehicle displaying a valid School Street Exemption Permit issued in respect of that Restricted Road;

d) Contractual Vehicles.

e) Exempt Vehicles.

PART 3 MODIFICATIONS

10. This Order includes provision for the Council's Planning, Transportation & Highways Assistant Director, or person authorised by the aforementioned officer, to modify or suspend this Order or any provision of it if it appears to them essential:

a) in the interests of the expeditious, convenient and safe movement of traffic,

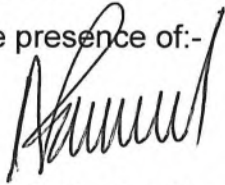
b) in the interests of providing suitable and adequate on-street parking facilities, or

c) for preserving or improving the amenities of the area through which any road affected by this Order runs.

11. The power in Article 10 shall not include making additions to the Order and shall be exercised only after consulting the appropriate Chief Officer of Police and giving such notice as the Secretary of State may direct.

**THE COMMON SEAL of CITY OF
BRADFORD METROPOLITAN DISTRICT
COUNCIL** was hereunto affixed

in the presence of:-



Authorised by the Director of Legal and Governance



102438A

THE SCHEDULE

Restricted Roads

Item	Road	Extent
1	Whitby Terrace, Bradford	From its junction with Fairbank Road to its eastern termination point

CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL
ST PHILIPS PRIMARY SCHOOL (WHITBY TERRACE, BRADFORD)
SCHOOL STREET EXPERIMENTAL TRAFFIC REGULATION ORDER 2023
STATEMENT OF REASONS FOR PROPOSING TO MAKE THE ORDER

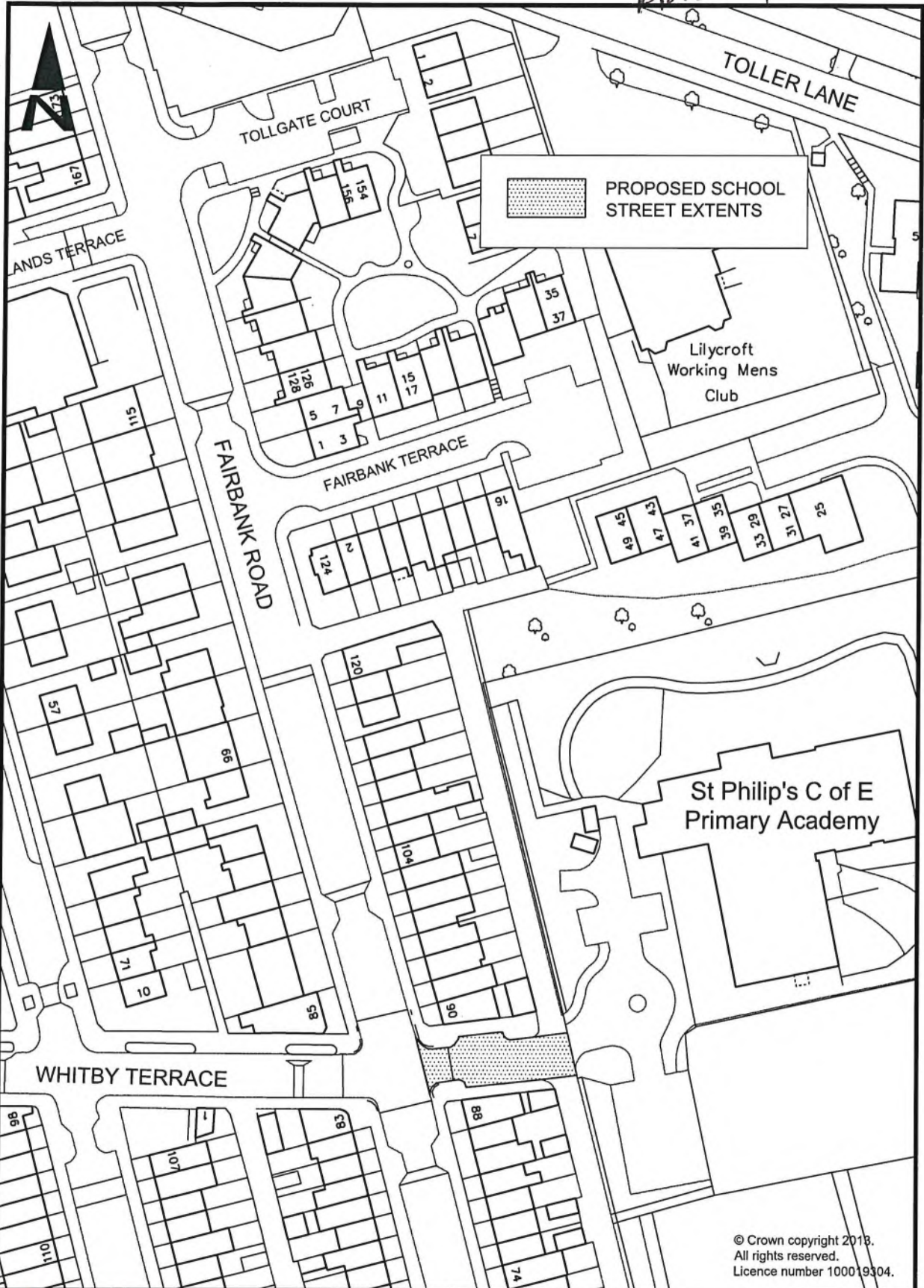
This Experimental Order is being promoted as part of the Council's Active Traffic programme. It is proposed to introduce a School Street at St Philips Primary School. This will involve the closure of short sections of road (as indicated on the attached plan) for limited periods at school start and finish times.

School Streets aim to encourage more active travel to school for parents and children and provide a safer environment and reduce harmful car exhaust emissions close to schools by restricting cars in surrounding areas at school start and finish times.

The Council considers it expedient to make this Order:-

- i. for improving the amenities of the area through which the road runs;
- ii. for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising;
- iii. for preventing the use of the road at times by vehicular traffic of a kind which, is unsuitable having regard to the existing character of the road or adjoining property; and
- iv. (without prejudice to the generality of paragraph iii above) for preserving the character of the road in a case where it is especially suitable for use by persons cycling, on horseback or on foot.

Handwritten signature



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City of BRADFORD
METROPOLITAN DISTRICT COUNCIL
Department of Place
Strategic Director: David Shepherd
City Office
Planning, Transportation & Highways Service
Traffic & Highways Unit
4th Floor
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Bradford
BD1 1HX

Design	Drawn	Checked	Released
Scale(s) @ A4	Approved	Date	
1:1000	A Smith	May 2023	
A Original	AMP	04/05/23	Engineer to Contract
Revision	Initis	Date	Richard Gelder B.Eng(Hons), I.Eng, MICE
Client			

Project	ST PHILIPS PRIMARY ACADEMY PROPOSED SCHOOL STREET
Drawing Title	LOCATION PLAN
Drawing No.	HS/TRSS/105420/SPP/LP-1A

CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

SCHOOL STREET EXPERIMENTAL ORDER
TRAFFIC REGULATION ORDER 2023

ST PHILIPS PRIMARY SCHOOL
(WHITBY TERRACE, BRADFORD)

SEALED: 15th June 2023

OPERATIVE: 22nd June 2023

REFERENCE: CORP/PCD/JLF/414001

Director of Legal and Governance
City of Bradford Metropolitan District Council
City Hall
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West Yorkshire
BD1 1HY

