

WEST BERKSHIRE DISTRICT COUNCIL
(SCHOOL STREETS PROHIBITION OF DRIVING – FRANCIS BAILY PRIMARY SCHOOL)
(EXPERIMENTAL) ORDER 2023

WEST BERKSHIRE COUNCIL in exercise of its powers under Sections 9 and 10 of and Parts II of Schedule 9 to the Road Traffic Regulation Act 1984 (“the 1984 Act”) and of all other enabling powers in accordance with the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1999 and after consultation with the Chief Constable of Police in accordance with Part III of Schedule 9 to the Act hereby makes the following Experimental Order:-

Commencement and Citation

1. This Experimental Order shall come into operation on the 5th day of September 2023 and may be cited as **WEST BERKSHIRE DISTRICT COUNCIL (SCHOOL STREETS PROHIBITION OF DRIVING – FRANCIS BAILY PRIMARY SCHOOL) (EXPERIMENTAL) ORDER 2021**
2. The Interpretation Act 1978 or any replacing Act shall apply for the interpretation of this Order as it applies for the interpretation of any Act of Parliament
3. In this Experimental Order –
 - a. “Motor Vehicle” means a mechanically propelled vehicle intended or adapted for use on the roads as defined in Section 185 of the Road Traffic Act 1988
 - b. “Permit” means a permit issued in accordance with the West Berkshire Council School Streets Permit Terms and Conditions
 - c. “Restricted Hours” means 08:15 – 09:15 and 14:30 – 15:30 Monday to Friday during school term time
 - d. “the roads” means the roads described in the Schedule to this Experimental Order
4. Save as provided in Article 5 no person shall cause or permit any Motor Vehicle except with the permission of a Police Officer in uniform to proceed along the Roads during the Restricted Hours
5. Nothing in Article 4 shall make it unlawful to cause or permit any Motor Vehicle to proceed along the Roads during the Restricted Hours (as long as it is necessary as no other alternative route can be used) if:
 - a. it is being used for the mechanical cleansing, maintenance, servicing, improvement or reconstruction of the Roads; or
 - b. it is being used for the laying, erection, alteration or repair in the Roads or any sewer, or any main, pipe or apparatus for the supply of gas, water, oil or electricity or of any communications apparatus as defined in paragraph 1 of Schedule 2 to the Telecommunications Act 1984 and Sections 106 and 151 of the Communications Act 2003; or

- c. it is being used for Fire and Rescue, Police, Ambulance, and doctors on call (Healthcare Workers (including district nurses, personal carers and support workers or other service purposes registered with a valid virtual permit unless in an emergency; or
 - d. it is being used for the service of the local authority or water authority in pursuance of their statutory powers or duties in connection with its activities at premises situated on the Roads; or
 - e. it is displaying a valid disabled badge and is registered with a valid virtual permit, being driven by or carrying a disabled person to uplift or set down passengers or to wait at a property or premises on the Roads
 - f. it is displaying a valid Permit; or
 - g. it is being used for the removal of any obstruction to traffic on the Roads
 - h. Private Delivery vehicles and private hire vehicles serving a property within the School Street (1 Day exemption)
 - i. People/Services supporting a resident to maintain an independent lifestyle
 - j. Emergency utility repairs including but not limited to gas, electric, water and oil
 - k. Emergency structural repairs
 - l. Building and utility related works which cannot avoid the Restricted Hours
 - m. Visitors visiting a property or school which cannot avoid the Restricted Hours
6. The prohibitions and restrictions imposed by this Experimental Order shall be in addition and not in derogation from any restriction or requirement imposed by any regulations made or having effect of this made under the Act or under any other enactment
7. Under Section 10(2) of the Road Traffic Regulation Act 1984 the Council may modify or suspend the operation of the Experimental Order or any provision of it if it appears essential (a) in the interests of the expeditious, convenient and safe movement of traffic (b) in the interest 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 the Experimental Order runs. This power shall be exercised only after consulting the appropriate Chief Officer of Police and giving such public notice as the Secretary of State may direct
8. The Experimental Order is Experimental and may continue in force for a period of Eighteen (18) months up to 22nd August 2025. In due course the Council will consider whether or not the provisions of the Experimental Order should continue in force indefinitely

THE SCHEDULE

IN THE TOWN OF THATCHAM

Monday to Friday 08:15 – 09:15 and 14:30 – 15:30 during school term time only

Road Names	Extent
Edwin Close, Jedburgh Close and Skillman Drive	For their entire lengths

THE COMMON SEAL of WEST BERKSHIRE

DISTRICT COUNCIL hereunto affixed on the

22nd day of August

2023

is authenticated by:

Thomas

Authorised Signatory



I CERTIFY THIS TO BE A TRUE
COPY OF THE ORIGINAL

Thomas

Solicitor
West Berkshire District Council
Market Street, Newbury