

ST HELENS BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984
THE COUNCIL OF THE BOROUGH OF ST HELENS
(BARTON CLOSE) (SCHOOL STREET) ORDER 2022

THE ST HELENS BOROUGH COUNCIL, (hereinafter referred to as “the Council”) in exercise of its powers under the Road Traffic Regulation Act 1984, (hereinafter referred to as “the Act”) and of all other enabling powers including Part IV of Schedule 9 to the Act and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the aforesaid Act, hereby make the following Order:-

COMMENCEMENT AND CITATION

1. This Order shall come into operation on the 29th August 2022 and may be cited as the Council of the Borough of St Helens (Barton Close) (School Street) Order 2022.

INTERPRETATION

2. (1) In this Order:-
 - (a) a reference to an article followed by a number is reference to the Article of this Order so numbered;
 - (b) the following expressions shall have the meanings assigned to them:-

“**1984 Act**” means the Road Traffic Regulation Act 1984

“**2000 Regulations**” means The Disabled Persons (Badges for Motor Vehicles (England) Regulations 2000

“**Cause**” includes permitting.

“**Civil Enforcement Officer**” means a person authorised by or on behalf of the Council to issue Penalty Charge Notices as defined in the Traffic Management Act 2004.

“**Controlled hours**” means those hours and on those days during which there are limitations on parking, waiting, loading and unloading.

“**Council**” means the St Helens Borough Council.

“**Delivery and Collection**” in relation to any goods includes checking the goods for the purpose of their delivery or collection.

“**Disabled person's vehicle**” means a vehicle lawfully displaying a disabled persons badge and is a vehicle which immediately before or after any period of waiting allowed by virtue of a provision of a kind required by

the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 to be included in an order under the 1984 Act has been or is to be driven by a disabled person or has been or is to be used for carrying disabled person's as passengers.

"Driver" where a separate person acts as steersman of a motor vehicle, includes that person as well as any other person engaged in the driving of the vehicle, and "drive" and "driving" shall be construed accordingly.

"Enactment" means any enactment whether public general or local, and includes any order, bye law, rule, regulation, scheme or other instrument having effect by virtue of an enactment.

"Goods" includes postal packets of any description and the collection and delivery in relation to any goods including the checking of the goods for the purpose of delivery and collection.

"Motor vehicle" means a mechanically propelled vehicle constructed solely for the carriage of passengers and their effects, is adapted to carry not more than seven passengers exclusive of the driver and does not exceed 3050 kilograms or alternatively does not exceed 2540 kilograms and is not a goods vehicle.

"Motorcycle" means a mechanically propelled vehicle with less than 4 wheels and an unladen weight not exceeding 410 kilograms as defined in the Road Vehicles (Construction and Use) Regulations 1986.

"Owner" in relation to a vehicle means the person who is the registered keeper of the vehicle and in relation to a vehicle, which is subject of a hiring agreement, or hire purchase agreement means the person in possession of that vehicle under that agreement.

"Pedal Cycle" any bicycle or tricycle designed for propulsion solely by means of human power. Electrically assisted pedal cycles meeting the Electrically Assisted Pedal Cycles (EAPC) Regulations are classed as a pedal cycle.

"Postal Packets" has the same meaning as defined in section 4(3) of the Postal Services Act 2000

"Resident" means a person whose usual residence or second home is at a property situated on the specified roads listed in schedule 1.

"Relevant National Authority" means the Secretary of State in respects to England.

"Road" shall have the same meaning ascribed to it by Section 142 of the Act in England and Wales, means any length of highway or of any other road to which the public has access.

“School Transport Vehicle” means a bus, taxi or private hire vehicle contracted by the Council to take children to or from school, fronting or adjacent to the specified roads.

“the 2016 Regulations” means the Traffic Signs Regulations and General Directions 2016 and includes any enactment or re-enactment or amendment thereto

- (2) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
 - (3) The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulations made or having effect as if made under the Act or by or under any other enactment.
 - (4) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
3. Save as provided in Article 4 hereof no person shall, except upon the direction or with the permission of a police constable in uniform or civil enforcement officer, cause or permit any motor vehicle or motorcycle to enter or proceed within the length of road specified in the Schedule to this Order between the hours of 8:00am to 9:30am and 2:00pm to 4:00pm Monday to Friday.
4. Nothing in Article 3 of this Order shall apply in relation to:-
 - a. pedal cycles;
 - b. any person who causes any vehicle to proceed in accordance with any restrictions of requirement indicated by traffic signs placed pursuant to section 66 or section 67 of the Road Traffic Regulation Act 1984;
 - c. any vehicle being used for ambulance, fire brigade or police purposes in an emergency;
 - d. any vehicle when used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such duties for that vehicle to enter and proceed in a street or length of street specified in The Schedule to this Order;
 - e. any vehicle being used in connection with the maintenance, improvement, reconstruction, cleansing or lighting of a street or length of street specified in the Schedule to this Order, or the laying, erection, alteration or repair of any sewer thereunder or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any electronic communication network thereunder or thereon, or the placing, maintenance or removal of any traffic sign thereon

- f. being used for the delivery or collection of postal packets to premises in that length of road;
- g. being used by residents, visitors or deliveries to residential properties within the specified road;
- h. a disabled persons vehicle;
- i. a school transport vehicle;
- j. exiting the specified road

SCHEDULE 1
PROHIBITION OF MOTOR VEHICLES, EXCEPT FOR PEDAL CYCLES AND
ACCESS TO NO'S 1 TO 17 BARTON CLOSE

<u>Road</u>	<u>Length</u>	<u>Duration</u>
Barton Close	For its entirety	8:00am to 9:30am and 2:00pm to 4:00pm Monday to Friday

THE COMMON SEAL of the
ST HELENS BOROUGH COUNCIL

Was hereunto affixed this 11th day of August 2022 in the presence of:-



AUTHORISED SIGNATORY

