

GLOUCESTERSHIRE COUNTY COUNCIL
(PROHIBITION OF DRIVING) (VARIOUS ROADS, CHELTENHAM TRANSPORT PLAN
PHASE 4) EXPERIMENTAL ORDER 2018

The Gloucestershire County Council ("the Council") in exercise of its powers under Sections 1, 2, 4, 9 and 10 of the Road Traffic Regulation Act 1984 ("the Act") and Part II and IV of Schedule 9 of the Act and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of that Schedule hereby make the following Experimental Order:-

1. (i) This Experimental Order shall come into operation on the 28th June 2018 and may be cited as the "Gloucestershire County Council (Prohibition of Driving) (Various Roads, Cheltenham Transport Plan Phase 4) Experimental Order 2018" ("the Experimental Order");
(ii) The roads fall within the Lansdown & Park, All Saints & Oakley and Charlton Park & College Wards within the Borough of Cheltenham in the County of Gloucestershire.
2. In this Experimental Order:

"Bullion Vehicle" means Vehicles constructed or specially adapted for the carriage of cash valuables or other valuable securities to be used to travel to and from Banks or Building Societies and businesses immediately adjacent to specified roads, only for so long as may be necessary to enable such cash valuables or securities to be loaded from and to the Vehicles

"Bus" has the same meaning as in Schedule 1 of the Traffic Signs Regulations and General Directions 2016 ("TSRGD")

"Funeral Vehicle" means any Vehicle operated by a funeral director for the purpose of a funeral procession to and from St. Mary's Church

"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

"Off Carriageway Parking Vehicle" means a Vehicle accessing off carriageway parking adjoining Post Office Lane, Church Street and North Street (between High Street and Albion Street)

"Pedal Cycle" has the same meaning as in Schedule 1 of TSRGD and means a unicycle, bicycle, tricycle or cycle having four or more wheels not being in any case mechanically propelled unless it has an electrically assisted pedal cycle of such class as to be treated as not being a Motor Vehicle for the purposes of the Act

"Permit Holder" means a Funeral Vehicle, Off Carriageway Parking Vehicle and a Private Hire Vehicle

"Post Office Vehicle" means a Vehicle to be used by the Post Office for the provision of a universal postal service as defined in the Postal Services Act 2000.

"Private Hire Vehicle" has the same meaning as in Section 80 of the Local Government (Miscellaneous Provisions) Act 1976 and licensed under Section 48 of that Act or any similar enactment

"Taxi" has the same meaning as in Schedule 1 of TSRGD and means a Vehicle licensed under Section 37 of the Town Police Clauses Act 1847

"Vehicle" means a Motor Vehicle or any other vehicle unless specifically exempted by the provisions of this Experimental Order

3. No person shall cause or permit any Vehicle except with the permission of a Police Officer in uniform to proceed along those lengths of roads ("the Prohibited Roads") described in the First Schedule to this Experimental Order
4. Nothing in Article 3 shall render it unlawful to cause or permit a Vehicle to proceed along the Prohibited Roads as may be necessary to enable:-
 - (a) the mechanical cleansing, maintenance, servicing, improvement or reconstruction of any of the Prohibited Roads or sides of the Prohibited Roads; or
 - (b) the lay, erection, alteration or repair in, or over land adjacent to any of the Prohibited Roads or sides of the Prohibited Roads of any sewer or any main, pipe, or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in the Telecommunications Act 1984; or
 - (c) the Vehicle to be used for Fire and Rescue, Police or Ambulance emergency service purposes; or
 - (d) the Vehicle to be used in the service of a local authority or water authority in pursuance of their statutory powers, or duties in connection with its activities at premises situated on or adjacent to the Prohibited Roads; or
 - (e) the Vehicle, if it cannot be conveniently used for such purpose in any other road, to be used for building, maintenance, removals or demolition purposes; or
 - (f) the Vehicle, if it cannot be conveniently used for such purpose in any other road, to be used for the removal of any obstruction to traffic.
5. Nothing in Article 3 shall render it unlawful to cause or permit a Pedal Cycle, Bus, Taxi, Bullion Vehicle, Post Office Vehicle or Permit Holder to proceed along the Prohibited Roads
6. Nothing in Article 3 shall render it unlawful to cause or permit a Vehicle to proceed along the Prohibited Roads for the purpose of loading or unloading goods to/from the Vehicle on the loading roads ("the Loading Roads") defined in the Second Schedule to this Experimental Order between the hours of 18:00 and 10:00
7. The Experimental Order is Experimental and may continue in force for a period of 18 months up to 28th December 2019. In due course the Council will consider whether or not the provisions of the Experimental Order should continue in force indefinitely
8. 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 interest 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.

FIRST SCHEDULE
Prohibition of Driving

Prohibited Roads

| Road Name / Number | Extent |
|---------------------------------|--|
| Clarence Street C9012 | From the east side of Cheltenham House underground car park access to its junction with Clarence Parade |
| Clarence Street A46 | From its junction with Clarence Parade to a point approximately 14m Northeast of the centre point of its junction with Imperial Circus |
| Pittville Street 490298 | Between its junctions with Albion Street and High Street |
| High Street 491045 | Between its junctions with Pittville Street and Promenade / Colonnade |
| Promenade / Colonnade 491046 | Between its junctions with High Street and Imperial Circus |
| Imperial Circus 490491 | Between its junctions with Promenade / Colonnade and Clarence Street |
| Clarence Parade A46 | Between its junctions with Crescent Terrace and Clarence Street |

SECOND SCHEDULE
Loading and Unloading 18:00 to 10:00

Loading Roads

Clarence Parade, Clarence Street (from the East side of Cheltenham House underground car park to its junction with High Street), North Street (between High Street and Albion Street), Pittville Street, High Street (between Pittville Street and Henrietta Street only), Promenade (between High Street and Crescent Terrace), Imperial Circus, Post Office Lane and Church Street

GIVEN under the Common Seal of Gloucestershire County Council this 15th day of June two thousand and eighteen

THE COMMON SEAL of
GLOUCESTERSHIRE COUNTY
COUNCIL was hereunto affixed
in the presence of:-


for Head of Legal Services



8873

