

# Livingstone Road, Bournemouth Experimental Order Ref E1 2023



# School Streets

**Bournemouth, Christchurch and Poole Council  
(Livingstone Road, Bournemouth)  
Experimental Order (No. 1) 2023**

## INDEX OF DOCUMENTS ON DEPOSIT

A. *Notice of Making* of the Experimental Traffic ORDER as sent for advertisement in the Bournemouth Echo on the 17 February 2023

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B. A copy of the Experimental Traffic ORDER

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C. A plan illustrating the effects of the above ORDER

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D. A Statement of the Council's reasons for making the above ORDER

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The last date for representations is on the 27 August 2023 or six months from the last amendment. All representations and comments will be considered before deciding whether to make the provisions of the Order permanent. Due to the number of representations we receive to consultations we regret we will be unable to respond individually.

**Contact details** – [SSETROresponse@bcpcouncil.gov.uk](mailto:SSETROresponse@bcpcouncil.gov.uk) | Traffic Management Team, BCP Council Civic Centre, Bourne Avenue, Bournemouth, BH2 6DY

## A. NOTICE OF MAKING

### **BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL**

#### **Bournemouth, Christchurch and Poole Council (Livingstone Road, Bournemouth) Experimental Order (No. 1) 2023**

Bournemouth, Christchurch and Poole Council ("the Council") has made the above Order on 14 February 2023. The Order becomes operational on 27 February 2023.

The effect of the Order is outlined in the Schedule to this Notice.

The provisions of the Order may be varied or amended within the regulations governing Experimental Orders. The persons authorised to agree such variations or amendments are: The Chief Constable of the Dorset Police and the Director of Transport and Engineering of the Council; or such of their officers as they may authorise.

From 17 February 2023 a copy of this Notice, a plan illustrating the proposals, a copy of the Order and a statement of the Council's reasons for making the Order may be inspected online at: [www.bcpccouncil.gov.uk/highwayconsultations](http://www.bcpccouncil.gov.uk/highwayconsultations) and at the BCP Civic Centre, Bourne Avenue, Bournemouth, BH2 6DY (by appointment only Monday to Friday 10am to 4pm, contact: [SSETROResponse@bcpcouncil.gov.uk](mailto:SSETROResponse@bcpcouncil.gov.uk)).

The Council will be considering in due course whether the provisions of the Order should be continued in force indefinitely. Within a period of six months from the coming into force of the Order – 27 February 2023 or if the Order is subsequently varied by another Order (under Section 9 of the Road Traffic Regulation Act 1984 or modified pursuant to sub-section (2) of Section 10 of the Act), from the coming into operation of those variations or modifications (whichever are the latest), any person may object to the making of an Order for the purposes of such indefinite continuation.

Any such objection must be in writing, quoting reference **E1 2023**, must give the grounds on which it is made and must be emailed to: [SSETROResponse@bcpcouncil.gov.uk](mailto:SSETROResponse@bcpcouncil.gov.uk) or sent to: The Traffic Team, BCP Civic Centre, Bourne Avenue, Bournemouth, BH2 6DY. (Please note that all representations received will be available for public inspection).

If you wish to question the validity of the Order or of any of the provisions contained in it on the grounds that either is not within the powers conferred by the Road Traffic Regulation Act 1984, or on the grounds that any requirement of that Act, as amended, or of any instrument made under it has not been complied with in relation to the Order, you may within six weeks from 14 February 2023, apply to the High Court for this purpose.

**J McLaughlin, Director:  
Transport and Engineering  
SCHEDULE**

**Livingstone Rd, BH5:** Prohibition of Motor Vehicles for its entire length from its junction with West Rd  
Mon - Fri 8.15am - 9.15am and 2.40pm - 3.40pm.

**B. EXPERIMENTAL TRAFFIC ORDER**

**Bournemouth, Christchurch and Poole Council  
(Livingstone Road, Bournemouth)  
Experimental Order (No. 1) 2023**

Bournemouth, Christchurch and Poole Council ("the Council") makes the following order under sections 9 and 10 of the Road Traffic Regulation Act 1984 ("the Act") as amended and all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the Act.

1. In this Order

"motor vehicle" has the same meaning as sections 136 and 140 of the Act.

2. No person shall cause or permit any motor vehicle to enter or proceed in Livingstone Road, Bournemouth for its entire length from its junction with West Road, Monday to Friday from 8.15am until 9.15am and from 2.40pm until 3.40pm.

3. Nothing in Article 2 hereof shall apply to anything done upon the direction or with the permission of a police constable in uniform or to vehicles or personnel of the emergency services undertaking official duties or to vehicles authorised by the Council.

4. The provisions of Article 2 of this Order may be varied or amended within the regulations governing Experimental Orders. The persons authorised to agree such variations or amendments are: The Chief Constable of the Dorset Police and the Director for Transport and Engineering for Bournemouth, Christchurch and Poole Council, or such of their Officers as they may so authorise.

5. The Interpretation Act 1978 shall apply to the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

6. This Order shall come into operation on the 27 February 2023 and may be cited as: Bournemouth, Christchurch and Poole Council (Livingstone Road, Bournemouth) Experimental Order (No. 1) 2023.

Executed as a Deed by the affixing of the Common Seal

On fourteenth of February 2023

In the presence of

Signature 

Full Name HELEN CARRETT

Position Solicitor for Monitoring Officer



**C. EFFECTS OF THE ORDER:**

**Prohibition of Motor Vehicles Monday to Friday 8.15am– 9.15am and 2.40pm – 3.40pm on Livingstone Road for its entire Length from its Junction with West Road**



## D. STATEMENT OF STATUTORY REASONS

The Council is using the Experimental Traffic Regulation Order process to provide flexibility and enable changes to be made following feedback from the public and statutory consultees on the changes made as part of the school streets initiative outlined below.

The roads outside schools can be very congested at school drop-off and pick-up times, resulting in concerns about road safety, localised air pollution, and in some cases, inconsiderate or dangerous parking.

School Streets is an initiative which aims to create a calmer, safer and more pleasant environment for children as they arrive at and leave school. School Streets involves temporarily restricting through-traffic and parking on small roads immediately outside of schools during drop-off and pick-up times only. This creates a safer and healthier environment for young people to walk, wheel, cycle or scoot to their school gates.

The Council will consider in due course whether the provisions of the Order should be continued in force indefinitely. Within a period of six months from the coming into force of the Order – 27 February 2023 or if the Order is subsequently varied by other Orders (under section 9 of the Road Traffic Regulation Act 1984 or modified pursuant to sub-section (2) of section 10 of the Act), from the coming into operation of those variations or modifications (whichever are the latest), any person may object to the making of an Order for the purposes of such indefinite continuation. Any such objection must be in writing, quoting reference E1 2023 and must give the grounds on which it is made and must be emailed to: [SSETROresponse@bcpcouncil.gov.uk](mailto:SSETROresponse@bcpcouncil.gov.uk) or sent to The Traffic Management Team, BCP Civic Centre, Bourne Avenue, Bournemouth, BH2 6DY Please take note that all representations received will be available for public inspection. Due to the number of representations we receive to consultations we regret we will be unable to respond individually.

The Council as Highway Authority has made the above Order in discharge of its duty under section 122 of the Road Traffic Regulation Act 1984, “to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians)”, in accordance with the provisions of Section 1(1) of the Road Traffic Regulation Act 1984 namely:

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|-----|---|-------------------------------------|
| (a) | 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; or  | <input checked="" type="checkbox"/> |
| (b) | for preventing damage to the road or to any building on or near the road; or  | <input type="checkbox"/>            |
| (c) | for facilitating the passage on the road or any other road of any class of traffic (including pedestrians); or  | <input checked="" type="checkbox"/> |
| (d) | for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property; or | <input checked="" type="checkbox"/> |
| (e) | (without prejudice to paragraph (d) above) for preserving the character of the road in a case where it is specifically suitable for use by persons on horseback or on foot; or  | <input type="checkbox"/>            |
| (f) | for preserving or improving amenities of the area through which the road runs; or   | <input checked="" type="checkbox"/> |
| (g) | for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of Section 87 of the Environment Act 1995 (air quality)  | <input type="checkbox"/>            |