

ROYAL BOROUGH OF KINGSTON UPON THAMES

Ellingham Road Experimental School Street Scheme

The Kingston upon Thames (Prescribed Route) (Amendment No.46) Experimental Order
2023

DOCUMENTS FOR INSPECTION

1. A copy of the notice to appear in the Surrey Comet and the London Gazette 24 August 2023
2. The Council's statement of reasons for making the Experimental Order
3. The made Order
4. A plan to indicate the location and effect of the Order



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Ellingham Road Experimental School Street Scheme

1. **NOTICE IS HEREBY GIVEN** that the Council of the Royal Borough of Kingston upon Thames made the following Order The Kingston upon Thames (Prescribed Route) (Amendment No.46) Experimental Order 2023 on 21 August 2023 under section 9 of the Road Traffic Regulation Act 1984, as amended.
2. The general effect of the Order which will come into force on 4 September 2023 2023, will be, on an experimental basis, introduce a “Pedestrian and Cycle Zone” as part of the “School Streets” initiative in **Ellingham Road**, Chessington (Ellingham Road, Primary School), between Bolton Road and its south-eastern extremity which will operate between 8.15am and 9.15am and between 2.30pm and 3.30pm Monday to Friday school term time only.
3. Motor vehicles will be prohibited from entering the “Pedestrian and Cycle Zone” during the operational hours, except for residents,’ school staff vehicles and Blue Badge holder vehicles with a need to gain access may apply for an exemption relating to Zone SS12 which will be granted by the Council if approved.
4. The Order provides that, subject to the provisions of section 10 of the Road Traffic Regulation Act 1984, the Council’s Director of Corporate and Communities, or some person authorised by him, may, if it appears to him or that person essential in the interest of the expeditious, convenient and safe movement of traffic, or for providing suitable and adequate parking facilities on the highway or for preserving or improving the amenities of the area through which any road affected by the Order runs, modify or suspend the Order or any provision contained therein.
5. Copies of the Experimental Order, the Council’s Statement of Reason for making the Order and a plan showing the locations and the effects of the Order may be inspected as follows:-
 - (a) online at <https://www.kingston.gov.uk/tmos-open-statutory-consultation> under reference **P334 - Ellingham Road** Experimental School Street Scheme
 - (b) The Information and Advice Centre, Guildhall 2, Kingston upon Thames, KT1 1EU between 9am and 5pm Mondays to Fridays inclusive
 - (c) Council libraries; and
 - (d) copies of the made Order and plan can also be obtained by calling 020 8547 5000 (between 9am and 5pm Mondays to Fridays); or
 - (e) emailing tmo@kingston.gov.uk please quote ref **P334 – Ellingham Road**.
6. Any person desiring to question the validity of the Order or of any provision contained therein on the grounds that it is not within the relevant powers of the Road Traffic Regulation Act 1984 or that any relevant requirements thereof or any relevant regulations made thereunder have not been complied with in relation to the Order may, within six weeks from the date on which the Order was made, make application for the purpose to the High Court.
7. The Council will consider in due course whether the provisions of the Order should be continued in force indefinitely by means of an Order made under sections 6, 45, 46, 49 and 124 of the Road Traffic Regulation Act 1984.

8. Any person may object to the making of an Order for the purpose of such indefinite continuation within a period of six months beginning from the date on which the Experimental Order came into force, or if the Experimental Order is varied or modified, beginning with the date on which such variation or modification came into force. Any objection must be in writing stating the grounds on which it is made and sent to either the Traffic Order Section, Guildhall 2, Kingston upon Thames, KT1 1EU or to tmo@kingston.gov.uk (please quote ref. **P334**).

Dated 24 August 2023.

Jayne Dando
Corporate Head of Service – Highways & Transport

Please Note: Persons responding to the Order should be aware that the Council may be legally obliged to disclose the information provided to third parties.

Ellingham Road Experimental School Street Scheme

Statement of Reason

To improve the health and safety of school pupils and to reduce traffic and parking problems that occur during school drop-off/pick-up hours.



2023 No. 13

The Kingston upon Thames (Prescribed Routes) (Amendment No. 46) Experimental Order
2023

Made: 21 August 2023

Coming into force: 4 September 2023

The Council of the Royal Borough of Kingston upon Thames, after consulting the Commissioner of Police of the Metropolis, in exercise of the powers conferred by section 9 the Road Traffic Regulation Act 1984(**a**), as amended, and all other enabling powers, hereby makes the following Order:-

1. This Order shall come into force on 4 September 2023 and may be cited as **The Kingston upon Thames (Prescribed Routes) (Amendment No. 46) Experimental Order 2023**.
2. (1) In this Order:
 - the Order of 2013” means The Kingston upon Thames (Prescribed Routes) (No. 6) Traffic Order 2013(**b**);
 - “enactment” means any enactment, whether public general or local, and includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment; and
 - “permit” means an exemption to the restrictions specified in Schedule 1 to this Order that has been granted by the Council to a vehicle used by a resident or Blue Badge holder, provided that the resident or Blue Badge holder:
 - (a) has duly applied to the Council for an exemption;
 - (b) has been notified by the Council of the “permit identifier” to indicate which restriction it applies to; and
 - (c) is exempt only from the restriction to which the “permit identifier” relates.
- (3) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.

Amendment of the Order of 2013

3. (1) Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into force of this Order, the Order of 2013 shall have effect as though;
 - (a) there were added to Schedule 2 to that Order the item numbered 284 and set out in Schedule 1 to this Order;
 - (b) there were added to Schedule 3 to that Order the item numbered Ex72 set out in Schedule 2 to this Order,
- (2) The relevant provisions of the Order of 2013 shall apply to the items set out in Schedules 1 and 2 to this Order.
4. In pursuance of section 10(2) of the Road Traffic Regulation Act 1984, the Director of Corporate and Communities of the Royal Borough of Kingston upon Thames, or some person authorised by him, may, if it appears essential in the interests of the expeditious, convenient and safe movement of traffic, or of the provision of suitable and adequate parking facilities on the highway, or for improving the amenities of the area through which any road affected by this Order runs, and after consulting the Commissioner of Police of the Metropolis, modify or suspend any provision of this Order.

Dated this twenty first day of August 2023.

Jayne Dando
Corporate Head of Service – Highways & Transport

SCHEDULE 1 (additions to Schedule 2 to the Order of 2013)

Item No. (1)	Prescribed Street (<i>Pedestrian and Cycle Zones</i>) (2)	Instruction (3)	Direction (4)	Location (5)	Exception Reference (see Schedule 3) (6)
284	Ellingham Road, Chessington between the access road to Ellingham Road Primary School and Bolton Road.	No person shall cause or permit any motor vehicle to enter the lengths of carriageway specified in column 2 between 8.15am and 9.15am and between 2.30pm. and 3.30pm on Mondays to Fridays inclusive, any such day not being Christmas Day, Good Friday or a Bank Holiday.	-	-	Ex1, Ex2, Ex4, Ex5, Ex11, Ex15, Ex69 or Ex72

SCHEDULE 2 (additions to Schedule 3 to the Order of 2013)

Exception Reference (1)	Exception (2)
Ex72	Permit holders (with the permit identifier SS12)

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

1. This Order amends the Kingston upon Thames (Prescribed Routes) (No. 6) Traffic Order 2013 to introduce Pedestrian and Cycle Zones (“School Streets”) on an experimental basis in **Ellingham Road**, Chessington (Ellingham Road, Primary School), between the access road to Ellingham Road Primary School and Bolton Road which will operate 8.15am and 9.15am and between 2.30pm and 3.30pm on Mondays to Fridays school term time only

The following exemptions apply to the Pedestrian and Cycle Zones:

- anything done with the permission or at the direction of a police constable in uniform (Ex1);
- any person who causes any vehicle to proceed in accordance with any restriction or requirement indicated by traffic signs placed pursuant to Section 66 or Section 67 of the Road Traffic Regulation Act 1984 (Ex2);
- a pedal cycle (Ex4);
- any vehicle when used in an emergency for fire brigade, ambulance or police purposes (Ex5);
- any vehicle authorised by the Council 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 the restricted area (Ex11);
- any vehicle authorised by the Council to enter the restricted area for the purpose of collecting refuse from the restricted area or from any land or premises fronting upon or accessible only therefrom (Ex15); and
- any vehicle carrying a disabled person with a valid disabled persons' blue badge and where that vehicle is requiring access to a property situated in a road or length of road, or only accessible therefrom Ex69
- residents' for which an exemption has been granted (Ex72).

Ellingham Primary School and St Philip's School

