

**NORTH YORKSHIRE COUNCIL**

**(PROHIBITION OF DRIVING EXCEPT FOR ACCESS) (JAMES STREET, HARROGATE)**

**NO.2 ORDER 2023**

North Yorkshire County Council (hereinafter referred to as "the Council") in exercise of their powers under Sections 1(1), 2(1), 2(2) and 3(2) of the Road Traffic Regulation Act 1984 ("the 1984 Act") and Part IV of Schedule 9 to the 1984 Act and of all other enabling powers, after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act, hereby make the following Order:-

1. Save as provided in article 2 of this Order no person shall except upon the direction or with the permission of a Police Constable in uniform cause or permit any motor vehicle to proceed along James Street, Harrogate as follows:-

**SCHEDULE 1**  
**PROHIBITION OF TRAFFIC 10:30AM TO 4.00PM ON ANY DAY**

<b><u>Column 1</u></b> <b><u>Item</u></b>	<b><u>Column 2</u></b> <b><u>Road</u></b>	<b><u>Column 3</u></b> <b><u>Length</u></b>
1.	James Street, Harrogate	From its junction with Princes Street to its junction with Station Square.

2. Nothing in article 1 of this Order shall render it unlawful for any motor vehicle to proceed along the road therein specified if the vehicle is being used:-
  - (a) for fire brigade, police, or ambulance purposes;
  - (b)
    - (i) in connection with any wedding or funeral taking place from or at premises fronting that road;
    - (ii) in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of that road or any part thereof or the laying erection alteration or repair in that road or in land accessible only from that road of any sewer or of any main pipe, cable or apparatus for the supply of gas water or electricity or of any electronic communications network or electronic communications service as defined in Schedule 3A and Section 32 of the Communications Act 2003;
    - (iii) in the service of a Local Authority or Water Authority in pursuance of their statutory powers and duties;
    - (iv) by any registered practitioner, nurse or midwife in connection with his or her professional duties being performed at any premises situated on or adjacent to that road;
    - (v) in connection with the delivery or collection of bullion to any bank premises situated on or adjacent to that road with prior agreement from the Police;

and cannot conveniently be used for such purpose in any other road.

3. The Council are satisfied that for the following reasons it is requisite that Section 3(1)(b) of the Act should not apply in relation to this Order:-

- (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
  - (b) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or
  - (c) 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
  - (d) for preserving or improving the amenities of the area through which the road runs
4. 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 Order or regulations made or having effect as if made under the Act or by or under any other enactment.
5. This Order shall come into operation on ***[insert date of operation upon sealing order]*** and may be cited as "North Yorkshire Council (Prohibition of Driving Except for Access) (James Street) No.2 Order 2023

**THE COMMON SEAL** of **NORTH YORKSHIRE** )  
**COUNTY COUNCIL** was hereunto affixed this )  
day of                    2023 in the presence of:- )