

**ROTHERHAM BOROUGH COUNCIL
VARIOUS ROADS MALTBY AND HELLABY
(NO STOPPING ON SCHOOL ENTRANCE MARKINGS)
ORDER 2010**

ROTHERHAM BOROUGH COUNCIL in exercise of its powers under Sections 1, 2, 4 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 as amended (hereinafter called "the RTRA 1984"), the Traffic Management Act 2004 ("the TMA 2004"), the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 ("CEoPC General Regulations 2007") and of all other enabling powers and in pursuance of The Road Traffic (Permitted Parking Area and Special Parking Area) Metropolitan Borough of Rotherham) Order 2005 after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the RTRA 1984 hereby makes the following Order.

PART I- CITATION AND COMMENCEMENT

1. This Order is made on the 17th February 2011 and shall come into operation on the 21st day of February 2011 and may be cited as the Rotherham Borough Council (Various Roads Maltby and Hellaby) (No Stopping on School Entrance Markings) Order 2010

Definitions

2. In this Order except where the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them:

"Civil Enforcement Officer"	means an officer employed by the Council as defined in section 76 of the TMA 2004;
"Council"	means Rotherham Borough Council
"Penalty Charge"	means a penalty charge imposed under Part 6 of the TMA 2004 the level of which is set by the Council under the provisions of section 77 and Schedule 9 of the TMA 2004 and the CEoPC General Regulations 2007
"Vehicle"	means a motor vehicle and a motor vehicle means a mechanically propelled vehicle intended or adapted for use on roads and has the same meaning as in section 136 of the RTRA

	1984 and trailer means a vehicle drawn by a motor vehicle;
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3. Any reference in this Order to a numbered Article shall unless the context requires otherwise, be construed as a reference to the Article bearing that number in this Order.
4. Any reference in this Order to any enactment shall be constructed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.
5. The Interpretation Act 1978 shall apply to the interpretation of this Order as it applies for the interpretation of an Act of Parliament and as if for the purposes of section 21 of that Act this Order were an Act of Parliament and the order revoked were Acts of Parliament thereby repealed.

PART 2 – NO STOPPING ON SCHOOL ENTRANCE MARKINGS

6. Save as provided in Article 7 to this Order, no person shall except upon the direction or with the permission of a police constable in uniform or of a Civil Enforcement Officer cause or permit any Vehicle to stop or wait or otherwise leave a Vehicle in a stationary manner between the hours of 07.30 am to 05.00 pm Monday to Friday (inclusive) in the lengths of road specified in the Schedule to this Order.
7. Nothing in Article 6 of this Order shall render it unlawful to cause or permit any Vehicle to stop or wait or otherwise leave a Vehicle in a stationary manner in the lengths of road specified in the Schedule to this Order:-
 - a) If the Vehicle is being used for police, fire or ambulance purposes;
 - b) in any case where the person in control of the Vehicle
 - (i) is required to stop by law;
 - (ii) is obliged to stop so as to prevent an accident, or
 - (iii) is prevented from proceeding in circumstances beyond his/her control.

SCHEDULE

NO STOPPING 07.30 AM to 5.00 PM MONDAY TO FRIDAY (INCLUSIVE)
ON SCHOOL ENTRANCE MARKINGS

<p style="text-align: center;">Maltby Redwood J&I School Chestnut Grove</p> <p>West side – 48 metres west of its junction with the western kerb line of Elm Tree Road for a distance of 25.6 metres in a westerly then northerly direction; Redwood Drive</p> <p>North side – 24 metres west of its junction with the western kerb line of Elm Tree Road for a distance of 25.6 metres in a westerly direction</p>
<p style="text-align: center;">Lilly Hall Junior Mixed School Cliff Hill</p> <p>East side – 48 metres south of its junction with the extended southern kerb line of Lilly Hall Road for a distance of 43.5 metres in a south westerly direction</p>
<p style="text-align: center;">Maltby Comprehensive School Braithwell Road</p> <p>South side – 135 metres east of its junction with the extended southern kerb line of Lilly Hall Road for a distance of 75 metres in an easterly then southerly direction; Lilly Hall Road</p> <p>South side – 63 metres west of its junction with the extended southern kerb line of Braithwell Road for a distance of 87 metres in a westerly direction;</p>
<p style="text-align: center;">Maltby Craggs School Strauss Crescent (SKC1)</p> <p>From a point 9 metres east of the western extended kerb line of Beresford Road for a distance of 33.4 metres in a westerly direction; Strauss Crescent (SKC 2)</p> <p>South side – centred on the western pedestrian access for a total length of 39.3 metres</p>
<p style="text-align: center;">Manor J&I School Davy Drive (SKC1)</p> <p>South side – 49 metres west of its junction with the western kerb line of Manor Road for a distance of 32 metres in a westerly direction Davy Drive (SKC2)</p> <p>South side – 124 metres west of its junction with the western kerb line of Manor Road for a distance of 32 metres in a westerly direction</p>
<p style="text-align: center;">St. Mary's RC Primary School Muglet Lane</p> <p>East Side – 75 metres south east of its junction with the extended southern kerb line of Hamilton Road for a distance of 37 metres</p>

PART 3 – CONTRAVENTION OF ORDER

Contraventions

8. If a Vehicle stops waits or is otherwise left in a stationary manner in the lengths of road specified in the Schedule to this Order without complying with the requirements of this Order, a contravention shall have occurred and a Penalty Charge shall be payable.

PART 4 - GENERAL

9. The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirements by any regulations made or having effect as if made under the RTRA 1984 or by or under any other enactment.

PART 5 – VALIDITY

10. If a court, the Department for Transport, the Traffic Penalty Tribunal or the Traffic Enforcement Centre declares any part of this Order to be invalid or unenforceable, such declaration shall not invalidate the remainder of the Order.

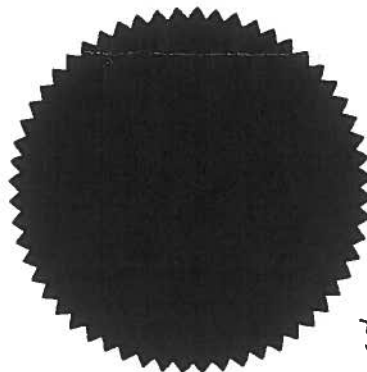
PART 6 – REVOCATION

11. The Rotherham Borough Council Various Roads Maltby (No Stopping on School Entrance Markings) Order 2009 is hereby revoked upon the implementation of this Order.

The Common Seal of
Rotherham Borough Council
was hereunto affixed
in the presence of:-



Duly authorised officer



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