

# ROTHERHAM BOROUGH COUNCIL

## THE ROTHERHAM BOROUGH COUNCIL (A631 EAST BAWTRY ROAD) (24 HOUR MAIN CARRIAGEWAY FOOTWAY AND VERGE CLEARWAY) ORDER 2008

Rotherham Borough Council in exercise of its powers under Sections 1, 2 and 4 to the Road Traffic Regulations Act 1984 (hereinafter called "the Act") and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act, hereby makes the following Order:-

### 1. COMMENCEMENT AND CITATION

This Order shall come into force on the 5<sup>th</sup> day of May 2008 and may be cited as "The Rotherham Borough Council (A631 East Bawtry Road) (24 hour Main Carriageway Footway and Verge Clearway) Order 2008

### 2. INTERPRETATION

#### 2.1 In this Order:-

"the 2004 Act" means the Traffic Management Act 2004;

"carriageway" means a way constituting or comprised in a highway being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles;

"civil enforcement officer" means a person employed by the Council under section 76 of the 2004 Act for the enforcement of road traffic contraventions;

"Council" means Rotherham Borough Council

"footway" means a way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only;

"lay-by" means any area of carriageway intended for the waiting of vehicles and bounded partly by a traffic sign shown in diagram 1010 in Schedule 6 to the Traffic Signs Regulations and General Directions 2002, and partly by the outer edge of that carriageway on the same side of the road as that on which the sign is placed;

"main carriageway" means any carriageway used primarily by through traffic, including any carriageway of a slip road, but excludes any lay-by;

"recognised bus stop" is a location defined by road markings in accordance with the Traffic Signs Regulations and General Directions

2002 where a public service vehicle as defined in Section 1 of the Public Passenger Vehicles Act 1981 may stop to pick up or set down passengers”;

“verge” means any part of a road which is not a carriageway;

2.2 Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment;

3. Save as provided in Article 4 of this Order no person shall, except upon the direction or with the permission of a police officer in uniform or of a civil enforcement officer, cause or permit any vehicle to stop or wait at any time on the main carriageway footway or verge specified in the Schedule to this order.

4. Nothing in Article 3 of this Order shall apply:-

a. so as to prevent any vehicle waiting on the main carriageway footway or verge referred to in that Article for so long as may be necessary to enable the vehicle to be used in connection with:-

i. any building, industrial or demolition operations;

ii. the removal of any obstruction to traffic;

iii. the maintenance, improvement or reconstruction of the part or parts of road comprising or including that main carriageway, footway or verge

iv. the laying, erection, alteration or repair in or near such parts of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1984;

b. to a vehicle being used for fire brigade, ambulance or police purposes

c. to a vehicle being used in the service of a local authority or of the Environment Agency or of a statutory undertaker in pursuance of statutory powers or duties

d. to a vehicle being used for the purposes of delivering or collecting postal packets or letters in accordance with a statutory duty;

e. to a vehicle waiting on the main carriageway footway or verge referred to in that Article while any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged is opened or closed, if it is not

reasonably practicable for the vehicle to wait otherwise than on that carriageway, or

f. to a vehicle waiting when the person in control of the vehicle:-

i. is required by law to stop;

ii. is obliged to stop in order to avoid an accident; or

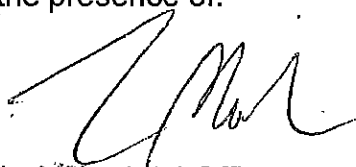
iii. is prevented from proceeding by circumstances outside his control.

g. to a public service vehicle waiting at a recognised bus stop for so long as may be necessary to enable the public service vehicle to set down or pick up passengers;

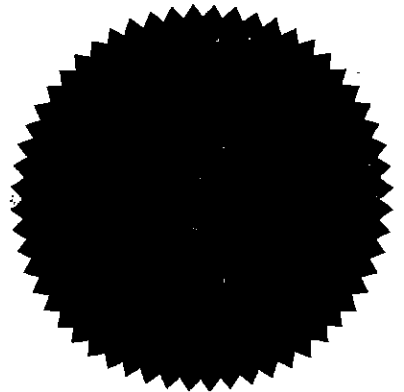
5. No person shall cause or permit any vehicle to wait on any footway verge or lay-by immediately adjacent to the main carriageway comprised in the length of road specified in the Schedule to this Order for the purpose of selling goods from that vehicle unless the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected.

GIVEN under the Common Seal of Rotherham Borough Council this 1<sup>st</sup> day of May 2008

THE COMMON SEAL of Rotherham  
Borough Council was hereunto affixed  
in the presence of:



Duly Authorised Officer



#### SCHEDULE

3224

#### 24 Hour Main Carriageway Footway and Verge Clearway

A631 East Bawtry Road - that part of the A631 East Bawtry Road  
from its junction with the A618 Pleasley Road  
to its junction with the B6410 Worrygoose Lane  
and Broom Lane, Rotherham

