

ROTHERHAM BOROUGH COUNCIL
VARIOUS ROADS, WAVERLEY
(NO STOPPING ON SCHOOL ENTRANCE MARKINGS)
ORDER 2021

ROTHERHAM BOROUGH COUNCIL in exercise of its powers under Sections 1,2 and 4 of the road Traffic Regulation Act 1984 as amended (hereinafter called "the 1984 Act"), the Traffic Management Act 2004 ("the 2004 Act"), 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 1984 Act hereby makes the following Order.

PART I-CITATION AND COMMENCEMENT

This Order is made on the 14th. day of January 2021 and shall come into operation on the 18th day of January 2021 and may be cited as "The Rotherham Borough Council Various Roads Waverley (No Stopping on School Entrance Markings) Order 2020"

Definitions

1. 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 2004 Act;
"Council"	Means Rotherham Borough Council
"Penalty Charge"	Has the same meaning as in the CEoPC General Regulations 2007 or any subsequent legislation so enabling;

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Act of Parliament and the order revoked were Acts of Parliament thereby repealed.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 a.m. to 05:00 p.m. Monday to Friday (inclusive) in the lengths of the 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.

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 1984 Act 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.

SCHEDULE

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

School	Location	Description
Waverley Primary School	Cherry Wood Way	<ul style="list-style-type: none">i. North west side from a point 19m south west of a projection of the western kerb line for a distance of 31.56m.ii. North West side from a point 50.56m south west of a projection of the western kerb line for a distance of 31.56miii. South East side from a point 19m south west of the western kerb line for a distance of 31.56m

Dated: 14th. January 2021

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



Duly authorised officer

