

99/24

ROTHERHAM BOROUGH COUNCIL**THE ROTHERHAM BOROUGH COUNCIL (MOORGATE ROAD)
(PROHIBITION OF WAITING AND CYCLE LANE)
ORDER 1999**

Rotherham Borough Council in exercise of its powers under Sections 1(1), 2(1) and (2) and 4(2) of and Part IV of Schedule 9 to the Road Traffic Regulation 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. This Order shall come into force on the 24th day of May 1999 and may be cited as "The Rotherham Borough Council (Moorgate Road) (Prohibition of Waiting and Cycle Lane) Order 1999.

2. (1) In this Order :-

"disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) Regulations 1982;

"disabled person's vehicle" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986;

"parking disc" means a disc issued by a local authority, 125 millimetres square, coloured orange and capable of showing the quarter hour period during which a period of waiting begins;

"cycle lane" means the lengths of the carriageway specified in Schedule 2 to this Order;

"pedal cycle" means a pedal cycle or pedal tricycle not being in either case a mechanically propelled vehicle;

"public service vehicle" has the same meaning as in Section 1 of the Public Passenger Vehicles Act 1981.

- (2) For the purposes of this Order a vehicle shall be regarded as displaying a disabled person's badge issued before 2nd March 1992 in the relevant position if :-

- (a) in the case of a vehicle fitted with a front windscreen, the badge is exhibited thereon on the near side of and immediately behind the windscreen and with its front facing forward so as to be legible from outside the vehicle; or

- (b) in the case of a vehicle not fitted with a front windscreen, the badge is exhibited in a conspicuous position on the vehicle.

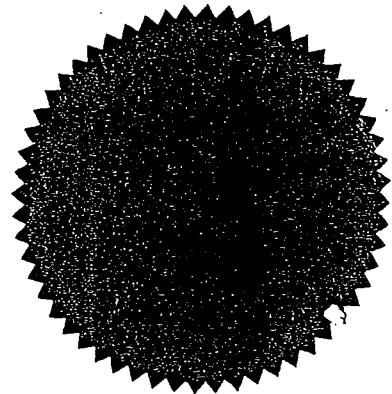
- (3) For the purposes of this Order a vehicle shall be regarded as displaying a disabled person's badge issued on or after 2nd March 1992 in the relevant position if :-
- (a) in the case of a vehicle fitted with a dashboard or facia panel, the badge is exhibited thereon so that Part I of the badge is legible from outside the vehicle; or
 - (b) in the case of a vehicle not fitted with a dashboard or facia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part I of the badge is legible from outside the vehicle
- (4) For the purposes of this Order a vehicle shall be regarded as displaying a parking disc in the relevant position if :-
- (a) in the case of a vehicle fitted with a dashboard or facia panel, the disc is exhibited thereon so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle; or
 - (b) in the case of a vehicle not so fitted, the disc is exhibited in a conspicuous position on the vehicle so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle.
3. Save as provided in Article 5 of this Order, no person shall, except upon the direction of or with the permission of a police officer in uniform or of a traffic warden, cause or permit any vehicle to wait at any time on any of the sides of road specified in Schedule 1 to this Order.
4. Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait on any of the sides of road referred to in that Article for so long as may be necessary to enable :-
- (a) a person to board or alight the vehicle;
 - (b) goods to be loaded on or unloaded from the vehicle;
 - (c) the vehicle, if it cannot conveniently be used for such purpose in any other part of road, to be used in connection with any of the following operations, namely :-
 - (i) building, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of any of the said lengths or sides of road;

- (iv) the laying, erection, alteration or repair in or in any land adjacent to any of the said lengths or sides of road of any sewer or of any main, pipe, or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus as defined in Schedule 2 to the Telecommunications Act 1984;
 - (d) the vehicle, if it cannot conveniently be used for such purpose in any other part of road, to be used in the service of a local authority or of a water company in pursuance of statutory powers or duties; or
 - (e) the vehicle to be used for fire brigade, ambulance or police purposes.
- 5. Nothing in Article 3 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge to wait on any of the sides of road specified in Schedule 1 to this Order.
- 6. Save as provided in Articles 7 and 8 of this Order no person shall, except upon the direction of or with the permission of a police officer in uniform or of a traffic warden, cause or permit any vehicle to enter or wait in the cycle lane.
- 7. Nothing in Article 6 of this Order shall render it unlawful to cause or permit pedal cycles or public service vehicles picking up or setting down passengers to enter or wait in the cycle lane.
- 8. Nothing in Article 6 of this Order shall render it unlawful to cause or permit any vehicle to enter or wait in the cycle lane for so long as may be necessary to enable :-
 - (a) the vehicle to be used for fire brigade, ambulance or police purposes;
 - (b) the vehicle to be used in connection with building, industrial or demolition operations;
 - (c) the vehicle to be used for the removal of any obstruction in the cycle lane;
 - (d) the vehicle, if it cannot conveniently be used for such purposes in any other part of road, to be used in the service of a local authority or of a water company in pursuance of statutory powers or duties;
 - (e) the vehicle to be used in connection with loading or unloading goods;
 - (f) a person or persons to board or alight from the vehicle or to enable personal luggage to be loaded on to or unloaded from the vehicle;
 - (g) the vehicle to gain access to or egress from any vehicular accessway or crossing adjoining the cycle lane.

GIVEN under the Common Seal of Rotherham Borough Council this 20th day of May 1999

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


Duly Authorised Officer



SCHEDULE 1

No waiting at any time

2242

MOORGATE ROAD
SERVICE ROAD

East side - from its junction with the southern kerb line of Mansfield Road to its junction with the northern kerb line of East Bawtry Road.

West side

- (i) from its junction with the southern kerb line of Grove Road to a point 39 metres south east of the south eastern kerb line of Lawton Lane.
- (ii) from a point 109 meters south east of the south eastern kerb line of Lawton Lane to its junction with the northern kerb line of Bawtry Road

Both sides - from its junction with Oakwood Road West for a distance of 42 metres in a generally south easterly direction.

SCHEDULE 2

Cycle Lane

MOORGATE ROAD

West side - from a point 58 metres from the southern kerb line of Mountenoy Road in a south easterly direction to a point 54 metres from the northern kerb line of its junction with the main entrance to Rotherham Hospital.

East side - from a point 46 metres from its junction with Moorgate Chase in a south easterly direction to a point 14 metres from its junction with the northern kerb line of Oakwood Road West.