

SURREY COUNTY COUNCIL

No. IN SEALING
REGISTER97896.....
Tandridge Local
ORDERED TO Committee - 22/6/07
BE SEALED 07, Item No. 16,
Min. No. 47/07.

DATED 5 NOVEMBER 2008

ROAD TRAFFIC REGULATION ACT 1984
SECTIONS 1(1) AND 2(1) TO (3) AND 4(2)

SURREY COUNTY COUNCIL
(VARIOUS ROADS IN TANDRIDGE)
(PROHIBITION OF STOPPING
OUTSIDE SCHOOLS) (NO. 1)
ORDER 2008

REF: E.LEGAL/AK/17/10/GEN/TAN

THE SURREY COUNTY COUNCIL
(VARIOUS ROADS IN TANDRIDGE)
(PROHIBITION OF STOPPING OUTSIDE SCHOOLS) (NO. 1)

ORDER 2008

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A R R A N G E M E N T O F S C H E D U L E S

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| FIRST SCHEDULE | Prohibition of Stopping Outside Schools in respect of Community, Community Special, Voluntary Controlled, Voluntary Aided, Foundation and Foundation Special Schools |
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THE SURREY COUNTY COUNCIL ("the Council") in exercise of their powers under Sections 1(1) and 2(1) to (3) and 4(2) of the Road Traffic Regulation Act 1984 ("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 make the following Order:-

PART I

GENERAL

Commencement and citation

1 THIS Order shall come into operation on 10 November 2008 and may be cited as "The Surrey County Council (Various Roads in Tandridge) (Prohibition of Stopping Outside Schools) (No. 1) Order 2008"

Interpretation

2 (1) In this Order the expression -

"agents" means any person or persons authorised by or on behalf of the Council to supervise and/or enforce any prohibition and restriction on the waiting by vehicles and/or any parking place

"civil enforcement officer" has the same meaning as in Section 76 of the Traffic Management Act 2004

"Community School" "Community Special School" "Voluntary Controlled School" "Voluntary Aided School" "Foundation School" and "Foundation Special School" have the same meanings as in Section 20 of the Schools Standards and Framework Act 1998

"Council" means Surrey County Council or its appointed agents

"credit card" has the same meaning as in paragraph (6) of Section 35A of the Act

"debit card" has the same meaning as in paragraph (6) of Section 35A of the Act

"enactment" means any enactment whether public general or local and includes any order byelaw rule regulation scheme or other instrument having effect by virtue of an enactment

"Owner" has the same meaning as defined in sub-section (1) of Section 92 of the Traffic Management Act 2004

"Penalty Charge" has the same meaning as defined in Section 92 of the Traffic Management Act 2004

"penalty charge notice" has the same meaning as in the General Regulations

"plans" means the drawings listed in The Third Schedule to this Order the drawing number of each of those drawings being given in the first column of that Schedule and which drawings are attached to this Order

"road" includes part of a road and has the same meaning as in Section 142 of the Act

"school day" has the same meaning as in Section 579 of the Education Act 1996

"school term time" means those days of the year which have been determined as school days in accordance with Section 32 of the Education Act 2002 ("the 2002 Act") in respect of each of Community or Community Special or Voluntary Controlled or Voluntary Aided or Foundation or Foundation Special Schools specified in the First Schedule to this Order or as determined by the Head Master of the Independent and/or Private Schools specified in the Second Schedule to this Order (whether or not in consultation with the Council as Local Education Authority as the case may be)

"the General Regulations" means The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (S.I. 2007/3483)

"Waiver Certificate" means a certificate issued on behalf of the Council for the purposes of paragraph (d) of Article 4 of this Order permitting a specified vehicle to wait in special circumstances on a length or lengths of a road or roads where the waiting of that vehicle would otherwise be restricted or prohibited

(2) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended applied consolidated re-enacted by or as having effect by virtue of any subsequent enactment

PART II

PROHIBITION OF STOPPING OUTSIDE SCHOOLS

Prohibition on vehicles stopping outside schools

3 NO person shall cause or permit any vehicle to stop or remain at rest during school term time on those lengths of roads which are shown on the plans the name of each such length of road being specified in the second column of The First Schedule and The Second Schedule to this Order and which each said length of road is adjacent to the School specified in relation to the said length of road in the first column of The First Schedule and The Second Schedule to this Order between 8.15 a.m. and 9.15 a.m. and between 2.30 p.m. and 4.00 p.m. on Mondays to Fridays inclusive

Exceptions and exemptions from the prohibition on vehicles stopping outside schools

- 4 NOTHING in Article 3 of this Order shall apply to -
- (a) any person causing or permitting a vehicle to stop or remain at rest -
 - (i) if that person is obliged to do so in order to avoid an accident
 - (ii) if that person is required to do so by law
 - (b) anything done with the permission or at the direction of a police constable in uniform
 - (c) any person who causes any vehicle to proceed in accordance with any prohibition restriction or requirement indicated by traffic signs placed by the Police pursuant to Section 66 or Section 67 of the Act
 - (d) a vehicle which is displaying in a prominent position behind the windscreen so that it is facing forwards and can be entirely and easily seen from the front of the vehicle a valid waiver certificate issued by a person duly authorised by the Council to wait in accordance with the terms and conditions prescribed by the said certificate

PROVIDED THAT a waiver certificate may be cancelled at any time at the sole

discretion of the Council and shall thereupon immediately cease to be valid and that a notification of such cancellation shall be sent by post to the holder of the certificate at any address which the Council believes to be that person's address and the certificate shall forthwith be surrendered to the Council

5 THE prohibition imposed by this Order is in addition to and not in derogation of any prohibition restriction or requirement imposed by any other enactment and any exemption or exception from the provisions of this Order is without prejudice to the provisions of any other enactment

PART III

ENFORCEMENT

Contraventions

6 IF a vehicle is left without complying with any of the requirements of this Order then a contravention will have occurred and a penalty charge shall be payable. A Penalty Charge Notice showing the information required by Section 78 of the Traffic Management Act 2004 or any Regulations made thereunder may then be issued by a Civil Enforcement Officer in accordance with the requirements of Section 78 of the Traffic Management Act 2004 or any Regulations made thereunder

Notice of penalty charge

7 IN the case of a vehicle in respect of which a penalty charge may have been incurred a civil enforcement officer may serve a penalty charge notice in accordance with the requirements of Regulation 9 or Regulation 10 of the General Regulations and which penalty charge notice shall comply respectively with the requirements of paragraph 1 or paragraph 2 of the Schedule to the General Regulations

Restriction on removal of Penalty Charge Notices

8 WHERE a Penalty Charge Notice has been attached to a vehicle in accordance with the provisions of this Order no person not being the driver of the vehicle a police constable in uniform or a Civil Enforcement Officer shall remove that Notice from the

vehicle unless authorised to do so by the driver

Manner of payment of penalty charge

- 9 (1) The owner of a vehicle in respect of which the penalty charge has been incurred shall pay the penalty charge to the Council EITHER by cheque or postal order which shall be delivered or sent by post so as to reach the Cash Office of the Tandridge District Council situated at the Council Offices Station Road East Oxted Surrey RH8 0BT or the office of any agents thereof within twenty-eight days of the issue of the penalty charge OR in cash in person at the said Council Offices not later than as aforesaid OR by credit card or debit card
- (2) If the penalty charge is paid before the end of the period of fourteen days beginning with the date of the Notice the amount of the penalty charge will be reduced by the specified proportion
- PROVIDED THAT in this paragraph specified proportion means such proportion applicable to all cases as may be determined by the Local Authorities acting through the Joint Committee
- (3) If the owner fails to pay the penalty charge by the end of the twenty-eight day period a Notice to Owner may be served and if the charge is then not paid within a further period of twenty-eight days it may be increased by fifty per cent

If the fourteen or twenty-eight day periods referred to above fall on a day when the said Council Offices are closed the period within which payment shall be made shall be extended until 4.30 p.m. on the next full day on which the said Council Offices are open

THE FIRST SCHEDULE

**COMMUNITY, COMMUNITY SPECIAL, VOLUNTARY CONTROLLED, VOLUNTARY
AIDED, FOUNDATION AND FOUNDATION SPECIAL SCHOOLS**

| | |
|---------------------------------|--|
| Warlingham Village School | Farleigh Road, Warlingham |
| Hamsey Green Infant School | Tithepit Shaw Lane, Hamsey Green, Warlingham |
| Hamsey Green Junior School | Tithepit Shaw Lane, Hamsey Green, Warlingham |
| Warlingham County School | Tithepit Shaw Lane, Hamsey Green, Warlingham |
| Hazelwood School | Wolfs Hill, Hurst Green |
| Holland School | Holland Road, Holland, Hurst Green |
| Lingfield Primary School | Vicarage Road, Lingfield |
| Nutfield School | Mid Street, South Nutfield |
| Oakhurst Grange School | Stanstead Road, Caterham |
| St Mary's School | Silkham Road, Oxted |
| Limpsfield Infant School | Westerham Road (A25), Limpsfield |
| Tatsfield First School | Church Hill, Tatsfield |
| Caterham Pre-School and Nursery | Burntwood Lane, Caterham |
| Felbridge Primary School | Copthorne Road, Felbridge |
| St John's Junior School | Markfield Road, Caterham |
| St Stephen's School | Hunters Chase, South Godstone |
| Burstow Primary School | Whealers Lane, Smallfield |
| Dormansland Primary School | Clinton Hill, Dormansland |
| Hurst Green First School | Wolfs Wood, Hurst Green |
| Godstone First School | Ivy Mill Lane, Godstone |
| Oxted School | Bluehouse Lane, Oxted |
| St Catherines School | Coneybury, Bletchingley |
| St Peters Infants School | Tandridge Lane, Tandridge |
| Essendene Lodge School | Essendene Road, Caterham |

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|---|---------------------------------|
| Caterham School | Harestone Valley Road, Caterham |
| Audley County Primary School | Whyteleafe Road, Caterham |
| St Francis RC Primary School | Whyteleafe Road, Caterham |
| Sunnydown School | Whyteleafe Road, Caterham |
| Whyteleafe County First and Middle School | Whyteleafe Hill, Whyteleafe |
| Whyteleafe County First and Middle School | Church Hill, Whyteleafe |

THE SECOND SCHEDULE

INDEPENDENT AND/OR PRIVATE SCHOOLS

| | |
|-----------------------------|---------------------------|
| Redehall Preparatory School | Redehall Road, Smallfield |
|-----------------------------|---------------------------|

THE THIRD SCHEDULE

List of Plans

| Drawing No | Date Drawn | Rev'n | Date Revised | Rev'n | Date Revised | Rev'n | Date Revised |
|---------------|------------|-------|--------------|-------|--------------|-------|--------------|
| 3282/TAN/2300 | 09/06 | A | 01/08 | | | | |
| 3282/TAN/2301 | 09/06 | A | 06/08 | | | | |
| 3282/TAN/2302 | 09/06 | A | 06/08 | | | | |
| 3282/TAN/2303 | 09/06 | A | 06/08 | | | | |
| 3282/TAN/2304 | 09/06 | | | | | | |
| 3282/TAN/2305 | 09/06 | | | | | | |
| 3282/TAN/2306 | 09/06 | A | 01/08 | B | 06/08 | | |
| 3282/TAN/2307 | 09/06 | A | 06/08 | | | | |
| 3282/TAN/2308 | 09/06 | A | 06/08 | | | | |

| | | | | | | | |
|---------------|-------|---|-------|---|-------|--|--|
| 3282/TAN/2309 | 09/06 | A | 01/08 | | | | |
| 3282/TAN/2310 | 09/06 | A | 01/08 | | | | |
| 3282/TAN/2311 | 09/06 | A | 01/08 | | | | |
| 3282/TAN/2312 | 09/06 | A | 01/08 | B | 06/08 | | |
| 3282/TAN/2313 | 09/06 | A | 01/08 | B | 06/08 | | |
| 3282/TAN/2314 | 09/06 | A | 06/08 | | | | |
| 3282/TAN/2315 | 09/06 | | | | | | |
| 3282/TAN/2316 | 09/06 | | | | | | |
| 3282/TAN/2317 | 09/06 | | | | | | |
| 3282/TAN/2318 | 09/06 | | | | | | |
| 3282/TAN/2319 | 09/06 | A | 01/08 | | | | |
| 3282/TAN/2320 | 09/06 | | | | | | |
| 3282/TAN/2321 | 09/06 | A | 01/08 | | | | |
| 3282/TAN/2322 | 09/06 | A | 01/08 | B | 06/08 | | |
| 3282/TAN/2323 | 09/06 | A | 01/08 | B | 06/08 | | |
| 3282/TAN/2324 | 09/06 | A | 01/08 | B | 06/08 | | |
| 3282/TAN/2325 | 09/06 | | | | | | |
| 3282/TAN/2326 | 09/06 | A | 01/08 | B | 06/08 | | |
| 3282/TAN/2327 | 09/06 | A | 01/08 | | | | |
| 3282/TAN/2328 | 09/06 | A | 01/08 | B | 06/08 | | |
| 3282/TAN/2329 | 09/06 | A | 01/08 | B | 06/08 | | |
| 3282/TAN/2330 | 09/06 | A | 01/08 | | | | |
| 3282/TAN/2331 | 09/06 | A | 01/08 | | | | |
| 3282/TAN/2332 | 09/06 | A | 01/08 | B | 06/08 | | |
| 3282/TAN/2333 | 09/06 | A | 01/08 | | | | |
| 3282/TAN/2334 | 09/06 | A | 01/08 | B | 06/08 | | |
| 3282/TAN/2335 | 09/06 | A | 01/08 | B | 06/08 | | |
| 3282/TAN/2336 | 09/06 | | | | | | |
| 3282/TAN/2337 | 09/06 | A | 06/08 | | | | |
| 3282/TAN/2338 | 09/06 | A | 01/08 | | | | |
| 3282/TAN/2339 | 09/06 | A | 01/08 | | | | |
| 3282/TAN/2340 | 09/06 | A | 01/08 | | | | |
| 3282/TAN/2341 | 09/06 | A | 01/08 | B | 06/08 | | |
| 3282/TAN/2342 | 09/06 | A | 01/08 | B | 06/08 | | |
| 3282/TAN/2343 | 09/06 | A | 01/08 | B | 06/08 | | |
| 3282/TAN/2344 | 09/06 | A | 01/08 | | | | |
| 3282/TAN/2345 | 09/06 | A | 01/08 | B | 06/08 | | |
| 3282/TAN/2346 | 09/06 | A | 01/08 | | | | |
| 3282/TAN/2347 | 09/06 | A | 01/08 | B | 06/08 | | |
| 3282/TAN/2348 | 09/06 | A | 01/08 | | | | |
| 3282/TAN/2349 | 09/06 | A | 01/08 | | | | |
| 3282/TAN/2350 | 09/06 | A | 06/08 | | | | |
| 3282/TAN/2351 | 09/06 | A | 06/08 | | | | |
| 3282/TAN/2352 | 09/06 | A | 01/08 | | | | |
| 3282/TAN/2353 | 09/06 | A | 06/08 | | | | |
| 3282/TAN/2354 | 09/06 | A | 06/08 | | | | |
| 3282/TAN/2355 | 09/06 | A | 06/08 | | | | |
| 3282/TAN/2356 | 09/06 | A | 01/08 | | | | |
| 3282/TAN/2357 | 09/06 | A | 01/08 | B | 06/08 | | |
| 3282/TAN/2358 | 09/06 | A | 06/08 | | | | |
| 3282/TAN/2359 | 09/06 | A | 01/08 | B | 06/08 | | |
| 3282/TAN/2360 | 09/06 | A | 01/08 | B | 06/08 | | |

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|---------------|-------|---|-------|--|--|--|--|
| 3282/TAN/2361 | 09/06 | A | 01/08 | | | | |
| 3282/TAN/2362 | 09/06 | | | | | | |
| 3282/TAN/2363 | 09/06 | | | | | | |
| 3282/TAN/2364 | 09/06 | A | 06/08 | | | | |
| 3282/TAN/2365 | 09/06 | | | | | | |
| 3282/TAN/2366 | 09/06 | A | 01/08 | | | | |
| 3282/TAN/2367 | 09/06 | A | 01/08 | | | | |
| 3282/TAN/2368 | 09/06 | A | 06/08 | | | | |
| 3282/TAN/2369 | 06/08 | | | | | | |
| 3282/TAN/2370 | 06/08 | | | | | | |
| 3282/TAN/2371 | 06/08 | | | | | | |
| 3282/TAN/2372 | 06/08 | | | | | | |
| 3282/TAN/2373 | 06/08 | | | | | | |
| 3282/TAN/2374 | 06/08 | | | | | | |
| 3282/TAN/2375 | 06/08 | | | | | | |
| 3282/TAN/2376 | 06/08 | | | | | | |
| 3382/TAN/2377 | 06/08 | | | | | | |
| 3382/TAN/2378 | 06/08 | | | | | | |
| 3382/TAN/2379 | 06/08 | | | | | | |
| 3382/TAN/2380 | 06/08 | | | | | | |
| 3382/TAN/2381 | 06/08 | | | | | | |
| 3382/TAN/2382 | 06/08 | | | | | | |
| 3382/TAN/2383 | 06/08 | | | | | | |
| 3382/TAN/2384 | 06/08 | | | | | | |
| 3382/TAN/2385 | 06/08 | | | | | | |
| 3382/TAN/2386 | 06/08 | | | | | | |
| 3382/TAN/2387 | 06/08 | | | | | | |
| 3382/TAN/2388 | 06/08 | | | | | | |
| 3382/TAN/2389 | 06/08 | | | | | | |
| 3382/TAN/2390 | 06/08 | | | | | | |

Executed as a Deed by Surrey County Council on 5 November 2008

EXECUTED AS A DEED by affixing)
THE COMMON SEAL of SURREY)
COUNTY COUNCIL in the presence)
of and attested by:-)

[Handwritten signature]



Head of ~~Legal Services~~/Authorised Signatory