

THE SURREY COUNTY COUNCIL
(VARIOUS ROADS IN REIGATE AND BANSTEAD)
(PROHIBITION OF STOPPING OUTSIDE SCHOOLS)

ORDER 2013

ARRANGEMENT OF ARTICLES

PART I - GENERAL

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ARRANGEMENT OF SCHEDULES

FIRST SCHEDULE	Prohibition of Stopping Outside Schools in respect of Community Community Special Voluntary Controlled Voluntary Aided Foundation and Foundation Special Schools
SECOND SCHEDULE	Prohibition of Stopping Outside Schools in respect of Independent and Private Schools
THIRD SCHEDULE	List of Plans
FOURTH SCHEDULE	Revocations

SURREY COUNTY COUNCIL ("the Council") in exercise of their powers under Sections 1(1) and 2(1) to (3) and 4(2) of and Part IV of Schedule 9 to 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 6 January 2014 and may be cited as "The Surrey County Council (Various Roads in Reigate and Banstead) (Prohibition of Stopping Outside Schools) Order 2013"

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

"Borough Council" means the Reigate and Banstead Borough Council situated at Town Hall Castlefield Road Reigate Surrey RH2 0SH

"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

"electronic communications apparatus" has the same meaning as in paragraph 1 of Schedule 2 to the Telecommunications Act 1984 and Sections 106 and 151 of the Communications Act 2003

"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

"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 the 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 Governing Body or Head Teacher of the Independent and/or Private Schools specified in the Second Schedule to this Order

"the General Regulations" means the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (S. I. 2007/0000)

"Waiver Certificate" means a certificate issued on behalf of the Council for the purposes of Article 4(d) 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

(3) Any reference in this Order to a numbered Part or Article or Schedule shall unless the context otherwise requires be construed as a reference to the Part or Article or Schedule bearing that number in this Order

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 adjacent to the schools identified in the First Schedule and the Second Schedule at the times indicated on the key relating to the plans in the roads and lengths of roads identified on the plans

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 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 the 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 Reigate and Banstead Borough Council situated at Town Hall Castlefield Road Reigate Surrey RH2 0SH 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 Council

- (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

**PART IV
REVOCATION**

Revocation

10 WITHOUT prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order the Orders specified in the Fourth Schedule are hereby revoked in their entirety

FIRST SCHEDULE

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

Wray Common Primary School	Kendal Close, Reigate
Horley Infants	Lumley Road, Horley
The Langshott Infant School	Smallfield Road, Horley
Shawley Community Primary School	Shawley Way, Epsom Downs
Tadworth Primary School, Tadworth	a. Heathcote, Tadworth b. Tadorne Road, Tadworth
Walton on the Hill Primary School	Walton Street, Walton on the Hill
Kingswood School	Buckland Road, Lower Kingswood
Salfords County Primary School	a. Copsleigh Way, Salfords b. West Avenue, Salfords
Furzefield Primary Community School	Delabole Road, Merstham
St Joseph's Catholic Primary School	Linkfield Lane, Redhill
St Matthew's C of E First and Middle School	Linkfield Lane, Redhill
Banstead County Infants and Junior School	The Horseshoe, Banstead
Warren Mead Infants School	Partridge Mead, Banstead
Warren Mead Junior	Roundwood Way, Banstead
St Anne's Roman Catholic Primary School	Court Road, Banstead
Merland Rise County Primary School, Tadworth	a. St Leonard's Road b. Merland Rise
Reigate Parish Church School, Orchards School, Reigate	Blackborough Road, Reigate a. Alexander Road b. Lyndhurst Road
Sandcross County Middle School	Sandcross Lane, Woodhatch
Dovers Green School	Rushetts Road, Woodhatch
Meath Green Junior School	a. Greenfields Road, Horley b. Meath Green Lane, Horley
Meath Green Infants School	Wellington Way, Horley
Yattendon School, Horley	a. Lumley Road b. Oakwood Road
Manorfield Primary School	Sangers Drive, Horley
Woodmansterne County Primary School, Woodmansterne	Merrymeet

Merstham Primary School	London Road South, Merstham
Earlswood Infant & Nursery School,	a. St John's Road, Earlswood b. Ifold Road, Earlswood
Brambletye Junior School	Brambletye Park Road, Earlswood
Reigate School	Pendleton Road, Redhill
St Bedes School	Carlton Road, Redhill
The Beacon School	Picquets Way, Banstead
St Anne's Roman Catholic School	Holly Lane, Banstead
Merstham Primary School	London Road South, Merstham

SECOND SCHEDULE

INDEPENDENT AND/OR PRIVATE SCHOOLS

Reigate Grammar School	Reigate Road, Reigate
Chinthurst School	Tadworth Street, Tadworth
Bramley Preparatory School	Chequers Lane, Walton on the Hill
St Mary's Preparatory and Choir School	Chart Lane, Reigate

THIRD SCHEDULE

LIST OF DRAWINGS

Drawing No	Date Drawn	Rev'n	Date Revised	Rev'n	Date Revised	Rev'n	Date Revised
3282/R&B/18000	08/12						
3282/R&B/18001	08/12						
3282/R&B/18002	08/12						
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FOURTH SCHEDULE
REVOCATIONS

1. The Surrey County Council (Various Roads in Reigate and Banstead) (Prohibition of Stopping Outside Schools) (No.1) Order 2006
2. The Surrey County Council ((Various Roads in Reigate and Banstead) (Prohibition of Stopping Outside Schools) (No.1) Order 2006) (Amendment No. 1) Order 2008

3. The Surrey County Council ((Various Roads in Reigate and Banstead) (Prohibition of Stopping Outside Schools) (No.1) Order 2006) (Amendment No.1) Order 2011
4. The Surrey County Council ((Various Roads in Reigate and Banstead) (Prohibition of Stopping Outside Schools) (No.1) Order 2006) (Amendment No.2) Order 2012

Executed as a Deed by Surrey County Council on 16 December 2013

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



Carol Muggill

Authorised Signatory

DATE: 16 DECEMBER 2013

SURREY COUNTY COUNCIL

No. IN SEALING
REGISTER

9257

ORDERED TO REIGATE + BANSTEAD LOCAL
BE SEALED COMMITTEE 3 DECEMBER 2012
ITEM 10

**ROAD TRAFFIC REGULATION ACT 1984
SECTIONS 1(1) AND 2(1) TO (3) 4(2)
AND PART IV OF SCHEDULE 9**

**SURREY COUNTY COUNCIL
(VARIOUS ROADS IN
REIGATE AND BANSTEAD)
(PROHIBITION OF STOPPING
OUTSIDE SCHOOLS)
ORDER 2013**