

THE SURREY COUNTY COUNCIL
(VARIOUS ROADS IN ELMBRIDGE)
(PROHIBITION OF STOPPING OUTSIDE SCHOOLS) (NO.1) ORDER 2014

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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
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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 may be cited as "The Surrey County Council (Various Roads in Elmbridge) (Prohibition of Stopping Outside Schools) (No.1) Order 2014" and shall come into force on 11 August 2014

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
 - "carriageway" has the same meaning as in Section 329 of the Highways Act 1980
 - "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
 - "footway" has the same meaning as in Section 329 of the Highways Act 1980
 - "Owner" has the same meaning as defined in 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 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.2007/3483"

"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

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 road which are adjacent to the schools identified in the First Schedule and the Second Schedule of this Order and which are shown on the plans between 8.15am and 9.15am and between 2.30pm and 4.00pm 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 Elmbridge Borough Council situated at Civic Centre High Street Esher Surrey KT12 2XA or the office of any agents thereof 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

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 force of this Order the Orders specified in the Fourth Schedule to this Order are hereby revoked in their entirety

FIRST SCHEDULE

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

Bell Farm Junior School	Hersham Road, Walton on Thames
Cardinal Newman Catholic Primary School	Arch Road, Walton on Thames
Chandlers Field Primary School	High Street, West Mosley
Claygate Primary School	Foley Road, Claygate
Cleves County Junior School	Oatlands Avenue, Weybridge
Esher C of E High School	More Lane, Esher
Grovelands School	Terrace Road, Walton on Thames
Heathside School	Brooklands Lane, Weybridge
Hinchley Wood Primary School	Claygate Lane, Esher
Hinchley Wood School and 6 th Form Centre	Claygate Lane, Esher
Hurst Park Primary School	Hurst Road, West Molesey
Long Ditton Infant and Nursery School	Ditton Hill Road, Surbiton
St Mary's C of E Primary School	Sugden Road, Thames Ditton
Manby Lodge Infant School	Princes Road, Weybridge
Oatlands Infant School	St Mary's Road, Weybridge
St Albans Catholic Primary School	Beauchamp Road, West Molesey
St Andrews C of E Primary School	Lockhart Road, Cobham

St Charles Borromeo Catholic Primary School	Portmore Way, Weybridge
St James C of E Primary School	Grotto Road, Weybridge
St Lawrence C of E Junior School	Church Road, East Molesey
St Matthew's C of E First School	Downside, Cobham
St Paul's Catholic Primary School	Hampton Court Way, Thames Ditton
Lilliput Childrens Centre	Ambleside Avenue, Walton on Thames
Thames Ditton Infant School	Speer Road, Thames Ditton
The Royal Kent C of E Primary School	Oakshade Road, Oxshott
Walton Leigh School	Queens Road, Walton on Thames
Walton Oaks Primary School	Ambleside Avenue, Walton on Thames
Walton Oak School	Ambleside Avenue, Walton on Thames
Lilliput Childrens Centre	Burwood Road, Hersham
Lilliput Childrens Centre	Faulkner Road, Hersham
Downside Nursery School	Downside Road, Cobham

SECOND SCHEDULE

INDEPENDENT AND/OR PRIVATE SCHOOLS

Felton Fleet School	Byfleet Road, Cobham
St Georges College Junior School	Thames Street, Weybridge
Weston Green School	Weston Green Road, Thames Ditton
Westward Prep School	Hersham Road, Walton on Thames

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FOURTH SCHEDULE
LIST OF REVOCATIONS

- 1 The Surrey County Council (Various Roads in Elmbridge) (Prohibition of Stopping outside Schools) (No. 1) Order 2006
- 2 The Surrey County Council (Various Roads in Elmbridge) (Prohibition of Stopping outside Schools) (No. 1) Order 2006 (Amendment No. 1) Order 2007
- 3 The Surrey County Council (Various Roads in Elmbridge) (Prohibition of Stopping outside Schools) (No. 1) Order 2006 (Amendment No. 2) Order 2008
- 4 The Surrey County Council (Various Roads in Elmbridge) (Prohibition of Stopping outside Schools) (No. 1) Order 2006 (Amendment No. 3) Order 2008

- 5 The Surrey County Council (Various Roads in Elmbridge) (Prohibition of Stopping outside Schools) (No. 1) Order 2006 (Amendment No. 4) Order 2009
- 6 The Surrey County Council (Various Roads in Elmbridge) (Prohibition of Stopping outside Schools) (No. 1) Order 2006 (Amendment No. 5) Order 2010
- 7 The Surrey County Council (Various Roads in Elmbridge) (Prohibition of Stopping outside Schools) (No. 1) Order 2006 (Amendment No. 6) Order 2011
- 8 The Surrey County Council (Various Roads in Elmbridge) (Prohibition of Stopping outside Schools) (No. 1) Order 2006 (Amendment No. 7) Order 2011
- 9 The Surrey County Council (Various Roads in Elmbridge) (Prohibition of Stopping outside Schools) (No. 1) Order 2006 (Amendment No. 8) Order 2012
- 10 The Surrey County Council (Various Roads in Elmbridge) (Prohibition of Stopping outside Schools) (No. 1) Order 2006 (Amendment No. 9) Order 2013
- 11 The Surrey County Council (Various Roads in Elmbridge) (Prohibition of Stopping outside Schools) (No. 1) Order 2006 (Amendment No. 10) Order 2014

Executed as a Deed by Surrey County Council on 6 August 2014

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



Carol McLogglin

Authorised Signatory

SURREY COUNTY COUNCIL

DATED 6 AUGUST 2014

No. IN SEALING
REGISTER 10747.....
ELM BRIDGE LOCAL
ORDERED TO COMMITTEE
BE SEALED 28/11/11

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

THE SURREY COUNTY COUNCIL
(VARIOUS ROADS IN ELMBRIDGE)
(PROHIBITION OF STOPPING
OUTSIDE SCHOOLS) (NO.1)
ORDER 2014