



LONDON BOROUGH OF MERTON

TRAFFIC MANAGEMENT ORDER

2021 No. 15

The Merton (Pedestrian And Cycle Zone) (South Gardens) Experimental Traffic Order 2021

Made: 23 March 2021

Coming into force: 5 April 2021

The London Borough of Merton, after consulting the Commissioner of Police of the Metropolis, pursuant to an agreement with Transport for London under section 101(5) of the Local Government Act 1972(a) and in exercise of the powers conferred by sections 9 and 10 of the Road Traffic Regulation Act 1984(b), as amended by section 8 of and Part 1 of Schedule 5 to the Local Government Act 1985(c), and of all others powers thereunto enabling, hereby make the following Order: -

1. This Order shall come into force on 5 April 2021 and may be cited as the Merton (Pedestrian and Cycle Zone) (South Gardens) Experimental Traffic Order 2021.
2. In this Order:-

"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 and 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;

"pedal cycle" has the same meaning as in the Traffic Signs Regulations and General Directions 2016(d);

"pedestrian and cycle zone" means any road or length of road specified in column 2 of an item in the Schedule to this Order during the prescribed hours;

"prescribed hours" means the periods specified in column 3 of the Schedule to this Order in relation to the corresponding road or roads specified in column 2 of that Schedule;

"provision of a universal postal service" and "universal service provider" have the same meanings as in section 65 of the Postal Services Act 2011(e);

(a) 1972 c.70 (b) 1984 c. 27. (c) 1985 c.51 (d) S.I. 2016 No. 362 (e) 2011 c.5

“permit” means a permit issued by the Council, including a virtual permit, which exempts a vehicle from the prohibition specified in Article 3 to this Order;

“traffic sign” has the same meaning as in section 64 of the Road Traffic Regulation Act 1984;

“white list” means a list of vehicles by reference to vehicle registration number, make and model held and maintained by the Council which are exempt from the prohibition specified in Article 3 to this Order. A vehicle on the white list will be deemed to have been issued a virtual permit exempting that vehicle from the prohibition specified in Article 3 to this Order.

3. 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, no person shall cause any vehicle to enter into any pedestrian and cycle zone.
4. Nothing in Article 3 of this the Order shall apply to:-
 - (a) a pedal cycle;
 - (b) a vehicle bearing a livery which is used by a universal service provider and which is being used for the purposes of the provision of a universal postal service;
 - (c) a vehicle being used for the laying, erection, alteration or repairs of any main, pipe or apparatus for the supply of gas, water or electricity of any telecommunication system provided that in all the circumstances it is reasonably necessary in the performance of such duties of that vehicle to enter any pedestrian and cycle zone;
 - (d) any vehicle when used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonable necessary in the exercise of such powers or in the performance of such duties for that vehicle to enter or proceed into any pedestrian and cycle zone;
 - (e) to any vehicle on the white list relating to any pedestrian and cycle zone;
 - (f) to any vehicle being used for ambulance, fire brigade or police purposes;
 - (g) anything done with the permission or at the direction of a police constable in uniform;
 - (h) any person who causes any vehicle to proceed in accordance with any restriction or requirement indicated by traffic signs placed on the highway pursuant to section 66 or section 67 of the Road Traffic Regulation Act 1984.
5. In pursuance of section 10(2) of the Road Traffic Regulation Act 1984, the Head of futureMerton for the time being in the London Borough of Merton, or some person authorised in that behalf by him, may, if appears to him or that person essential in the interests of the expeditious, convenient and safe movement of traffic, in the interests of providing suitable and adequate on-street parking

facilities or for preserving or improving the amenities of the area through which any road affected by this Order runs, modify or suspend this Order or any provision thereof.

Dated this twenty-third day of March 2021.

A handwritten signature in black ink, appearing to read 'P. McGarry', with a stylized flourish at the end.

Paul McGarry
Head of futureMerton
London Borough of Merton

SCHEDULE

PEDESTRIAN AND CYCLE ZONES

| 1. | 2. | 3. |
|----------|---------------|--|
| ITEM NO. | ROAD | PRESCRIBED HOURS |
| 1. | South Gardens | Between 8am and 9.15am and between 2pm and 3.15pm Mondays to Fridays |