LONDON BOROUGH OF MERTON

TRAFFIC MANAGEMENT ORDER

2022 No. 95

The Merton (Pedestrian and Cycle Zone) (Malmesbury Primary School) (No. 2) Traffic Order 2022

Made: 25 July 2022

Coming into force: 1 September 2022

The London Borough of Merton, after consulting the Commissioner of Police of the Metropolis, in exercise of the powers conferred by sections 6 and 124 of, and Part IV of the Schedule 9 to, the Road Traffic Regulation Act 1984 (a), as amended by section 8 of and Part 1 of Schedule 5 to the Local Government Act 1985(b), and of all other powers thereunto enabling, hereby make the following Order: -

1. This Order shall come into force on 1 September 2022 and may be cited as the Merton (Pedestrian and Cycle Zone) (Malmesbury Primary School) (No. 2) Traffic Order 2022.

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(c);

   “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(d);

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

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London Road, SM4 5DX

“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 road or length of road specified in column 2 of the Schedule to this Order during the corresponding prescribed hours specified in column 3 of the Schedule to this Order.

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 road or length of road specified in column 2 of the Schedule to this Order;

(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 into any road or length of road specified in column 2 of the Schedule to this Order;

(e) to any vehicle on the white list relating to the roads specified in column 2 of the Schedule to this Order;

(f) to any vehicle being used for ambulance, fire brigade or police purposes responding to an emergency;

(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. The Merton (Pedestrian and Cycle Zone) (Malmesbury Primary School) Traffic Order 2021(e) is hereby revoked.

Dated this twenty-fifth day of July 2022.

Paul McGarry
Head of futureMerton
London Borough of Merton

(e) L.B.M. 2021/93

SCHEDULE

1.	2.	3.
No.	**PEDESTRIAN AND CYCLE ZONE ROADS**	**PRESCRIBED HOURS**
1.	Malmesbury Road, between its junction with Newminster Road and its junction with Netley Gardens	Between 8.15am and 9am and between 2.45pm and 3.45pm Mondays to Fridays
2.	Neath Gardens	Between 8.15am and 9am and between 2.45pm and 3.45pm Mondays to Fridays
3.	Newminster Road	Between 8.15am and 9am and between 2.45pm and 3.45pm Mondays to Fridays