

LONDON BOROUGH OF MERTON

WIDTH RESTRICTION – COMMONSIDE EAST

THE MERTON (PRESCRIBED ROUTE) (COMMONSIDE EAST) (NO. 1) TRAFFIC ORDER 2021

1. NOTICE IS HEREBY GIVEN that the London Borough of Merton, after consulting the Commissioner of Police of the Metropolis, on 26 October 2021, made the above mentioned Order under sections 6 and 124 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984.
2. The general effect of the Order will be to revoke the London Borough of Merton (Prescribed Route) (No. 24) Traffic Order 1988 and re-introduce its provisions with amendments to more accurately reflect the location of the 7 feet maximum width restriction in Commonsides East which lies in the said road from a point 28.8 metres north-west of the north-western kerb-line of Windmill Road north-westward for a distance of 6 metres and specify that buses and certain other vehicles are exempted from the provisions of the Order.
3. A copy of the Order, which will come into force on 8 November 2021 and other documents, including a plan, giving more detailed particulars of the Order, can be inspected Mondays to Fridays during normal office hours until the end of six weeks from the date on which the Order was made at: Merton Link, Merton Civic Centre, London Road, Morden, Surrey SM4 5DX. Documents are available for inspection at <https://www.merton.gov.uk/streets-parking-transport/traffic-management/consultations> .
4. Any person desiring to question the validity of the made Order or of any provision contained therein on the grounds that it is not within the relevant powers of the Act, or that any of the relevant requirements of the Act, or of any instrument made under that Act have not been complied with in relation to the Order may, within six weeks from the date on which the Order was made, make application for the purpose to the High Court.

Dated 26 October 2021.

Paul McGarry
Head of futureMerton
London Borough of Merton,
Merton Civic Centre,
London Road,
Morden
SM4 5DX



LONDON BOROUGH OF MERTON

TRAFFIC MANAGEMENT ORDER

2021 No. 80

The Merton (Prescribed Route) (Commonside East) (No. 1) Traffic Order 2021

Made: 26 October 2021

Coming into force: 8 November 2021

The London Borough of Merton, after consulting the Commissioner of Police of the Metropolis, in exercise of powers conferred by sections 6 and 124 of, and Part IV of Schedule 9 to, the Road Traffic Regulation Act 1984 and all other powers thereunto enabling hereby make the following Order:-

1. The Order shall come into force on 8 November 2021, and may be cited as the Merton (Prescribed Route) (Commonside East) (No. 1) 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;

"bus" has the same meaning as in the Traffic Signs Regulations and General Directions 2016(c).

3. No person shall cause any vehicle the overall width of which together with any load exceeds 7 feet (2.13 metres) to enter that length of Commonside East which lies between a point 28.80 metres north-west of the north-western kerb-line of Windmill Road north-westward for a distance of 6 metres.

4. 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 London Borough of Merton (Prescribed Route) (No. 24) Traffic Order 1988(d) is hereby revoked.

(a) 1984 c. 27. (b) 1985 c.51 (c) S.I. 2016 No. 362 (d) L.B.M. 1988/15

5. Nothing in the Order shall apply:-

- (a) to anything done with the permission or at the direction of a police constable in uniform or a police community support officer in uniform; or
- (b) to any person who causes any vehicles to proceed in accordance with any restriction or requirement indicated by traffic signs placed pursuant to Section 66 or Section 67 of the Road Traffic Regulation Act 1984; or
- (c) to any vehicle being used for police, fire brigade or ambulance purposes; or
- (d) to buses; or
- (e) to any vehicle being used in the connection with the maintenance, improvement or reconstruction of the width restriction.

Dated this twenty-sixth day of October 2021.



Paul McGarry
Head of futureMerton
London Borough of Merton

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order revokes the London Borough of Merton (Prescribed Route) (No. 24) Traffic Order 1988 and re-introduces its provisions with amendments in relation to the definition of the location of the width restriction in Commonside East and specifies additional exemptions.