

DACORUM BOROUGH COUNCIL

TRAFFIC REGULATION ORDER

**THE BOROUGH OF DACORUM (VARIOUS ROADS) (PARKING PLACES
AND RESTRICTION OF WAITING) ORDER 2017**

Drafted: 29th August 2017

Coming into Operation: 30 April 2018

Dacorum Borough Council, pursuant to arrangements made under Section 101 of the Local Government Act 1972 with the Hertfordshire County Council, and in exercise of the powers conferred on that County under Sections 1, 2 and 4 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 and the Road Traffic Act 1991 and of all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the 1984 Act, hereby make the following Order:

PART I – PRELIMINARY

Citation and commencement

1. This Order shall come into operation on 30 April 2018 and may be cited as "The Borough of Dacorum (Various Roads) (Parking Places and Restriction of Waiting) Order 2017"

Interpretation

2. (1) In this Order, except where the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them:

"Council" means Dacorum Borough Council and includes any parking services contractors or authorised agent appointed by and acting on behalf of the Council for the purposes of any function under the provisions of this Order;

"Designated Officer" means an officer of Dacorum Council nominated by or equivalent to carry out Council functions associated with the provisions of this Order;

"Disabled Person's Badge" and "Disabled Person's Vehicle" have the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"Driver" in relation to a vehicle waiting in a parking place or restricted waiting area, means the person driving the vehicle at the time it was left in the parking place or restricted waiting area;

"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;

"Goods" mean goods of any kind, whether animate or inanimate and include postal packets of any description; and "delivering" and "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection;

“Goods vehicle” means a motor vehicle which is constructed or adapted for use for the carriage of goods or burden of any description and is not drawing a trailer;

“Owner” in relation to a vehicle, means the person by whom such a vehicle is kept and used;

“Penalty charge” has the same meaning as in part 6 of the Traffic Management Act 2004;

“Relevant position” has the same meaning as in The Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

3. The relevant provisions of the following Orders are hereby revoked:

- The Borough of Dacorum (Hemel Hempstead) (Prohibition and Restriction of Waiting) (Consolidation) Order 2003
- The Hertfordshire (Various Roads, Berkhamsted, Hemel Hempstead, Tring and Bovington) (Restriction of Waiting) Order 2009

Restricted waiting areas

4.

(1) No person shall cause or permit any vehicle to wait in any street or part of a street specified in column 1, 2 and 3 of Schedule 1 to this Order during the restricted waiting hours specified column 4 of Schedule 1 except for so long as may be necessary for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the area.

(2) A disabled person’s vehicle which displays in the relevant position a disabled person’s badge issued by any Local Authority may be left in a restricted waiting area:

Provided that, where the restricted waiting hours are longer than three hours duration, that vehicle may wait for a period of not more than three hours (being a period not separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same restricted waiting area on the same day.

Persons boarding or alighting from vehicles

5. Nothing in Article 4 shall render it unlawful to cause or permit a vehicle to wait in any restricted waiting area for so long as may be necessary for the purpose of enabling any person to board or alight from the vehicle or to load thereon or unload therefrom their personal luggage.

Excepted vehicles

6. The restrictions imposed by Article 4 shall not apply in relation to the following vehicles, that is to say:

- (a) any bus or public service vehicles operated by a transport company and any vehicle providing a bus service, whilst waiting at an authorised stopping place or at a terminal or turning point; or
- (b) vehicles when used for fire brigade, ambulance or police purposes; or
- (c) vehicles when used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers in the performance of such duties for the vehicle to wait in the place in which it is waiting; or

- (d) taxis whilst waiting upon any duly authorised taxi rank; or
- (e) vehicles whilst waiting in any restricted waiting area for so long as may be necessary in connection with the taking in of petrol, oil, water or air, if such taking in cannot be affected unless the vehicle waits in the place where it is waiting;
- (f) to anything done with the permission or at the direction of a police constable in uniform or a civil enforcement officer;
- (g) where notice is given to the Council, their consent is obtained in writing and any such conditions as they may impose are complied with.

Furniture removals and other exceptional loading or unloading

8. (1) Nothing in Article 4 shall apply so as to restrict the loading or unloading of any vehicle while the vehicle is in actual use in any restricted waiting area in connection with the commercial removal of furniture to or from an office, dwelling-house or depository:

Provided that seventy-two hours notice is given in advance to the Council, their consent is obtained and such reasonable conditions as they may impose are complied with.

- (2) Without prejudice to the provisions of the last foregoing paragraph, nothing in Article 4 of this Order shall apply so as to restrict the loading or unloading of any vehicle while the vehicle is in actual use in any restricted waiting area in connection with the collection or delivery of goods from or to premises in or adjacent to that area if those goods cannot reasonably be loaded or unloaded outside the restricted waiting hours or within the time (if any) allowed in relation to that area, as the case may be, if notice is given seventy-two hours in advance to the Council, their consent is obtained, and such reasonable conditions as they may impose are complied with.

Miscellaneous exemptions

9. (1) Nothing in Article 4 shall render it unlawful to cause or permit a vehicle to wait in any restricted waiting area:
- (a) while postal packets addressed to premises adjacent to any such area in which the vehicle is waiting are, by a universal service provider providing a universal postal service, being unloaded from the vehicle or, having been unloaded therefrom, are being delivered; or
 - (b) while postal packets are, by that universal service provider, being collected for loading on the vehicle from premises or posting boxes in or adjacent to any such area in which the vehicle is waiting or, having been so collected, are being loaded thereon; or
 - (c) while the vehicle is being used in connection with the removal of any obstruction to traffic in any street, the maintenance, improvement, reconstruction, cleansing or lighting of any street, the laying, erection, alteration or repair in or adjacent to any street of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any communications network [within the meaning of the Communications Act 2003], or the placing, maintenance or removal of any traffic sign, if the vehicle cannot conveniently and lawfully be used for that purpose in any other street or a restricted waiting area outside the restricted waiting hours; or

- (d) while any gate or other barrier at the entrance to premises, to which the vehicle requires access or from which it has emerged in being opened or closed, if it is not reasonably practicable for the vehicle to wait in any other place while such gate or barrier is being opened or closed.
- (2) Nothing in this Order shall apply to anything done with the permission or at the direction of a police constable in uniform, or where the person in control of the vehicle is required by law to stop or wait or remain at rest or is obliged to do so in order to avoid an accident.

Vehicles waiting upon the direction or with the permission of the Council

- 10. Nothing in Articles 4 or 12 shall render it unlawful for a person to cause or permit any vehicle to wait on any street or part of street referred to therein if it shall be upon the direction or with the permission of the Council.

Designation of parking places

- 11. Each area on a highway comprising the length of carriageway of a street specified in columns 1, 2 and 3 of Schedule 2 and, unless otherwise so specified, bounded on one side of that length by the edge of the carriageway and having a width throughout of 1.8 metres, is hereby designated as a parking place.

Authorisation of use of parking places

- 12. No person shall cause or permit any vehicle to wait in any part of a parking place unless authorised by the provisions of this Order.

Vehicles for which parking places are designated

- 13. Subject to the provisions of this Order, a parking place may be used for the leaving, between 8:30am and 6:30pm from Monday to Saturday (inclusive), of passenger vehicles, goods carrying vehicles (the overall height of which does not exceed 2.3 metres and the overall length of which does not exceed 5.25 metres), motor-cycles and invalid carriages, unless prohibited by virtue of the Hemel Hempstead (West side) Prohibition of Commercial Vehicles Order, 1989.

Alteration of position of a vehicle in a parking place

- 14. Where any vehicle is standing in a parking place in contravention of the provisions of Article 17 or of the provisions of Article 21, a civil enforcement officer (parking) may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

Removal of a vehicle from a parking place

- 15. Where a civil enforcement officer (parking) is of the opinion that any of the provisions contained in Articles 4(1), 20(3) or 24 have been contravened or not complied with in respect of a vehicle left in any part of a parking place; or restricted waiting area they may remove or cause to be removed the vehicle from the parking place or restricted area and, where it is so removed, shall provide for the safe custody of the vehicle.

Movement of a vehicle in a parking place in an emergency

- 16. A civil enforcement officer (parking), police constable in uniform or traffic warden may move or cause to be moved, in case of emergency, to any place they think fit any vehicle left in a parking place or restricted waiting area.

Manner of standing in a parking place

17. Every vehicle left in a parking place in accordance with the foregoing provisions of this Order shall so stand:
- (a) in the case of a parking place in relation to which special provisions as to the manner of standing of a vehicle in that parking place are specified in column 4 of Schedule 2, as to be in accordance with those provisions;
 - (b) in the case of any other parking place -
 - (i) that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 300 millimetres; and
 - (ii) that every part of a vehicle is within the limits of a parking place.

Power to suspend the use of a parking place

- 18.
- (1) Any person duly authorised by the Council may suspend the use of a parking place or any part thereof whenever they consider such suspension reasonably necessary:
 - (a) for the purpose of facilitating the movement of traffic or promoting its safety;
 - (b) for the purpose of any building operation, demolition or excavation adjacent to the parking place, the maintenance, improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the parking place, the laying, erection, alteration or repair in or adjacent to the parking place of any sewer or of any main, pipe, or apparatus for the supply of gas, water or electricity or of any electronic communications network or the placing, maintenance or removal of any traffic sign;
 - (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture to or from one office or dwelling-house adjacent to the parking place from or to a depository, another office or dwelling-house;
 - (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
 - (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions.
 - (2) Any person suspending the use of a parking place or any part thereof in accordance with the provisions of paragraph (1) of this Article shall thereupon place or cause to be placed in or adjacent to that parking place or part thereof a traffic sign indicating that waiting by vehicles is prohibited.
 - (3) No person shall cause or permit a vehicle to be waiting in a parking place or any part thereof during which such period as there is in or adjacent to that parking place or part thereof a traffic sign placed in pursuance of paragraph (2) above provided that nothing in this paragraph shall apply:-
 - (a) in respect to any vehicle being used for fire brigade, ambulance or police purposes or any vehicle which is waiting for any reason specified in paragraph (1)(b), (d) or (e) above; or

- (b) to anything done with permission of the person suspending the use of the parking place or part thereof in pursuance of paragraph (1) of this Article.

Restriction on the use of a parking place

19. During the permitted hours no person shall use any parking place or any vehicle while it is in a parking place in connection with the sale or offering or exposing for sale of any goods to any person in or near the parking place or in connection with the selling or offering for sale of their skill in handicraft or their services in any other capacity:

Provided that nothing in this Article shall prevent the sale of goods from a vehicle -

- (a) if the vehicle is a passenger vehicle, a goods carrying vehicle, a motor-cycle or an invalid carriage and the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected; or
- (b) if the vehicle is one to which the provisions of Article 20(1)(h) apply.

Restriction on waiting by a vehicle in a parking place

20.

- (1) Notwithstanding the foregoing provisions of this Order any vehicle may wait during the permitted hours in any part of a parking place if the use of that part has not been suspended and if:
 - (a) the vehicle is waiting for so long as may be necessary for the purpose of enabling any person to board or alight from the vehicle or load thereon or unload therefrom their personal luggage;
 - (b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond their control or to such waiting being necessary in order to avoid an accident;
 - (c) the vehicle is being used for fire brigade, ambulance or police purposes or, not being a passenger vehicle, is being used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers or in the performance of such duties for the vehicle to wait in the place in which it is waiting;
 - (d) the vehicle is waiting for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;
 - (e) the vehicle is waiting:-
 - (i) while postal packets addressed to premises adjacent to the parking place in which the vehicle is waiting are being unloaded from the vehicle or, having been unloaded therefrom, are being delivered; or
 - (ii) while postal packets are being collected for the loading on the vehicle from premises or posting boxes adjacent to the parking place in which the vehicle is waiting or, having been so collected, are being unloaded thereon;
 - (f) the vehicle not being a passenger vehicle is waiting only for as long as may be reasonably necessary to enable it to be used for the purpose specified in Article 18(1)(b);

- (g) the vehicle is in actual use in connection with the removal of furniture to or from one office to a dwelling-house adjacent to the parking place from or to a depository, another office or dwelling-house;
 - (h) in any other case the vehicle is waiting for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is waiting and the vehicle does not wait for a period exceeding twenty minutes or for such longer period as a police constable in uniform, a traffic warden or a civil enforcement officer (parking) may approve.
- (2) Except as provided by this Order, the driver or person in charge of a vehicle shall not cause or permit a vehicle to wait in a parking place during the permitted hours.
 - (3) Nothing in the provisions of this Order shall be taken as authorising anything which would be a contravention of any regulations made or having effect as if made under section 25 of the Road Traffic Regulation Act 1984.

Manner of waiting in a parking place

21. No person shall cause or permit a vehicle to wait in a parking place by virtue of the provisions of paragraph (1)(e), (f), (g), or (h) of the last preceding Article otherwise than:

- (1) in the case of a parking place in relation to which special provisions as to the manner of standing of a vehicle in that parking place are specified in column 4 of Schedule 2, so that the vehicle shall stand:
 - (a) unless the length of the vehicle precludes compliance with this sub-paragraph, in accordance with those provisions and so that every part of the vehicle is within the limits of the parking place; or
 - (b) if the length of the vehicle does preclude compliance with the last preceding sub-paragraph, so that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and the distance between the said edge and the nearest wheel of the vehicle is not more than 300 millimetres; and
- (2) in the case of any other parking place, so that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and the distance between the said edge and the nearest wheel of the vehicle is not more than 300 millimetres; and
- (3) so that no part of the vehicle obstructs any vehicular means of ingress to or egress from premises adjacent to the side of the road on which the vehicle is waiting.

For the purposes of the last preceding sub-paragraph, the expression "premises" shall not include any premises to or from which any furniture is being removed by virtue of the provisions of paragraph (1)(g) of the last preceding Article or to or from which goods are being delivered or collected by virtue of the provision of paragraph (1)(h) of that Article.

Placing of traffic signs, etc.

22. The Council shall:

- (1) place and maintain traffic signs indicating the limits of each parking place and any parking bay;
- (2) place and maintain in or in the vicinity of each parking place traffic signs indicating that

such parking places may be used during the permitted hours for the leaving only of the vehicles specified in Article 13; and

- (3) carry out such other work as it reasonably required for the purposes of the satisfactory operation of a parking place.

Contraventions

- 23. If a vehicle (other than a vehicle otherwise exempted by this Order) is left in contravention of any provision of this Order then a parking contravention within Part 1 of Schedule 7 to the Traffic Management Act 2004 shall be deemed to have occurred.

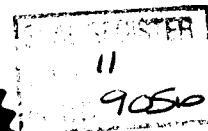
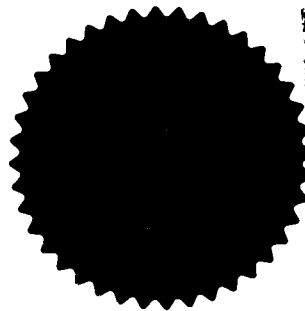
Interval before a vehicle may again be left in a parking place

- 24. Without prejudice to the other provisions of this Order, no vehicle which has been taken away from a parking place between 8:30am and 6:30pm from Monday to Saturday (inclusive) shall again be left in that parking place between 8:30am and 6:30pm from Monday to Saturday (inclusive) until after the end of a period of 2 hours beginning with the time the vehicle was taken away.

Given under the Common Seal of Dacorum Borough Council the 21 day of MARCH 2018

THE COMMON SEAL of DACORUM
BOROUGH COUNCIL was hereunto


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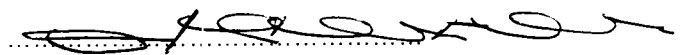
affixed on the 21 day of MARCH 2018

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in the presence of:


CHRIS GAUNT

Authorised Signatory



Authorised Signatory

SCHEDULE 1

Waiting Restrictions

Column 1	Column 2	Column 3	Column 4
STREET NAME	SIDE OF STREET	LENGTH OF STREET	RESTRICTED TIMES
Access road to depot opposite 132 London Road	Both sides of both arms	Between the southern kerb-line of London Road and the depot gates	At Any Time
Ashtree Way	South	Between the western kerb-line of Green End Road and a point 5m west of the eastern boundary of 1 Ashtree Way	At Any Time
Gravel Hill Terrace	South	Between the eastern kerb-line of Green End Road and the western wall of 51 Gravel Hill Terrace	At Any Time
Green End Road	West	Between the southern kerb-line of Ashtree Way and a point 8.5m south of that kerb-line	At Any Time
Green End Road	East	Between the southern kerb-line of Gravel Hill Terrace and a point 8.5m south of a point opposite the southern kerb-line of Ashtree Way	At Any Time
Grosvenor Terrace	South	Between a point 7m west of the western kerb-line of Puller Road and a point 7m east of the eastern kerb-line of Puller Road	At Any Time
Hanover Green	Both	Between the western kerb-line of Puller Road and a point 10m west of the eastern boundary of 27 Puller Road	At Any Time
London Road	North-East	Between the north-west kerb-line of Two Waters Link Road and a point 1.2m north-west of a point opposite the south-east boundary of 339 London Road	At Any Time
Puller Road	Both	Between the southern kerb-line of Grosvenor Terrace and a point 7m south of that kerb-line	At Any Time
Puller Road	West	Between the southern wall of 27 Puller Road and the common boundary of 17 and 19 Puller Road	At Any Time
St John's Road	North	Between a point 14m west of the western kerb-line of Sebright Road and a point 9.5m east of the eastern kerb-line of Sebright Road	At Any Time
St John's Road	North	Between a point 13m west of a point in line with the boundary between 101 and 103 St John's Road and a point 14m west of the western kerb-line of Sebright Road	Monday to Saturday, inclusive, 8:30am to 6:30pm
St John's Road	North	Between the eastern kerb-line of Green End Road and a point 13m west of a point in line with the boundary between 101 and 103 St John's Road	At Any time

SCHEDULE 2

Parking Places (Limited Stay - 90 minutes, no return within 2 hours):
Monday to Saturday inclusive, 8:30am to 6:30pm

Column 1	Column 2	Column 3	Column 4
STREET NAME	SIDE OF STREET	LENGTH OF STREET	SPECIAL MANNER OF STANDING
St John's Road	South	From a point 6.7m south-east of the south-eastern boundary of 15 St John's Road, south-eastwards for a distance of 32.8m	N/A