

## DACORUM BOROUGH COUNCIL

### THE BOROUGH OF DACORUM (LONDON ROAD, HEMEL HEMPSTEAD) (RESTRICTION OF WAITING) ORDER 2018

Dacorum Borough Council, pursuant to arrangements made under section 19 of the Local Government Act 2000<sup>1</sup> and the Local Government (Arrangements for Discharge of Functions) (England) Regulations 2012<sup>2</sup> with the Hertfordshire County Council, and in exercise of the powers conferred on that County Council under sections 1, 2(1), 2(2) and 4 of the Road Traffic Regulation Act 1984<sup>3</sup> ("the Act of 1984") and of all other enabling powers, and after consulting with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following Order:

1. This Order may be cited as "The Borough of Dacorum (London Road, Hemel Hempstead) (Restriction of Waiting) Order 2018 and shall come into operation on 4 March 2018.
2. (1) In this Order "enactment" means any enactment, whether public general or local, and includes any order, bye-law, rule, regulation, scheme or other instrument having effect by virtue of an enactment; and  
(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.  
(3) The Interpretation Act 1978<sup>4</sup> shall apply for the interpretation of this Order as it applies for the Interpretation of an Act of Parliament.
3. Save as provided in Articles 5, 6 and 7 of this Order no person shall cause or permit any vehicle to wait at any time in that length of London Road, Hemel Hempstead as specified in Schedule 1 to this Order.
4. Save as provided in Articles 5, 6 and 7 of this Order no person shall cause or permit any vehicle to wait between the hours of 8am and 6pm on Mondays to Fridays inclusive in that length of London Road, Hemel Hempstead as specified in Schedule 2 to this Order.
5. (1) Nothing in Article 3 or 4 of this Order applies to the lengths of road restricted by those Articles (which said lengths of road are referred to in this Article as "the restricted area") in relation to –
  - (a) a vehicle being used for Fire and Rescue, Ambulance or Police purposes.
  - (b) anything done with the permission of or at the direction of a Police Constable in uniform; or with permission of a Civil Enforcement Officer as defined by the Traffic Management Act 2004<sup>5</sup> and appointed by Dacorum Borough Council.
  - (c) a vehicle which is prevented from proceeding by circumstances beyond the driver's control or which has stopped in order to avoid injury or damage to persons or property or when required to do so by law;

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<sup>1</sup> 2000 c.22

<sup>2</sup> SI 2012/1019

<sup>3</sup> 1984 c.27

<sup>4</sup> 1978 c.30

<sup>5</sup> 2004 c.18

- (d) a vehicle which is stationary in order that it may be used for one or more of the purposes specified in sub-Article (2) of this Article and which cannot reasonably be used for such a purpose without stopping in the restricted area;
- (e) a marked vehicle which, whilst used by a universal service provider in the course of the provision of a universal postal service, is stationary only for so long as may be reasonably necessary for postal packets to be delivered or collected;

In this Article -

The expressions “universal service provider”, “provision of a universal Postal Service” and “postal packet” shall bear the same meanings as in Section 65 of the Postal Services Act 2011<sup>6</sup>.

- (2) The “purposes” referred to in sub-Article (1)(d) of this Article are –
  - (a) any operation involving building, demolition or excavation;
  - (b) the removal of any obstruction to traffic;
  - (c) the maintenance, improvement or reconstruction of a road;
  - (d) constructing, improving, maintaining, or cleaning of any street furniture; or
  - (e) the laying, erection, alteration, repair or cleaning of any sewer or of any main pipe or apparatus for the supply of gas, water or electricity, or of any telecommunications apparatus kept or installed for the purposes of a telecommunications code system or of any other telecommunications apparatus lawfully kept installed in any position.
- 6. Nothing in Article 3 or 4 of this Order applies to the lengths of road restricted by those Articles (which said lengths of road are referred to in this Article as “the restricted area”) so as to render it unlawful to cause or permit any vehicle to wait only for so long as may be reasonably necessary –
  - (a) to enable goods to be loaded on or unloaded from the vehicle from or to premises adjacent to the restricted area; or
  - (b) to enable a passenger to board or alight and to load and unload any luggage.
- 7. (1) Nothing in Article 3 or 4 of this Order shall render it unlawful to cause or permit a disabled person’s vehicle which displays in the relevant position a disabled person’s badge and a parking disc, to wait at any time in the lengths of road specified in Schedules 1 and 2 of this Order for a period not exceeding 3 hours (not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle in the same length of road).
- (2) In this Article -
 

“disabled person’s vehicle” has the same meaning as in Section 142(1) of the Act of 1984;

“disabled person’s badge” has the same meaning as given in Regulation 3(1) of The Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000<sup>7</sup>.

<sup>6</sup> 2011 c.5

<sup>7</sup> SI 2000/683



“parking disc” has the same meaning as given in Regulation 8(5) of The Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000; and

“relevant position” has the same meaning as given in Regulation 4 of The Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000

8. The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any other regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.

### SCHEDULE 1

Length of London Road, Hemel Hempstead – No waiting at anytime

#### London Road

(south west side) between a point 1.2 metres north-west of the south-eastern wall of No. 327 London Road, Hemel Hempstead and the south-eastern boundary of No. 339 London Road, Hemel Hempstead.

### SCHEDULE 2

Length of London Road, Hemel Hempstead –

No waiting between 8am and 6pm on Mondays to Fridays inclusive

#### London Road

(south and south west side) between the south-eastern boundary of No. 339 London Road, Hemel Hempstead and a point 5.2 metres east of the eastern boundary of No. 130 London Road, Hemel Hempstead.

Given under the Common Seal of Dacorum Borough Council the 7<sup>th</sup> day of February 2019.

The Common Seal of DACORUM BOROUGH COUNCIL was hereunto

affixed on the 7<sup>th</sup> day of February 2019

in the presence of:-



Authorised signatory



Authorised signatory



