



BEDFORD BOROUGH COUNCIL

BEDFORD BOROUGH COUNCIL (PROHIBITION OF WAITING AND LOADING ON VERGES AND FOOTWAYS) ORDER 2012

BEDFORD BOROUGH COUNCIL in exercise of the powers under section 1(1), 2(1) to (3) and 4(2) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("The Act") and all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act, hereby makes the following Order

Citation and Commencement

1. This Order shall come into operation on 06th July 2012 and may be cited as the Bedford Borough Council (Prohibition of Waiting and Loading on Verge and Footway) Order 2012.

Interpretation

2. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them: -

Administrative Area – means the entire area of Bedford Borough Council which includes every road found with the Town and Parishes of Bedford listed in Schedule 1 to this Order

Civil Enforcement Officer – means a person authorised by or on behalf of the Council to supervise any parking place and to enforce the provisions of this Order

Council – means Bedford Borough Council

Footway - has the same meaning as in Section 329 of the Highways Act 1980

The Act - means the Road Traffic Regulation Act 1984 as amended;

Roads - means all roads including, but not limited to, carriageways, footways, verges, footpaths, lanes, bridleways and all highways maintainable at the public expense within the administrative areas of the towns and parishes referred to in Schedule 1 of this Order **but excluding** the roads referred to in Schedule 2 of this Order.

Statutory Instrument - means the principal form in which delegated or secondary legislation is made in Great Britain.

Traffic sign - means a sign of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under, Section 64 of the Road Traffic Regulation Act 1984;

Verge - means any grassed or un-grassed strip of land within any carriageway and forming part of the highway.

3. Any reference in this Order to a numbered Article or Schedule shall, unless the context otherwise requires, be construed as a reference to the Article or Schedule bearing that number in this Order.
4. 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.

Restrictions within the said roads

5. No person shall except upon the direction or with the permission of a police constable in uniform, or of a Civil Enforcement Officer, cause or permit any motor vehicle, to wait at any time on any day on a verge or footway in any of the roads referred to in Schedule 1 to this Order
6. The restrictions imposed by this Order will only be enforceable by a Civil Enforcement Officer within those administrative areas of Bedford Borough identified within Schedule 1 to this Order, including those subsequently constructed, provided Traffic Signs are erected as required by Regulations or as authorised by the Secretary of State.

General exemption from restrictions

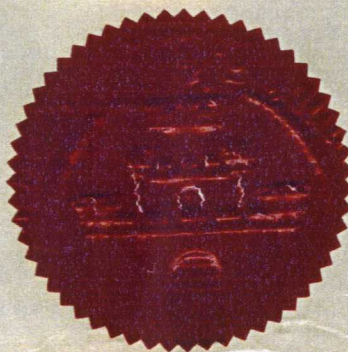
7. Nothing in Article 5 of this Order shall render it unlawful for any person to cause or permit a wheelchair (including a mechanically propelled wheelchair) to wait at any time on any day on a verge or footway in any of the administrative areas referred to in Schedule 1 to this Order.
8. Nothing in Article 5 of this Order shall render it unlawful for any person to cause or permit any vehicle to wait at any time on any day on a verge or footway in any of the administrative areas referred to in Schedule 1 to this Order, so far as such waiting on the footway is reasonably necessary to enable the vehicle to be used for any of the purposes specified in paragraphs (a) to (i) of this Article, provided that the vehicle should remain on the footway only for so long as may be reasonably necessary for such purpose and the vehicle is removed from the said footway as soon as practicable following the completion of such purpose:
 - a. any building operation or demolition,
 - b. the removal of any obstruction to traffic,
 - c. the maintenance, improvement or reconstruction of the road; or
 - d. the laying, erection, alteration or repair in or near the road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line as defined in the Telegraph Act 1878.
 - e. to a vehicle being used for fire brigade, ambulance, special forces or police purposes;

- f. to a vehicle, if it is in the service of or employed by a universal service provider (as defined in Section 4(3) and (4) of the Postal Services Act 2000), to be used for the purpose of delivering and/ or collecting postal packets (as defined in Section 125(1) of the Postal Services Act 2000);
 - g. to a vehicle being used in the service of a local authority in pursuance of statutory powers or duties;
 - h. to a vehicle stopping on the verges referred to in Schedule 1 to this Order while any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged is opened or closed, if it is not reasonably practicable for the vehicle to stop otherwise than on that verge;
 - i. to any vehicle is waiting in any case where the vehicle is required by law to stop, is obliged to stop in order to avoid an accident, or is prevented from proceeding by circumstances outside his control
9. The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction imposed by any regulations made or having effect as if made under the Act or by or under any other enactment.

Revocation of existing Orders

10. As from the date on which this Order comes into operation, the following Orders shall hereby be revoked:
- "Bedford Borough Council (Prohibition of Parking on Verge and Footway) Order 2005"
- "Bedfordshire County Council (Bedford Borough Council (Prohibition of Parking on Verge and Footway) Order 2005) (Amendment No.1) Order 2009"

THE COMMON SEAL of the
BEDFORD BOROUGH COUNCIL
was hereunto affixed this
29th day of June 2012
in the presence of



A handwritten signature in blue ink, appearing to read "Steve B...".

Executive Director for Environment and Sustainable Communities

A handwritten signature in blue ink, appearing to read "M J Royal".

Assistant Chief Executive (Governance) and Solicitor to the Council

AUTHORITY FOR EXECUTION		
COUNCIL/COMMITTEE	MINUTE No.	DATE
DELEGATED POWER	By whom executed EDESC	DATE
	OFFICERS INITIALS	DATE
ORIGINATED AND CHECKED BY	JS	26/06/12
APPROVED BY		27/6/12

SCHEDULE 1

The extent of the area covered by the Bedford Borough Council (Prohibition of Waiting and Loading on Verge and Footway) Order 2012 shall be the entire administrative area of Bedford Borough Council which includes the following:-

The Towns of:

Bedford Kempston

The Parishes of:		
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Biddenham Bletsoe Bolnhurst & Keysoe Brickhill Bromham Cardington Carlton & Chellington Chawston and Colesden Clapham Colmworth Cople Dean & Shelton Eastcotts Elstow Felmersham And Radwell Great Barford	Great Denham Harrold Kempston Rural Kempston Town Knotting & Souldrop Little Barford Little Staughton Melchbourne & Yelden Milton Ernest Oakley Odell Pavenham Pertenhall & Swineshead Podington Ravensden Renhold	Riseley Roxton Sharnbrook Stagsden Staploe Stevington Stewartby Thurleigh Turvey Wilden Willington Wilshamstead Wootton Wyboston Wymington
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All roads within the area identified above, including those roads subsequently constructed but excluding those roads listed in Schedule 2, are included within the provisions of Article 5 of the Bedford Borough Council (Prohibition of Parking on Verge and Footway) Order 2012, provided that appropriate signs are erected as referenced in Article 6.

SCHEDULE 2

Roads excluded from Schedule 1 to this Order:-

STREET	DESCRIPTION
A1 (London - Edinburgh -Thurso Trunk Road)	The entire length of the A1, including its slip roads, within the Borough
A421 (A1 to Milton Keynes)	The entire length of the A421, including its slip roads, within the district.
A428 (A1 to Cambridge)	The A428 from its roundabout junction with the A1 at St. Neots to the eastern boundary of the district.
Any Other Road	Any road classified as a Trunk Road which is not maintained by Bedford Borough Council, but by the Highways Agency or any other Authority



BEDFORD BOROUGH COUNCIL

STATEMENT OF

REASONS

BEDFORD BOROUGH COUNCIL
(PROHIBITION OF WAITING AND LOADING ON VERGES AND FOOTWAYS)
ORDER 2012

The Department for Transport has recently issued new Traffic Signs to indicate 'prohibition of parking on verges and footways'.

Bedford Borough Council made a Traffic Regulation Order in 2005, which prohibited verge and footway parking Borough wide. This Traffic Order has been made to incorporate the use of the new authorised signs in roads where verge and footway parking is causing concern.

Vehicles parked on the footway cause obstruction for pedestrians, especially those with a mobility difficulty. Vehicles parked on the verge cause damage to the verge, and detract from the amenity of the area.

The Council therefore considers it necessary to make this Order prohibiting the parking of vehicles on the verges or footways of any road within the administrative area of Bedford Borough Council, by erecting the new approved signs.

Supplementary Information

It should be noted that parking enforcement in the entire administrative area of Bedford Borough Council decriminalised under the provisions of the Road Traffic Act 1991.

Failure to comply with the provisions of this Order may result in a Penalty Charge Notice being issued. At the time of making the order the penalty charges are at the rate of £70, with a statutory discount of 50% if paid within 14 days, but these are subject to change and charges will be made at the prevailing rates

The Bedford Joint Parking Board has established a procedure, reproduced on the following pages, which sets out the sequence of events that will result in the provision of the necessary signs to enable this Order to be enforced. The Bedford Joint Parking Board reserves the right to amend their procedure and such amendment will not negate the provisions of this Order.

OPERATIONAL MATTERS

The Bedford Joint Parking Board, on 10th March 2005, approved a procedure to be followed in enforcement of the Bedford Borough Council (Prohibition of Parking on Verge and Footway) Order 2005. This procedure shall continue to be followed for the purposes of this Order. This procedure is reproduced below.

Stage 1

For a street to be considered for verge and footway enforcement either of the following three criteria are met; (streets meeting more than one criteria will be given a higher priority)

1. All local Ward and Division Councillors support the introduction of verge enforcement at this location or;
2. There is a recommendation from the Police, Fire Service or Ambulance Service that the street be subject to unlawful verge parking enforcement or;
3. Where there is clear evidence to the Councils that verge parking is affecting the safety of pedestrians

Stage 2

1. Leaflet householders and vehicles parking on the verge/footway to advise of the Board's intention to introduce enforcement of unlawful verge parking in the street.
2. Monitor over three-week period to identify if the leaflet sustains an absolute reduction in unlawful verge parking.
3. If the problem has been removed, take no further action. If the problem is not resolved or any previous notices have failed to maintain a sustained reduction in unlawful verge parking proceed to Stage 3.

Stage 3

1. Erect signs to enable enforcement to take place
2. Undertake ad-hoc enforcement



**ROAD TRAFFIC REGULATION ACT 1984 – SECTIONS 64 AND 65
AUTHORISATION OF TRAFFIC SIGNS AND SPECIAL DIRECTIONS**

In addition to the authorisation referenced GT50/004/0002, dated 17 October 2011 ("the said authorisation"), the Secretary of State for Transport, in exercise of her powers under sections 64 and 65 of the Road Traffic Regulation Act 1984, and of all other powers enabling her in that behalf, for the purpose of informing road users of restrictions, requirements or prohibitions and information at appropriate sites on roads for which Bedford Borough Council is the traffic authority, hereby:-

1. authorises that, in addition to those permitted variants referred to in paragraph 19 of the said authorisation, the following permitted variants may be applied to the "Authorised Sign G":
 - the legend "Pay by phone" may be varied to "Pay by text", in which case the telephone number and the legend "or text" shall be omitted; and
 - the legend "or Pay at machine" may be omitted, in which case the legend "Display ticket" and the arrow above shall also be omitted; and
2. authorises the erection at the said sites, of a traffic sign (hereinafter referred to as "the Authorised Sign H") conforming as to size, colour and character with that referenced "Authorised Sign H" in the attached set of drawings numbered GT50/004/0005-1; and
3. authorises the erection at appropriate roundabout sites of a traffic sign (hereinafter referred to as "the Authorised Sign I") conforming as to size, colour and character with that referenced "Authorised Sign I" in the said set of drawings; and
4. authorises the erection at the said sites of a traffic sign (hereinafter referred to as "the Authorised Sign O") conforming as to size, colour and character with that referenced "Authorised Sign O" in the said set of drawings, save that:
 - the legend "Goods vehicle" may be omitted, in which case the legend "loading" shall be varied to "Loading"; and
 - references to the time of day or to the day of the week may be varied or omitted; and
 - references to the month of the year may be added; and
 - references to bank or public holidays may be included; and
5. authorises the erection at the said sites of a traffic sign (hereinafter referred to as "the Authorised Sign P") conforming as to size, colour and character with that referenced "Authorised Sign P" in the said set of drawings; and
6. authorises the erection at the said sites of a traffic sign (hereinafter referred to as "the Authorised Sign Q") conforming as to size, colour and character with that referenced "Authorised Sign Q" in the said set of drawings, save that the legend "D123" may be varied as appropriate; and
7. authorises the placing at the said sites of a traffic sign consisting of a road marking (hereinafter referred to as "the Authorised Marking F") conforming as to size, colour and character with that shown in diagram 1028.3 in Schedule 6 to the Traffic Signs Regulations 2002 (Part I of SI 2002/3113, "the 2002 Regulations"), save that:
 - the legend "DISABLED" shall be varied to the legend "DISABLED D123 ONLY"; and
 - the legend "D123" may be varied as appropriate; and



8. authorises the erection at the said sites of a traffic sign (hereinafter referred to as "the Authorised Sign R") conforming as to size, colour and character with that referenced "Authorised Sign R" in the said set of drawings, save that:
 - references to the time of day or to the day of the week may be added, varied or omitted; and
 - references to the month of the year may be added; and
 - references to bank or public holidays may be included; and
 - the direction of an arrow may be varied with the arrow pointing horizontally to the right; and
 - the arrow may be omitted; and
9. authorises the erection at appropriate sites on the said roads of a traffic sign (hereinafter referred to as "the Authorised Sign S") conforming as to size, colour and character with that referenced "Authorised Sign S" in the said set of drawings; save that the words "motor vehicle", "verge or" or "or footway" may be omitted, and the place name may be varied to the name of a city, town, village, area or road; and
10. authorises the erection at the said sites of a traffic sign (hereinafter referred to as "the Authorised Sign T") conforming as to size, colour and character with that referenced "Authorised Sign T" in the said set of drawings; and
11. authorises the erection at the said sites of a traffic sign (hereinafter referred to as "the Authorised Sign U") conforming as to size, colour and character with that referenced "Authorised Sign U" in the said set of drawings; and
12. directs that the sign shown in diagram 660.4 in Schedule 2 to the 2002 Regulations may be erected in sufficient numbers to give adequate information to road users of loading only restrictions, within an area the entrance to which is indicated by the Authorised Sign O; and
13. directs that, notwithstanding the provisions of Direction 24(1) of the Traffic Signs General Directions 2002 (Part II of SI 2002/3113, "the 2002 Directions"), the sign shown in diagram 660.4 in Schedule 2 to the 2002 Regulations shall not be used in conjunction with the road markings shown in diagrams 1028.3, 1032 and 1033 in Schedule 6 to those Regulations, within an area the entrance to which is indicated by the Authorised Sign O; and
14. directs that, notwithstanding the provisions of Direction 11(2) of the 2002 Directions, the sign shown in diagram 660.4 need not be placed within an area the entrance to which is indicated by the Authorised Sign O; and
15. directs that the Authorised Sign P may only be placed as near as practicable to the point where the restriction indicated by the Authorised Sign O ceases; and
16. directs that the Authorised Sign Q shall only be placed in conjunction with the Authorised Marking F at the said sites; and
17. directs that the Authorised Marking F shall only be placed in conjunction with the Authorised Sign Q at the said sites; and
18. directs that the Authorised Sign T shall be placed as near as practicable to the point where the restriction indicated by the Authorised Sign S ceases; and



19. directs that, notwithstanding the provisions of Direction 24(1) of the 2002 Directions, the sign shown in diagram 661A in Schedule 2 to the 2002 Regulations may be used in conjunction with "the Authorised Marking C" referred to in paragraph 47 of the said authorisation, at the said sites; and
20. directs that, notwithstanding the provisions of Direction 24(1) of the 2002 Directions, the signs shown in diagrams 639.1B and 661.1 in Schedule 2 to the 2002 Regulations may be used in conjunction with "the Authorised Marking D" referred to in paragraph 48 of the said authorisation, at the said sites; and
21. directs that, notwithstanding the provisions of Direction 24(1) of the 2002 Directions, the signs shown in diagrams 639.1B and 661A in Schedule 2 to the 2002 Regulations may be used in conjunction with "the Authorised Marking E" referred to in paragraph 49 of the said authorisation, at the said sites; and
22. directs that the Authorised Sign E referred to in paragraph 15 of the said authorisation, may be used in conjunction with the Authorised Markings C, D and E referred to in paragraphs 47, 48 and 49 in the said authorisation, at the said sites; and
23. directs that the Authorised Sign F referred to in paragraph 17 of said authorisation, may be used in conjunction with the Authorised Markings C and E referred to in paragraphs 47 and 49 in the said authorisation, at the said sites; and
24. directs that the Authorised Sign G referred to in paragraph 19 of said authorisation, may be used in conjunction with the Authorised Markings D and E referred to in paragraphs 48 and 49 in the said authorisation, at the said sites; and
25. directs that it is a condition of this authorisation that the Authorised Signs I, O, P, Q, R, S, T and U, and the Authorised Marking F may be placed only to indicate the effect of a corresponding Traffic Regulation Order; and
26. directs that, notwithstanding the provisions of Direction 8 of the 2002 Directions (as amended by the Traffic Signs (Amendment) (No.2) General Directions 2011 (Part 2 of SI 2011/3041, the 2011 Directions)), the sign shown in diagram 663.2 in Schedule 2 to the 2002 Regulations (as amended by the Traffic Signs (Amendment) (No.2) Regulations 2011 (Part 1 of SI 2011/3041, "the 2011 Regulations")), may be placed:
 - on one side of the carriageway, where the relevant road has only one carriageway in relation to which the restriction and prohibition begins; or
 - on one side of each carriageway, where the relevant road has more than one carriageway in relation to which the restriction and prohibition begins; and
27. directs, without prejudice to any statutory provision to the like effect, that it is a condition of this authorisation that the erection of the Authorised Signs H, I, O, P, Q, R, S, T, and U, the placing of the Authorised Marking F, and the above conditions of the placing of the sign shown in diagram 663.2 in Schedule 2 to the 2002 Regulations (as amended by the 2011 Regulations), at or near the said sites shall continue to have effect only until such day as may be appointed by one month's notice given by the Secretary of State in writing to the traffic authority for the removal or alteration of the Authorised Signs H, I, O, P, Q, R, S, T and U, the Authorised Marking F, and the sign shown in diagram 663.2 in Schedule 2 to the 2002 Regulations (as amended by the 2011 Regulations) when placed in accordance with paragraph 22 above, and on that day the said authorisation shall, without prejudice to the giving of any further authorisation or direction, cease to have effect.



The provisions of Regulations 12, 18 and 19 of the 2002 Regulations shall apply to the Authorised Sign H in the same manner as they apply to the sign shown in diagram 515.1 in Schedule 1 to those Regulations.

The provisions of Regulations 12, 18 and 19 of the 2002 Regulations shall apply to the Authorised Sign I in the same manner as they apply to both the sign shown in diagram 515.1A in Schedule 1 to those Regulations and to the sign shown in diagram 606 in Schedule 2 to those Regulations.

The provisions of Regulations 12, 18 and 19 of the 2002 Regulations shall apply to the Authorised Sign O in the same manner as they apply to the sign shown in diagram 663 in Schedule 2 to those Regulations.

The provisions of Regulations 12, 18 and 19 of the 2002 Regulations shall apply to the Authorised Sign P in the same manner as they apply to the sign shown in diagram 664 in Schedule 2 to those Regulations.

The provisions of Regulations 12, 18 and 19 of the 2002 Regulations shall apply to the Authorised Sign Q in the same manner as they apply to the sign shown in diagram 661A in Schedule 2 to those Regulations.

The provisions of Regulations 12, 18 and 19 of the 2002 Regulations shall apply to the Authorised Sign R in the same manner as they apply to the sign shown in diagram 640.2A in Schedule 2 to those Regulations.

The provisions of Regulations 12 and 31 of the 2002 Regulations shall apply to the Authorised Marking F in the same manner as they apply to the road marking shown in diagram 1028.3 in Schedule 6 to those Regulations.

Paragraphs 21 and 22, and all other references contained in the said authorisation to "the Authorised Sign H" and "the Authorised Sign I" are hereby revoked.

The provisions of Regulations 12, 18 and 19 of the Traffic Signs Regulations 2002 (Part I of SI 2002/3113, "the 2002 Regulations") shall apply to the Authorised Sign S in the same manner as they apply to the sign shown in diagram 663 in Schedule 2 to those Regulations.

The provisions of Regulations 12, 18 and 19 of the 2002 Regulations shall apply to the Authorised Sign T in the same manner as they apply to the sign shown in diagram 664 in Schedule 2 to those Regulations.

The provisions of Regulations 12, 18 and 19 of the 2002 Regulations shall apply to the Authorised Sign U in the same manner as they apply to the sign shown in diagram 668 in Schedule 2 to those Regulations.

Dated 5 March 2012

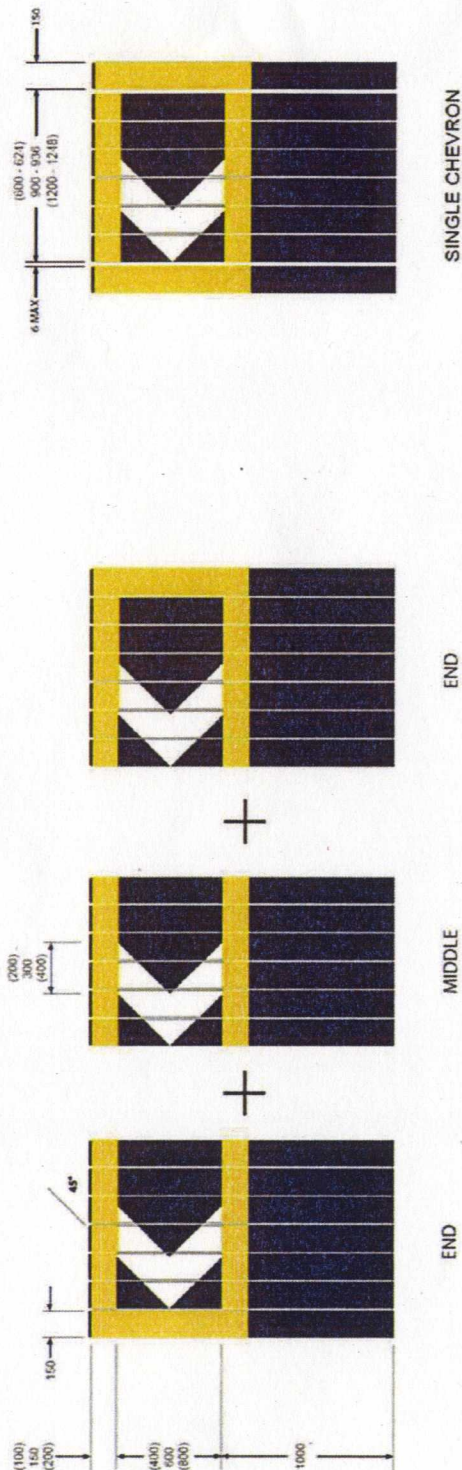
Signed by authority of the Secretary of State

.....
A Delegated Official of the Department for Transport



Authorised Sign H

HIGH VISIBILITY BACKING BENDS



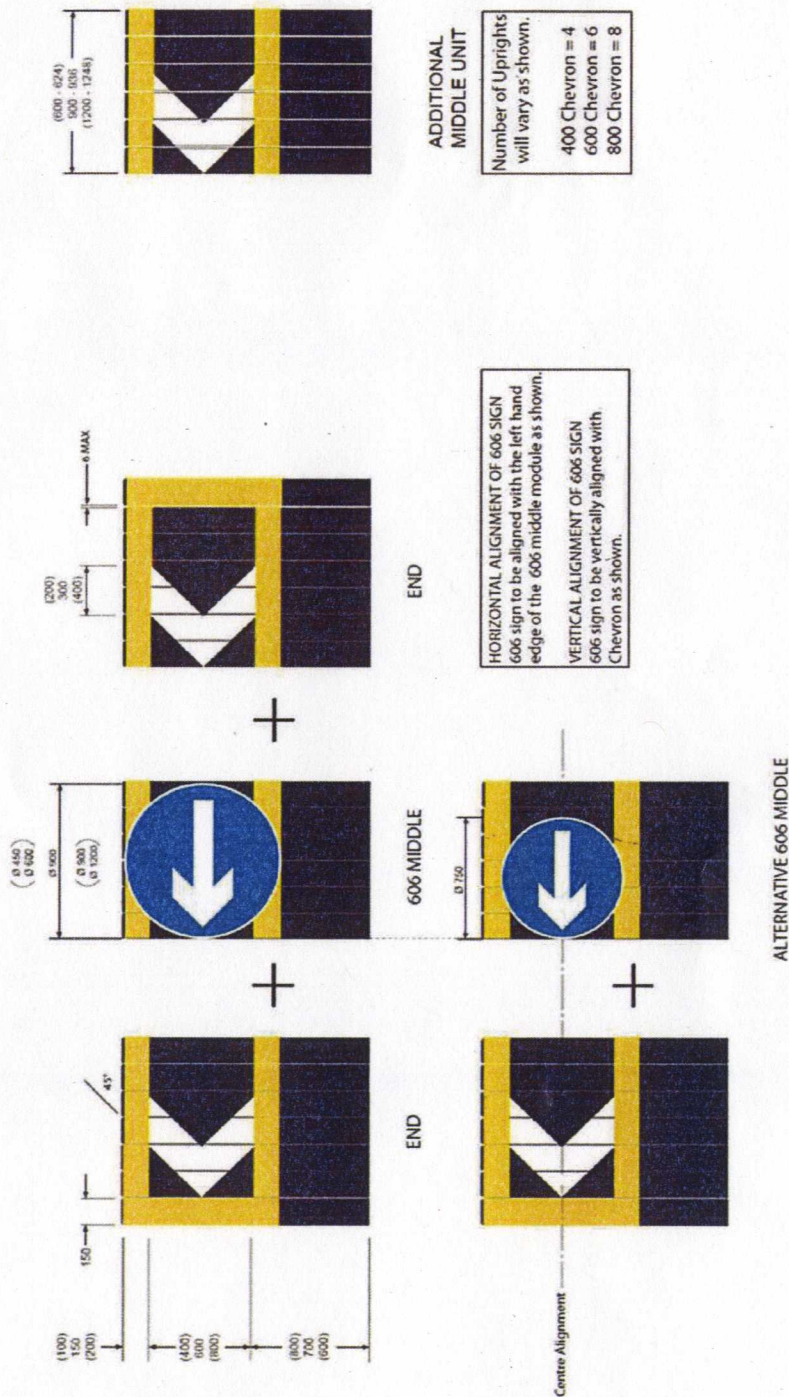
Notes:

Fluorescent yellow and white retroreflective material shown from 02S061-S17 is as recommended in table NA1 of the National Annex of BS EN 12899-1 2007 Fixed Vertical Road Signs.

Microprismatic retroreflective materials must meet the requirements of BS 8408 2005 Road Traffic Signs. Testing and Performance of Microprismatic Retroreflective Sheet Materials when sited normally and used for their normal application.

Left Hand Bend shown. The direction of the chevron may be varied with the chevron pointing horizontally to the left or to the right.

HIGH VISIBILITY BACKING ROUNDABOUT C/W 606 SIGN



Notes:

Fluorescent yellow and white retroreflective material shown from 02S061-S18 is as recommended in table NA1 of the National Annex of BS EN 12899-1 2007 Fixed Vertical Road Signs.

Microprismatic retroreflective materials must meet the requirements of BS 8408 2005 Road Traffic Signs. Testing and Performance of Microprismatic Retroreflective Sheeting Materials when sited normally and used for their normal application.



Authorised Sign O	Tile edges do not form part of the sign	Authorised Sign P	Tile edges do not form part of the sign
x-height (mm)	40	x-height (mm)	40
Illumination requirements	Traffic Signs Regulations and General Directions 2002, Schedule 17 item 4	Illumination requirements	Traffic Signs Regulations and General Directions 2002, Schedule 17 item 4
Colours from BS EN 1289-1	Equivalent colours from BS 381C	Colours from BS EN 1289-1	Equivalent colours from BS 381C
Black	N/A	Black	N/A
White	N/A	White	N/A
Blue	No 109 (Middle Blue)		



Authorised Sign Q	Tile edges do not form part of the sign	Authorised Sign R	Tile edges do not form part of the sign
x-height (mm)	20 - 40	x-height (mm)	20 - 40
Illumination requirements	Traffic Signs Regulations and General Directions 2002, Schedule 17 item 9	Illumination requirements	Traffic Signs Regulations and General Directions 2002, Schedule 17 item 9
Colours from BS EN 1289-1	Equivalent colours from BS 381C	Colours from BS EN 1289-1	Equivalent colours from BS 381C
Black	N/A	Black	N/A
White	N/A	Yellow	No 355 (Lemon)
Blue	No 109 (Middle Blue)	Blue	No 109 (Middle Blue)
		Red	No 357 (Signal Red)

Before using this drawing, confirm that it has not been superseded.

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NOTES: 1. The legend is from the Transport Heavy alphabet at the x-height shown.

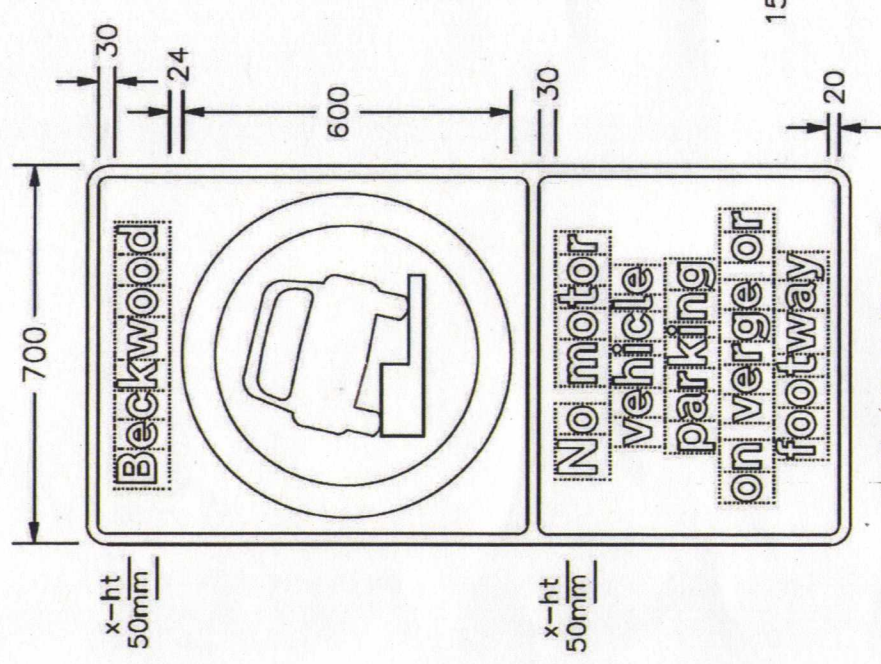
2. The tile outlines do not form part of the signs.

3. COLOURS : Backgrounds ----- WHITE

Start Sign
Legend,
Border & Symbol ----- BLACK
Roundel ----- RED

End Sign
Legend, Border &
Cancellation Bars ----- BLACK
Roundel & Symbol ----- GREY

4. The symbol shall be reversed when the signs are placed on the right hand side of the carriageway.



Authorised Sign S

NP428x1-RC

Authorised Sign I

Symbol dimensions shown on P 667
1sw = 22mm

Authorised Sign U

Department for Transport	Title: Regulatory Signs START AND END OF FOOTWAY PARKING PROHIBITION	Issue: Date: A: 01.3.12 B: C:	Drawn by: A.K. Approved by: J.B.	Dimensions : MILLIMETRES NP 428.1	Drawing No.
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