

THE BUCKINGHAMSHIRE COUNTY COUNCIL
(VARIOUS ROADS, CHESHAM) (PEDESTRIANISATION)
(TRAFFIC REGULATION) ORDER, 1990

Buckinghamshire County Council (hereinafter referred to as "the Council") in exercise of their powers under Sections 1(1) and (2), 2(1) to (3), 3, 4(2) and 92 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, ("the Act") and of 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 make the following Order:-

1. (1) In this Order

"authorised cab rank" means any area of carriageway which is comprised within and indicated by a road marking complying with diagram 1028.1 in Schedule 2 of The Traffic Signs Regulations and General Directions, 1981;

"authorised parking place" means any parking place on a road authorised or designated by an Order made or having effect as if made under the Act;

"disabled person's badge" has the same meaning as in Section 142 of the Act;

"disabled person's vehicle" has the same meaning as in Section 142 of the Act;

"Institution" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) Regulations 1982

"hackney carriage" shall mean a vehicle falling within the terms of Section 38(1) of the Vehicles (Excise) Act 1971, or being operated under a Scheme within the provisions of Section 10 of the Transport Act 1985;

"parking disc" means a disc, issued by a local authority, complying with the requirements of the British Standard Specification for Parking Discs (BS No. 4631 : 1970), but coloured orange, and capable of showing the quarter hour period during which a period of waiting begins;

"pedal cycle" has the same meaning as in the Pedal Cycles (Construction and Use) Regulations 1983

"permit" shall mean a permit issued by the Council for the purposes of Article 1(4) of this Order which shall contain on the face thereof particulars of the date of issue the date of expiry and the index registration number of the vehicle to which the permit relates

"public service vehicle" means a vehicle as defined in Section 1(1)(a) of the Public Passenger Vehicles Act 1981.

(2) For the purpose of this Order a vehicle shall be regarded as displaying -

(a) a disabled person's badge in the relevant position, when -

(i) in the case of a vehicle fitted with a front windscreen, the badge is exhibited thereon with the obverse side facing forwards on the near side of and immediately behind the windscreen, and

(ii) in the case of a vehicle not fitted with a front windscreen, the badge is exhibited in a conspicuous position on the front or near side of the vehicle, and

(b) a parking disc in the relevant position, when the disc is exhibited thereon with the side which shows the time

facing forwards or outwards and immediately behind the windscreen or side window nearest to the kerb.

(3) For the purposes of this Order a vehicle shall be regarded as displaying a permit in the relevant position when:-

(a) in the case of a vehicle fitted with a front windscreen the permit is exhibited thereon with the side displaying the relevant information facing forwards on the near side of and immediately behind the windscreen and

(b) in the case of a vehicle not fitted with a front windscreen the permit is exhibited in a conspicuous position on the front or near side of the vehicle so as to duly display the relevant information

(4) (a) Those persons who occupy properties the postal address of which is within the roads to which Article 4 and Schedule 3 of this Order apply shall be entitled to make application to the Council on a form issued by and obtainable from the Council which shall include such information as the Council may reasonably require for the issue (free of charge) of a permit to enable them to use their motor vehicles to enter those said roads for the purpose of gaining access to the properties but not to wait in any of those said roads

(b) The Council may at any time require an applicant for a permit to produce to an officer of the Council such evidence in respect of an application for a permit made to them as they may reasonably require to verify any information given to them;

(c) On receipt of an application made under the foregoing provisions of this Article, the Council, upon being satisfied that the applicant is an occupier of a property the postal address of which is within the provisions of this Article a permit for the said purposes of gaining vehicular access to that property will be issued

(d) Should any permit issued pursuant to Article 1(4)(a) above become lost, defaced or illegible the person to whom it was issued may upon application to the Council and if at all possible by surrender of the current permit obtain a duplicate thereof which shall have like validity as if it had been the original, permit it replaces

(5) Any Institution that provides community vehicles for the benefit of disabled persons to enable the conveyance of disabled persons to shops within the roads to which Article 4 and Schedule 3 of this Order apply shall be entitled to make application to the Council for the issue (free of charge) of a disabled persons badge and a parking disc to enable them to use their motor vehicles to enter those said roads for the purpose of gaining access to the properties but not to wait for longer than the period permitted by Article 12 of this Order

(6) Pursuant to the provisions of Section 3(2) of the Act the Council hereby states that the provisions of Section 3(1) of the Act shall not apply to the restrictions imposed by this Order because it is satisfied that such are necessary:-

(a) for avoiding danger to persons or other traffic using the roads to which the Order relates or any other road or

(b) for preventing the likelihood of any such danger arising or

(c) for preventing damage to the road or building on or near it or

(d) for facilitating the passage of vehicular traffic on the road

2. Save as provided in Articles 8, 11, 12 and 13 no person shall except upon the direction or with the permission of a police constable in uniform or of a traffic warden cause or permit any motor vehicle to:-

(1) enter or proceed in any of the lengths of road specified in Schedule 1 to this Order;

(2) to wait in any of the roads or lengths of road specified in Schedule 1 to this Order.

3. Save as provided in Articles 9 and 13 no person shall except upon the direction or with the permission of a police constable in uniform or of a traffic warden cause or permit any motor vehicle to:-

(1) enter or proceed in any of the lengths of road specified in Schedule 2 to this Order;

(2) to wait in any of the roads or lengths of road specified in Schedule 2 to this Order.

4. Save as provided in Articles 10, 11 and 13 no person shall except upon the direction or with the permission of a police constable in uniform or of a traffic warden cause or permit any motor vehicle to:-

(1) enter or proceed in any of the lengths of road specified in Schedule 3 to this Order;

(2) to wait in any of the roads or lengths of road specified in Schedule 3 to this Order.

5. No person shall except upon the direction or with the permission of a police constable in uniform or of a traffic warden cause or permit the riding of any pedal cycle in any of the lengths of road specified in Schedule 3 to this Order.

6. Save as provided in Article 13 no person shall except upon the direction or with the permission of a police constable in uniform or of a traffic warden cause or permit any motor vehicle to enter or proceed in the roads or lengths of road specified in Schedule 4 to this Order.

7. Save as provided in Article 13 no person shall cause or permit any motor vehicle to cross enter leave use or proceed in along or across the vehicular accessways or vehicular crossing specified in Schedule 5 to this Order for the purpose of gaining access to or egress from the public highway adjacent to the said accessway.

8. (1) Nothing in Article 2 of this Order shall render it unlawful to cause or permit any motor vehicle to enter or proceed in any of the lengths of road specified therein:-

(a) for the purpose of gaining access to premises situated on or adjacent to those said roads or lengths of road or any other premises access to which can only be gained by way of those said roads or lengths of road;

(b) if it is a public service vehicle;

(c) if it is a hackney carriage moving to or leaving an authorised cab rank;

(d) if it is a disabled persons vehicle displaying a disabled persons badge in accordance with the terms of this Order and is moving to or leaving a disabled persons parking place or falls within the ambit of Articles 1(4) and 10(3) of this Order.

(2) Nothing in Article 2 of this Order shall render it unlawful to cause or permit any motor vehicle to enter or proceed in the road known as "The Broadway" from the road known as "Blucher Street" for each or either of the following purposes namely to gain access to East Street, Station Road, Townfield or the railway station if the driver of the vehicle resides in or has business to conduct at premises in East Street or Station Road or Townfield or is attending at the railway station

9. Nothing in Article 3 of this Order shall render it unlawful to cause or permit any motor vehicle to enter proceed or wait in any of the lengths of road specified therein:-

β (1) if it is a goods vehicle being used for the loading or unloading of goods;

(2) if it is a public service vehicle;

10. Nothing in Article 4 of this Order shall render it unlawful to cause or permit any motor vehicle to enter or proceed in any of the lengths of road specified therein:-

(1) if it is displaying in accordance with this Order a permit and is being used for the purpose of gaining access to premises situated on or adjacent to those said roads or lengths of road or any other premises access to which can only be gained by way of those said roads or lengths of road;

(2) if it is displaying in the relevant position a disabled persons badge and is being used by an Institution for the carrying of disabled persons as passengers being a vehicle constructed or adapted for the carriage of passengers and is not a public service vehicle;

J (3) if the vehicle is being used in connection with any wedding or funeral;

B (4) if it is a goods vehicle being used for the loading or unloading of goods in accordance with Article 11(1)(b) of this Order.

11. (1) Nothing in Articles 2 and 4 of this Order shall render it unlawful to cause or permit any vehicle to wait in any of the lengths of road specified therein for so long as may be necessary to enable:-

A (a) a person to board or alight from the vehicle;

B (b) loading or unloading of goods at premises fronting the said lengths of roads;

J (c) the vehicle to wait at or near to any premises situated on or adjacent to any of the said lengths of roads for so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral;

(2) Nothing in Article 2 shall render it unlawful to cause or permit any vehicle:-

(a) to wait upon an authorised parking place; or

(b) being a hackney carriage, to wait upon an authorised cab rank;

G 12. Nothing in Article 2 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 (on which the driver, or other person in charge of the vehicle, has marked the time at which the period of waiting began) to wait in any of the roads or lengths of road referred to in the said Articles for a period not exceeding two hours (not being a period separated by an interval

of less than one hour from a previous period of waiting by the same vehicle in the same length of road).

13. Nothing in Articles 2, 3, 4, 6 and 7 of this Order shall render it unlawful to cause or permit any vehicle to enter proceed or wait in any of the roads or lengths of road referred to therein if the vehicle is being used in connection with any one or more of the following purposes:-

E (1) the vehicle (including a pedestrian controlled vehicle) is being or has been used for the purpose of delivering or collecting postal packets as defined in Section 87 of the Post Office Act 1953;

(2) (i) building, industrial or demolition operations;

C (ii) the removal of any obstruction to traffic;

(iii) the maintenance, improvement or reconstruction of the said lengths of road; or

(iv) the laying, erection, alteration or repair in or on land adjacent to the said lengths of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication system as defined in the Telecommunications Act 1984;

F (3) the vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in the service of a local authority or of a water authority or like statutory authority in pursuance of statutory powers or duties;

H (4) the vehicle to be used for fire brigade, ambulance or police purposes.

14. Insofar as any provision of this Order conflicts with a provision

which is contained in an Order made or having effect as if made under the Act, and existing at the time when this Order comes into operation, and which imposes a restriction or prohibition on waiting by vehicles other than a public service vehicle for the carriage of passengers in a bus stop area or grants an exemption from such restriction or prohibition, that provision of that Order shall prevail.

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

16. The Buckinghamshire County Council (Various Roads, Chesham) (Consolidation of Waiting and Loading Restrictions) Order, 1981 is hereby varied and shall have effect as though the lengths of roads referred to in Schedule 6 to this Order were omitted from Schedules 6 and 8 of that 1981 Order. c26

17. The Buckinghamshire County Council (Various Roads, Chesham) (One-Way Traffic) Order, 1990 is hereby varied and shall have effect as though the length of road referred to in Schedule 7 to this Order was omitted from the said 1990 Order.

18. This Order may be cited as "The Buckinghamshire County Council (Various Roads, Chesham) (Pedestrianisation) (Traffic Regulation) Order, 1990", and shall come into operation on 5th November 1990.

SCHEDULE 1

NO MOTOR VEHICLES AND NO WAITING AT ANY TIME

Lengths of road at Chesham in the County of Buckinghamshire

The Broadway - northern carriageway

From its junction with Blucher Street and continuing in a generally easterly direction to its junction with High Street (north).

The Broadway - eastern carriageway

From its junction with High Street (north) and continuing in a southerly direction to its junction with the southern side of Station Road and the northern end of High Street (south).

Station Road

From its junction with The Broadway and continuing to its junction with the western kerblines of East Street.

SCHEDULE 2

NO MOTOR VEHICLES AND NO WAITING AT ANY TIME

Lengths of road at Chesham in the County of Buckinghamshire

The Broadway - south-western carriageway

That length of The Broadway which lies to the southern side of the War Memorial and extends from the western side of the eastern carriageway of The Broadway and continues in a westerly direction to its junction with the northern carriageway of The Broadway.

SCHEDULE 3

NO MOTOR VEHICLES NO CYCLING NOR WAITING

Lengths of road at Chesham in the County of Buckinghamshire

High Street (north)

From its junction with White Hill and continuing in a southerly direction to its junction with The Broadway.

High Street (south)

From its junction with The Broadway and Station Road and continuing in a southerly direction to its junction with the eastern end of Church Street and Market Square.

Market Square - eastern carriageway

From its junction with both High Street (south) and the southern side of Church Street and continuing to its junction with Red Lion Street.

Church Street

From its junction with both High Street (south) and Market Square and continuing in a westerly direction for a distance of 20 metres measured from the western kerblines of High Street (south).

SCHEDULE 4

NO DRIVING OF MOTOR VEHICLES

Lengths of road at Chesham in the County of Buckinghamshire

The Broadway - western carriageway - part

That length of carriageway (being approximately 10 metres in length) that is adjacent to the western side of the War Memorial and lies between and links the southern carriageway of The Broadway to the northern carriageway of The Broadway.

The Broadway - western carriageway - part

That length of the western carriageway extending from its junction with High Street (south) and continuing in a northerly direction for a distance of approximately 50 metres being the length of carriageway that currently forms the layby on the western side of The Broadway.

Market Square - western carriageway

From its junction with Church Street and continuing in a southerly direction for a distance of 40 metres.

SCHEDULE 5

PROHIBITION OF VEHICULAR ACCESSWAYS

Lengths of road at Chesham in the County of Buckinghamshire

High Street (north)

That length of vehicular accessway lying between numbers 150 and 152 (otherwise Waggon and Horses Public House) High Street (north) and known as Waggon Yard.

That length of vehicular accessway lying between numbers 128 and 130 High Street (north) and known as Builder's Yard.

The Broadway

That length of vehicular accessway lying between numbers 68 and 70 The Broadway and known as Sills Yard.

High Street (south)

That length of vehicular accessway lying between numbers 27 and 29 High Street (south) and giving access to the properties at the rear thereof.

That length of vehicular accessway lying between numbers 30 and 32 High Street (south) and known as Lum's Yard.

That length of vehicular accessway lying between numbers 25 and 23 High Street (south) and known as Lacey's Yard.

That length of vehicular accessway lying between number 14 and the George and Dragon Public House, High Street (south) and giving access to the properties at the rear thereof.

That length of vehicular accessway lying between numbers 7 and 9 High Street (south) and known as Francis' Yard.

Market Square

That length of vehicular accessway lying between numbers 9 and 11 Market Square and known as Lewin's Yard.

SCHEDULE 6

Lengths of roads at Chesham in the County of Buckinghamshire to be deleted from The Buckinghamshire County Council (Various Roads, Chesham) (Consolidation of Waiting and Loading Restrictions) Order, 1981:- C26

From Schedule 6 of the 1981 Order

B485 Church Street - south side

From its junction with High Street and Market Square and continuing for a distance of 20 metres in a westerly direction.

B485 Church Street - north side

From its junction with High Street, continuing for a distance of 20 metres in a westerly direction.

Station Road - south side

From its junction with High Street and continuing to the western kerbline of East Street.

Station Road - north side

From its junction with The Broadway and continuing to a point opposite the western kerbline of East Street.

From Schedule 8 of the 1981 Order

Market Square, A416 - both sides

From a point 21 yards north-west of the centre of its junction with Red Lion Street, A416, and Townfield to the centre of its junction with Church Street, B485.

High Street, A416 - both sides

From the centre of its junction with Church Street, B485, to the centre of its junction with White Hill.

*Amends
C26*

Market Square - both sides of western carriageway

From its junction with Church Street to the end of the central reservation on the eastern side and from its junction with Church Street to its junction with Germain Street.

SCHEDULE 7

Length of road at Chesham in the County of Buckinghamshire to be deleted from The Buckinghamshire County Council (Various Roads, Chesham) (One-Way Traffic) Order, 1990:-

Church Street (east)

N/A - navig traffic order?

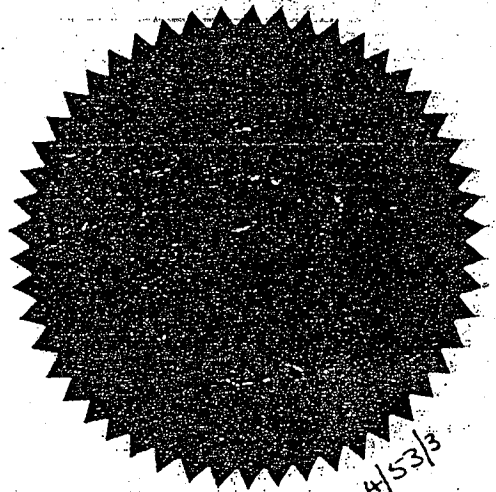
Commencing from a distance of 20 metres from the junction of High Street (south)/Market Square and continuing for a distance of 14 metres.

THE COMMON SEAL of BUCKINGHAMSHIRE)
COUNTY COUNCIL was hereunto affixed)
this 25th day of October)
1990 in the presence of:-)

William Nicolson
Member of the Council

P B Thomas

Asst County Secretary and Solicitor



NOTICE AVAILABLE