

# **DACORUM BOROUGH COUNCIL**

## **DACORUM BOROUGH COUNCIL (VARIOUS ROADS, HEMEL HEMPSTEAD) (RESTRICTION OF WAITING) ORDER 2004**

**NOTICE IS HEREBY GIVEN THAT DACORUM BOROUGH COUNCIL** pursuant to arrangements made under Section 19 of the Local Government Act 2000 and the Local Government (Arrangements for Discharge of Functions) (England) Regulations and all other powers enabling with the Hertfordshire County Council, have made the above mentioned Order under Sections 1, 2, 4, 45, 46, 47, 49, 51 and 53 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. The Order will come into effect on 11 April 2005.

The effect of the Order would be to make regulations to establish and control the waiting by vehicles, Monday to Saturday, 8am to 6pm in the lengths of road specified in the following Schedule:

### **SCHEDULE**

Caernarvon Close	Entire Length	Between the southern kerbline of its junction with Mayflower Avenue along its entire length to the northern kerbline of its junction with Mayflower Avenue.
Concorde Drive	North side	From the northern kerbline of its junction with Mayflower Avenue northeastwards for a distance of approximately 10 metres.
Concorde Drive	South side	From the southern kerbline of its junction with Mayflower Avenue northeastwards for a distance of approximately 10 metres.
Hillfield Road	North side	From its junction with Mayflower Avenue eastwards to the western kerbline of its junction with Hillfield Court, a distance of approximately 70 metres.
Hillfield Road	North side	From the eastern kerbline of its junction with Hillfield Court eastwards to the eastern cul-de sac end of Hillfield Road, a distance of approximately 105 metres.
Hillfield Road	South side	From a point 72 metres east of its junction with Walnut Grove eastwards to the western kerbline of its junction with Scriveners Close, a distance of approximately 125 metres.
Hillfield Road	South side	From the eastern kerbline of its junction with Scriveners Close, following the kerbline eastwards to the eastern cul-de sac end of Hillfield Road, a distance of approximately 70 metres.
Hillfield Road	East side	Transversely across the eastern cul-de-sac end, a distance of 5 metres.
Mayflower Avenue	East side	From its junction with Midland Road, following the kerbline southwards to the northern kerbline of its junction with Concorde Drive, a distance of approximately 150 metres.
Mayflower Avenue	East side	From the southern kerbline of its junction with Concorde Drive southwards to its junction with Hillfield Road, a distance of approximately 150 metres.
Mayflower Avenue	West side	From its junction with Midland Road southwards to the northern kerbline of its junction with Caernarvon Close, a distance of approximately 130 metres.
Mayflower Avenue	West side	From the southern kerbline of its junction with Caernarvon Close southwards to a point 21 metres north of its junction with Hillfield Road, a distance of approximately 150 metres.
Scriveners Close	Both sides	Both sides for its entire length.

A copy of the Order, together with plans and statement of the Council's reasons for making the Order, may be examined at the Dacorum Civic Centre, Hemel Hempstead, Berkhamsted Civic Centre and Victoria Hall, Tring between 9.00am to 5.00pm Monday to Thursday and 9.00am to 4.30pm on Fridays.

Any person wishing to question the validity of the Order, or of any provision contained in it, on the grounds that it is not within the powers conferred by the Road Traffic Regulation Act 1984, or on the grounds that any requirement of the Act or any Instrument made under it has not been complied with in relation to the Order, may within 6 weeks from the date of this Notice apply to the High Court for this purpose.

**Brian Scott**  
Head of Environmental Services  
Dacorum Borough Council  
Civic Centre  
Hemel Hempstead  
HP1 1HH

**16 March 2005**

**DACORUM BOROUGH COUNCIL**

**THE BOROUGH OF DACORUM (VARIOUS ROADS, HEMEL HEMPSTEAD)**  
**(RESTRICTION OF WAITING) ORDER 2004**

Problems are experienced by residents living in Caernarvon Close, Mayflower Avenue, Scriveners Close and Hillfield Road (east of its junction with Mayflower Avenue) due to long-stay parking by town centre workers and shoppers who have been displaced from streets now within the Hospital Controlled Parking Zone. The Order is to introduce a single yellow line waiting restriction (operating Monday to Saturday, 8am to 6pm) on the entire length of these streets.

**Brian Scott**  
**Head of Environmental Services**  
**Dacorum Borough Council**  
**Civic Centre**  
**Hemel Hempstead**  
**HP1 1HH**

**16 March 2005**

## **DACORUM BOROUGH COUNCIL**

### **(VARIOUS ROADS, HEMEL HEMPSTEAD)** **(RESTRICTION OF WAITING) ORDER 2004**

Dacorum Borough Council, pursuant to arrangements made made under Section 19 of the Local Government Act 2000 and the Local Government (Arrangements for Discharge of Functions) (England) Regulations and all other powers enabling with the Hertfordshire County Council, and in exercise of the powers conferred on that County under Sections 1, 2, 4, 45, 46, 47, 51 and 53 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, make the following Order

“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 (Exemption for Disabled Persons) (England and Wales) Regulations 1986 and Disabled Persons (Badges for Motor Vehicles) Amendment Regulations 1982 and as amended by the Local Authorities’ Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000 and the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 and as amended by the Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) 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 carrying 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;

“Parking attendant” means a person authorised by or on behalf of the Council to supervise any parking place;

“Penalty Charge” has the same meaning as in Section 82(1) of the Road Traffic Act 1991;

“relevant position” means

- i) A vehicle displays a disabled person's badge in the relevant position if:
  - a) in the case of a vehicle fitted with a dashboard or facia panel, the badge is exhibited thereon so that Part 1 of the badge is legible from outside the vehicle; or
  - b) in the case of a vehicle not fitted with a dashboard or facia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part 1 of the badge is legible from outside the vehicle;

- ii) A vehicle displays a parking disc in the relevant position if:

- a) in the case of a vehicle fitted with a dashboard or facia panel, the disc is exhibited thereon so that the quarter hour period during which the period of waiting began is legible from outside the vehicle; or
- b) in the case of a vehicle not so fitted, the disc is exhibited in a conspicuous position on the vehicle so that the quarter hour period during which the period of waiting began is legible from outside the vehicle.

- 1. Save as provided in Article 2 of this Order, no person shall, except under the direction or with the permission of a Designated Officer, cause or permit any vehicle, other than a public service vehicle, to wait or stop between the hours of Monday to Saturday, 8am to 6pm in the lengths of road specified in the Schedule to this Order.

- 2. Nothing in Article 1 of this Order shall render it unlawful to cause or permit any vehicle to wait in the lengths of roads specified in the Schedule to this Order:

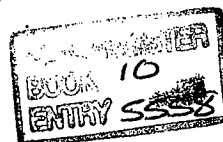
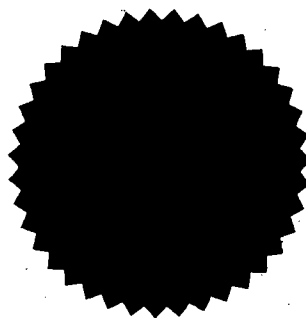
- (a) If the vehicle is being used for building, industrial and demolition operations;
- (b) If the vehicle is being used for the removal of any obstruction to traffic;
- (c) If the vehicle is being used for the laying, erection, alteration or repair in or on land adjacent to the said length of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus defined in paragraph 1(1) of the Telecommunications Code contained in Schedule 2 of the Telecommunications Act 1984;
- (d) If the vehicle is being used for fire brigade, ambulance or police purposes;
- (e) If the vehicle is being used in the service of a local authority or with the permission of a local authority, or a water authority in pursuance of statutory powers or duties for such purposes, to wait in the prohibited area;
- (f) In any case where the person in control of the vehicle is required by law to stop in order to avoid an accident, or is prevented from proceeding by circumstances outside his control;
- (g) Loading and/or unloading goods to or from premises in or adjacent to the lengths of roads.

- 3. Nothing in Article 1 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 to wait at any time in the lengths of roads in Hemel Hempstead specified in the Schedule.

4. In this Order, the Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
5. The restrictions imposed by this Order shall be in addition and not in derogation from any restriction or requirement imposed by any regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.
6. This Order shall come into operation on 11 April 2005 and may be cited as "Dacorum Borough Council (Various Roads, Hemel Hempstead)(Restriction of Waiting) Order 2004".

Given under the Common Seal of Dacorum Borough Council the 11<sup>th</sup> day of March 2005

THE COMMON SEAL of DACORUM )  
BOROUGH COUNCIL was hereunto )  
affixed on the ..... )  
in the presence of:



*S. Bates*

Solicitor to the Council

*[Signature]*

AUTHORISED SIGNATORY

**SCHEDULE****No Waiting, Monday to Saturday, 8am to 6pm**

Column 1	Column 2	Column 3
STREET NAME	SIDE OF STREET	LOCATION
Caernarvon Close	Entire Length	Between the southern kerbline of its junction with Mayflower Avenue along its entire length to the northern kerbline of its junction with Mayflower Avenue
Concorde Drive	North	From the northern kerbline of its junction with Mayflower Avenue northeastwards for a distance of approximately 10 metres
Concorde Drive	South	From the southern kerbline of its junction with Mayflower Avenue northeastwards for a distance of approximately 10 metres
Hillfield Road	North	From its junction with Mayflower Avenue eastwards to the western kerbline of its junction with Hillfield Court, a distance of approximately 70 metres
Hillfield Road	North	From the eastern kerbline of its junction with Hillfield Court eastwards to the eastern cul-de-sac end of Hillfield Road, a distance of approximately 105 metres
Hillfield Road	South	From a point 72 metres east of its junction with Walnut Grove eastwards to the western kerbline of its junction with Scriveners Close, a distance of approximately 125 metres
Hillfield Road	South	From the eastern kerbline of its junction with Scriveners Close, following the kerbline eastwards to the eastern cul-de-sac end of Hillfield Road, a distance of approximately 70 metres
Hillfield Road	East	Transversely across the eastern cul-de-sac end of Hillfield Road, a distance of 5 metres
Mayflower Avenue	East	From its junction with Midland Road, following the kerbline southwards to the northern kerbline of its junction with Concorde Drive, a distance of approximately 150 metres
Mayflower Avenue	East	From the southern kerbline of its junction with Concorde Drive southwards to its junction with Hillfield Road, a distance of approximately 150 metres
Mayflower Avenue	West	From its junction with Midland Road southwards to the northern kerbline of its junction with Caernarvon Close, a distance of approximately 130 metres
Mayflower Avenue	West	From the southern kerbline of its junction with Caernarvon Close southwards to a point 21 metres north of its junction with Hillfield Road, a distance of approximately 150 metres
Scriveners Close	Both sides	Both sides for its entire length.