

## **DACORUM BOROUGH COUNCIL**

### **THE BOROUGH OF DACORUM (ST. MARYS ROAD, HERBERT STREET, FIGTREE HILL, GEORGE STREET, HEATHER WAY, HEMEL HEMPSTEAD) (RESTRICTION OF WAITING) ORDER 2006**

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, and in exercise of the powers conferred on that County 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, 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:

“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 1992 and as amended by the Local Authorities Traffic Orders (Exemption 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 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. This Order may be cited as THE DACORUM (ST. MARYS ROAD, HERBERT STREET, FIGTREE HILL, GEORGE STREET, HEATHER WAY, HEMEL HEMPSTEAD) (RESTRICTION OF WAITING) ORDER 2005 and shall come in to operation on 3<sup>rd</sup> April 2006.
2. Save as provided in Articles 3 and 4 of this Order, no person shall, except under the direction or with permission of a designated officer cause or permit any vehicle to wait between the hours of 8.30am and 6.30pm Monday to Friday in the lengths of road specified in the Schedule to this Order.
3. Nothing in Article 2 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) If the vehicle is being used for the purpose of delivering or collecting postal packets as defined in Section 87 of the Post Office Act 1953;
  - (g) 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;

(h) Loading and/or unloading goods to or from premises in or adjacent to the lengths of roads.

4. 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 to wait at any time in the lengths of roads in Hemel Hempstead specified in the Schedule.
5. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
6. The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any made or having effect as if made under the Act of 1984 or by any other enactment.

Given under the Common Seal of Dacorum Borough Council the

2006

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

.....

Solicitor to the Council

The Borough of Dacorum (St. Marys Road, Herbert Street, Figtree Hill, George Street, Heather Way, Hemel Hempstead)  
 (Restriction of Waiting) Order 2006

## SCHEDULE 1

<b>Schedule 1: No Waiting Between 8.30am and 6.30pm Monday to Friday</b>
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<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>STREET NAME</b>	<b>SIDE OF STREET</b>	<b>LOCATION</b>
George Street	North	From a point 10 metres west of its junction with Figtree Hill, eastwards to a point 65 metres east of its junction with Figtree Hill
George Street	South	From its junction with Heather Way, westwards for a distance of 10 metres and from its junction with Heather Way, eastwards for a distance of 10 metres
Heather Way	Both	From its junction with George Street, southwards for a distance of 10 metres
Heather Way	Both	From its southern end, northwards for a distance of 20 metres
Figtree Hill	East	From its junction with George Street, northwards for its full length
Figtree Hill	West	From its junction with George Street, northwards for a distance of 20 metres.
Herbert Street	Both	From a point 20 metres west of its junction with Allandale, westwards to a point opposite the boundary between nos. 55 and 57 Herbert Street
Herbert Street	Both	From a point opposite the boundary between nos. 7 and 9 Herbert Street to its junction with St. Marys Road
St. Marys Road	North	From its junction with Herbert Street, northwards for a distance of 10 metres
St. Marys Road	Both	From its junction with Herbert Street, southwards for a distance of 10 metres