# HERTFORDSHIRE COUNTY COUNCIL



## **ROAD TRAFFIC REGULATION ACT 1984**

Date of Order: 9 February 2007 Order No: 7082

# THE HERTFORDSHIRE (VARIOUS ROADS, BERKHAMSTED) (RESTRICTION OF WAITING) ORDER 2006

The Hertfordshire County Council in exercise of their powers under Sections 1, 2 and 3 of the Road Traffic Regulation Act 1984 (which said Act of 1984 is hereinafter referred to as "the Act of 1984"), 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 Act of 1984, hereby make the following Order:-

- 1. This Order may be cited as "The Hertfordshire (Various Roads, Berkhamsted) (Restriction of Waiting) Order 2006" and shall come into operation on Monday 19 February 2007.
- Save as provided in Articles 4, 5 and 6 of this Order no person shall cause or permit any vehicle to wait at any time in those lengths of road in Berkhamsted specified in Schedule 1 to this Order.
- Save as provided in Articles 4, 5 and 6 of this Order no person shall cause or permit any vehicle to wait between the hours of 8.30am to 6.30pm Monday to Saturday in those lengths of road in Berkhamsted specified in Schedule 2 to this Order.
- 4(1) Nothing in Articles 2 or 3 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 -
    - (i) a police officer in uniform;
    - (ii) in respect of any of the lengths of road in the restricted area which are in a special parking area designated under Part II of the Road Traffic Act 1991 or Schedule 3 to that Act, a parking attendant appointed under Section 63A of the Act of 1984;
  - (c) a vehicle which is prevented from proceeding by circumstances beyond the drivers control or which has stopped in order to avoid injury or damage to persons or property or when required to do so by law;
  - (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 the Postal Services Act 2000.

(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.
- 5. Nothing in Articles 2 or 3 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.
- 6. (1) Nothing in Articles 2 or 3 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 those 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 in Section 142(1) of the Act of 1984;

"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" 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.

- 7. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
- 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**

# lengths of road in Berkhamsted - no waiting at any time

Manor Street (south east side)

from a point 6 metres south west of a point in line with the south west wall of 10 Manor Street south westwards for 10 metres

Broadwater (south side)

from a point 4 metres north of its junction with the north west kerbline of Lower Kings Road north westwards, westwards, south westwards then southwards for approximately 35 metres to a point 2 metres south of a point in line with the north wall of 1 / 2 Broadwater.

(north side)

from a point 2.5 metres west of its junction with the north west kerbline of Lower Kings Road westwards for approximately 25 metres to a point 2.5 metres west of a point in line with the west wall of 1 / 2 Broadwater.

#### **SCHEDULE 2**

## lengths of road in Berkhamsted - no waiting 8:30am to 6:30pm Monday to Saturday

Cowper Road (both sides)

from its junction with the north east kerbline of Charles Street north eastwards for 11 metres.

Charles Street (north east side)

- (a) from its junction with the north west kerbline of Park View Road north westwards for 2.5 metres.
- (b) from its junction with the south east kerbline of Park View Road south eastwards for 5 metres.
- (c) from its junction with the north west kerbline of Boxwell Road north westwards for approximately 34 metres to a point 3 metres south east of a point in line with the boundary between 36 and 36a Charles Street.
- (d)from its junction with the south east kerbline of Boxwell Road south eastwards for 6.5 metres.

Park View Road (both sides)

from its junction with the north east kerbline of Charles Street north eastwards for 9 metres.

Boxwell Road (north west side)

from its junction with the north east kerbline of Charles Street north eastwards for 19 metres.

(south east side)

from its junction with the north east kerbline of Charles Street north eastwards for 13 metres.

New Road (both sides)

from a point in line with its junction with the north kerbline of Whitehill eastwards then northwards for 87 metres.

Whitehill (south west side)

- (a) from its junction with the north west kerbline of Whitehill Court north westwards for approximately 40 metres to a point 5 metres east of a point in line with the north west wall of 1-2 Whitehill Court.
- (b) from its junction with the south east kerbline of White hill Court south eastwards for 12 metres.

(north east side) from a point 12 metres south east of a point in line with its junction with the south east kerbline of Whitehill Court north westwards for

approximately 61 metres to a point 11 metres south east of a point in line with the north west wall of 1-2 Whitehill Court.

Whitehill Court (north west side) from its junction with the south west kerbline of Whitehill south westwards for 11 metres.

(south east side)

from its junction with the south west kerbline of Whitehill south westwards for 12 metres.

**Priory Gardens** (north side)

from a point 15 metres west of a point in line with the boundary between 1 Priory Gardens and Incents House westwards for 5 metres.

(south and west sides)

from a point 0.5 metres west of a point in line with the east wall of 43 Priory Gardens eastwards then southwards for approximately 26 metres to a point 0.5 metres north of a point in line with the boundary between 42 and 43 Priory Gardens.

(south east side)

Chesham Road (a) from its junction with the south west kerbline of the access road to Ashlyns Farm south westwards for approximately 144 metres to a point 4 metres north of its junction with the north kerbline of the access road to Ashlyns Hall.

> (b) from its junction with the north east kerbline of the access road to Ashlyns Farm north eastwards for approximately 160 metres to its junction with the south west kerbline of the access road to Ashlyns School.

(north west side)

from a point 28 metres south west of a point in line with the south west wall of Field Cottage south westwards for 48 metres.

Kingsdale Road (north side)

from its junction with the north west kerbline of Kings Road westwards for 15 metres.

(south side)

from its junction with the north west kerbline of Kings Road north westwards and westwards for approximately 18 metres to a point 21 metres north east of a point in line with the boundary between Hillcroft and 49 Kings Road.

Kings Road (north west side)

- (a) from its junction with the north kerbline of Kingsdale Road north eastwards for 4 metres.
- (b) from its junction with the south kerbline of Kingsdale Road south westwards for 4 metres.

Gossoms Ryde (south west side) from a point 2.5 metres north west of a point in line with the south east wall of 5 Gossoms Ride north westwards for 14 metres.

IN WITNESS whereof the Common Seal of the Hertfordshire County Council was here unto affixed this 9<sup>th</sup> day of February 2007.

The Common Seal of Hertfordshire County Council was hereunto affixed in the presence of:-

Assistan **County Secretary** 



























