

**THE HERTFORDSHIRE (GREENWAY, FINCH ROAD, ORCHARD AVENUE, GILBERT WAY AND
CROSSWAYS, BERKHAMSTED)**

(PROHIBITION OF STOPPING AND RESTRICTION OF WAITING) ORDER 2006

NOTICE is given that the Hertfordshire County Council has made an Order under Sections 1, 2 and 3 of the Road Traffic Regulation Act 1984 to introduce no waiting at any time restrictions on those lengths of road in Berkhamsted specified in Schedule 1 to this notice; no waiting 8.30am to 9.30am and 2.30pm to 3.30pm Monday to Friday restrictions on that length of Greenway, Berkhamsted specified in Schedule 2 to this notice; and a prohibition of stopping and waiting 8:00am to 5:00pm Monday to Friday during school term time on the 'School Keep Clear' markings on those lengths of Greenway and Crossways, Berkhamsted specified in Schedule 3 to this notice.

The Order will come into effect on Monday 30th July 2007.

A copy of the Order together with a statement of reasons for proposing to make the Order and a plan showing the lengths of road to which the Order relates, may be inspected from 25 July 2007 to 5 September 2007 during normal office hours at the offices of Berkhamsted Town Council, Civic Centre, 161 – 163 High Street, Berkhamsted; Dacorum Borough Council, Civic Centre, Marlowes, Hemel Hempstead and at Main Reception, Hertfordshire County Council, County Hall, Pegs Lane, Hertford. (Quoting Ref: D/004/06)

If you have any queries about the proposed restrictions please contact the Engineer concerned Sarah Pollard, tel:01707 – 356209 Hertfordshire Highways, delivering highway services for Hertfordshire County Council.

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.

SCHEDULE 1

lengths of roads in Berkhamsted – no waiting at any time

- | | |
|--|--|
| Greenway
(south east/
south west sides) | from a point 2 metres north east of a point in line with the boundary between 52 and 54 Greenway north east and south eastwards for 14 metres to a point 1 metre north west of a point in line with the boundary between 45 and 47 Greenway. |
| (south west side) | (a) from its junction with the north west kerbline of Gilbert Way north westwards for 10 metres. |
| | (b) from its junction with the south east kerbline of Gilbert Way south eastwards for 10 metres. |
| (north east side) | from its junction with the south east kerbline of Finch Road south eastwards for 5 metres. |
| Greenway /
Finch Road
(north east /
north west sides) | from a point in line with the boundary between 51 and 53 Greenway south east and north eastwards for approximately 56 metres to a point 6 metres south west of a point in line with the boundary between 48a Greenway and 38 Finch Road. |
| Finch Road
(north west side) | (a) from its junction with the south west kerbline of Orchard Avenue south westwards for 11.5 metres. |
| | (b) from its junction with the north east kerbline of Orchard Avenue north eastwards for 14 metres. |
| (south east side) | from its junction with the north east kerbline of Greenways north eastwards for 5 metres. |
| Orchard Avenue
(south west side) | from its junction with the north west kerbline of Finch Road north westwards for 19 metres. |

(north east side) from its junction with the north west kerbline of Finch Road north westwards for 16 metres.

Gilbert Way from its junction with the south west kerbline of Greenway south westwards for 10 metres.
(both sides)

SCHEDULE 2

length of Greenway, Berkhamsted – no waiting 8.30am to 9.30am and 2.30pm to 3.30pm Monday to Friday

Greenway from a point in line with the boundary between 51 and 53 Greenway south east
(south west / and north eastwards for approximately 40 metres to a point 2 metres north east
south east sides) of a point in line with the boundary between 52 and 54 Greenway.

SCHEDULE 3

lengths of Greenway and Crossways, Berkhamsted – no stopping or waiting on 'School Keep Clear' markings 8.00am to 5.00pm Monday to Friday during school term time

Greenway from a point 2 metres south west of a point in line with the boundary between 61
(south west side) and 63 Greenway south eastwards for approximately 25.5 metres to a point 4.5 metres north west of a point in line with the boundary between 55 and 57 Greenway.

Crossways from a point 1 metre south west of a point in line with the boundary between 8
(both sides) and 9 Crossways north eastwards for approximately 20 metres to its end including its north east turning circle.

County Hall
Hertford
Herts SG13 8DN

25 July 2007
John Wood
Director of Environment

HERTFORDSHIRE COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984

Date of Order: 20 July 2007
Order No: 7123

**THE HERTFORDSHIRE (GREENWAY, FINCH ROAD, ORCHARD AVENUE,
GILBERT WAY and CROSSWAYS, BERKHAMSTED)
(PROHIBITION OF STOPPING AND 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 (Greenway, Finch Road, Orchard Avenue, Gilbert Way and Crossways, Berkhamsted) (Prohibition of Stopping and Restriction of Waiting) Order 2006" and shall come into operation on Monday 30 July 2007.
2. Save as provided in Articles 5, 6 and 7(1) 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.
3. Save as provided in Articles 5, 6 and 7(2) of this Order no person shall cause or permit any vehicle to wait between the hours of 8.30am to 9.30am and 2.30pm to 3.30pm Monday to Friday in that length of Greenway, Berkhamsted specified in Schedule 2 to this Order.
4. Save as provided in Article 5 of this Order no person shall cause or permit any vehicle to stop or wait between the hours of 8.00am to 5.00pm Monday to Friday during school term time on the 'School Keep Clear' markings in those lengths of Greenway and Crossways, Berkhamsted specified in Schedule 3 to this Order.

In this Article –

"school term time" has the meaning – as those days of the year which have been determined by the education authority as school days in accordance with the provisions of Section 32 of The Education Act 2002.

- 5(1) Nothing in Articles 2, 3 or 4 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.

6. 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.

7.(1) 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, to wait at any time in the lengths of road specified in Schedule 1 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) Nothing in Article 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, to wait at any time in that length of road specified in Schedule 2 of this Order.

(3) 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 given in Regulation 3(1) of The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000

"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 fascia 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 fascia 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 fascia 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.
8. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
9. 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 roads in Berkhamsted – no waiting at any time

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| Greenway /
Finch Road
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Greenway from a point in line with the boundary between 51 and 53 Greenway south west / south east sides) south east and north eastwards for approximately 40 metres to a point 2 metres north east of a point in line with the boundary between 52 and 54 Greenway.

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lengths of Greenway and Crossways, Berkhamsted – no stopping or waiting on 'School Keep Clear' markings 8.00am to 5.00pm Monday to Friday during school term time

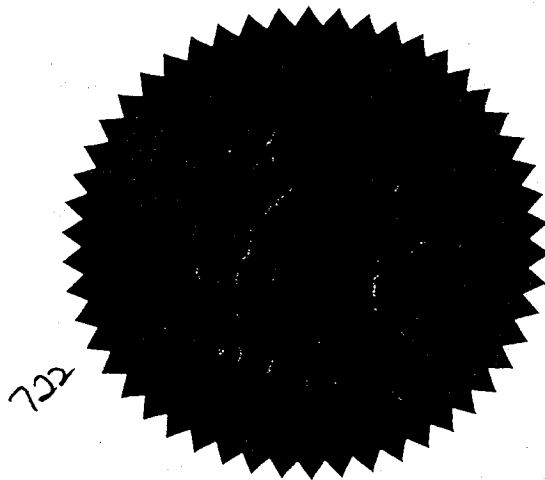
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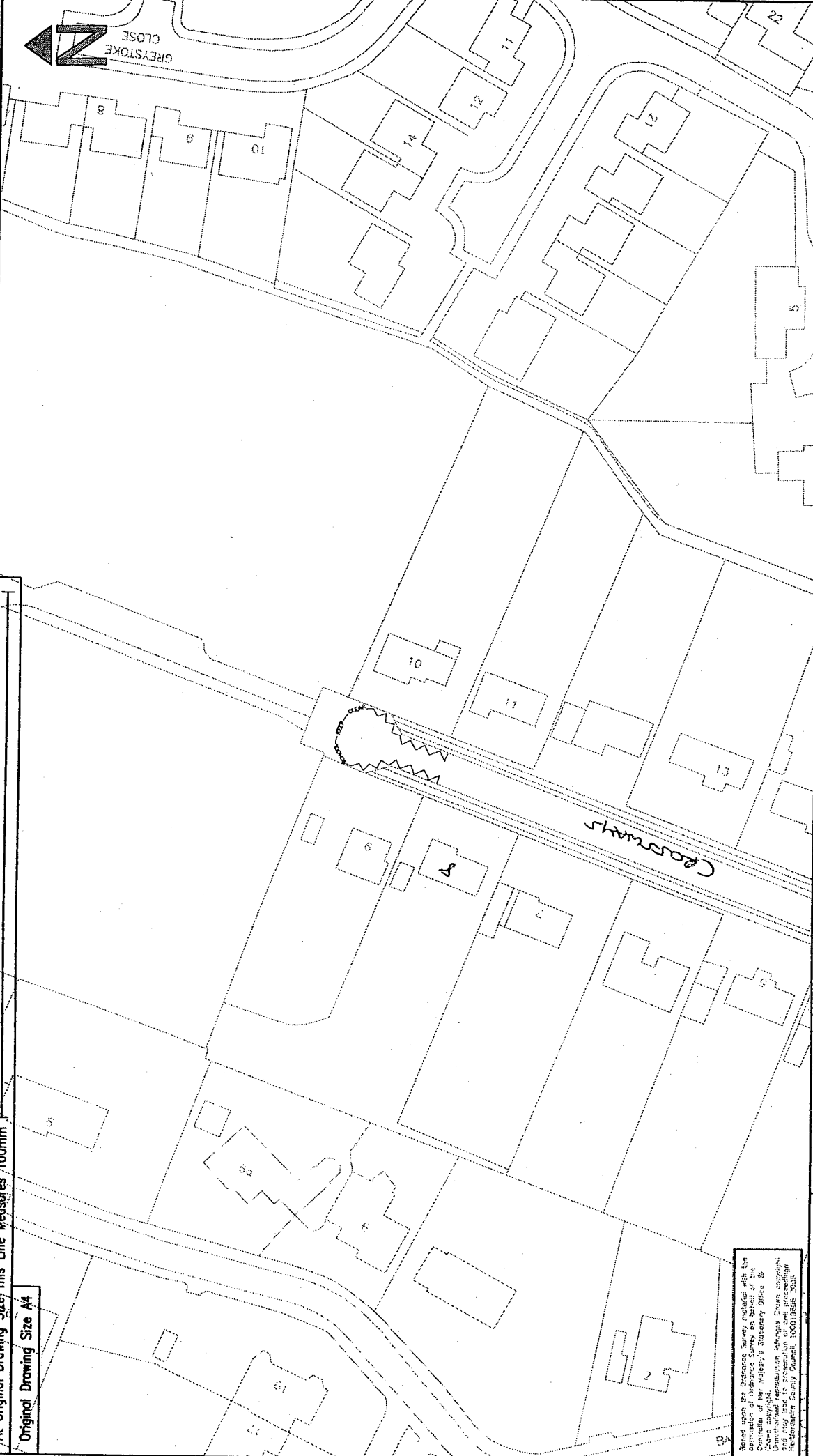
IN WITNESS whereof the Common Seal of the Hertfordshire County Council was here unto affixed this 20th day of July 2007 .

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

Assistant *K P Pettitt*
County Secretary



At Original Drawing Size This Line Measures 100mm
Original Drawing Size A4



GREYSTOKE
CLOSE

Crossways

Highways

Greenway School

Highways Road

41-45 Broadwater Road

Wahyn Garden City

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Project No. 737752		M/ITP06170/TRO1		Rev.
Initials		Project Title		SAFER ROUTES TO SCHOOLS ST THOMAS MORE AND GREENWAY SCHOOL
CAD	Drawn	Checked	Approved	
CK	CK			Drawing Title
Date	08/08	08/08		
Sht No.		Drawing Title		PROPOSED TRO'S
Scales		A4 1:1000		

Revision with Dates

Notes

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Herfordshire Highways
Highways Team
41-45 Broadwater Road
Wahyn Garden City
AL7 5SP
Tel: 01709 365000
Fax: 01709 365080

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