

**DACORUM BOROUGH COUNCIL****ROAD TRAFFIC REGULATION ACT 1984****THE BOROUGH OF DACORUM (PENNINE WAY, HEMEL HEMPSTEAD)  
(RESTRICTION OF WAITING) ORDER 2010**

Dacorum Borough Council, pursuant to the arrangements made under Section 19 of the Local Government Act 2000 with The Hertfordshire County Council in exercise of their powers under Sections 1, 2 and 3 of the Road Traffic Regulation Act 1984, Part IV of Schedule 9 to 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 Borough Of Dacorum (Pennine Way, Hemel Hempstead) (Restriction of Waiting) Order 2010 and shall come into operation on 6<sup>th</sup> December 2010.
2. This Order revokes The Hertfordshire (Pennine Way, Hemel Hempstead) (Prohibition of Waiting) Order 2004 and the relevant sections of schedule 1 to the Borough of Dacorum (Hemel Hempstead) Prohibition and Restriction of Waiting (Consolidation) Order 2003
3. Save as provided in Articles 4, 5 and 6(1) of this Order no person shall cause or permit any vehicle to wait at any time in the lengths of Pennine Way, Hemel Hempstead specified in Schedule 1 to this Order
- 4.(1) Nothing in Article 3 of this Order applies to the length of road restricted by that Article (which said length of road is 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 permission of or direction of a police constable in uniform; or with the permission of a Civil Enforcement Officer as defined by the Traffic Management Act 2004 and appointed by Dacorum Borough Council.
  - (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 Article 3 of this Order applies to the length of road restricted by that Article (which said length of road is 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 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 and a parking disc, to wait at any time in the lengths of road as specified in the Schedules 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 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

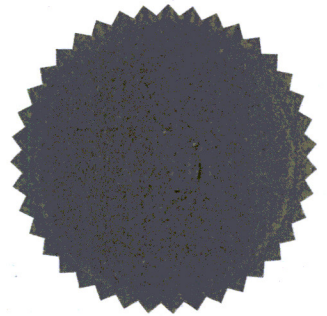
"relevant position" has the same meaning as given in Regulation 4 of The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000

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.

IN WITNESS whereof the Common Seal of Dacorum Borough Council was

hereunto affixed this 23<sup>rd</sup> day of November 2010.

The Common Seal of )  
Dacorum Borough Council )  
was hereunto affixed )  
in the presence of:- )





Authorised signatory

SEAL AFFIXED  
BOOK 10  
PAGE 6952



Authorised signatory

## SCHEDULE 1

Waiting Restricted At Any Time



## SCHEDULE 1

Waiting restricted at any time.

STREET NAME	SIDE OF STREET	LOCATION
Pennine Way	South	From its kerb line junction with Redbourn Road southwest for approximately 250.5 metres
Pennine Way	North	From its kerbline junction with Redbourn Road southwest for approximately 121 metres
Pennine Way	North	From a point approximately 210.5 metres from its kerb line junction with Redbourn Road southwest for approximately 40.5 metres

## EXECUTIVE DECISION RECORD SHEET

<b>Name of decision maker:</b>	<b>Councillor Herbert Chapman</b>
<b>Portfolio:</b>	<b>Environment &amp; Regeneration</b>
<b>Date of Portfolio Holder Decision:</b>	

<p><b>Title of Decision:</b></p> <p>To advertise and to introduce the Borough of Dacorum (Pennine Way, Hemel Hempstead) Restriction of Waiting) Order 2010.</p>
<p><b>Decision made and reasons:</b></p> <p>To advertise and to introduce revised waiting restrictions in Pennine way Hemel Hempstead.          To provide on-street parking opportunities for the customers of local businesses          To discourage inappropriate parking on the grassed areas along Redbourn Road A4147.</p>
<p><b>Reports considered: (here reference can be made to specific documents)</b></p> <p>Report dated 14<sup>th</sup> June 2010:          Consultation on The Potential Borough of Dacorum (Pennine Way, Hemel Hempstead) Restriction of Waiting) Order 2010.</p> <p>Report dated 10<sup>th</sup> September 2010:          Formal Consultation on The Proposed Borough of Dacorum (Pennine Way, Hemel Hempstead) Restriction of Waiting) Order 2010.</p> <p>Reports available from: Parking Development Manager,          The Parking Centre, % Civic Centre, Marlowes, Hemel Hempstead, HP1 1HH</p>
<p><b>Officers/Councillors/Ward Councillors/Stakeholders Consulted:</b></p> <ul style="list-style-type: none"> <li>• Residents local to the area</li> <li>• Businesses local to the area</li> <li>• Councillor Brenda Link</li> <li>• Councillor Lloyd Harris</li> <li>• Hertfordshire Passenger Transport Unit</li> <li>• Land Charges</li> <li>• Hertfordshire Highways – Area Office</li> <li>• Hertfordshire Highways – Traffic Order Manager</li> <li>• Hertfordshire Police – Road Policing Strategy Unit</li> <li>• Hertfordshire Fire &amp; Rescue Service</li> <li>• East of England Ambulance Service</li> </ul>



## EXECUTIVE DECISION RECORD SHEET

**Monitoring Officer Comments:**

No further comments to add to this report

**Chief Financial Officer Comments:**

The measures proposed in this report can be funded from existing budgets.

**Implications:**

Should the Order not be enacted, inappropriate parking on the grass verge along Redbourn Road A4147 will continue.

**Risk:**

The intention to advertise the Order is to comply with legislation and therefore avoid the risk of non-compliance.

**Value for Money:**

The on-street parking service is not designed to produce any income, but, in line with government guidelines, to be self financing.

**Options Considered and reasons for rejection:**

To enact the Traffic Regulation Order.

Not to enact the Order and leave inappropriate parking issues unresolved

**Portfolio Holders Signature:****Date:**

25/10/2010

**Details of any interests declared and any dispensations given by the Standards Committee:****For Member Support Officer use only**

Date Decision Record Sheet received from portfolio holder: 25 October 2010

Date Decision Published: 26 October 2010 Decision No: PH/068/10.

Date of Expiry of Call-In Period: 2 November 2010.

Date any Call-In received or decision implemented: 3 November 2010

**BACKGROUND**

The whole length of Pennine Way is scheduled as no waiting at any time in the existing Traffic Regulation Order.

After complaints from residents of inappropriate parking blocking access to their driveways the lining was refreshed to reflect the Order schedule.



## EXECUTIVE DECISION RECORD SHEET

Subsequently particular problems have been experienced by the customers of businesses located in Pennine Way and Redbourn Road A4147 who often have difficulty in finding on-street parking opportunities due to the existing restrictions in Pennine Way and the intensity of traffic on Redbourn Road A4147. As a result vehicles were inappropriately parked on the landscaped verges in Redbourn Road A4147.

There have been calls from the businesses in Pennine Way and Redbourn Road A4147 to provide on-street parking in Pennine Way for their customers.

In order to discourage verge parking and to support the local businesses, approximately 89 metres of waiting restriction has been experimentally removed in Pennine Way which has resulted in on-street parking availability for 18 to 20 cars.

The no waiting at any time restrictions around the residential access, turning area, industrial gates and the Redbourn Road A4147/Pennine Way junction have been retained.

An initial consultation letter was posted to the nearby properties on 7<sup>th</sup> May 2010. The consultation period ended on 10<sup>th</sup> June 2010 and a report dated 14<sup>th</sup> June 2010 compiled detailing the consultation feedback.

A formal consultation letter was posted to the nearby properties on 11<sup>th</sup> August 2010. The consultation period ended on 8<sup>th</sup> September 2010 and a report dated 10<sup>th</sup> September 2010 compiled detailing the consultation feedback.

It is anticipated that should the Order be introduced, the additional on-street parking availability will bring the inappropriate verge parking in Redbourn Road A4147 to an end.

Report available from Parking Development Manager, The Parking Centre, Civic Centre, Marlowes, Hemel Hempstead, HP1 1HH