

**HERTFORDSHIRE COUNTY COUNCIL**

**TRAFFIC REGULATION ORDER**

**Date: 21 March 2014**  
**Order No: 7783**

**THE HERTFORDSHIRE (HIGH STREET, HEMEL HEMPSTEAD)  
(RESTRICTED ZONE) ORDER 2012**

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The Hertfordshire County Council, in exercise of their powers under Sections 1, 2, 3, 32, 35, 45, 46, 47, 49, and 53 and Part IV of Schedule 9 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 to the 1984 Act, has made the following Order:

## **PART I - PRELIMINARY**

### **Citation and commencement**

1. (a) This Order may be cited as "The Hertfordshire (High Street, Hemel Hempstead) (Restricted Zone) Order 2012" and shall come into operation on Tuesday 29 April 2014.
- (b) The Hertfordshire High Street, Hemel Hempstead Restricted Zone Plans M/ITP100161/S2/TRO/001A dated December 2013, M/ITP100161/S2/TRO/001B1 Rev C dated April 2013 and M/ITP100161/S2/TRO/001C dated August 2012 (herein after referred to as "the Restricted Zone Plans") are incorporated into this Order.

### **Interpretation**

- 2.(1) In this Order, except where the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them:

"civil enforcement officer" has the meaning as given in the Traffic Management Act.

"County Council" means the council of the County of Hertfordshire.

"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 nominated by Dacorum Borough Council 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 (Exemptions for Disabled Persons) (England and Wales) Regulations 1986 and the 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 zone, means the person driving the vehicle at the time it was left in the parking place or restricted zone;

"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" means goods of any kind whether animate or inanimate and includes 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;

"goods vehicle loading bay" " means an area contained within a parking place indicated by contrasting surfacing to show the position in which a goods vehicle may

be parked for the purpose of loading and unloading goods, as shown on the restricted zone plans and identified in the key to those plans.

"Motor-cycle" has the same meaning as that in the Road Vehicles (Construction and Use) Regulations 1986;

"owner", in relation to a vehicle, means the person by whom such vehicle is kept and used;

"parking disc" means a disc, issued by a local authority, complying with the requirements of the British Standard Specifications for Parking Discs (BS No. 4631: 1970), coloured orange or blue, and capable of showing the quarter hour period during which a period of waiting begins;

"parking place" means any place where Vehicles, or Vehicles of any class, may wait as set out in s.32(4)(b) of the 1984 Act and as shown on the restricted zone plans and identified in the key to those plans;

"parking bay" means an area contained within a parking place indicated by contrasting road surfacing to show the position in which a vehicle may be parked as shown in the restricted zone plans and identified in the key to those plans.

"passenger vehicle" means a motor vehicle (other than a motor-cycle or invalid carriage) constructed or adapted solely for the carriage of not more than twelve passengers (exclusive of the driver) and their effects and not drawing a trailer;

"penalty charge" has the same meaning as a charge set by the Council in accordance with The Civil Enforcement of Parking Contraventions (Guidelines on levels of charges) (England) Order 2007 and the provisions of Part 6 and Schedule 9 of the Traffic Management Act 2004.

"Restricted Zone" or "RZ" is an area in which all the streets are subject to waiting restrictions other than lengths of road where parking places are designated, whether these parking places bear road markings or not;

"Restricted Zone Plans" means those plans specified in Article 1(b) to this Order and incorporated into this Order as the schedule.

"permitted hours" means the hours and days of the week as particularised in the restricted zone plans and key thereof;

"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 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.



“telecommunication system” has the same meaning as in the Telecommunications Act 1984 (c.12);

‘Taxi waiting bays’ means an area contained within the restricted zone indicated by contrasting surfacing to indicate the position in which a vehicle being a taxi may wait for the purpose plying for hire, or the picking up or setting down passengers, as shown on the restricted zone plans and identified in the key to those plans.

- (2) Any reference in this Order to a numbered Article or Schedule shall, unless the context otherwise requires, be construed as a reference to the Article or Schedule bearing that number in this Order.
- (3) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.
- (4) For the purposes of this Order a vehicle shall be regarded as displaying a disabled person’s badge in the relevant position when it is so regarded for the purposes of Regulation 4 of The Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000.

## **PART II - RESTRICTIONS AND PARKING PLACES**

### **Section 1 – Provisions of the Order**

#### **Prohibited Waiting Areas**

3. Save as provided in Article 4 of this Order no person shall cause or permit any Vehicle to stop or wait on areas of Road or sides of the Road where stopping, waiting loading or unloading is not allowed as shown on the ‘restricted zone plans’ and identified in the Key to those plans.
4. The following Vehicles are exempt from the General Prohibition as set out in Article 3:
  - (a) A Vehicle, necessarily required for use in connection with any of the following operations, namely:-
    - (i) the removal of any obstruction to traffic,
    - (ii) the maintenance, improvement or reconstruction on the areas of Road or sides of Road, and
    - (iii) the laying, erection, alteration or repair in or on land adjacent to the Roads, lengths of Road or sides of Road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line by a utility organisation while attending to their apparatus;
  - (b) a Vehicle in the service of the Council or any other Local Authority whilst necessarily required for use in connection with highway works, highways and parking enforcement, waste collection or street cleansing activities;
  - (c) a Vehicle which is:
    - (i) required by law to stop; or
    - (ii) obliged to stop so as to prevent an accident; or
    - (iii) prevented from proceeding by circumstances outside his control; or
    - (iv) caused or permitted to stop or wait upon the direction or with the permission of a police constable in uniform.
  - (d) a Public Service Vehicle whilst waiting at an authorised stopping place;;
  - (e) a Vehicle being used for:

- (i) fire brigade, ambulance or police purposes; or
  - (ii) attending an emergency by a Doctor, a District Nurse or Midwife.  
The Council may require evidence to show that there was a genuine emergency.
- (f) a Vehicle authorised by virtue of any special written dispensation by Dacorum Borough Council.
- (g) a Vehicle in the service of a Universal Service Provider being used for the purpose of Delivering or Collecting postal packets, save for the areas of Road and sides of the Road where loading or unloading are specifically regulated as identified and defined by the Key to the 'on street plans'.

#### **Designation of parking places and parking bays**

5. Those sections of road identified on the plans to this Order (the 'restricted zone plans') as parking places, parking bays, disabled bays, taxi waiting bays and goods vehicle loading bays are authorised to be used subject to the following provisions of this Order as parking places, parking bays, disabled bays, taxi waiting bays and goods vehicle loading bays for such classes of vehicles in such positions and on such days and during such hours and to such limitations as identified on the 'restricted zone plans' and defined in the key to those plans.

#### **Leaving of vehicles in Parking Places or Parking Bays**

- 6.(1) No person shall cause or permit any vehicle to wait in an area designated as a parking place, parking bay, disabled bay, taxi waiting bay and goods vehicle loading bay during the permitted hours unless authorised by the provisions of this Order or with the permission of a Designated Officer or Civil Enforcement Officer.
- (2) Where a person contravenes the provisions set out in Article 6(1) of this Order, the Owner of the Vehicle in question shall incur a penalty charge.

#### **Vehicles for which parking places and parking bays are designated**

7. (1) Subject to the provisions of this Order, parking places, parking bays, disabled bays as shown and identified on the restricted zone plans may be used for the leaving during the permitted hours of vehicles of the following class, that is to say, passenger vehicles (the overall height of which does not exceed 2.3 metres and the overall length of which does not exceed 5.25 metres), goods carrying vehicles (the overall height of which does not exceed 2.3 metres and the overall length of which does not exceed 5.25 metres), motor-cycles and disabled persons vehicles (on which must be displayed the relevant badge and disc).
- (2) Taxi waiting bays as identified and shown on the restricted zone plans as taxi waiting bays may be used for the stopping and waiting of taxis for the purpose of plying for hire and dropping off or picking up of passengers.
- (3) Goods Vehicle Loading Bays as identified and shown on the restricted zone plans as goods vehicle loading bays may be used for the leaving during the permitted hours of goods vehicles for the purpose of loading and unloading goods.

### **Alteration of position of a vehicle in a parking place**

8. Where any vehicle is standing in a parking place or parking bay in contravention of the provisions of Article 11 a Civil Enforcement Officer may cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

### **Removal of a vehicle from a parking place or restricted zone**

9. Where a Civil Enforcement Officer is of the opinion that any of the provisions contained in Articles 3 or 7 of this Order have been contravened or not complied with in respect of a vehicle left in any part of a parking place, parking bay, or prohibited waiting area they may remove or cause to be removed the vehicle from the parking place or prohibited area and, where it is so removed, shall provide for the safe custody of the vehicle and its contents.

### **Movement of a vehicle in a parking place in an emergency**

10. A Civil Enforcement Officer or Police Constable in uniform may move or cause to be moved, in case of emergency, to any place they think fit, any vehicle left in a parking place, or prohibited waiting area.

## **PART III - SUPPLEMENTARY PROVISIONS**

### **Section 1 - General**

#### **Manner of standing in a parking place**

11. (1) Every vehicle left in a parking place or parking bay in accordance with the foregoing provisions of this Order shall so stand -
- (a) that the left or near side of the vehicle is adjacent to the left-hand edge of the carriageway and the distance between the edge of the carriageway and the near side wheels of the vehicle is not more than 300 millimetres.
  - (b) that no part of the vehicle obstructs any vehicular means of ingress to or egress from premises adjacent to the side of the road on which the vehicle is waiting.

#### **Power to suspend the use of a parking place**

12. (1) Any person duly authorised by the Council may suspend the use of a parking place or any part thereof whenever they consider such suspension reasonably necessary:
- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
  - (b) for the purpose of any building operation, demolition or excavation adjacent to the parking place, the maintenance, improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the parking place, the laying, erection, alteration or repair in or adjacent to the parking place of any sewer or of any main, pipe, or apparatus for the supply of gas, water or electricity or of any telecommunication system or the placing, maintenance or removal of any traffic sign;
  - (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture to or from one office

or dwelling-house adjacent to the parking place from or to a depository, another office or dwelling-house;

- (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
  - (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions.
- (2) Any person suspending the use of a parking place or any part thereof in accordance with the provisions of paragraph (1) of this Article shall thereupon place or cause to be placed in or adjacent to that parking place or part thereof a traffic sign indicating that waiting by vehicles is prohibited.
- (3) No person shall cause or permit a vehicle to wait in a parking place or any part thereof during which such period as there is in or adjacent to that parking place or part thereof a traffic sign placed in pursuance of paragraph (2) above provided that nothing in this paragraph shall apply -
- (a) in respect to any vehicle being used for fire brigade, ambulance or police purposes or any vehicle which is waiting for any reason specified in Article 12(1)(b), (d) or (e); or
  - (b) to anything done with permission of the person suspending the use of the parking place or part thereof in pursuance of paragraph (1) of this Article.

#### **Restriction on the use of a parking place**

13. During the permitted hours no person shall use any parking place or any vehicle while it is in a parking place in connection with the sale or offering or exposing for sale of any goods to any person in or near the parking place or in connection with the selling or offering for sale of their skill in handicraft or their services in any other capacity:

Provided that nothing in this Article shall prevent the sale of goods from a vehicle -

- (a) if the vehicle is a passenger vehicle, a goods carrying vehicle, a motor-cycle or an invalid carriage and the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected; or
- (b) if the vehicle is one to which the provisions of Article 14(1)(h) apply.

#### **Restriction on waiting by a vehicle in a parking place**

14. (1) Notwithstanding the foregoing provisions of this Order any vehicle may wait during the permitted hours in any part of a parking place if the use of that part has not been suspended and if:
- (a) the vehicle is waiting for so long as may be necessary for the purpose of enabling any person to board or alight from the vehicle or load thereon or unload therefrom their personal luggage;
  - (b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond their control or to such waiting being necessary in order to avoid an accident;

- (c) the vehicle is being used for fire brigade, ambulance or police purposes or, not being a passenger vehicle, is being used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers or in the performance of such duties for the vehicle to wait in the place in which it is waiting;
  - (d) the vehicle is waiting for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;
  - (e) the vehicle is waiting -
    - (i) while postal packets addressed to premises within the 'restricted zone' in which the vehicle is waiting are being unloaded from the vehicle or, having been unloaded therefrom, are being delivered; or
    - (ii) while postal packets are being collected for the loading on the vehicle from premises or posting boxes within the 'restricted zone' in which the vehicle is waiting or, having been so collected, are being unloaded thereon;
  - (f) the vehicle not being a passenger vehicle is waiting only for as long as may be reasonably necessary to enable it to be used for the purpose specified in Article 12(1)(b);
  - (g) the vehicle is in actual use in connection with the removal of furniture to or from one office to a dwelling-house adjacent to the parking place from or to a depository, another office or dwelling-house;
  - (h) in any other case the vehicle is waiting for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is waiting.
- (2) Except as provided by this Order, the driver or person in charge of a vehicle shall not cause or permit a vehicle to wait in a parking place during the permitted hours.

#### **Placing of traffic signs, etc.**

15. The Council shall:

- (a) place and maintain traffic signs indicating the limits of each parking place;
- (b) place and maintain in or in the vicinity of each parking place traffic signs of a design approved by the Secretary of State for the Department for Transport indicating that the parking place may be used during the permitted hours for the leaving only of the vehicles specified in Articles 6 and 7; and
- (c) carry out such other work as it reasonably required for the purposes of the satisfactory operation of a parking place.

### **Section 2 – Penalty Charge Notices**

#### **Penalty Charge Notices**

16 (1) Where a person contravenes any of the restrictions set out in the provisions of this Order the Owner of the Vehicle in question shall incur a penalty charge.

- (2) That charge shall be payable to Dacorum Borough Council in accordance with the instructions contained on the Penalty Charge Notice.

**Period for which a vehicle may be left after a penalty charge has been incurred**

- 17 The period for which a vehicle may be left in a parking bay during permitted hours after a penalty charge has been incurred shall not exceed one hour.

**Restriction on the removal of penalty charge notices**

- 18 (1) Where a penalty charge notice has been attached to a vehicle in accordance with the provisions of Article 16 no person not being the driver of the vehicle shall remove the notice from the vehicle unless authorised to do so by the driver of that vehicle.
- (2) Provided that nothing herein shall apply to a Civil Enforcement Officer or Police Constable in uniform or person removing the vehicle in pursuance of an arrangement made by the police constable in uniform or under the regulations in pursuance of powers contained in Sections 99, 100, 101 and 102 of the Act of 1984.

**Section 3 – Revocations**

**Revocations**

- 19 The provisions of the following Orders are hereby revoked but only in so far as they are affected by the restrictions imposed by this Order -

The Borough of Dacorum (High Street and St Marys Close, Hemel Hempstead)  
(Prohibition and Restriction of Waiting) Order 1997.

The Borough of Dacorum (Controlled Parking Zones) Order 2003

**Section 4 – Schedule**

**SCHEDULE**

**Restricted Zone Plans**

Plan no's M/ITP/10061/S2/TRO/001A, M/ITP/10061/S2/TRO/001B1 Rev C and M/ITP/10061/S2/TRO/001C, as incorporated into this Order and dated December 2013, April 2013 and August 2012 respectively

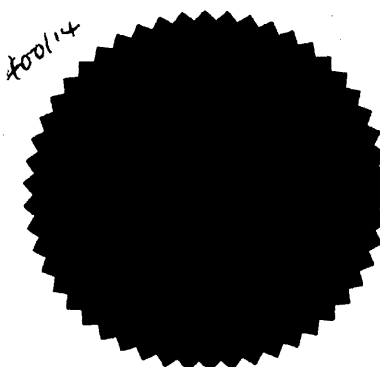
IN WITNESS whereof the Common Seal of the Hertfordshire County Council was hereunto affixed this 21<sup>st</sup> day of March 2014.

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

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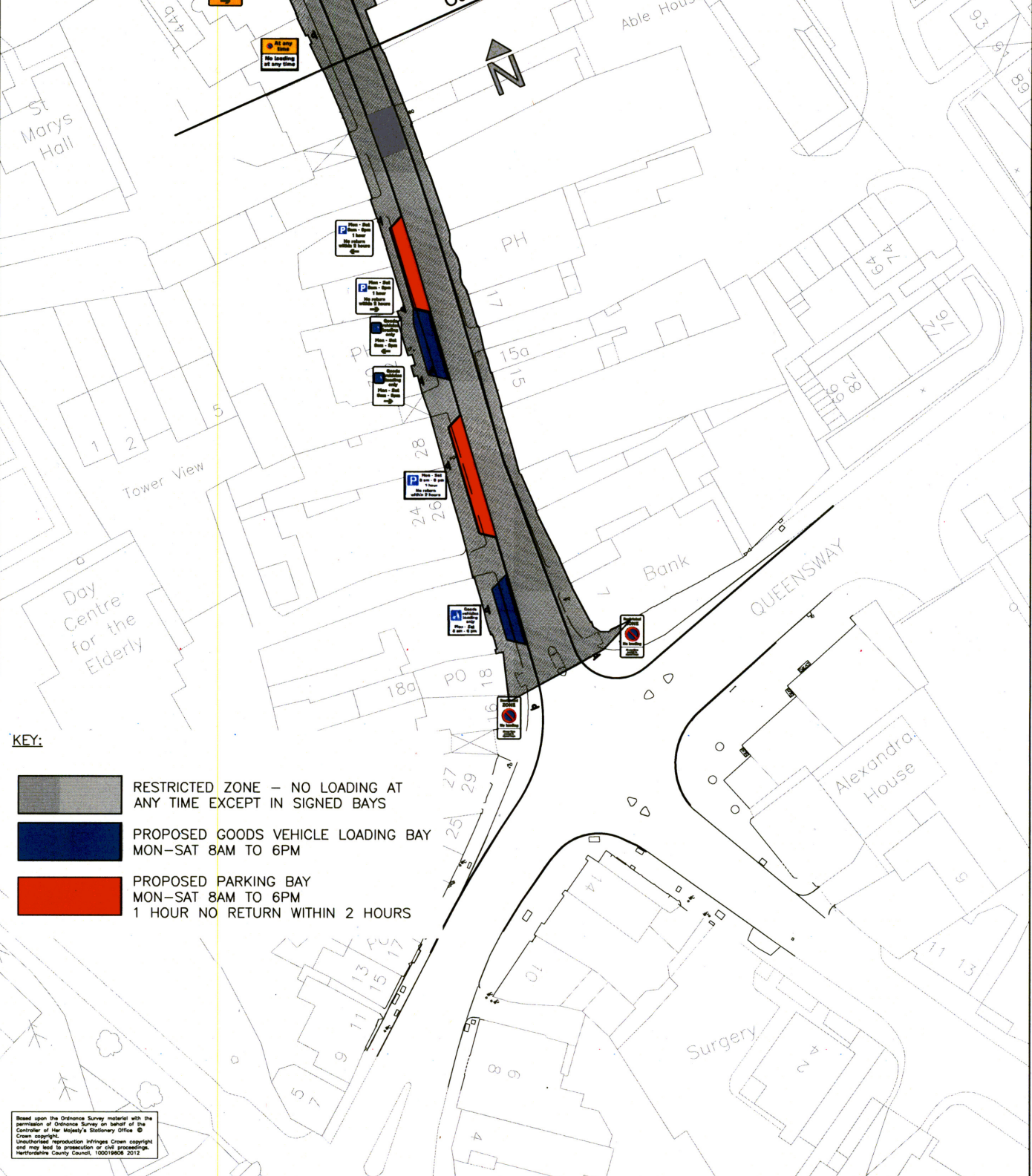
  
Kathryn Pettitt




**Chief Legal Officer**






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- KEY:**
-  RESTRICTED ZONE – NO LOADING AT ANY TIME EXCEPT IN SIGNED BAYS
  -  PROPOSED GOODS VEHICLE LOADING BAY MON–SAT 8AM TO 6PM
  -  PROPOSED PARKING BAY MON–SAT 8AM TO 6PM 1 HOUR NO RETURN WITHIN 2 HOURS

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Project No. <b>ITP10061</b>		Drg. No. <b>M/ITP/10061/S2/TRO/001A</b>		Rev.	 <p><b>Hertfordshire Highways</b></p> <p>Highways House 41–45 Broadwater Road Welwyn Garden City AL7 3SP Tel: 01707 356200 Fax: 01707 356380</p>														
Revisions with Dates		Project Title  <b>HERTFORDSHIRE COUNTY COUNCIL HIGH STREET, HEMEL HEMPSTEAD</b>																	
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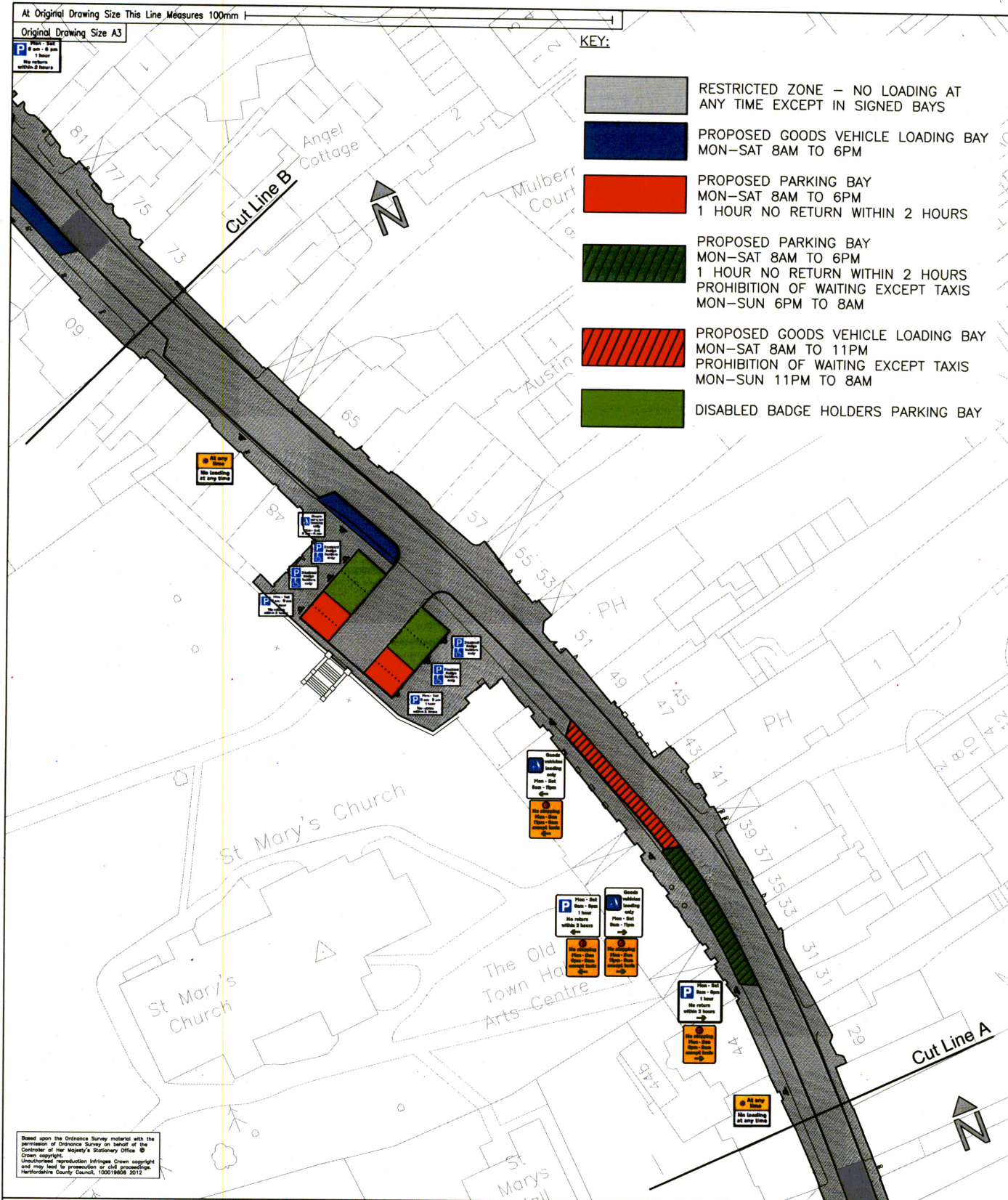
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1 hour  
 No return within 2 hours

KEY:

- RESTRICTED ZONE - NO LOADING AT ANY TIME EXCEPT IN SIGNED BAYS
- PROPOSED GOODS VEHICLE LOADING BAY MON-SAT 8AM TO 6PM
- PROPOSED PARKING BAY MON-SAT 8AM TO 6PM 1 HOUR NO RETURN WITHIN 2 HOURS
- PROPOSED PARKING BAY MON-SAT 8AM TO 6PM 1 HOUR NO RETURN WITHIN 2 HOURS PROHIBITION OF WAITING EXCEPT TAXIS MON-SUN 6PM TO 8AM
- PROPOSED GOODS VEHICLE LOADING BAY MON-SAT 8AM TO 11PM PROHIBITION OF WAITING EXCEPT TAXIS MON-SUN 11PM TO 8AM
- DISABLED BADGE HOLDERS PARKING BAY



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Project No. ITP10061

Drg. No. M/ITP/10061/S2/TRO/001B1

Rev. C

Revisions with Dates

Drawn Checked Approval Date

Project Title

HERTFORDSHIRE COUNTY COUNCIL  
HIGH STREET, HEMEL HEMPSTEAD

Drawing Title

TRAFFIC REGULATIONS ORDERS



**Hertfordshire Highways**

Highways House  
 41-45 Broadwater Road  
 Welwyn Garden City  
 AL7 3SP

Tel: 01707 356200  
 Fax: 01707 356380

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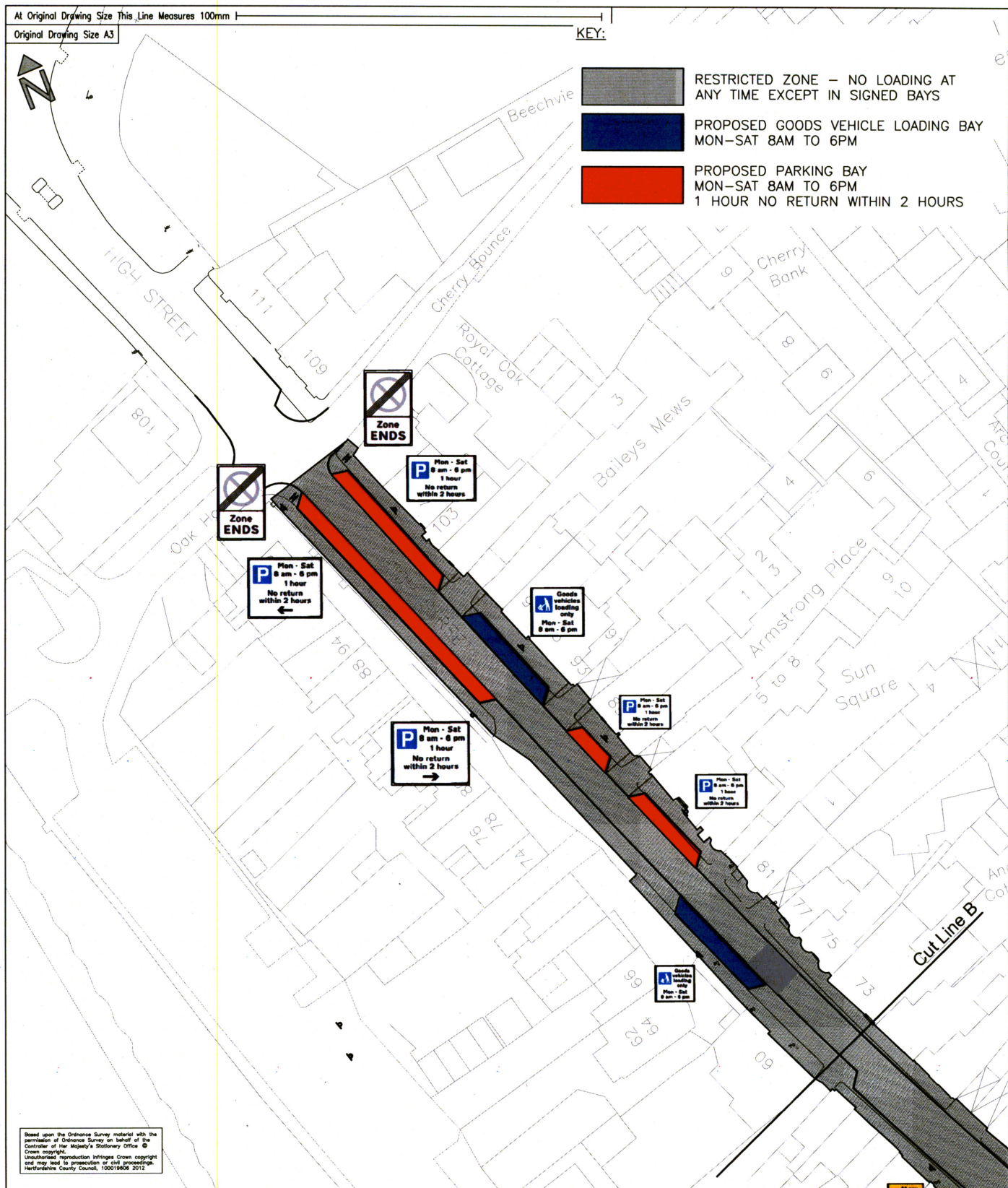
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KEY:

-  RESTRICTED ZONE - NO LOADING AT ANY TIME EXCEPT IN SIGNED BAYS
-  PROPOSED GOODS VEHICLE LOADING BAY MON-SAT 8AM TO 6PM
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Project No. ITP10061

Drg. No. M/ITP/10061/S2/TRO/001C

Rev.

Revisions with Dates

Drawn Chkd Appvd Date

Project Title

HERTFORDSHIRE COUNTY COUNCIL  
HIGH STREET, HEMEL HEMPSTEAD

Drawing Title

TRAFFIC REGULATIONS ORDERS

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