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Contact:

Terry Curtis

My ref:

D/005/12

Your ref:

Date:

7 July 2014

Dear Dan,

The Hertfordshire (Durrants Lane, Durrants Road and Westfield Road, Berkhamsted) (Prohibition of Stopping and Restriction of Waiting) Order 2012

I write to let you know that the above restrictions will become enforceable on Monday 14 July 2014.

The original proposals for this scheme included restrictions at the junction of Coombe Gardens and High Street, however this particular part of the scheme is pending review / consideration by Authority Officers as a result of an objection.

A public Notice to advertise the making of the Order(s) will appear in the Hemel Hempstead Gazette on 9 July 2014.

I enclose for your information a copy each of the Public Notice(s), Order(s), plan(s) and Statement(s) of Reasons relating to the restrictions.

Yours sincerely,

Terry Curtis

Principal TRO Officer / Head of Profession,

Traffic Order Services

Highways Strategy & Compliance Group

THE HERTFORDSHIRE (DURRANTS LANE, DURRANTS ROAD AND WESTFIELD ROAD, BERKHAMSTED) (PROHIBITION OF STOPPING AND RESTRICTION OF WAITING) ORDER 2012

NOTICE is given that the Hertfordshire County Council has made an Order under the Road Traffic Regulation Act 1984 to introduce waiting restrictions in Berkhamsted as specified in the Schedules to this Notice. The Order will come into effect on Monday 14 July 2014.

Documents giving more detailed particulars of the Order may be inspected from 9 July 2014 to 20 August 2014 during normal office hours at the offices of Dacorum Borough Council, Civic Centre, Marlowes, Hemel Hempstead; Berkhamsted Town Council, Civic Centre, High Street, Berkhamsted and at Main Reception, Hertfordshire County Council, County Hall, Pegs Lane, Hertford or viewed at www.hertsdirect.org/trafficorders by clicking on the relevant local area (Quoting Ref: D/005/12)

Enquiries relating to the Order should be referred to the Highways Engineer concerned Martin Sears tel: 01992 658269 or martin.sears@hertfordshire.gov.uk

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: No waiting at any time – those sections of road listed below as set out in the Order and accompanying plan – At the junctions of Durrants Lane and Durrants Road with Westfield Road;

SCHEDULE 2: No stopping or waiting (on School Keep Clear markings) 8.00am to 5.00pm Monday to Friday during school term time – that section of road listed below as set out in the Order and accompanying plan –

Durrants Lane, between no's 8 and 30 in the vicinity of Westfield First School

County Hall Hertford Herts SG13 8DN 9 July 2014 John Wood

Chief Executive & Director of Environment

STATEMENT OF REASONS FOR MAKING

THE HERTFORDSHIRE (DURRANTS LANE, DURRANT ROAD AND WESTFIELD ROAD, BERKHAMSTED) (PROHIBITION AND RESTRICTION OF STOPPING AND WAITING) ORDER 2012

The Hertfordshire County Council are proposing to improve road safety in particular associated with school travel by introducing new waiting restrictions in Berkhamsted.

The proposals will comprise of:-

- 'No waiting at any time' restrictions in parts of Durrants Lane, Durrants Road and Westfield Road
- 'No stopping or waiting 8.00am to 5.00pm Monday to Friday during school term time in part of Durrants Lane.

It is intended that the proposed waiting restrictions will improve road safety by allowing the safe passage of school children on foot to and from the school premises in the interests of road and highway safety.

It therefore appears to the Highway Authority that it is necessary and expedient to make an Order for avoiding danger to persons or other traffic using the road or for preserving the likelihood of any such danger arising, or for preventing the likelihood of any such danger arising, for facilitating the passage on the road of any class of traffic (including pedestrians) and for preserving or improving the amenities of the area through which the road runs.

All of the proposed measures have been subject to consultation with, local and County Councillors representing the area and Dacorum Borough Council. The local Police, Ambulance, Fire and Rescue Services and Hertfordshire County Council Passenger Transport Unit, Berkhamsted Town Council, Westfield School and local residents have also been consulted.

The remaining aspects of the original proposals published and associated with this scheme with regard to High Street and Coombe Gardens, Berkhamsted – are still under procedural consideration, by the Highway Authority.

HERTFORDSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

Date of Order: 4 July 2014 Order No: 7815

THE HERTFORDSHIRE (DURRANTS LANE, DURRANTS ROAD AND WESTFIELD ROAD, BERKHAMSTED) (PROHIBITION OF STOPPING AND RESTRICTION WAITING) ORDER 2012

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 (Durrants Lane, Durrants Road and Westfield Road, Berkhamsted) (Prohibition of Stopping and Restriction of Waiting) Order 2012" and shall come into operation on Monday 14 July 2014.
- 2. 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 Durrants Lane, Durrants Road and Westfield Road, Berkhamsted as specified in Schedule 1 to this Order.
- 3. Save as provided in Article 4 of this Order no person shall cause or permit any vehicle to stop or wait between the hours of 8.00am and 5.00pm Monday to Friday during school term time on the 'School Keep Clear' markings in that length of Durrants Lane, Berkhamsted as specified in Schedule 2 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.

- 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 a Police Constable in uniform; or with 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 2 of this Order applies to the lengths of road restricted by that Article (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 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) 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.

SCHEDULE 1

<u>lengths of Durrants Lane, Durrants Road and Westfield Road, Berkhamsted – no waiting at any time</u>

Westfield Road from a point 11.5 metres south east of a point in line with the boundary between 2 and 4 Westfield Road south eastwards and north eastwards into Durrants (north west side) Lane to a point 13 metres south west of a point in line with the boundary between 30 and 32 Durrants Lane, a distance of approximately 28 metres.

(south west side) from a point 11.5 metres south east of a point in line with the boundary between

(south west side) from a point 11.5 metres south east of a point in line with the boundary betweer 2 and 4 Westfield Road south eastwards and south westwards into Durrants Lane to a point 9.5 metres north east of a point in line with the boundary between 34 and 36 Durrants Lane, a distance of approximately 31 metres.

Durrants Road / from a point 0.5 metres north west of a point in line with the boundary between 62 and 64 Durrants Road north westwards and north eastwards into Durrants (north east side) Lane to a point 9.5 metres south west of a point in line with the boundary between 30 and 32 Durrants Lane, a distance of approximately 39.5 metres.

(south east side) from a point in line with the boundary between 62 and 64 Durrants Road north eastwards and south westwards into Durrants Lane to a point 9 metres north

east of a point in line with the boundary between 34 and 36 Durrants Lane, a distance of approximately 36 metres.

SCHEDULE 2

length of Durrants Lane, Berkhamsted - no stopping and waiting on 'School Keep Clear' markings 8:00am to 5:00pm Monday to Friday during school term time

Durrants Lane (north west side)

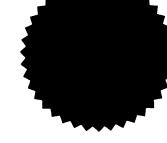
from a point in line with the boundary between 28 and 30 Durrants Lane north eastwards for approximately 73 metres to a point 3.5 metres south west of a point in line with the boundary between 8 and 10 Durrants Lane.

IN WITNESS whereof the Common Seal of the Hertfordshire County Council was hereunto affixed this 4th day of July 2014.

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

598/14

Chief Legal Officer



Mary Cormack Asst Chief Legal Officer

