

HERTFORDSHIRE COUNTY COUNCIL

THE HERTFORDSHIRE (LOWER KINGS ROAD, BERKHAMSTED) (PROHIBITION OF STOPPING AND WAITING) ORDER 2020

NOTICE is given that the Hertfordshire County Council has made an Order under the Road Traffic Regulation Act 1984 to introduce waiting restrictions in part of Berkhamsted as specified in the Schedules to this Notice. The Order will come into effect on Monday 27 July 2020.

Documents giving more detailed particulars of the Order may be inspected, during normal office hours, from 22 July 2020 to 2 September 2020 at Main Reception, Hertfordshire County Council, County Hall, Pegs Lane, Hertford. However due to the current COVID 19 emergency, in particular the restrictions imposed on Social Distancing, this will only be by prior arrangement tel 01992 555553. The documents may also be viewed online at www.hertfordshire.gov.uk/trafficorders by selecting Dacorum and looking at Ref: D01219

Enquiries relating to the Order should be referred to the TRO Officer concerned Nichola Shaw tel: 01992 658364 or nichola.shaw@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, loading and unloading at any time – effecting those sections of road herein listed and as set out in the Order and accompanying plan - Parts of Lower Kings Road.

SCHEDULE 2: No waiting 7.30am to 6.30pm Monday to Saturday and No loading 7.30am to 9.30am and 3.30pm to 6.30pm Monday to Friday and 10.00am to 3.00pm Saturday – effecting those sections of road herein listed and as set out in the Order and accompanying plan – Parts of Lower Kings Road.

County Hall
Hertford
Herts SG13 8DN

22 July 2020
Mark Kemp
Director of Environment and Infrastructure

HERTFORDSHIRE COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984

Date of Order:14/07/20
Order No: 8367

**THE HERTFORDSHIRE (LOWER KINGS ROAD, BERKHAMSTED)
(PROHIBITION OF STOPPING AND WAITING) ORDER 2020**

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 Part IV of Schedule 9 of 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 (Lower Kings Road, Berkhamsted) (Prohibition of Stopping and Waiting) Order 2020” and shall come into effect on Monday 27 July 2020.
2. Save as provided in Article 5 of this Order no person shall cause or permit any vehicle to wait, load or unload at any time in those lengths of Lower Kings Road, Berkhamsted as specified in Schedule 1 to this Order.
3. Save as provided in Article 5 of this Order no person shall cause or permit any vehicle to load or unload between the hours of 7.30am to 9.30am and 3.30pm to 6.30pm Monday to Friday and between 10.00am to 3.00pm on Saturdays in those lengths of Lower Kings Road, Berkhamsted as specified in Schedule 2 to this Order.
4. Save as provided in Articles 5, 6 and 7 of this Order, but subject to the restriction on loading imposed by Article 3 to this Order, no person shall cause or permit any vehicle to wait between the hours of 7.30am to 6.30pm Monday to Saturday in those lengths of Lower Kings Road, Berkhamsted as specified in Schedule 2 to this Order.
- 5.(1) Nothing in Articles 2, 3 and 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 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 Section 65 of the Postal Services Act 2011.

- (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 Article 4 of this Order, but subject to the restriction imposed on loading by Article 3 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.
7. (1) Nothing in Article 4 of this Order, but subject to the restriction imposed on loading by 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 specified in part of Schedule 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 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
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 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 (Berkhamsted) (Prohibition and Restriction of Waiting) (Consolidation) Order 2003
 - Dacorum District Council (Various Roads) Traffic Regulation (No.2) Order 1975
 - The County of Hertford (Various Streets, Berkhamsted) (Prohibition of Waiting) Order 1970
 - The County of Hertford (Various Streets, Berkhamsted) (Prohibition of Waiting) Order 1965
10. 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 Lower Kings Road, Berkhamsted – no waiting, loading or unloading at any time

- Lower Kings Road (south east side) from a point 6 metres north east of a point in line with the boundary between 24 and 26 Lower Kings Road north eastwards for approximately 49 metres to a point in line with the south west boundary of 47 Lower Kings Road.
- (north west side) (a) from a point 4 metres south west of a point in line with the projected south west kerbline of the entrance road into Waitrose south westwards for approximately 15 metres to a point 4 metres north east of a point in line with the boundary between 24 and 26 Lower Kings Road.
- (b) from a point 4 metres north east of a point in line with the projected north east kerbline of the entrance road into Waitrose north eastwards for approximately 16 metres to a point 9 metres south west of a point in line with the south west facia wall of 42 Lower Kings Road.

SCHEDULE 2

lengths of Lower Kings Road, Berkhamsted – no waiting 7.30am to 6.30pm Monday to Saturday and No loading 7.30am to 9.30am and 3:30pm to 6:30pm Monday to Friday and 10.00am to 3.00pm on Saturdays

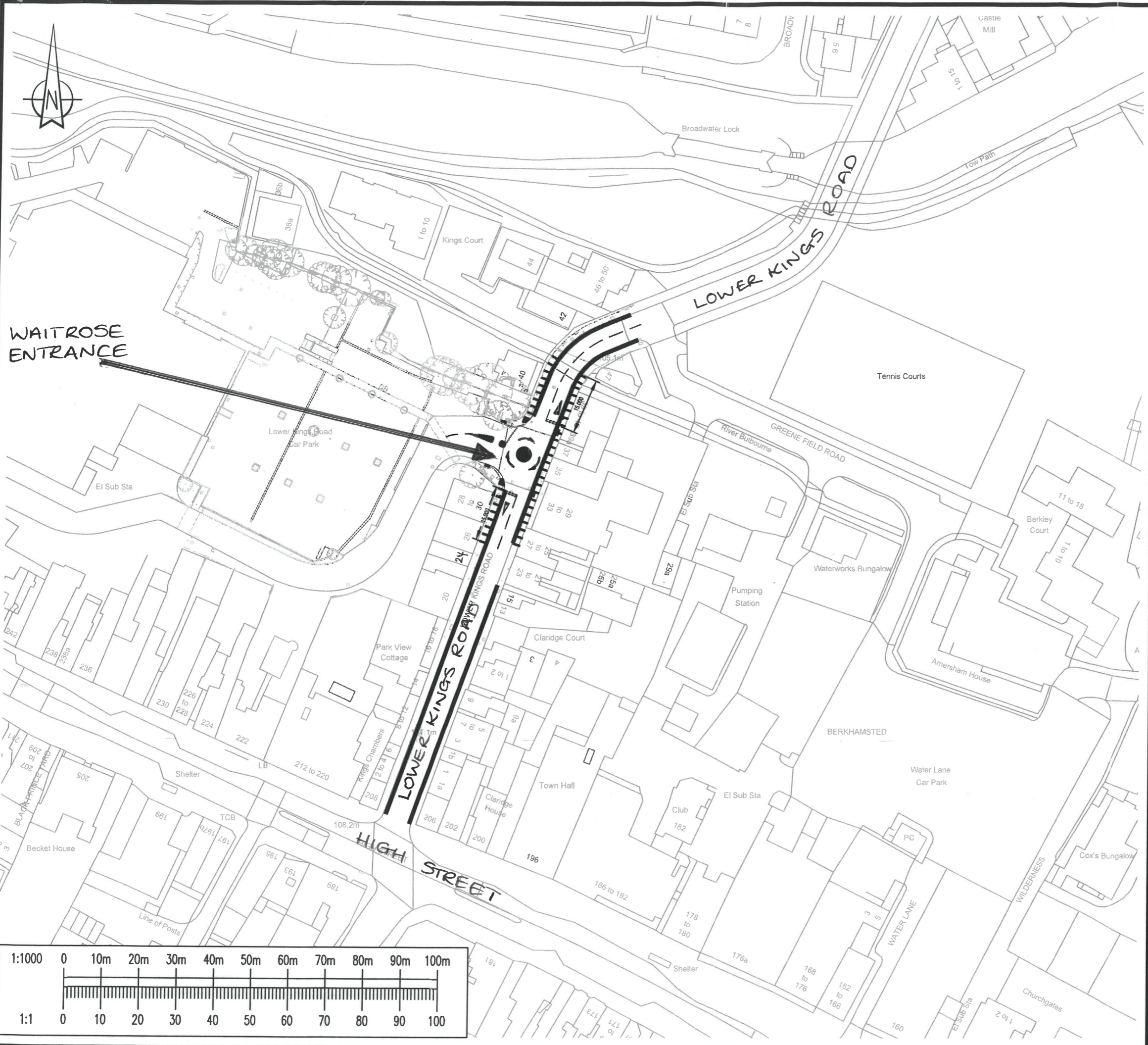
- Lower Kings Road (south east side) (a) from a point 6.5 metres north east of a point in line with the projected north east kerbline of High Street north eastwards for approximately 68 metres to a point 0.5 metre north east of a point in line with the north east boundary of 15 Lower Kings Road.
- (b) from a point in line with the south west boundary of 47 Lower Kings Road north eastwards for approximately 18 metres to a point 2 metres south west of a point in line with the projected south west kerbline of Greene Field Road.
- (north west side) (a) from a point 6 metres north east of a point in line with the north east kerbline of High Street north eastwards for approximately 77 metres to a point 4 metres north east of a point in line with the boundary between 24 and 26 Lower Kings Road.
- (b) from a point 9 metres south west of a point in line with the south west facia wall of 42 Lower Kings Road north eastwards for approximately 23 metres to a point 2 metres south west of a point in line with the projected south west kerbline of Greene Field Road.

Signed:



**Quentin Baker
Chief Legal Officer**

Dated: 14/07/20



Notes:

General

1. Do not scale from drawing.
2. All dimensions are in metres, unless stated otherwise.
3. This drawing is to be read & printed in colour.
4. This drawing is for illustrative purposes only.

Disclaimer

1. The information contained in this drawing is based on a combination of OS and data provided by others and WYG shall not be liable for any inaccuracies or deficiencies.

Key

Proposed Restrictions

Single Yellow Line:

- No Waiting (Mon-Sat 7.30am to 6.30pm)
- No Loading (Mon-Fri 7.30am to 9.30am & 3.30pm – 6.30pm & Sat 10am to 3pm)

Double Yellow Line:

- No Waiting, No Loading, No Unloading At Any Time

C	Dwg updated with HCC comments	AG	RF	19.06.2019
B	Dwg updated with HCC comments	AG	RF	17.06.2019
A	Dwg updated with HCC comments	AG	RF	10.06.2019

REV	DETAILS	DRAWN	CHECKED	DATE
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CLIENT:

Hertfordshire County Council

PROJECT:

**Multi-Storey Car Park
Berkhamsted, Hertfordshire**

DRAWING TITLE:

Proposed TRO Layout

SCALES:	1:1000	SHEET SIZE:	A3
DRAWN:	AG	CHECKED:	RF
		DATE:	19.02.2019

WYG Transport
part of WYG group



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DRAWING NUMBER: **A082119-TRO-001** REVISION: **C**

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To Scale

STATEMENT OF REASONS

THE HERTFORDSHIRE (LOWER LUTON ROAD, BERKHAMSTED) (PROHIBITION OF STOPPING AND WAITING) ORDER 2020

Hertfordshire County Council is proposing to introduce waiting restrictions in part of Berkhamsted.

The proposals will comprise of –

- 'No waiting, loading or unloading at any time' restrictions on parts of Lower Kings Road
- 'No waiting 7.30am to 6.30pm Monday to Friday with No loading between 7.30am to 9.30am and 3.30pm to 6.30pm Monday to Friday and 10.00am to 3.00pm Saturday' restrictions on parts of Lower Kings Road.

The restrictions are being proposed to ensure that vehicles are not parked, waiting or loading / unloading along Lower Kings Road at the site of the proposed mini roundabout. No waiting Monday to Saturday 7.30am to 6.30pm restrictions are being proposed on the approaches to the mini roundabout, to keep ensure sight lines and approaches to the roundabout are not obstructed.

The proposed restrictions will improve the traffic flows and ease the congestion, currently occurring due to parking of vehicles on both sides of the road.

Therefore, having also considered the duty imposed under Section 122 Road Traffic Regulation Act 1984, it appears to the Highway Authority that it is necessary and expedient to make an Order in the interests of; avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, for facilitating the passage on the road or any other road of any class of traffic (including pedestrians) and for preserving or improving the amenities of the area through which the road runs.

The proposal has been subject to consultation with local and County Councillors representing the area and Dacorum Borough Council. The local Police, Ambulance, Fire & Rescue Services, Hertfordshire County Council Passenger Transport Unit, Berkhamsted Town Council, Right to Ride, local businesses and residents have also been consulted.