

ST ALBANS CITY AND DISTRICT COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE ST ALBANS CITY AND DISTRICT COUNCIL (BATCHWOOD DRIVE, ST ALBANS) (PROHIBITION OF STOPPING AND WAITING ON VERGES AND FOOTWAYS) ORDER 2012

The ST ALBANS CITY AND DISTRICT COUNCIL (hereinafter referred to as "the Council") pursuant to arrangements made with the County Council of Hertfordshire under Section 19 Local Government Act 2000 and Section 101 of The Local Government Act 1972, in exercise of the powers of the said County Council under Sections 1, 2, 3 and 4 of the Road Traffic Regulation Act 1984 (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 makes the following Order:-

1. The Order may be cited as "The St Albans City And District Council (Batchwood Drive, St Albans) (Prohibition Of Stopping And Waiting On Verges And Footways) Order 2012" and shall come into operation on the 28 May 2012.

2. In this order:-

"carriageway" has the meaning as given in the Highways Act 1980 but does not include lay-bys.

"verge" means any part of a road not being a carriageway and includes road margins, central reservations and those areas laid for ornamental purposes maintained by St Albans City and District Council but does not include lay-bys.

"footway" means any paved or hardened area separated from the highway carriageway for use by pedestrians.

3. Save as provided in Article 4 of this Order no person shall cause or permit any vehicle to stop or wait at any time with two or more wheels on any part of the verge or footway in those lengths of road in St Albans specified in the Schedule to this Order.
4. (1) Nothing 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") in relation to -
 - a) a vehicle being used for Fire and Rescue, Ambulance or Police purposes;

- b) anything done with the permission of or a 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 The St Albans City and District Council;
- c) a vehicle which is prevented from proceeding by circumstances beyond the drivers control or which has stopped I 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 purposed specified in sub-Article (2) of the Article and which cannot be 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 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", "the 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, upgrading, improvement to, or reconstruction of a road;
 - d) construction, 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. The interpretation Act 1978 shall apply for interpretation of this Order as it applies for the interpretation of an Act of Parliament.
6. The provisions of the following Order(s) are hereby revoked only in so far as they are affected by the restrictions imposed by this Order and the relevant Schedule –

The St Albans City And District Council Controlled Parking Zones (Hospital Area- Alban Avenue, Batchwood View, Eleanor Avenue, High Grove, Margaret Avenue, St Albans) (Leyton Road, West Common, Harpenden) Footway And Verge Parking Prohibition (Ashley Road (Part), Batchwood Drive, Bluehouse Hill-Hemel Hempstead Road, Hatfield Road (Part) Watling Street) Order 2010

SCHEDULE

Lengths of roads in St Albans - prohibition of stopping and waiting on verges and footways

Batchwood Drive (both sides) between its junction with Harpenden Road and its junction with Redbourn Road

As shown on Map Schedule BD-VP-2012a; BD-VP-2012b; BD-VP-2012c

THE COMMON SEAL of ST ALBANS)
CITY AND DISTRICT COUNCIL)
was hereunto)
affixed on the 18 May 2012)

in the presence of:



L.S.H.
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Authorised Signatory

Legal Services
Manager

[Handwritten signature]
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Authorised Signatory

Regulatory Solicitor