

STEVENAGE BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE BOROUGH OF STEVENAGE (HILLMEAD, MILLER WAY AND WORNHAM AVENUE, STEVENAGE) (PROHIBITION OF STOPPING AND WAITING ON VERGES AND FOOTWAYS) ORDER 2016

The STEVENAGE BOROUGH 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. This Order may be cited as "The Borough of Stevenage (Hillmead, Miller Way and Wornham Avenue, Stevenage) (Prohibition of waiting on verges and footways) Order 2016" and shall come into operation on 16 February 2017
2. In this order:-

"carriageway" has the same meaning as in the Highways Act 1980;

"Civil Enforcement Officer" has the same meaning as defined in the Traffic Management Act 2004, as appointed by or on behalf of Stevenage Borough Council;

"Driver" means the person driving or having control or charge of the Vehicle at any given time;

"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;

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

"Vehicle" means motor vehicle and "motor vehicle" has the same meaning as in section 136 of the Act of 1984;

"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 Stevenage Borough Council but does not include lay-bys;

"Universal Service Provider", "Provision of a universal Postal Service" and "Postal Packet" have the same meaning as in the Postal Services Act 2011.

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 one or more wheels on any part of the verge or footway in those lengths of road in Stevenage specified in the Schedule to this Order.
4. (1) Nothing in Article 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 the permission of a Civil Enforcement Officer as defined by the Traffic Management Act 2004 and appointed by Stevenage 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; or
 - (f) 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.
- (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;
 - (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 the interpretation of this Order as it
applies for the Interpretation of an Act of Parliament.

The Common Seal of the)
Stevenage Borough Council)
was hereunto affixed this)
30th day of January 2017)
in the presence of:-)

Prabhjit Singh
Authorised Signatory
Borough/Principal Solicitor



DES Deg 22/7/09
as amended 8/12/2010

SCHEDULE

Prohibition Parking on the Verge or Footway

Item number	Name of road	Side of road	Description
1	Hillmead	Both	For its entire length.
2	Miller Way	Both	For its entire length.
3	Wornham Avenue	Both	For its entire length.