

STEVENAGE BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE BOROUGH OF STEVENAGE (MILLER WAY AND WORNHAM AVENUE, STEVENAGE) (RESTRICTION OF WAITING OF COMMERCIAL VEHICLES) 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 (Miller Way and Wornham Avenue, Stevenage) (Restriction of Waiting of Commercial Vehicles) Order 2016" and shall come into operation on 16 February 2017
2. In this order "prescribed vehicle" means any vehicle that has a maximum gross weight of 5 tonnes or more or a vehicle designed, constructed or adapted to carry 12 persons or more in addition to the driver.
3. Save as provided in Articles 4 and 5, of this Order, no person shall cause or permit any prescribed vehicle to stop or wait between the hours of 8pm on any day and 7am on the following day, or between the hours of 7am and 8pm on a Saturday or Sunday, 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 done 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; or

- (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 have the same meanings as in the Postal Services Act 2011.

- (2) The "purposes" referred to in sub-Article (1)(d) of this Article are:
 - (a) to allow a person to board or alight from the vehicle;
 - (b) to enable goods to be loaded on to or unloaded from the vehicle;
 - (c) to enable the vehicle to take in fuel, oil, water or air from any garage situated on or adjacent to the road;
 - (d) to enable the vehicle to be used in the service of a local authority in pursuance of statutory powers or duties;
 - (e) any operation involving building, demolition or excavation;
 - (f) the removal of any obstruction to traffic;
 - (g) the maintenance, improvement or reconstruction of a road;
 - (h) constructing, improving, maintaining, or cleaning of any street furniture; or
 - (i) 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. (1) Nothing in 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 the Schedule to 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

6. 1) If a vehicle (other than a vehicle otherwise exempted by this Order) is left in contravention of any provision of this Order a penalty charge shall be payable.
 - 2) In the case of a vehicle in respect of which a penalty charge is payable, a penalty charge notice may be issued by a Civil Enforcement Officer in uniform in accordance with the Civil Enforcement of Parking Contraventions (England) General Regulations 2007.
 - 3) The penalty charge shall be paid to Stevenage Borough Council in accordance with the instructions and within the time limits specified on the penalty charge notice.
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 provisions of the following Orders are hereby revoked only in so far as they are affected by the restrictions imposed by this Order:

The Borough of Stevenage (Control of Parking) (Consolidation) Order 2013

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

Authorised Signatory
~~Borough~~/Principal Solicitor

Prabjit Singh



DES DEG
22/7/09
as amended 8/12/2006

SCHEDULE

No waiting 8pm on any day to 7am on the following day, or between the hours of 7am and 8pm on Saturday and Sunday, by prescribed vehicles

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