

THREE RIVERS DISTRICT COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

2010 No. 7/10

**THE THREE RIVERS DISTRICT COUNCIL (NORTHWAY & HIGH STREET,
RICKMANSWORTH) (HACKNEY CARRIAGE RANKS & LOADING BAY) ORDER 2010**

Made: 5 February 2010

Coming into operation: 8 February 2010

PART I - PRELIMINARY

The Three Rivers District Council (hereinafter referred to as "the Council") makes this Traffic Regulation Order pursuant with arrangements made under Section 19 of the Local Government Act of 2000 and the Local Authorities' (Arrangements for Discharge of Functions) (England) Regulations 2000 with Hertfordshire County Council in exercise of the powers of the said County Council under Sections 1-4 and Part IV Sections 32, 35, and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 as amended from time to time ("the Act") and of Part 6 of The Traffic Management Act 2004 and under all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the Act, hereby make the following Order.

1 Citation and commencement

- 1.1 This Order shall come into operation on 8 February 2010 or at a later date and may be cited as "The Three Rivers District Council (Northway & High Street, Rickmansworth) (Hackney Carriage Ranks & Loading Bay) Order 2010".

2 Interpretation

- 2.1 In this Order, except where the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them:

"Civil Enforcement Officer"	has the same meaning as in Section 76 of The Traffic Management Act 2004
"Council"	means Three Rivers District Council and includes any parking services contractors or authorised agent appointed by and acting on behalf of the Council for the purpose of any function under the provisions of this Order
"designated officer"	means an officer of the Three Rivers District Council nominated by the Head of Planning and Transportation or equivalent to carry out Council functions associated with the provisions of this Order
"disabled person's badge"	has the same meaning as in section 142(1) of the Road Traffic Regulation Act 1984
"disabled person's vehicle"	means a vehicle lawfully displaying a disabled person's badge
"driver"	in relation to a vehicle waiting in a parking place, restricted waiting area or taxi rank, means the person driving the vehicle at the time it was left in the parking place, restricted waiting area or taxi rank
"enactment"	means any Act of Parliament, whether public general or local, and includes any order, bylaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment
"goods"	means goods of any kind whether animate or inanimate and includes postal packets of any description; and "delivering" and "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection
"goods vehicle"	means a motor vehicle or trailer constructed or adapted for use for the carriage or haulage of goods or burden of any description, and does not include

any motor vehicle primarily constructed or adapted for the carriage of passengers, such as a saloon, hatchback or estate type motor car

"licensed taxi"

means a 'Hackney Carriage' as in section 13(3) of the Transport Act 1985 and it does not mean a private hire vehicle

"loading and/or unloading bay"

means a parking bay or parking bays which are indicated by appropriate traffic signs and or road marking and designated as a loading and/or unloading by this Order

"parking bay"

means a parking area within the parking place which is indicated by appropriate signs and road markings

"parking place"

means any area on a highway designated as a parking place by this Order

"penalty charge"

means a penalty charge imposed by the Council pursuant to Part 6 of the Traffic Management Act 2004 and any regulations made thereunder and in accordance with the Notice of Revised Penalty Charges for Parking Contraventions published by the Council from time to time and for the time being in force

"permitted hours"

means the periods of operation stated for each particular restriction within the Schedules to this Order

"taxi rank"

means a parking bay or parking bays which are indicated by appropriate traffic signs and or road markings complying with the Traffic Signs Regulations and General Directions 2002 and designated as a taxi rank by this Order

"telecommunication system"

has the same meaning as in the Telecommunications Act 1984

"traffic sign"

has the meaning given by section 64 of the Road Traffic Regulation Act 1984

- 2.2 Any reference in this Order to the number of a taxi rank shall be construed a reference to the letter and number set out in column 1 of the Schedule in relation to the taxi rank referred to in column 2 of the Schedule.
- 2.3 For the purposes of this Order a vehicle shall be regarded as displaying a disabled person's badge and parking disc in the relevant position when it is so regarded for the purposes of The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986, as amended by the Local Authorities' Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000.
- 2.4 The civil enforcement of traffic contraventions is governed by Part 6 of the Traffic Management Act 2004 and by regulations made thereunder from time to time and for the time being in force and in connection with the imposition of penalty charges in respect of road traffic contraventions and the payment of such penalty charges including immobilisation of vehicles where a penalty charge is payable.

- 2.5 Any reference in this Order to a numbered Article or Schedule shall, unless the context otherwise requires, be construed as a reference to the Article or Schedule bearing that number in this Order.
- 2.6 Any reference in this order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.
- 2.7 The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of any Act of Parliament.

PART II - RESTRICTIONS AND DESIGNATION OF PARKING PLACES

3 No stopping except taxis

- 3.1 Save as provided in Article 4.3 and Article 4.4 no person shall, except upon the direction or with the permission of a police officer on duty or a Civil Enforcement Officer in uniform and on duty, cause or permit any vehicle EXCEPT LICENSED TAXIS to stop at any time in the lengths of roads or sides of roads specified in **Schedule 1**.
- 3.2 Subject to Article 8.4 of this Order a licensed taxi may wait in accordance with the provisions of Article 7 of this Order in the same place in the lengths of roads or sides of roads specified in Schedule 1 during the permitted hours.

4 No waiting except taxis and restricted loading

- 4.1 Save as provided in Article 4.3 and Article 4.4 no person shall, except upon the direction or with the permission of a police officer on duty or a Civil Enforcement Officer in uniform and on duty, cause or permit any vehicle EXCEPT LICENSED TAXIS to wait in the lengths of roads or sides of roads specified in **Schedule 2**, unless for the purpose of:
- 4.1.1 enabling a person to board or alight from a vehicle; or
- 4.1.2 delivering or collecting goods or loading or unloading during the permitted hours Monday to Saturday 6:00am to 6:30pm.
- 4.2 Subject to Article 8.4 of this Order a licensed taxi may wait in accordance with the provisions of Article 7 of this Order in the same place in the lengths of roads or sides of roads specified in Schedule 2 during the permitted hours.
- 4.3 Nothing in Article 3.1 or Article 4.1 of this Order shall render it unlawful to cause or permit any vehicle to wait in the lengths of road specified therein for so long as may be necessary to enable:
- 4.3.1 the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely:
- (a) building, industrial and demolition operations;
 - (b) the removal of any obstruction to traffic;
 - (c) the maintenance, improvement or reconstruction of the said length of road;
 - (d) the laying, erection, alteration or repair in or on land adjacent to the said length of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any electronic communications apparatus defined in paragraph 1(1) of the Telecommunications Code contained in Schedule 2 of the Telecommunications Act 1984;

- (e) to a vehicle being used for fire brigade, ambulance or police purposes;
- (f) in the service of a local authority or of a water authority in pursuance of statutory powers or duties;
- (g) for the purpose of delivering or collecting postal packets as defined in section 125 of the Postal Services Act 2000.

4.3.2 where the vehicle is a pedal cycle

4.4 Nothing in Article 3.1 or Article 4.1 of this Order shall render it unlawful for any vehicle to wait in the lengths of road specified therein for so long as may be necessary in any case where the person in control of the vehicle:

- (a) is required by law to stop;
- (b) is obliged to stop so as to prevent an accident;
- (c) is prevented from proceeding by circumstances beyond his/her control.

5 Designation of parking places and taxi ranks

- 5.1 Each area on a highway comprising the length of carriageway of a road specified in column 2 of the Schedules to this order and which shall be bounded on one side of that length by the edge of the carriageway is hereby designated as a parking place.
- 5.2 Each area on a highway comprised within a parking place and marked out as a loading and/or unloading bay in accordance with the provisions of this Order is hereby designated as a loading and/or unloading bay.
- 5.3 Each area on a highway comprised within a parking place and marked out as a taxi rank in accordance with the provisions of this Order is hereby designated as a taxi rank.
- 5.4 No person shall cause or permit any vehicle to wait in an area designated as a parking place unless authorised by the provisions of this Order.
- 5.5 The restrictions imposed by this Order shall be in addition and not in derogation from any restriction or requirement imposed by any regulations made or having effect as if made under the Act or by or under any other enactment.

PART III - USE OF PARKING PLACES

6 Vehicles for which taxi ranks are designated

- 6.1 Each taxi rank may be used, subject to the provisions of this Order, for the waiting for hire during the permitted hours of any licensed taxi.
- 6.2 The driver of a vehicle referred to in Article 6.1 of this Order using a taxi rank shall stop the engine as soon as the vehicle is position in the taxi rank and shall not start the engine except when about to change the position of the vehicle in or to depart from the taxi rank.
- 6.3 No person shall use a vehicle while it is in a taxi rank either for the purpose of selling it or in connection with the sale of any article to any person in or near the taxi rank or in connection with the selling or offering for sale of his skill in handicraft or his services in any other capacity or carry out or permit the carrying out of any work of maintenance or repair as may be necessary to enable the vehicle to be moved from the taxi rank.

7 Manner of standing in taxi ranks

- 7.1 The driver of a vehicle waiting in a taxi rank shall cause it so to stand:
- 7.1.1 in the case of a taxi in relation to which special provisions as to the manner of standing of vehicles in that place are specified in column 3 of the Schedule to this order so as to be in accordance with those provisions;
 - 7.1.2 in the case of any other taxi rank on a road in single line parallel to the edge of the carriageway and so that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than three hundred millimetres;
 - 7.1.3 so that every part of the vehicle is within the limits of the taxi rank; and
 - 7.1.4 if applicable, so that every part of the vehicle is within the limits of any parking bay.
- 7.2 Subject to Article 4.3 and Article 4.4 no person shall leave a vehicle in a taxi rank:
- 7.2.1 unless it is a vehicle specified in Article 6.1 of this Order
 - 7.2.2 in a position other than that specified in this Article 7 of this Order.

8 Power to suspend the use of taxi ranks

- 8.1 Any person generally or specially authorised by the Council may suspend the use of any taxi rank or any part thereof whenever that person considers such suspension reasonably necessary:
- 8.1.1 for the purpose of facilitating the movement of traffic or promoting its safety;
 - 8.1.2 for the purpose of any building operation, demolition or excavation in or adjacent to the taxi rank or the maintenance improvement or reconstruction of the taxi rank or the laying, erection, alteration, removal or repair in or adjacent to the taxi rank of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus or traffic sign;
 - 8.1.3 for the convenience of occupiers of premises adjacent to the taxi rank on any occasion of the removal of furniture from the office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;
 - 8.1.4 on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
 - 8.1.5 for the convenience of occupiers of premises adjacent to the taxi rank at times of weddings or funerals, or on other special occasions.
- 8.2 A police officer on duty or a Civil Enforcement Officer in uniform and on duty may suspend for not longer than twenty-four hours the use of a taxi rank or any part thereof whenever that police officer considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- 8.3 Any person suspending the use of a taxi rank or any part thereof in accordance with the provisions of Article 8.1 or Article 8.2 of this Order shall thereupon place or cause to be placed in or adjacent to that parking place or the part thereof the use of which is suspended, a traffic sign indicating that waiting by vehicles is prohibited.
- 8.4 No person shall cause or permit a vehicle to be left in any part of a taxi rank during such period as there is in or adjacent to that part of the taxi rank a traffic sign placed in pursuance of Article 8.3 of this Order:

- 8.4.1 PROVIDED THAT nothing in Article 8.4 shall render it unlawful to cause or permit any vehicle being used for fire brigade, ambulance or police purposes to be left in any part of the taxi rank during such period as is referred to therein, or to any other vehicle so left if that vehicle is left with the permission of, (i) the person suspending the use of the taxi rank or the part thereof in pursuance of Article 8.1 or Article 8.2 of this Order, (ii) a police officer on duty, or (iii) a Civil Enforcement Officer in uniform and on duty.

9 Alteration of position of vehicle in taxi rank

- 9.1 Where a vehicle is standing in a taxi rank in contravention of the provisions of Article 7 of this Order, a police constable on duty or a Civil Enforcement Officer in uniform and on duty may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

10 Removal of vehicles from taxi ranks

- 10.1 Where a vehicle is left in a taxi rank in contravention of any of the provisions contained in Article 7 or Article 8 of this order or when a vehicle (other than a vehicle specified in Article 6.1) is left in a taxi rank in contravention of the provisions of Articles 3, 4 and 7.2 of this Order, a police officer on duty or a Civil Enforcement Officer in uniform and on duty may remove or arrange for the removal of the vehicle from that taxi rank.

- 10.2 A police officer on duty or a Civil Enforcement Officer in uniform and on duty removing a vehicle by virtue of Article 10.1 of this Order may do so by towing or driving the vehicle or in such other manner as that police officer or that Civil Enforcement Officer may think necessary to enable the removal as aforesaid.

11 Safe custody of vehicles removed from taxi ranks

- 11.1 When a police officer on duty or a Civil Enforcement Officer in uniform and on duty removes or makes arrangements for the removal of a vehicle from a taxi rank by virtue of Article 10.2 of this Order, that officer shall make such arrangements as may be reasonably necessary for the safe custody of that vehicle.

12 Movement of vehicles in taxi ranks in an emergency

- 12.1 Any person generally or specially authorised by the Council or a police officer on duty or a Civil Enforcement Officer in uniform and on duty may move or cause to be moved, in case of emergency, to any place he thinks fit any vehicle left in a taxi rank.

13 Liability for Penalty Charge

- 13.1 If a vehicle (other than a vehicle otherwise exempted by this Order) is left within a parking place in contravention of any provisions of this Order a penalty charge shall be payable.

Schedules

1	No Stopping at Any Time Except Hackney Carriages Monday to Sunday 24 Hours
2	Shared Use: No Waiting Except Hackney Carriages Monday to Sunday 6.30 pm to 6.00 am and Loading/Unloading Only Monday to Saturday 6.00am to 6.30 pm

SCHEDULE 1

No Stopping at Any Time Except Hackney Carriages Monday to Sunday 24 Hours

No. of taxi rank 1	Designated taxi rank 2	Special manner of standing of vehicles in taxi rank 3
TR1	On the north side of Northway from a point 75 metres east of the rear of the parking bays on Station Road eastwards for a distance of 12 metres.	None, but see Article 7

SCHEDULE 2

Shared Use: No Waiting Except Hackney Carriages Monday to Sunday 6.30 pm to 6.00 am and Loading/Unloading Only Monday to Saturday 6.00am to 6.30 pm

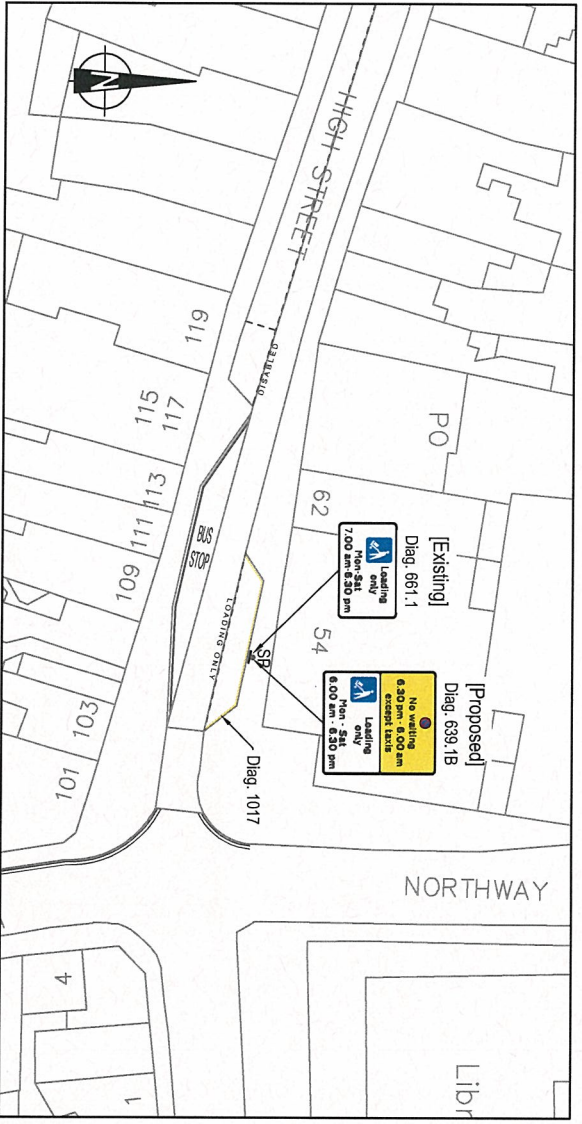
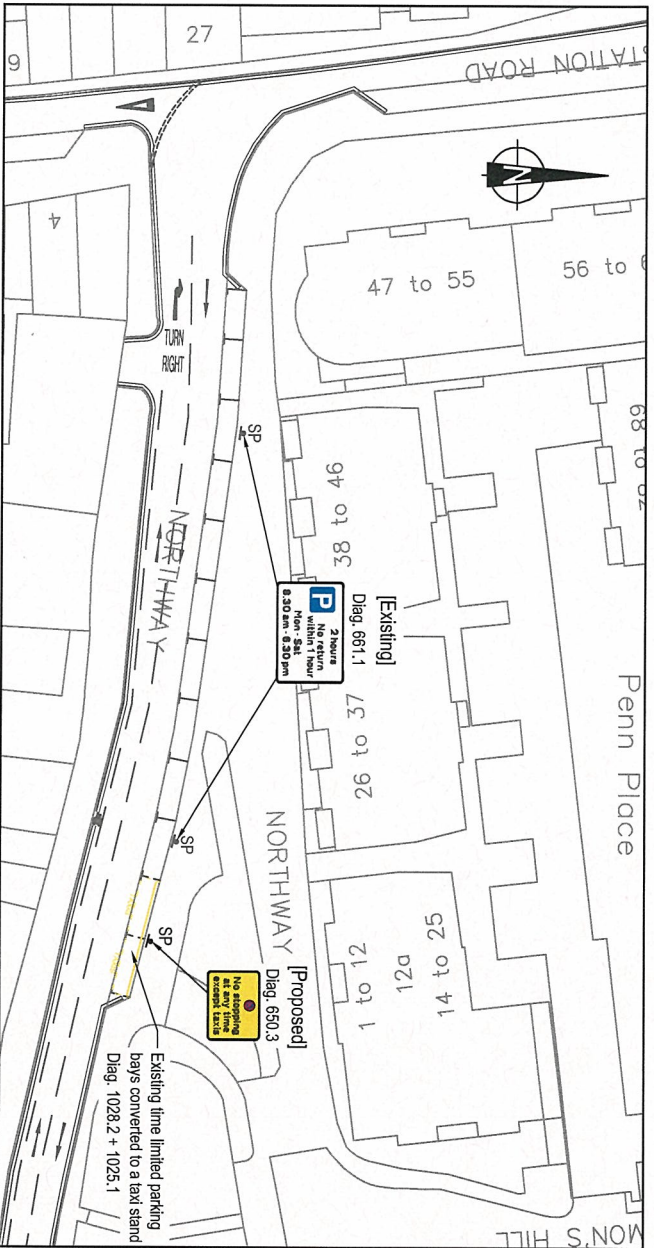
No. of taxi rank 1	Designated taxi rank 2	Special manner of standing of vehicles in taxi rank 3
TR2	On the north side of High Street from a point 11 metres west of its junction with Northway westwards for a distance of 18 metres.	None, but see Article 7

IN WITNESS whereof the Common Seal of the Three Rivers District Council was hereunto affixed

this 5th day of February, 2010

The Common Seal of)
Three Rivers District Council)
hereunto affixed)
is authenticated by)
(Signature))
Solicitor to the Council





- Notes:**
- All dimensions in metres unless stated otherwise.
 - All signs and lining in accordance with "The Traffic Signs Regulations and General Directions 2002".
- Key:**
- LC Existing lighting column
 - TP Existing telegraph pole
 - SP Existing sign post
 - SP Proposed sign on existing post
 - SP Proposed sign on new post

Mark	Revision	Drawn	Date	CHKD
A	Revised as per TRDCC comments of 09.11.09	REM	09.11.09	GH

SCALES NOTE: Do not scale from this drawing. If in doubt, ask. All dimensions are given in metres unless otherwise stated. The Contractor is responsible for checking the accuracy of the drawing. The Contractor is responsible for checking the accuracy of the drawing. The Contractor is responsible for checking the accuracy of the drawing.

Drawing Issue Status

FINAL

Traffic Regulation Orders
North way and High Street, Rickmansworth
Town Centre Taxi Ranks

Client

THREE RIVERS DISTRICT COUNCIL

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