THREE RIVERS DISTRICT COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

2010 No. 30|10

THE THREE RIVERS DISTRICT COUNCIL (WINTON DRIVE AND BALDWINS LANE, CROXLEY GREEN) (PROHIBITION OF WAITING) ORDER 2010

Made: 12 march 2010

Coming into operation: 15 march 2010

4A_3270503_6

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 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.

1 Citation and commencement

1.1 This Order shall come into operation on 15 March 2010 or thereafter and may be cited as "The Three Rivers (Winton Drive and Baldwins Lane, Croxley Green) (Prohibition of Waiting) 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:

"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 purposes of any function under the provisions of this Order
"Civil Enforcement Officer"	has the same meaning as in section 76 of the Traffic Management Act 2004
"designated officer"	means an officer of the 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 or restricted waiting area, means the person driving the vehicle at the time it was left in the parking place or restricted waiting area
"enactment"	means any Act of Parliament, whether public general or local, and includes any order, byelaw, 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
"parking disc"	has the same meaning as in Local Authorities' Traffic Orders (Exemption for Disabled Persons) (England) Regulations

	2000
"parking place"	means any area on a highway authorised or 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
"prescribed hours"	means the periods of operation stated for each particular restriction within the Schedules to 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 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.

2.3 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.

2.4 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.

2.5 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.

2.6 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

3 Restrictions

3.1 The sides and locations of roads referred to in Schedule 1 are hereby designated as being no waiting at any time areas.

3.2 Subject to the provisions of this Order, no person shall cause or permit any vehicle to wait on a length of road specified in the Schedules to this Order unless authorised to do so by the provisions of this Order.

3.3 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.

4 A vehicle waiting upon the direction or with the permission of an authorised person

4.1 Save as provided in Articles 4, 5 and 6 of this Order, no person shall, except under the direction or with the permission of a Civil Enforcement Officer on duty and in uniform or a police officer on duty cause or permit any vehicle to wait in the lengths of road specified in the Schedules to this Order.

5 Exemptions

5.1 Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait for so long as may be necessary in the lengths of road specified in the Schedules of this Order:

(a) to enable a person to board or alight from a vehicle;

(b) to enable 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:

i) building, industrial and demolition operations;

ii) the removal of any obstruction to traffic;

iii) the maintenance, improvement or reconstruction of the said length of road;

iv) 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;

v) for the purpose of the fire brigade, ambulance or police;

vi) in the service of a local authority or of a water authority in pursuance of statutory powers or duties;

vii) for the purpose of delivering or collecting postal packets as defined in section 125 of the Postal Services Act 2000.

(c) where the vehicle is a pedal cycle;

(d) where the person in control of the vehicle:

i) is required by law to stop;

ii) is obliged to stop so as to prevent an accident;

iii) is prevented from proceeding by circumstances beyond his/her control.

6 Exemption for loading and unloading

6.1 Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait for so long as may be necessary for the purpose of enabling goods to be loaded or unloaded from the vehicle in any lengths of road specified in the Schedules of this Order at any time on any day.

7 Exemption for disabled person's vehicles

7.1 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 (marked to show the quarter hour period during which the period of exempted waiting began) to wait at any time in the lengths of road referred to in Schedule 1 of this Order for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same lengths or road).

8 Manner of standing in a parking place

8.1 Any vehicle left in a parking place shall so stand that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and the distance between the said edge and the nearest wheel of the vehicle is not more than 300 millimetres.

Schedules

Schedule Number	Description
1	No Waiting At Any Time

SCHEDULES

SCHEDULE 1
No Waiting At Anytime

Street Name	Side of Street	Location
Winton Drive	North-west	From its junction with Baldwin's Lane, for a distance of 27 metres in a south-westerly direction
Winton Drive	North-west	From a point adjacent to the north-eastern boundary of no. 2 Winton Drive, for a distance of 26 metres in a north-easterly direction
Winton Drive	South-east	From its junction with Baldwin's Lane to a point adjacent to the north eastern boundary of no. 1a Winton Drive, for a distance of 40 metres in a south-westerly direction

IN WITNESS whereof the Common Seal of the Three Rivers District Council was hereunto affixed this 12th day of March, **2010**

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

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