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HERTFORDSHIRE COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984

Date of Order: 28 November 2014
Order No: 7847

**THE HERTFORDSHIRE (BERRY AVENUE, WATFORD)
(RESTRICTION OF WAITING) ORDER 2014**

The Hertfordshire County Council in exercise of their powers under Sections 1, 2 and 3 of the Road Traffic Regulation Act 1984 (which said Act of 1984 is 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 make the following Order:-

1. This Order may be cited as "The Hertfordshire (Berry Avenue, Watford) (Restriction of Waiting) Order 2014" and shall come into operation on Monday 8 December 2014.
2. Save as provided in Articles 5, 6 and 7(1) of this Order no person shall cause or permit any vehicle to wait at any time in those lengths of Berry Avenue, Watford as specified in Schedule 1 to this Order.
3. Save as provided in Articles 5, 6 and 7(1) of this Order no person shall cause or permit any vehicle to wait between the hours of 10.00am and 3.00pm Monday to Friday in that length of Berry Avenue, Watford as specified in Schedule 2 to this Order.
4. Save as provided in Articles 5, 6 and 7(2) of this Order no person shall cause or permit any vehicle to wait between the hours of 8.00am to 10.00am and 2.00pm to 4.00pm Monday to Friday in that length of Berry Avenue, Watford specified in Schedule 3 to this Order.
5. (1) Nothing in Articles 2, 3 or 4 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 permission of a Civil Enforcement Officer as defined by the Traffic Management Act 2004 and appointed by Watford 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;

In this Article -

The expressions "universal service provider", "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, improvement or reconstruction of a road;
- (d) constructing, 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.
6. Nothing in Articles 2, 3 or 4 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”) so as to render it unlawful to cause or permit any vehicle to wait only for so long as may be reasonably necessary –
- (a) to enable goods to be loaded on or unloaded from the vehicle from or to premises adjacent to the restricted area; or
- (b) to enable a passenger to board or alight and to load and unload any luggage.
7. (1) Nothing in Articles 2 or 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 Schedules 1 and 2 of 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) Nothing in Article 4 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, to wait at any time in the length of road specified in Schedule 3 of this Order.
- (3) 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
8. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
9. The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any other regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.

SCHEDULE 1

lengths of Berry Avenue, Watford – no waiting at any time

Berry Avenue (north east side)	from a point 90.5 metres north west of the boundary between 104 and 106 Berry Avenue north westwards for 19.5 metres.
(south west & south east sides)	from a point 90.5 metres north west of a point in line with the boundary between 104 and 106 Berry Avenue north westwards and south westwards for approximately 25 metres to a point in line with projected the south east kerbline of the access road into Cherry Tree School.
Berry Avenue (Cherry Tree School Access) (both sides)	from a point in line with the projected south west kerbline of the roundabout at its junction with Berry Avenue south westwards for 6.5 metres.

SCHEDULE 2

length of Berry Avenue, Watford – no waiting 10.00am to 3.00pm Monday to Friday

Berry Avenue from a point 98.5 metres north west of a point in line with the boundary
(school access between 104 and 106 Berry Avenue north west, south west and south
roundabout) eastwards for approximately 32.5 metres to a point in line with the north west
(north, north west kerbline of the entrance road into Cherry Tree School.
& south west sides)

SCHEDULE 3

length of Berry Avenue, Watford – no waiting 8.00am to 10.00am and
2.00pm to 4.00pm Monday to Friday

Berry Avenue from a point 11 metres north west of a point in line with the boundary
(north east side) between 104 and 106 Berry Avenue north westwards for 79.5 metres.

IN WITNESS whereof the Common Seal of the Hertfordshire County Council was hereunto
affixed this 28th day of November 2014.

The Common Seal of
Hertfordshire County Council
was hereunto affixed
in the presence of:-

)
) Mary
)
) Cormack

Mary Cormack

**Assistant
Chief Legal Officer**

