

## DACORUM BOROUGH COUNCIL

### THE BOROUGH OF DACORUM (CHARLES STREET AND KITSBURY ROAD, BERKHAMSTED) (RESTRICTION OF WAITING) ORDER 2015

Dacorum Borough Council, pursuant to arrangements made under Section 19 of the Local Government Act 2000(a) and the Local Government (Arrangements for Discharge of Functions) (England) Regulations 2000(b) with the Hertfordshire County Council, and in exercise of the powers conferred on that County Council under Sections 1, 2, 3 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984(c) (“the Act of 1984”) and of all other enabling powers, and after consulting with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following Order:

1. This Order may be cited as “The Borough of Dacorum (Charles Street and Kitsbury Road, Berkhamsted) (Restriction of Waiting) Order 2015” and shall come into operation on 20 July 2015
2. Save as provided in Articles 4, 5 and 6 of this Order no person shall cause or permit any vehicle to wait at any time in those lengths of Charles Street and Kitsbury Road, Berkhamsted as specified in Schedule 1 to this Order.
3. Save as provided in Articles 4, 5 and 6 of this Order no person shall cause or permit any vehicle to wait between 8:30am and 6:30pm on Monday to Saturday inclusive in those lengths of Charles Street and Kitsbury Road, Berkhamsted as specified in Schedule 2 to this Order.
4. (1) Nothing in Articles 2 and 3 of this Order applies to the lengths of roads restricted by those Articles (which said lengths of roads 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 Dacorum Borough Council;
  - (c) a vehicle which is prevented from proceeding by circumstances beyond the driver’s 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 sub Article 1(e), 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.
5. Nothing in Articles 2 and 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") 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 or to load and unload any luggage.
6. (1) Nothing in Articles 2 and 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 Schedule 1 or 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) 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.
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 Order are hereby revoked only in so far as they are affected by the restrictions imposed by this Order –
- The Borough of Dacorum (Berkhamsted) Prohibition and Restriction of Waiting (Consolidation) Order 2003.
9. The restrictions imposed by this Order shall be in addition to and not in derogation of 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.

THE COMMON SEAL of DACORUM )  
BOROUGH COUNCIL was hereunto )

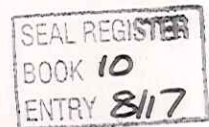
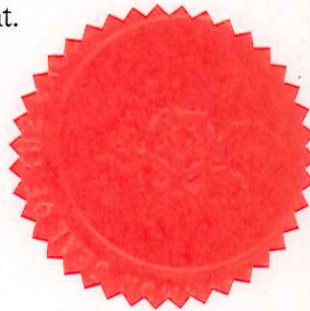
affixed on the 26<sup>th</sup> day of June 2015  
in the presence of:

*S. Baker*

.....  
Authorised Signatory

*[Signature]*

.....  
Authorised Signatory



## SCHEDULE 1

### Schedule 1: No Waiting At Any Time

| <b>Column 1<br/>STREET NAME</b> | <b>Column 2<br/>SIDE<br/>STREET</b> | <b>OF</b> | <b>Column 3<br/>LOCATION</b>  |
|---------------------------------|-------------------------------------|-----------|---|
| Charles Street                  | North East                          |           | From a point 5 metres northwest of the northwestern kerbline of its junction with Kitsbury Road to a point 5 metres southeast of the southeastern kerbline of its junction with Kitsbury Road   |
| Charles Street                  | South West                          |           | From a point 19 metres northwest of the northwestern kerbline of its junction with Kitsbury Road to a point 5 metres southeast of the southeastern kerbline of its junction with Kitsbury Road  |
| Kitsbury Road                   | North West                          |           | From a point 5 metres southwest of the southwestern kerbline of its junction with Charles Street to a point 5 metres northeast of the northeastern kerbline of its junction with Charles Street |
| Kitsbury Road                   | South East                          |           | From a point 5 metres southwest of the southwestern kerbline of its junction with Charles Street to a point 5 metres northeast of the northeastern kerbline of its junction with Charles Street |

**SCHEDULE 2****Schedule 2: No Waiting 8.30am to 6.30pm - Monday to Saturday inclusive.**

| <b>Column 1<br/>STREET NAME</b> | <b>Column 2<br/>SIDE<br/>STREET</b> | <b>Column 3<br/>OF<br/>LOCATION</b>  |
|---------------------------------|-------------------------------------|--|
| Charles Street                  | North East                          | From a point 5 metres southeast of the southeastern kerbline of its junction with Kitsbury Road to a point 4 metres southeast of the southeastern kerbline of its junction with Boxwell Road |
| Charles Street                  | South West                          | From a point 5 metres southeast of the southeastern kerbline of its junction with Kitsbury Road southeastwards for a distance of 13 metres   |
| Kitsbury Road                   | North West                          | From a point 5 metres southwest of the southwestern kerbline of its junction with Charles Street southwestwards for a distance of 13 metres  |
| Kitsbury Road                   | North West                          | From a point 5 metres northeast of the northeastern kerbline of its junction with Charles Street northeastwards for a distance of 13 metres  |
| Kitsbury Road                   | South East                          | From a point 5 metres southwest of the southwestern kerbline of its junction with Charles Street southwestwards for a distance of 13 metres  |
| Kitsbury Road                   | South East                          | From a point 5 metres northeast of the northeastern kerbline of its junction with Charles Street northeastwards for a distance of 13 metres  |