

DACORUM BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE BOROUGH OF DACORUM (THE QUEENS SQUARE, HEMEL HEMPSTEAD) (RESTRICTION OF WAITING) ORDER 2010

Dacorum Borough Council, pursuant to the arrangements made under Section 19 of the Local Government Act 2000 with The Hertfordshire County Council in exercise of their powers under Sections 1, 2 and 3 of the Road Traffic Regulation Act 1984, Part IV of Schedule 9 to 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 Borough Of Dacorum (The Queens Square, Hemel Hempstead) (Restriction of Waiting) Order 2010" and shall come into operation on 25th May 2011
2. This Order revokes the relevant sections of schedule 3 to the Borough of Dacorum (Hemel Hempstead) Prohibition and Restriction of Waiting (Consolidation) Order 2003.
3. 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 the lengths of The Queens Square specified in Schedule 1 to this Order.
4. 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 08:00am to 8:00pm Monday to Sunday for a period in excess of 2 hours, return prohibited within the next 2 hours in that length of The Queens Square, Hemel Hempstead specified in Schedule 2 to this Order.
- 5.(1) Nothing in Articles 3 and 4 of this Order applies to the lengths of road restricted by that Article (which said lengths of road is 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 direction of a police constable in uniform; or with the 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 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 3 and 4 of this Order applies to the length of road restricted by that Article (which said length of road is 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 3 and 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 and a parking disc, to wait at any time in the lengths of road as specified in the Schedules 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

- 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.

IN WITNESS whereof the Common Seal of Dacorum Borough Council was

hereunto affixed this day of 2011.

The Common Seal of)
 Dacorum Borough Council)
 was hereunto affixed)
 in the presence of:-)

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Authorised signatory

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Authorised signatory

SCHEDULE 1

Waiting Restricted At Any Time

SCHEDULE 1

Waiting restricted at any time.

STREET NAME	SIDE OF STREET	LOCATION
The Queens Square	Southeast	From its south-western kerb line junction with Longlands northeast for approximately 15 metres
The Queens Square	Southeast	From a point approximately 47.5 metres from its south-western kerb line junction with Longlands northeast for approximately 16 metres

SCHEDULE 2

Waiting limited: Monday to Sunday, 8:00am to 8:00pm, 2 hours waiting, no return within two hours.

SCHEDULE 2

Waiting limited: Monday to Sunday, 8:00am to 8:00pm, 2 hours waiting, no return within two hours.

STREET NAME	SIDE OF STREET	LOCATION
The Queens Square	Southeast	From a point approximately 15 metres from its south-western kerb line junction with Longlands northeast for approximately 32.5 metres