

**DACORUM BOROUGH COUNCIL
TRAFFIC REGULATION ORDER**

**THE BOROUGH OF DACORUM
(STATION ROAD, HEMEL HEMPSTEAD)
(PROHIBITION OF WAITING AT ANY TIME)
ORDER 2022**

Drafted: 27th May 2022
Coming into Operation: XXXX

Dacorum Borough Council, pursuant to arrangements made under Section 19 Local Government Act 2000 and Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 with the Hertfordshire County Council, and in exercise of powers conferred on that County under sections 1, 2, 3, 4 and 5 of Part I and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 and the Traffic Management Act 2004 and of all other enabling powers, and after consultation with the Chief Officers of Police in accordance with Part III of Schedule 9 to the aforementioned 1984 Act, makes the following Order:

CITATION AND COMMENCEMENT

1. This Order shall come into operation on XXXX and may be cited as 'DACORUM BOROUGH COUNCIL TRAFFIC REGULATION ORDER THE BOROUGH OF DACORUM (STATION ROAD, HEMEL HEMPSTEAD) (PROHIBITION OF WAITING AT ANY TIME) ORDER 2022'

INTERPRETATION

2.
 - (1) In this Order, except where the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them:
 - "Carriageway" has the same meaning as in section 329(1) of the Highways Act 1980
 - "Council" means Dacorum Borough 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 (Parking)" means a person authorised by or on behalf of the Council to supervise any parking place and who is appointed by the Dacorum Borough Council under section 76 of the Traffic Management Act 2004;
 - "Disabled Persons Badge" has the same meaning as in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;
 - "Disabled Person's Vehicle" means a vehicle displaying a valid Disabled Persons Badge and Parking Disc;

“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;

“Dwelling” means a house or self-contained flat registered for Council Tax purposes

“Enactment” means any enactment, whether public general or local, and includes any order, bylaw, rule, regulation, scheme or other instrument having effect by virtue of enactment;

“Light Goods Vehicle” means Motor Vehicle, the maximum gross weight of which does not exceed 3.5 tonnes, which is constructed or adapted for use for the carriage of goods or burden of any description, and is drawing a trailer

“Motor Cycle/s” has the same meaning as in Section 136 of the Road Traffic Regulation Act 1984

“Motor Vehicle” has the same meaning as in Section 136 of the Road Traffic Regulation Act 1984

“Owner”, in relation to a vehicle, means the person by whom such vehicle is kept and used and in determining who the owner of a vehicle was at any time it shall be presumed that the owner was the person in whose name the vehicle was at that time registered under the Vehicle Excise and Registration Act 1994

“Parking Disc” has the same meaning as in the Disabled Persons (Exemptions for Disabled Persons) (England) Regulations 2000

“Passenger Vehicle/s” means a Motor Vehicle constructed solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the Driver, and not drawing a trailer

- (2) 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.
- (3) 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.
- (4) For the purposes of this Order a vehicle shall be regarded as displaying a disabled persons badge in the relevant position when it is so regarded for the purposes of Regulation 4(1) of the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000.

Section 1 – Prohibition of Waiting

PROHIBITION OF WAITING AT ANY TIME

3. No person shall cause or permit any vehicle to wait at any time in the lengths of road specified in columns 1, 2 and 3 in Schedule 1 to this Order.

GENERAL EXEMPTIONS

4. Nothing in Article 3 shall prohibit any vehicle from waiting for as long as reasonably necessary in the following circumstances:
 - (a) The vehicle is directed to stop or wait by or with the permission of a Police Constable, or with permission of Civil Enforcement Officer in uniform
 - (b) The vehicle is being used for emergency services purposes
 - (c) To prevent a road traffic collision
 - (d) The vehicle cannot be moved due to an unavoidable breakdown

PROHIBITION OF WAITING EXEMPTIONS

5. Nothing in Article 3 shall apply to a vehicle waiting for as long as necessary in the following circumstances:
 - a) The vehicle is waiting for the purposes of loading or unloading that vehicle, provided the loading/unloading is continuous and being undertaken in a timely manner, the goods being loaded/unloaded cannot be reasonably carried other than by means of a vehicle, the vehicle is waiting adjacent to where the goods are being loaded/unloaded from/to and the length of time the vehicle is waiting for is reasonable
 - b) To allow the picking up or setting down of passengers
 - c) The vehicle is a cleaning or refuse vehicle collecting rubbish in the immediate vicinity
 - d) The vehicle is waiting for the purpose of removing an obstruction to traffic
 - e) The vehicle is a liveried utility company being used in connection with works of that utility in the immediate vicinity
 - f) The vehicle is a Disabled Persons Vehicle, provided the vehicle does not wait for longer than three hours and at least one hour has elapsed following a previous period of waiting by the vehicle in the same road or part of a road
 - g) The vehicle is displaying a valid Temporary Parking Restriction Dispensation Permit issued by the Council

CONTRAVENTION

6. Any person or vehicle failing to comply with the provisions of Section 1 of this Order shall be in contravention of it and a penalty charge shall be payable.

Section 2 – Revocations

REVOCATIONS

7. In accordance with Part IV of Schedule 9 of the 1984 Act, the following Orders, relating to the specific waiting restriction extents described in the schedule to this Order are to be revoked as specified in the sub-Articles that follow:

(a) The Hertfordshire (Various Roads, Hemel Hempstead, Northchurch, Berkhamsted, Tring and Potten End) (Restriction of Waiting) Order 2008

Schedule 1; Lengths of roads in Hemel Hempstead, Northchurch, Berkhamsted, Tring and Potten End – No waiting at any time

Hemel Hempstead

Column 1	Column 2	Column 3
STREET NAME	SIDE OF STREET	LOCATION
Station Road	Both sides	From its junction with the outer circumference of the Plough Roundabout south westwards for 40 meters.

(b) The Hertfordshire (Corner Hall and Station Road, Hemel Hempstead) (Restriction of Waiting) Order 2010

Schedule – lengths of Corner Hall and Station Road, Hemel Hempstead – no waiting at any time

Column 1	Column 2	Column 3
STREET NAME	SIDE OF STREET	LOCATION
Station Road (a)	South-east	From its junction with the projected north east kerbline of Corner Hall north eastwards for 171 meters to a point 122.5 meters north east of a point in line with the projected south west kerbline of Cotterells.

SCHEDULE 1 – Prohibition of Waiting at Any Time

Column 1	Column 2	Column 3
STREET NAME	SIDE OF STREET	LOCATION
Station Road	North-west	From a point at its junction with Plough Roundabout to its junction with Cotterells.
Station Road	South-east	From its junction with Plough Roundabout to its junction with Corner Hall.

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THE BOROUGH OF DACORUM
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NOTICE is given that DACORUM BOROUGH COUNCIL pursuant to arrangements made under Section 19 Local Government Act 2000 and Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 with the Hertfordshire County Council, and in exercise of powers conferred on that County under sections 1, 2, 3, 4 and 5 of Part I and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 and the Traffic Management Act 2004 and of all other enabling powers, and after consultation with the Chief Officers of Police in accordance with Part III of Schedule 9 to the aforementioned 1984 Act, proposes to make the above Order:

The effect of the Order is to introduce additional No Waiting at Any Time (Double Yellow Line) restrictions on Station Road between its junctions with The Plough Roundabout and Cotterells. Other existing restrictions on the road will remain as existing. The proposals are further detailed on the attached drawing.

Documents giving more detailed particulars of the proposals may be inspected at the offices of Dacorum Borough Council, The Forum, Marlowes, Hemel Hempstead, Hertfordshire HP1 1DN, during normal office hours. Electronic copies of the proposed Order, a statement of reasons for proposing to make the Order and drawings showing details of the proposals are available for inspection online at <https://www.dacorum.gov.uk/home/community-living/parking-and-travel/waiting-restrictions> under the title "New DBC Traffic Regulation Orders" or on request by contacting parking@dacorum.co.uk until the end of six weeks from the date on which the Order is made or, as the case may be, the Council decides not to make all or part of the Order.

General enquiries relating to the proposal should be referred to the Traffic Management Team at ADL Traffic and Highways Ltd (Tel: 01454 332100). Objections to the proposal together with the grounds on which they are made must be sent in writing to the Traffic Management Team, ADL Traffic and Highways Ltd, ADL House, Oaklands Business Park, Armstrong Way, Yate, Bristol BS37 5NA, or by email to wc@adltraffic.co.uk. The deadline for the receipt of objections is **12:00 noon on Thursday 21st July 2022**. Representations of support will also be received during this time.

Consulting on this scheme is a statutory duty of the Borough Council. Data from this consultation will be collected and held and processed by ADL Traffic and Highways Ltd and Dacorum Borough Council and may be shared with DBC Officers and Borough Councillors. The data will be used to produce a consultation report and to provide feedback to Councillors. Individual respondents will not be identified in the consultation report without permission. The consultation report will be a public document. Link to view Dacorum Council's privacy policy: <http://www.dacorum.gov.uk/home/open-data/personal-information>

Dan Rodger,
Parking Services Team Leader, Dacorum Borough Council,
The Forum, Marlowes, Hemel Hempstead, HP1 1DN

22nd June 2022

STATEMENT OF REASONS

DACORUM BOROUGH COUNCIL TRAFFIC REGULATION ORDER THE BOROUGH OF DACORUM (STATION ROAD, HEMEL HEMPSTEAD) (PROHIBITION OF WAITING AT ANY TIME) ORDER 2022

Proposals

It is proposed to implement additional No Waiting at Any Time (Double Yellow Line) restrictions on Station Road between its junction with The Plough Roundabout and Cotterells.

Reasons

Concerns have been raised regarding the current gap in the existing No Waiting at Any Time (Double Yellow Line) restrictions on the north-western side of Station Road immediately southwest of its junction with The Plough Roundabout.

Currently, vehicles are parking on the verge and occasionally straddling the verge and the road itself. This is impeding visibility for vehicles attempting to egress Cotterells and is causing an obstruction to passing traffic on Station Road, both of which have contributed to concerns about road safety at this location.

It is therefore proposed to 'fill in' the existing gap in restrictions, thereby preventing the current trends of inappropriate and dangerous parking here.

Road Traffic Regulation Act 1984

The specific grounds with which the Council are using for the implementation of the proposed scheme as above are encompassed in the following sections of the Road Traffic Regulation Act 1984 for making a Traffic Regulation Order:

- Section 1 (a) For avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising.
- Section 1 (c) For facilitating the passage on the road or any other road of any class of traffic (including pedestrians).
- Section 1 (f) for preserving or improving the amenities of the area through which the road runs.

Thorough consideration was also given to the factors set out in Section 122 of the Road Traffic Regulation Act 1984 in proposing this Traffic Regulation Order which include:

- Section 122(2)(a) Securing and maintaining reasonable access to premises
- Section 122(2)(c) Facilitating the passage of public service vehicles

Traffic Signs Regulations and General Directions 2016 and Traffic Signs Manual

All of the associated signing and lining will be in accordance with the Traffic Signs Regulations and General Directions 2016 and Traffic Signs Manual Chapter 3 and 5.

Equality Act 2010

Thorough consideration has been given to the equalities duty of the Council under Section 149 of the Equality Act 2010.

Residents and Statutory Consultations

A Public Consultation (Notice of Proposal) process is now due to take place, hence the publication of these documents. This will allow the general public and Statutory Consultees the opportunity to issue any comments or observations for a period of at least 3 weeks.

The results of this upcoming consultation will be analysed and used to determine how to proceed with this scheme.

Dan Rodger,
Parking Services Team Leader, Dacorum Borough Council

22nd June 2022