

STEVENAGE BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE BOROUGH OF STEVENAGE (DANESTRETE, STEVENAGE) (PEDESTRIAN ZONE AND PROHIBITION OF WAITING) AND (REVOCATION) ORDER 2022

Stevenage Borough Council, pursuant to arrangements made with Hertfordshire County Council under Section 19 Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 in exercise of their powers under Sections 1, 2, 3 and 4 of the Road Traffic Regulation Act 1984 (which said Act of 1984 is hereinafter referred to as “the Act of 1984”) and Part IV of Schedule 9 of 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. (a) This Order may be cited as “The Borough of Stevenage (Danestrete, Stevenage) (Pedestrian Zone and Prohibition of Waiting) and (Revocation) Order 2022” and shall come into effect on DDMMYY.
- (b) The Borough of Stevenage (Danestrete, Stevenage) (Pedestrian Zone and Prohibition of Waiting) and (Revocation) Order 2022 plan numbered **WSP002/22-PedZone** inclusive of the key therein (hereinafter referred to as the “On-Street Plan”) is incorporated into this Order and its schedule.

2. Interpretation

In this Order –

“authorised event” means any event authorised or licensed under any enactment by the Council to be held in Stevenage Town Centre.

“council” means the Stevenage 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.

“key” means the key attached to the “on-street plan” to be read in conjunction with the “on-street plan”.

“market day” means any day designated for the holding of a market by the Council in accordance with the Food Act 1984 (s50) and the Local Government (Miscellaneous Provisions) Act 1982 (s37).

“market stall” means a stall licensed by the Council utilised as part of a market day.

“market stall holder” means the name person in a market stall licence issued by the Council.

“market trader” means a licensed person authorised by the Council to operate a market stall.

“market traders vehicle” means any vehicle used by a market trader on a market day for the purpose of setting up, dismantling or running of a market stall licensed and authorised for such a purpose by the Council.

“motor vehicle” shall have the same meaning as given in Section 136(1) Road Traffic Regulation Act 1984.

“on-street plan” means plan number **WSP002/22-PedZone** including the Key therein, which is incorporated into this Order pursuant to Article 1(b) hereof;

“pedal cycle” shall have the same meaning as given in The Traffic Signs Regulations and General Directions 2016 – Part 2, Schedule 1.

“penalty charge” shall have the same meaning as a charge set by the Council in accordance with The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 and the provisions of Part 6 and Schedule 9 of The Traffic Management Act 2004.

“penalty charge notice” shall mean a notice issued by a Civil Enforcement Officer in accordance with The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 and the provisions of Part 6 and Schedule 9 of The Traffic Management Act 2004.

“permit” shall have the meaning as a written permit in a form prescribed by the Council issued by an Authorised Officer of that Council, which entitles a vehicle being used by a permit holder to enter or be in the “restricted area”.

“permit holder” shall have the meaning as any person who is the holder of a permit issued by the Council under the provisions of this Order.

“relevant position” means: A vehicle displays a Permit in the relevant position if:

- (i) in the case of a vehicle fitted with a dashboard or fascia panel, the Permit is exhibited thereon so that it is legible from outside the vehicle; or
- (ii) in the case of vehicle not fitted with a dashboard or fascia panel, the Permit is exhibited in a conspicuous position on the vehicle so that it is legible from outside the vehicle.

“restricted area” means that length of Danestrete, Stevenage as particularised on the “on-street Plan” and in its key therein, which is incorporated into this Order.

“street trader” means a licensed person authorised by the Council to trade in the street.

“street traders vehicle” means a vehicle being used by a street trader in accordance with a license issued by the Council.

“universal service provider”, “provision of a universal postal Service” and “postal packet” shall bear the same meanings as in Section 65 of the Postal Services Act 2011.

3. Save as provided in Article 4 of this Order no person shall cause or permit any motor vehicle to enter, be in, wait, load or unload at any time in the “restricted area” or permit a pedal cycle to be ridden in the “restricted area” where entry, waiting, loading or unloading is not allowed as identified and shown on and defined in the key to the “on-street plan”.
4. Nothing in Article 3 of this Order applies in relation to –
 - (a) a vehicle being used by Permit Holder on which is displayed in the relevant position a valid Permit.
 - (b) a vehicle being used for Fire and Rescue, Ambulance or Police purposes.
 - (c) anything done with the permission of or at the direction of a Police Constable in uniform.
 - (d) a vehicle entering or being in the “restricted area” with the permission of the Councils Town Centre Manager.
 - (e) a vehicle which is being used for one or more of the following purposes and which cannot reasonably be used for such a purpose without entering or being in the “restricted area”;
 - (i) any operation involving building, demolition or excavation;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance (including winter maintenance), improvement or reconstruction of a road;
 - (iv) constructing, improving, maintaining, or cleaning of any street furniture; or
 - (v) 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.
 - (f) a marked vehicle which, whilst used by a universal service provider in the course of the provision of a universal postal service, is required to enter or be in the “restricted area” to enable postal packets to be delivered or collected.
 - (g) a licensed market traders vehicle being used in connection with the setting up, dismantling or running of market stalls on a market day.
 - (h) a licensed street traders vehicle being used on a market day or in connection with an authorised event.
 - (i) a vehicle, being a purpose built vehicle or specially adapted security vehicle with distinctive external markings and/ or trade signs which may easily be identified as a security vehicle, operated by uniformed security personnel, being used for the purpose of delivery or collection of bullion, substantial quantities of money in the form of cash or high value commodities to or from any premises located within or directly adjacent to the “restricted area”.
 - (j) a vehicle authorised by the Council to be used in connection with an authorised event.
5. (a) Where a vehicle is waiting, loading or unloading in the “restricted area” otherwise than in accordance with the provisions of this Order, the owner of the vehicle in question shall incur a penalty charge.

- (b) That charge shall be payable to Stevenage Borough Council in accordance with the instructions contained on the penalty charge notice.
6. In accordance with Section 92 of the said Act of 1984 upon the coming into effect of this Order, drop down bollards will be placed at the entrance to the “restricted area” as specified in Article 2(c) of this Order.
7. The provisions of The Borough of Stevenage (Town Centre) (Prohibition and Restriction of Waiting) (Prohibition of Loading and Unloading) (Bus Stop Clearway) (Mandatory Movements) (Restriction of Use) and (One Way Traffic) Order 2003 are hereby revoked, but only in so far as stated in sub paragraphs (a) to (e) below:
 - (a) The one way traffic restriction on Danestrete, Stevenage from 37.5 metres north of the centre line with Danesgate to its southernmost junction with Westgate as detailed in Schedule 7 (Item 36) is revoked.
 - (b) The one way traffic restriction on Danesgate, Stevenage from its junction with Danestrete to its junction with the section running south to north as detailed in Schedule 7 (item 35) is revoked.
 - (c) The restriction of use midnight to 6pm on Danestrete, Stevenage from its junction with Danesgate northwards for 45 metres as detailed in Schedule 9 (Item 43) is revoked.
 - (d) The restriction of use midnight to 6pm on Danestrete, Stevenage from 45 metres north of its junction with Danesgate to its junction with Westgate as detailed in Schedule 10 (Item 44) is revoked.
 - (e) The restriction of use on Danestrete, Stevenage from a point 55 metres north of the centre line with Southgate northwards to the southern side of its junction with Danesgate as detailed in Schedule 8 (item 42) is revoked.
8. The provisions of the following Orders are hereby revoked, but only in so far as they are affected by the restrictions imposed by this Order.

The Borough of Stevenage (Various Roads, Stevenage) (Loading Only) Order 2016

The Borough of Stevenage (Control of Parking) (Consolidation) Order 2017 – STV0141
9. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
10. 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

On-Street Plan

On-Street Plan

IN WITNESS where of the Common Seal of Stevenage Borough Council was hereunto
affixed this day of 20

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 Authorised signatory