

STEVENAGE BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

**THE BOROUGH OF STEVENAGE
(VARIOUS ROADS, STEVENAGE) (LOADING ONLY) ORDER 2016**

The STEVENAGE BOROUGH COUNCIL (hereinafter referred to as "the Council") pursuant to arrangements made with the County Council of Hertfordshire under Section 19 Local Government Act 2000 and Section 101 of The Local Government Act 1972, in exercise of the powers of the said County Council under Sections 32 and 35 of the Road Traffic Regulation Act 1984 (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 makes the following Order:-

1. This Order may be cited as "The Borough of Stevenage (Various Roads, Stevenage) (Loading Only) Order 2016 " and shall come into operation on 28th October 2016

2. In this order:

"Civil Enforcement Officer" has the same meaning as defined in the Traffic Management Act 2004, as appointed by or on behalf of Stevenage Borough Council;

"Driver" means the person driving or having control or charge of the Vehicle at any given time;

"Enactment" means any enactment, whether public general or Local and includes any Order, Byelaw, Rule, Regulation, Scheme or other instrument having effect by virtue of an enactment;

"Goods" means goods of any kind whether animate or inanimate and includes postal packets of any description; "delivering" and "collecting" in relation to goods includes checking the goods for the purpose of their delivery or collection;

"Penalty Charge" means a charge set by the Council in accordance with The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 and the provisions of Part 6 and schedule 9 of The Traffic Management Act 2004 and Part 2 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

"Penalty Charge Notice" has the same meaning as in The Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

"Vehicle" means motor vehicle and "motor vehicle" has the same meaning as in section 136 of the Act of 1984;

"Universal Service Provider", "Provision of a universal Postal Service" and "Postal Packet" have the same meaning as in the Postal Services Act 2011.

3. Save as provided in Articles 5 and 6 of this Order, each area on a Highway specified in the Schedule to this Order is designated for use as a loading bay for use by any vehicle at any time for the purpose of loading or unloading goods
4. Save as provided in Articles 5 and 6 of this Order, where in Article 3 a part of the Highway is designated for use as a loading bay, no person shall cause or permit any vehicle to stop or wait at any time within that loading bay unless it is:
 - (1) a vehicle being actively used to load or unload goods; and
 - (2) parked wholly within the marked limits of the loading bay.
5. (1) Nothing in Articles 3 and 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 done with the permission of a Civil Enforcement Officer;
 - (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 (3) 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
- (2) The "purposes" referred to in sub-Article (2)(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. (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 specific in the Schedule to this Order for a period not exceeding three hours (not being a period separated by an interval of less than one 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. If a vehicle (other than a vehicle otherwise exempted by this Order) is left in contravention of any provision of this Order a penalty charge shall be payable
9. In the case of a vehicle in respect of which a penalty charge is payable a penalty charge notice may be issued in accordance with the Civil Enforcement of Parking Contraventions (England) General Regulations 2007
10. The penalty charge shall be paid to Stevenage Borough Council in accordance with the instructions and within the time limits specified on the penalty charge notice
11. The provisions of the following Orders are hereby revoked only in so far as they are affected by the restrictions imposed by this Order:
The Borough of Stevenage (Control of Parking) (Consolidation) Order 2013
12. 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

Des Des 22/7/09
as amended 2/12/10



The Common Seal of the)
Stevenage Borough Council)
was hereunto affixed this)
26th day of October 2016)
in the presence of:-)

Prabjit Singh

Authorised Signatory
Borough/Principal Solicitor

SCHEDULE
Loading Only

Item number	Name of road	Side of road	Description
1	Danesgate	North	From a point 7 metres west of its junction with Danestrete westwards for a distance of 12 metres
2	Danesgate (northern spur)	West	From a point 12 metres north of its junction with Danesgate northwards for a distance of 10 metres
3	Danesgate (northern spur)	For its entire width	From its northern closed end southwards for a distance of 13 metres
4	Danestrete	Both	From its northern closed end southwards for a distance of 11 metres
5	Danestrete (eastern turning head at its northern end)	For its entire width	From its eastern closed end westwards for a distance of 13 metres
6	Danestrete	West	From a point 26 metres north of the centreline of its junction with Danesgate, northwards for a distance of 11 metres
8	Danestrete	East	From a point 13 metres south of the centreline of its junction with Danesgate, southwards for a distance of 16 metres
9	Eastgate	North	From a point 13 metres west of its junction with St George's Way westwards for a distance of 68 metres
10	Eastgate	West	From a point 16 metres north of its junction with Southgate northwards for a distance of 82 metres
11	Market Square (southern arm)	North	From a point 49 metres west of its junction with St George's Way westwards for a distance of 25 metres
12	Market Square (northern arm)	South	From a point 53 metres west of its junction with St George's Way westwards for a distance of 14 metres
13	Market Square (western arm)	East	From a point 17 metres north of the northern kerbline of its southern arm northwards for a distance of 16 metres
14	Market Square (western arm)	East	From a 43 metres north of the northern kerbline of its southern arm northwards for a distance of 8 metres
15	Market Square (north-western turning head)	For its entire width	From its northern closed end southwards for a distance of 9 metres

Item number	Name of road	Side of road	Description
16	Marshgate (southern arm)	South	From a point 54 metres west of its junction with St George's Way westwards for a distance of 18 metres
17	Marshgate (western arm)	West	From a point opposite a point 15 metres north of the northern kerbline of its southern arm northwards for a distance of 61 metres
18	Marshgate (northern arm)	North	From a point 46 metres west of its junction with St George's Way westwards for a distance of 20 metres
19	Marshgate (north-western turning head)	West	From its north-western extremity southwards for a distance of 29 metres
20	Southgate	South	From a point 16 metres west of its junction with St George's Way westwards for a distance of 10 metres
21	Swingate (southern spur)	East	From a point 25 metres south of its junction with Swingate southwards for a distance of 10 metres
22	The Quadrant	North	From its north-western extremity eastwards for a distance of 34 metres
23	The Quadrant	West	From its south-western extremity northwards for a distance of 20 metres
24	Westgate	South	From a point 16 metres east of its junction with Danestrete eastwards for a distance of 27 metres