

STEVENAGE BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE BOROUGH OF STEVENAGE (BOSWELL GARDENS, FOSTER CLOSE AND WANSBECK CLOSE, STEVENAGE) (RESTRICTION OF WAITING) ORDER 2022

Stevenage Borough Council, pursuant to the 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 and 3 of 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 Stevenage (Boswell Gardens, Foster Close and Wansbeck Close, Stevenage) (Restriction of Waiting) Order 2022” and shall come into operation on **DD MMMM 20YY**
2. 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 those lengths of road in Stevenage as specified in Schedule One of this Order.
3. Save as provided in Articles 5, 6, and 7(2) of this Order, no person shall cause or permit any vehicle to wait between the hours of 10 - 11am and 2 - 3pm Monday to Friday inclusive in those lengths of road in Stevenage as specified in Schedule Two of 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 9am – 5pm Monday to Friday inclusive in that length of road in Stevenage as specified in Schedule Three of this Order.
5.
 - (1) Nothing in Articles 2, 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 with the permission of a Civil Enforcement Officer appointed by Stevenage Borough Council; or with the written permission of Stevenage 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 vehicle which, whilst used by a Civil Enforcement Officer in the course of the enforcement of parking restrictions, is stationary only for so long as may be reasonably necessary for them to issue (or attempt to issue) a Penalty Charge Notice to a vehicle they believe to be parked in contravention of those restrictions or adjacent restrictions;
or
 - (f) 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 2011.

- (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; and
 - (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 2, 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”) 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 2 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 specified in Schedules One and Three 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) Nothing in Article 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 Two of this Order.
 - (3) 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.
- 1) 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.
 - 2) In the case of a vehicle in respect of which a penalty charge is payable, a penalty charge notice may be issued by a Civil Enforcement Officer in uniform in accordance with the Civil Enforcement of Parking Contraventions (England) General Regulations 2007.
 - 3) 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.

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.

IN WITNESS whereof the Common Seal of Stevenage Borough Council was hereunto affixed this xx day of Xxxxxx 20YY.

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

.....
 Authorised signatory

SCHEDULE ONE
No waiting at anytime

Item number	Name of road	Side of road	Description
1	Boswell Gardens	South	From a point 10 metres west of the mutual property boundary of 25 and 27 Boswell Gardens north-westwards to the mutual property boundary of 29 and 31 Boswell Gardens
2	Wansbeck Close	Both	From its junction with Great Ashby Way southwards, south-westwards and south-eastwards for a distance of 38 metres
3	Wansbeck Close	South and southwest	From the mutual property boundary of 41 and 39 Wansbeck Close eastwards and south-eastwards to a point opposite the mutual property boundary of 13 and 14 Wansbeck Close.
4	Wansbeck Close	North and northwest	From a point 5 metres east of a point opposite the mutual property boundary of 39 and 41 Wansbeck Close eastwards and north-eastwards for a distance of 8 metres
5	Wansbeck Close	Both	From the mutual property boundary of 50 and 51 Wansbeck Close westwards for a distance of 7 metres
6	Wansbeck Close	Both	From the mutual property boundary of 91 and 92 Wansbeck Close south-eastwards for 22 metres
7	Wansbeck Close	Both	In its cul-de-sac serving numbers 83-90 Wansbeck Close, from a point 27 metres northwest of the property boundary of 81 and 82 Wansbeck Close north-westwards for its entire length including the turning head
8	Wansbeck Close	North	In its cul-de-sac serving numbers 83-90 Wansbeck Close, for its entire length

SCHEDULE TWO
No waiting 10-11am and 2-3pm Monday to Friday inclusive

Item number	Name of road	Side of road	Description
1	Boswell Gardens	South	From the mutual property boundary of 25 and 27 Boswell Gardens westwards for 10 metres
2	Boswell Gardens	South	From the mutual property boundary of 29 and 31 Boswell Gardens westwards for a distance of 20 metres
3	Boswell Gardens	North	From a point 9 metres east of its junction with Foster Close eastwards for a distance of 19 metres
4	Boswell Gardens	West	In its cul-de-sac serving numbers 14-26 Boswell Gardens, from a point 7 metres north of its junction north-eastwards for a distance of 9 metres
5	Boswell Gardens	East	In its cul-de-sac serving numbers 14-26 Boswell Gardens, from a point 23 metres northeast of its junction northwards and north-westwards for its entire length

SCHEDULE THREE
No waiting 9am-5pm Monday to Friday inclusive

Item number	Name of road	Side of road	Description
1	Foster Close	West	From the mutual property boundary of 6 and 8 Foster Close southwards and south-eastwards to the mutual property boundary of 10 and 12 Foster Close