

STEVENAGE BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE BOROUGH OF STEVENAGE (DANESGATE AND DANESTRETE, STEVENAGE) (PROHIBITION OF WAITING, LOADING OR UNLOADING) AND (REVOCATION) ORDER 2023

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 the 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 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 (Danesgate and Danestrete, Stevenage) (Prohibition of Waiting, Loading or Unloading) and (Revocation) Order 2023” and shall come into operation on **DD MMMM 2023**.
2. Save as provided in Article 4 of this Order, no person shall cause or permit any vehicle to wait, load or unload at any time in that length of road specified in Schedule One to this Order.

3. 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;

“Motorcycle” has the same meaning as in section 136 of the Act of 1984;

“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.

4. (1) Nothing in Article 2 of this Order applies to the lengths of road restricted by that Article (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.

- (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 (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;

(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.

5. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

- 6.
- a) If a vehicle (other than a vehicle otherwise exempted by this Order) is left during the permitted hours in contravention of any provision of this Order a penalty charge shall be payable.
 - b) 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.
 - c) 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.

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 subparagraphs (a) to (b) below:

(a) 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.

(b) 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 only in so far as they are affected by the restrictions imposed by this Order:

The Borough of Stevenage (Control of Parking) (Consolidation) Order 2017

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

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 Stevenage Borough Council was hereunto affixed this DD day of MMMM 2023.

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

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Authorised signatory

SCHEDULE ONE
No waiting, loading or unloading at anytime

Item number	Name of road	Side(s) of road	Description
1	Danesgate	North	From its junction with Danestrete westwards to its junction with Danesgate Service Road
2	Danestrete	East	From a point 107 metres north-west of tis junction with Southgate north-westwards for a distance of 22 metres