

LONDON BOROUGH OF CAMDEN
TRAFFIC MANAGEMENT ORDER

2012 / No. 1

**The Camden (Waiting and Loading Restrictions) (Civil Enforcement Area) Traffic Order
2012**

Made on 20 March 2012

Coming into force on 1 April 2012

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The London Borough of Camden, after consulting the Commissioner of Police of the Metropolis, in exercise of the powers conferred by sections 6 and 124 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (1984 c. 27) and of all other powers thereunto enabling, hereby make the following Order:

1 CITATION

- 1.1 This Order may be cited as the Camden (Waiting and Loading Restrictions) Traffic Order 2012 and shall come into operation for all purposes on 1 April 2012.
- 1.2 Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into force of this Order the Camden (Waiting and Loading Restriction) (Special Parking Area) Order 1993 (LBC 2011 No. 24) as amended is hereby revoked.

2 INTERPRETATION

- 2.1 In this Order, except where the context otherwise requires the following expressions have the meanings hereby respectively assigned to them:

“2002 Regulations” means the Traffic Signs Regulations and General Directions 2002 (S.I. 2002 No. 3113)

“Act of 1984” means the Road Traffic Regulation Act 1984 (1984 c. 27)

“ambulance” means a vehicle that is adapted for, and used for no other purpose than, the carriage of sick, injured or disabled persons to or from welfare centres or places where medical or dental treatment is given and which is readily identifiable as a vehicle used for the carriage of such persons by virtue of being marked ‘Ambulance’ on both sides.

"authorised agent" means any contractor which may be appointed by the Council to effect, supervise and enforce the provisions of this Order on its behalf

“bus” means a motor vehicle constructed or adapted to carry more than eight passengers (exclusive of the driver)

“bus stop clearway marking” and **“bus stand clearway marking”** mean those markings described as such by Regulation 29 of the 2002 Regulations

"civil enforcement officer" means a person authorised by or on behalf of the Council to supervise any parking place

"council" means the Council of the London Borough of Camden, or a duly authorised officer of the Council or its authorised agent

"disabled person's badge" and **“relevant position”** have the same meanings given by the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 (S.I. 2000 No. 683)

"electronic communications system" has the same meaning as in the Communications Act 2003 (2003 c. 21)

“electronic payments system” means a computerised system operated by the Council or its authorised agent which facilitates and records details pertaining to the payment of parking charges by whichever methods are accepted by the Council and which can transmit data to and receive data from hand-held devices

"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; and "delivering" and "collecting", in relation to any goods, include checking the goods for the purpose of their delivery or collection

“kerb line" means that imaginary line which is the projection of the line formed by the edge of the main carriageway of the scheduled street adjacent to its junction with the side in question of any other street

"local bus" has the same meaning given by the 2002 Regulations

“local service” has the same meaning given by the Transport Act 1985 (1985 c. 87)

"motorcycle parking area" means a part of a restricted street specified in an item in **Schedule 5**

“Parking Permission” means a temporary exemption granted by the Council in respect of a vehicle to the restrictions imposed by **Article 3** and also refers to any electronic record, document or device for display inside the vehicle indicating that such an exemption has been granted

“postal packets” has the same meaning as ascribed by the Postal Services Act 2000 (2000 c. 26)

"police marked vehicle” in relation to this Order means any vehicle clearly marked as a police vehicle and being used for police purposes

"prescribed hours" in relation to a restricted street, means the days and hours specified in column 2 of Schedule 3 in relation to the letter or letters set out in column 1 of that Schedule which corresponds to the letter set out in column 3 of Schedule 1 in relation to that street or length of street

"restricted hours", in relation to any street specified in Schedule 2 means the days and hours specified in column 2 of Schedule 3 in relation to the number set out in column 3 of Schedule 3 which corresponds to the number set out in column 3 of Schedule 2 in relation to that street or length of street

"restricted street", subject to the provisions of **Article 2.7**, means any street or length of street within the London Borough of Camden specified in Schedule 1 (hereinafter referred to as a "scheduled street"), and includes, except where the context otherwise requires, so much of every other street within that London Borough which is not a scheduled street as lies between the kerb line of the scheduled street and a point 18.29 metres distant therefrom, and any reference in this order to any restricted street shall be construed accordingly

“schedules” means the schedules to this order

"street" means all or any part of a street

- 2.2 For the purposes of this Order a vehicle shall be deemed to be waiting in a restricted street if any point in that street is below the vehicle or its load (if any) and the vehicle is stationary, or for more than a specified period in the same place in a restricted street if any one point in that street is below the vehicle or its load (if any) throughout a period exceeding the specified period whether or not the vehicle is moved during that period.
- 2.3 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.
- 2.4 Any reference in this Order to a length of street shall, unless the side of the street is also specified, be construed as a reference to the entire width of that length and any reference to a street which includes a reference to a side of the street, shall be construed as a reference to the width of the street from the centre line to the extremity of the street on the side so specified.
- 2.5 The Interpretation Act 1978 (1978 c. 30) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
- 2.6 The restrictions, prohibitions and requirements imposed by this Order are in addition to and not in derogation of any restriction, prohibition or requirement imposed by any other enactment, order or byelaw and any exception to or exemption from the provisions of this Order is without prejudice to the provisions of any other enactment, order or byelaw.
- 2.7 For the purposes of this Order, the expression **"restricted street"** shall not for the time being include any area on a highway designated as a parking place or loading place by any Order made or having effect as if made under sections 45, 46 or 49 of the Act of 1984 as amended.
- 2.8 Any reference in this Order to a numbered schedule shall be construed as a reference to the similarly numbered schedule to this Order.
- 2.9 Any reference in this Order to a numbered Article shall be construed as a reference to the similarly numbered Article to this Order including its sub-articles.
- 2.10 For the purposes of this Order a vehicle shall be regarded as displaying a disabled persons badge if it is displayed in the relevant position and in accordance with the requirements of Regulation 13 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.

3 RESTRICTIONS APPLICABLE TO STREETS SPECIFIED IN SCHEDULES 1 AND 2

- 3.1 Subject to the remaining provisions of this Article, no person shall cause or permit any vehicle to wait during the prescribed hours in any restricted street specified in **Schedule 1** except for so long as may be necessary for the purposes of loading or unloading goods to or from the vehicle in the course of collecting from or delivering to premises adjacent to the street.

- 3.2 No person shall cause or permit any vehicle to wait for the purpose of loading or unloading goods to or from the vehicle in any of the streets specified in **Schedule 2** during any restricted hours relating to the street.
- 3.3 No person shall cause or permit any vehicle with a maximum laden weight exceeding 3.5 tonnes to wait during the prescribed hours in any restricted street specified in **Schedule 1** for the purposes expressed in **Article 3.1** for a period of more than 40 minutes if those prescribed hours fall between the hours of 11am and 6.30pm.
- 3.4 No person shall cause or permit any vehicle with a maximum laden weight 3.5 tonnes or less to wait during the prescribed hours in any restricted street specified in **Schedule 1** for the purposes expressed in **Article 3.1** for a period of more than 20 minutes if those prescribed hours fall between the hours of 11am and 6.30pm.

4 EXCEPTIONS AND EXEMPTIONS FROM RESTRICTIONS

- 4.1 Nothing in **Article 3** of this Order shall render it unlawful to cause or permit a vehicle to wait in any restricted street for so long as may be necessary for the purpose of enabling any person to board or alight from the vehicle or to load thereon or unload therefrom their personal luggage.

5 EXCEPTIONS IN FAVOUR OF DISABLED PERSONS' VEHICLES

- 5.1 Subject to the provisions of **Article 5.2**, the restrictions imposed by **Article 3** shall not apply in relation to a vehicle in which is displayed a disabled person's badge in the relevant position provided that, where the prescribed hours are of a period of more than three hours duration, that vehicle may wait for a period of no more than three hours being a period not separated by an interval of less than one hour from the previous period of waiting by the same vehicle in the same street on the same day.
- 5.2 The exemption afforded by **Article 5.1** shall not apply to any vehicle which is waiting in any restricted street in that part of the London borough of Camden, bounded by and including the borough boundary, Euston Road, Upper Woburn Place, Tavistock Square, Woburn Place, Russell Square, Southampton Row, Theobald's Road and Clerkenwell Road or in any street specified in **Schedule 2** during the restricted hours.

6 EXCEPTED VEHICLES

- 6.1 The restrictions imposed by **Article 3** shall not apply to:
- 6.1.1 a local bus being used in the provision of a local service, or a taxi whilst waiting within the limits of a bus stop or bus stand clearway marking.
- 6.1.2 vehicles when used for fire brigade, ambulance or police purposes
- 6.1.3 a bicycle propelled by mechanical power and not having a sidecar attached whilst waiting wholly within the limits of a motorcycle parking area.

- 6.1.4 any motor vehicle whilst waiting in Chenies Mews if there is displayed in a conspicuous position on the vehicle a certificate issued by or on behalf of the Board of Governors of the University College Hospital indicating that the vehicle is used by a member of the medical profession attending at that hospital.
- 6.1.5 any police marked motor vehicle being used for police purposes whilst waiting in a marked area in a restricted street set out in an item in **Schedule 7** to this Order.
- 6.1.6 any bus whilst waiting in a marked area in a restricted street set out in an item in **Schedule 8** to this Order.
- 6.1.7 a vehicle when used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers or the performance of such duties for the vehicle to wait in the place in which it is waiting.
- 6.1.8 licensed taxis whilst waiting upon any duly authorised taxi rank.
- 6.1.9 vehicles whilst waiting in any restricted street for so long as may be necessary in connection with the taking in of petrol, oil, water or air, if such taking in cannot be effected unless the vehicle waits in the place where it is waiting.
- 6.1.10 any ambulance marked motor vehicle being used for that purpose whilst waiting in a marked area in a restricted street set out in an item in **Schedule 10** to this Order.

7 FURNITURE REMOVALS AND OTHER EXCEPTIONAL LOADING OR UNLOADING

- 7.1 Subject to the provisions of **Article 7.2**, nothing in **Article 3** of this Order shall apply so as to restrict the loading or unloading of any vehicle while the vehicle is in actual use in any restricted street in connection with the removal of furniture to or from one office, dwelling house, or depository adjacent to that restricted street from or to another office, dwelling house or depository.
- 7.2 The provisions of **Article 7.1** shall not apply to any vehicle waiting in any restricted street specified in **Schedule 2** to this Order during the restricted hours unless notice has been given twenty-four hours in advance to the police, Council or authorised agent, their consent obtained and such reasonable conditions as they may impose are complied with.
- 7.3 Without prejudice to the provisions of **Article 7.2**, nothing in **Article 3** of this Order shall apply so as to restrict the loading or unloading of any vehicle while the vehicle is in actual use in any restricted street in connection with the collection or delivery of goods from or to premises in or adjacent to that street if those goods cannot reasonably be loaded or unloaded outside the prescribed hours or within the time allowed in relation to that street if notice has been given twenty-four hours in advance to the police, Council or authorised agent, their consent obtained and such reasonable conditions as may be imposed are complied with.

8 MISCELLANEOUS EXEMPTIONS

- 8.1 Nothing in **Article 3** shall render it unlawful to cause or permit a vehicle to wait in any restricted street in the following circumstances.

- 8.1.1 While postal packets are being delivered to or collected from premises or posting boxes in or adjacent to any such street in which the vehicle is waiting.
- 8.1.2 While the vehicle is being used in connection with any building operation, demolition or excavation in or adjacent to any such street, the removal of any such obstruction to traffic in any street, the maintenance, improvement, reconstruction, cleansing or lighting of any street, the laying, erection, alteration or repair in or adjacent to any street of any sewer or of any main, pipe or apparatus for the supply of gas, water electricity or any electronic communications network, or the placing, maintenance or removal of any traffic sign, if the vehicle cannot conveniently and lawfully be used for that purpose in any street not being a restricted street or outside the prescribed hours.
- 8.1.3 Where the vehicle is a taxi or private hire vehicle, licensed by the Public Carriage Office, and the vehicle is waiting between the hours of 10pm and 6am only for so long as may be necessary to enable a passenger to obtain cash from an automated telling machine in the vicinity for the purposes of paying their fare.
- 8.1.4 While any gate or other barrier at the entrance to premises to which the vehicle requires access to or from which it has emerged is being opened or closed, if it is not reasonably practicable for the vehicle to wait in any other place while such gate or barrier is being opened or closed.
- 8.1.5 Where the person in control of the vehicle is required by law to stop, wait, remain at rest or is obliged to do so in order to avoid an accident.
- 8.1.6 Nothing in **Article 3** of this Order shall apply to anything done with the permission or at the direction of a police constable in uniform or civil enforcement officer.
- 8.1.7 Nothing in **Article 3** of this Order shall render it unlawful for a person who is licensed by the Council of the London Borough of Camden to sell goods from a stationary vehicle on a pitch in any restricted street or to cause or permit a vehicle to wait on that pitch for that purpose.

9 POWER TO SUSPEND THE USE OF A MOTORCYCLE PARKING AREA

- 9.1 Notwithstanding any other provisions of this Order, any person duly authorised by the Council, the Commissioner of Police of the Metropolis or a police constable in uniform, on the occasion of any public procession or for other good and sufficient reason, in case of emergency, may suspend the use of any motorcycle parking area or any part thereof during such period as may be reasonably necessary.
- 9.2 Any person duly authorised by the Council, the Commissioner of Police of the Metropolis, or a police constable in uniform, suspending the use of a motorcycle parking area or any part thereof, shall thereupon place or cause to be placed in or adjacent to the motorcycle parking area or that part thereof, as the case may be, the use of which is suspended, a traffic sign indicating that waiting by vehicles is prohibited.
- 9.3 No person shall cause or permit a vehicle to wait in a motorcycle parking area or any part thereof during such period as there is in or adjacent to that motorcycle parking area or that part thereof, as the case may be, a traffic sign placed in pursuance of **Article 9.2**.

- 9.4 Provided that nothing in **Article 9.3** shall apply to anything done with the permission of the person suspending the use of the motorcycle parking area or any part thereof or in relation to any vehicle being used for fire brigade, ambulance or police purposes or any vehicle which is waiting for any reason specified in **Article 8.1.5** of this Order.

10 PARKING PERMISSIONS

- 10.1 Any person may apply to the Council for a Parking Permission in respect of any vehicle to exempt it from the restrictions imposed by **Article 3**. Such application shall be made in the manner and contain such information as may be specified by the Council.
- 10.2 The Council may, at its sole discretion, issue a Parking Permission in respect of any vehicle if the applicant satisfies the Council's eligibility criteria and where it appears that the purpose in respect of which the application was made cannot reasonably be accomplished without the vehicle waiting during the prescribed or restricted hours.
- 10.3 The charge for a Parking Permission shall be £30 per day or part of a day.
- 10.4 On being satisfied that the applicant meets the conditions expressed in **Article 10.2** and on payment of the charge specified in **Article 10.3**, the Council or its authorised agent will create a record in the electronic permits system showing that a Parking Permission has been granted to the vehicle exempting it from the restrictions specified in Article 3 insofar that it may wait in whichever restricted street on whatever day or days and during such times as may be agreed.
- 10.5 An indication that the vehicle has been exempted from the restrictions imposed by **Article 3** by virtue of this Article shall be given when, on submitting the vehicle's registration mark electronically by a hand-held device or by other means, confirmation is received electronically through the hand-held device or is otherwise confirmed that a record exists in the electronic payments system of the vehicle being granted a Parking Permission to wait in the location in which is waiting, on the day and at the time that the registration mark was submitted.
- 10.6 Notwithstanding the above provisions, a Parking Permission may be issued in the form of writing to be displayed inside the vehicle containing such details the Council may consider appropriate in order for it to be conveyed that the vehicle has been exempted from the restrictions imposed by **Article 3**.

11 DUTY TO MOVE ON

- 11.1 Notwithstanding any exception or exemption contained in this Order, the person in control of a vehicle waiting during the prescribed hours in any restricted street shall move the vehicle on the instructions of a police constable in uniform or a parking attendant whenever such moving may be reasonably necessary for the purpose of preventing or removing obstruction.

12 RESTRICTIONS ON METHODS OF LOADING OR UNLOADING

- 12.1 No person shall cause any goods to be loaded on to or unloaded from any vehicle in any street in the London Borough of Camden otherwise than in accordance with the following conditions.

- 12.1.1 No such goods shall be deposited on any carriageway or footway except on the carriageway immediately at the rear of the vehicle and no goods shall remain on any carriageway before the arrival of or after the departure of the vehicle;
- 12.1.2 No part of any rope, chain, wire, apparatus, or machinery used in connection with such loading or unloading, and no load suspended therefrom shall be less than 4.88 metres above a carriageway, except when over any vehicle being loaded or unloaded, or less than 2.74 metres above the footway;
- 12.1.3 No goods shall be passed from hand to hand across any part of carriageway or footway;
- 12.2 Nothing in **Article 12.1** shall apply in relation to any vehicle specified in **Article 8.1.7** or any vehicle while it is being used as mentioned in **Article 8.1.2**, or anything done with the permission or at the direction of a police constable in uniform or a civil enforcement officer.
- 12.3 Nothing in **Article 12.1.2** shall apply to any pipe, apparatus or machinery being used in connection with the loading or unloading of any petrol, water, oil or liquid fuel on to or from any vehicle in any street or from any premises adjacent to any street, provided that all necessary means are taken to give adequate warning of any possible obstruction.

13 RESTRICTION ON STREET TRADING

- 13.1 No person shall, on any day other than a Sunday, sell, offer or expose for sale goods from a vehicle which is in any restricted street unless
- 13.1.1 that person is licensed by the Council of the London Borough of Camden to sell goods from a stationary vehicle on a pitch in that street and sell goods from that pitch; or
- 13.1.2 the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected.

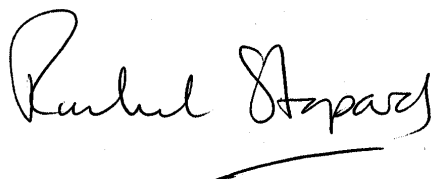
14 MISCELLANEOUS RESTRICTIONS

- 14.1 No person shall cause or permit any vehicle to wait in any area designated in an item in **Schedule 8**, or in any bus stop, bus stand or coach parking place specified in **Schedule 9**, unless the driver of the vehicle turns off the engine of that vehicle as soon as the vehicle is in position and stationary and does not restart the engine except when about to change the position of the vehicle or to depart.
- 14.3 The provisions of Article 14.1 shall not apply:
- 14.3.1 when the vehicle is stationary owing to the necessities of traffic
- 14.3.2 so as to prevent the examination or working of the machinery where the examination is necessitated by any failure or derangement of the machinery or where the machinery is required to be worked for a purpose other than driving the vehicle
- 14.3.3 in respect of a vehicle propelled by gas produced in plant carried on the vehicle, to such plant.

15 RESTRICTIONS ON ADVERTISING

- 15.1 No person shall, in any restricted street or in any other street within the London Borough of Camden which is a thoroughfare in the area contained within a circle of 4828.03 metres radius the centre of which is the site at the date of this Order of the King Charles Statue at Charing Cross, either wholly or mainly for the purposes of advertisement, ride, drive, conduct, use or employ or cause to be ridden, driven, conducted, used or employed any animal or vehicle of any kind, or wear or cause to be worn any fancy dress or other costumes.

Dated this 20 March 2012

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath.

Rachel Stopard
Director – Culture and Environment
(The officer appointed for this purpose)