

# PUBLIC NOTICE

## **CENTRAL BEDFORDSHIRE COUNCIL PROPOSES TO INTRODUCE A PROHIBITION OF WAITING AND LOADING ON VERGES AND FOOTWAYS**

Reason for proposal: The proposed Order is considered necessary for avoiding danger to persons or other traffic using the road, preventing damage to the road and for facilitating the passage of traffic, including pedestrians. Parking on verges and footways is a hazard and an inconvenience to other road users and causes damage to the highway and underground services. The prohibition covers all of Central Bedfordshire, but is only enforceable when the necessary traffic signs have been installed. Residents and businesses would be consulted before any restrictions are made enforceable in their street.

Effect of the Order:

**To introduce No Waiting and No Loading at any time on verges and footways in all roads in Central Bedfordshire, except for the M1 motorway, A1, A5 and A421 trunk roads.**

Further Details of the proposal may be examined during normal opening hours at Ampthill, Arlesey, Barton, Biggleswade, Dunstable, Flitwick, Houghton Regis, Leighton Buzzard, Potton, Sandy, Shefford, Stotfold and Toddington Libraries or online at [www.centralbedfordshire.gov.uk/publicstatutorynotices](http://www.centralbedfordshire.gov.uk/publicstatutorynotices). These details will be placed on deposit until 6 weeks after the Order is made or until it is decided not to continue with the proposal.

Objections: should be sent in writing to the Transportation Manager, Bedfordshire Highways, Woodlands Annex, Manton Lane, Bedford MK41 7NU or e-mail [centralbedsconsultation@amey.co.uk](mailto:centralbedsconsultation@amey.co.uk) stating the grounds on which they are made by 24 December 2013.

Order Title: If made will be "Central Bedfordshire Council (Prohibition of Waiting and Loading on Verges and Footways) Order 2013"

Central Bedfordshire Council  
Priory House  
Chicksands  
Shefford SG1917 5TQ

Marcel Coiffait  
Director of Community Services

25 November 2013

CENTRAL BEDFORDSHIRE COUNCIL  
(PROHIBITION OF WAITING AND LOADING ON VERGES AND FOOTWAYS)  
ORDER 201\*

The Central Bedfordshire Council (the "Council") in exercise of the powers under sections 1(1), 2(1) to (3), 4 (2) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("The Act") and all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of schedule 9 to the Act, hereby makes the following Order:

1. This Order shall come into operation on      day of                      201\* and may be cited as "Central Bedfordshire Council (Prohibition of Waiting and Loading on Verges and Footways) Order 201\*\*"
2. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-

"administrative area" means the entire area of Central Bedfordshire Council.

"Civil Enforcement Officer" means a person authorised by or on behalf of the Council to supervise any parking place and to enforce the provisions of this Order.

"footway" has the same meaning as in Section 329 of the Highways Act 1980.

"road" means all roads, including but not limited to, carriageways, footways, verges, footpaths, lanes, bridleways and all highways maintainable at the public expense within the administrative area, but excluding those roads referred to in the Schedule to this Order.

"traffic sign" means a sign of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under, Section 64 of the Act.

"verge" means any grassed or un-grassed strip of land forming part of the highway.
3. Save as provided in Articles 5 to 7 of this Order no person shall except upon the direction or with the permission of a police constable in uniform or a civil enforcement officer, cause or permit any motor vehicle to wait at any time on a verge or footway in any road.
4. The restrictions imposed by this Order will only apply provided traffic signs are erected as required by the Traffic Signs Regulations and General Directions 2002 and any subsequent amendments or as authorised by the Secretary of State.
5. Nothing in Article 3 of this Order shall render it unlawful to cause or permit a wheelchair, including a mechanically propelled wheelchair, to wait at any time on a verge or footway in any road.
6. Nothing in Article 3 of this Order shall render it unlawful to cause or permit any motor vehicle to wait on a verge or footway for so long as may be necessary, and the motor vehicle is removed from the said verge or footway as soon as practicable following the completion of such purpose, to enable:-

- a) the motor vehicle to be used in connection with any of the following operations, namely:-
  - (i) any building or demolition.
  - (ii) the removal of any obstruction to traffic.
  - (iii) the maintenance, improvement or reconstruction of the road
  - (iv) the laying, erection, alteration or repair in or on land adjacent to the road of any sewer or any main, pipe or apparatus for the supply of gas, water or electricity or any telegraphic line;
- b) the motor vehicle to be used in the service of a local authority in pursuance of statutory powers or duties;
- c) the motor vehicle of a universal service provider (as defined in section 4(3) and (4) of the Postal Services Act 2000) to be used for the purpose of delivering and/or collecting postal packets;
- d) the motor vehicle to be used for fire brigade, ambulance, police or special forces purposes;
- e) the motor vehicle to wait in any case where the person in control of the vehicle is required by law to stop, is obliged to stop so as to prevent an accident or is prevented from proceeding by circumstances outside his or her control.
- f) the motor vehicle to wait on a verge or footway while any gate or other barrier at the entrance to premises to which the motor vehicle requires access to or from which it has emerged is opened or closed, if it is not reasonably practicable for the vehicle to wait otherwise than on that verge or footway.

7. The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction imposed by any restriction imposed by any Regulations made or having effect as if made under the Act or by any other enactment.

GIVEN under the Common Seal of the Central Bedfordshire Council  
 this xxxx day of xxxx 201\*

THE COMMON SEAL of THE )  
 CENTRAL BEDFORDSHIRE COUNCIL )  
 was hereunto affixed in the )  
 presence of: )

Signed .....

CENTRAL BEDFORDSHIRE COUNCIL (PROHIBITION OF WAITING AND LOADING  
ON VERGES AND FOOTWAYS) ORDER 201\*

SCHEDULE

Lengths of road excluded from the Order

<b>Road</b>	<b>Description</b>
M1 Motorway	The entire length, including any slip roads, within the administrative area.
A1 Trunk Road	The entire length, including any slip roads, within the administrative area.
A5 Trunk Road	The entire length, including any slip roads, within the administrative area.
A421 Trunk Road	The entire length, including any slip roads, within the administrative area.



## Statement of Reasons

The proposed Order is considered necessary for avoiding danger to persons or other traffic using the road, preventing damage to the road and for facilitating the passage of traffic, including pedestrians.

Parking on verges and footways is a hazard and an inconvenience to other road users and causes damage to the highway and underground services.

The prohibition covers all of Central Bedfordshire, but is only enforceable when the necessary traffic signs have been installed. Residents would be consulted before any restrictions are made enforceable in their street.

Further details can be found on the attached draft Order and Public Notice.

If the proposed Order is brought into operation, the following procedure will be followed before the prohibition is made enforceable:-

### Stage 1

For a street to be considered for verge and footway enforcement at least one of the following criteria must be met (streets meeting more than one criterion will be given a higher priority):-

1. The Central Bedfordshire Ward Councillor(s) support(s) the introduction of verge and footway enforcement at this location;
2. The Police, Fire Service or Ambulance Service have requested a prohibition;
3. Where the Council has clear evidence that verge or footway parking is affecting the safety of pedestrians.

### Stage 2

1. Deliver letters to households and post leaflets on vehicles parking on the verge or footway advising them of the Council's intention to introduce the enforcement of verge and footway parking in that street.
2. Monitor parking activity over a three week period to determine whether the letters and leaflets have resulted in a satisfactory reduction in the level of verge and footway parking.
3. If the problem has been removed take no further action. If the problem has not been satisfactorily resolved or any previous notices have failed to maintain a sustained reduction in verge and footway parking proceed to stage 3.

### Stage 3

1. Erect signs to enable enforcement to take place.
2. Undertake appropriate level of enforcement