

# TRAFFIC MANAGEMENT ORDER

1994 NO. 3

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## THE LONDON BOROUGH OF RICHMOND UPON THAMES

### (LOADING PLACES) ORDER 1994

Made 4th January 1994

Coming into operation 24th January 1994

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Article

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Schedules - Designated loading places  
0491L/cc/kjw/kr/1

The Council of the London Borough of Richmond Upon Thames, having consulting the Commissioner of Police of the Metropolis, in exercise of the powers conferred by Sections 6 and 124 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984(a), as amended, and the Road Traffic Act 1991(b) and of all other enabling powers hereby make the following Order:-

## PART 1

### PRELIMINARY

#### Citation and commencement

1. This Order may be cited as the London Borough of Richmond Upon Thames (Loading Places) Order 1994 and shall come into operation on 24th January 1994.

#### Revocation

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 operation of this Order, the London Borough of Richmond upon Thames (Loading Places) Order 1993 (c) is hereby revoked.

#### Interpretation

3. In this Order, except where the context otherwise requires:

"Council" means the Council of the London Borough of Richmond upon Thames;

"driver", in relation to a vehicle waiting in a loading place, means the person driving the vehicle at the time it was left in the loading place;

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

"goods vehicles" has the same meaning as in the Road Traffic Act 1988 (d) ;

"loading place" means any area on a street designated as a loading place by this Order;

"parking attendant" means a person authorised by or on behalf of the Council to supervise any loading place;

"penalty charge" means the charge set by the Council under the provisions of the Road Traffic Act 1991 and following approval of the Secretary of State, which is to be paid to the Council following the issue of a penalty charge notice and within 28 days of the issue of that notice;

"permitted hours" in relation to a loading place means the period specified at the beginning of the Schedule relating to that loading place;

"reduced penalty charge" means the charge set by the Council under the provisions of the Road Traffic Act 1991 and following approval of the Secretary of State, which is to be paid following the issue of a penalty charge notice within 14 days of issue of that notice;

"Schedule" means a Schedule to this Order'

"street" includes part of a street";

"telecommunication system" has the same meaning as in the Telecommunications Act 1984(a).

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(a) 1984 c.12

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## PART II

### DESIGNATION OF LOADING PLACES

#### Designation of loading places

4. Each area on a highway comprising the length of carriageway of a street specified in Column 2 of Schedule 1 or Schedule 2 and, unless otherwise so specified, bounded on one side of that length by the edge of the carriageway and having a width throughout of 2.5 metres is designated as a loading place.

#### Vehicles for which loading places are designated

5. Each loading place referred to in Schedule 1 or Schedule 2 may be used, subject to the provisions of this Order, during the permitted hours for the leaving of goods vehicles for the purpose of delivering or collecting goods or loading or unloading the vehicles.

## PART III

### SUPPLEMENTARY PROVISIONS

#### Period for which a vehicle may be left in a loading place

6. No person shall cause any vehicle to be left in a loading place in Schedule 1 for a continuous period of more than twenty minutes, or in a loading place in Schedule 2 for a continuous period of more than one hour.

#### Contravention in loading places

7. If a goods vehicle is left in a loading place designated in Schedule 1 to this Order for a continuous period of more than twenty minutes or in a loading place designated in Schedule 2 to this Order for a continuous period of more than one hour a contravention shall have occurred and a penalty charge shall be payable. If a vehicle other than a goods vehicle is left in a loading place designated in Schedule 1 or Schedule 2 to this Order during the permitted hours, a contravention shall have occurred and a penalty charge shall be payable. A penalty charge notice showing the information required by the Road Traffic Act 1991 may then be issued by a parking attendant in accordance with the requirements of the Road Traffic Act 1991.

#### Manner of payment of the penalty charge

8. The penalty charge shall be paid to the Council either by cash, cheque or postal order or other accepted means which shall be delivered or sent by post to the Council's Cashiers Office or to the Council's agents at the address or addresses indicated on the penalty charge notice and in accordance with the instructions on that notice, to arrive not later than 4 p.m.:

- (i) on the fourteenth day in the case of a reduced penalty charge; or
- (ii) on the twenty-eighth day in the case of a penalty charge

following the day on which the penalty charge was incurred:

Provided that, if the said fourteenth or twenty-eighth day falls upon a day on which the said Department or agents' offices are closed, the period within which payment of the said charge shall be made to the Council shall be extended until 4 p.m. on the next full day on which the said Department or agents' offices are open.

#### Interval before a vehicle may again be left in a loading place

9. Without prejudice to the provisions of Article 12, no vehicle which has been taken away from a loading place shall until the expiration of one hour from the time it was taken away again be left in that loading place.

#### Manner of standing in a loading place

10. The driver of a vehicle waiting in a loading place in accordance with the foregoing provisions of the Order shall, unless otherwise specified, cause it so to stand:
- (a) if the loading place is not in a one-way street, that the left hand or near-side of the vehicle is adjacent to the left-hand edge of the carriageway; and
  - (b) that the distance between the edge of the carriageway and the furthest near-side wheel of the vehicle is not more than 300 millimetres; and
  - (c) that every part of the vehicle is within the limits of a loading place; and
  - (d) that no part of the vehicle obstructs any vehicular means of ingress to or egress from any premises adjacent to the side of the road on which the vehicle is waiting.

#### Power to suspend the use of a loading place

11. (1) Any person duly authorised by the Council may suspend the use of a loading place or any part thereof whenever he considers such suspension reasonably necessary:
- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
  - (b) for the purpose of any building operation, demolition or excavation adjacent to the loading place, the maintenance improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the loading place, the laying, erection, alteration, or repair in or adjacent to the loading place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication system or the placing, maintenance or removal of any traffic sign;

- (c) for the convenience of occupiers of premises adjacent to the loading place on any occasion of the removal of furniture to or from one office or dwelling-house adjacent to the loading place from or to a depository, another office or dwelling-house;
- (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
- (e) for the convenience of occupiers of premises adjacent to the loading place at times of weddings or funerals, or on any other special occasions.

(2) A police constable in uniform may suspend for not more than seven days the use of a loading place or any part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.

(3) On the suspension of the use of a loading place or any part thereof in accordance with the provisions of this Article, the person authorising or causing such suspension shall place or cause to be placed in or adjacent to that loading place or that part thereof, as the case may be, traffic signs indicating that the waiting by vehicles is prohibited.

(4) No person shall cause or permit any vehicle to wait in a loading place or any part thereof at any time during such period as there is in or adjacent to that loading place or that part thereof, as the case may be, a traffic sign placed in pursuance of paragraph (3) of this Article:

Provided that nothing in this paragraph shall apply:

- (i) in respect of any vehicle being used for fire brigade, ambulance or police purposes or any vehicle which is waiting for any reason specified in Article 12(1)(b) or (d); or
- (ii) to anything done with the permission of the person suspending the use of the loading place or part thereof or a police constable in uniform,

Restricting on waiting by a vehicle in a loading place

12. (1) Notwithstanding the foregoing provisions of this Order, any vehicle may wait during the permitted hours in any part of a loading place if the use of that part has not been suspended and if:

- (a) the vehicle is waiting for a period not exceeding two minutes, or such longer period as a parking attendant may approve, to enable a person to board or alight from the vehicle or load thereon or unload therefrom his personal luggage:

provided that if the said person is a person suffering from any disability or injury which seriously impairs his ability to walk or who is blind, the vehicle may wait for as long as may be necessary to enable that person to board or alight from the vehicle or load thereon or unload therefrom his personal luggage;

- (b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident;
  - (c) the vehicle is being used for fire brigade, ambulance or police purposes or is being 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 loading place in which it is waiting;
  - (d) the vehicle is waiting only for as long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic.
- (2) Except as provided by this Order, the driver or person in charge of a vehicle shall not cause or permit a vehicle to wait in a loading place.

Movement of a vehicle in loading place in an emergency

13. A police constable in uniform, a traffic warden or a parking attendant may move or cause to be moved, in case of emergency, to any place they think fit, any vehicle which is left unattended in a loading place.

Alteration of position of a vehicle in a loading place

14. Where any vehicle is standing in a loading place in contravention of the provisions of Article 10, a parking attendant may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

Removal of a vehicle from a loading place

15. Where a parking attendant is of the opinion that any of the provisions contained in Article 12 have been contravened or not complied with in respect of a vehicle left in a loading place he may remove or cause to be removed the vehicle from the loading place and, where it is so removed, shall provide for the safe custody of the vehicle.

Placing of traffic signs

16. The Council shall:

- (a) place and maintain in or in the vicinity of each loading place traffic signs and or carriageway markings of any size, colour and type prescribed or authorised by the Department of Transport indicating that such loading place may be used during the permitted hours for the purpose and leaving only of the vehicles specified in Article 5 and for the period specified in Article 6; and

(b) carry out such other work as is reasonably required for the purposes of the satisfactory operation of a loading place.

Dated 4th January 1994

The Common Seal of the Mayor )  
and Burgesses of the London )  
Borough of Richmond Upon )  
Thames was hereunto affixed )  
in the presence of:- )



Chief Executive and Director of Finance

SEAL REGISTER NO: 4871/2



**SCHEDULE 1 (SEE ARTICLE 4)**

IN RELATION TO A LOADING PLACE REFERRED TO IN THIS SCHEDULE THE EXPRESSION PERMITTED HOURS MEANS THE PERIOD BETWEEN 8.30 A.M. AND 6.30 PM. ON MONDAY TO SATURDAY INCLUSIVE, ANY SUCH DAY NOT BEING CHRISTMAS DAY, GOOD FRIDAY OR A BANK HOLIDAY.

LOADING PLACES IN RESPECT OF WHICH THE MAXIMUM INITIAL PERIOD FOR WHICH A VEHICLE MAY BE LEFT DURING THE PERMITTED HOURS IS TWENTY MINUTES FOR THE PURPOSE OF LOADING OR UNLOADING.

No of loading place	Designated Loading Place	Maximum number of loading bays	Minimum total length in metres not to be occupied by loading bays	Special manner of standing
1	ARRAGON ROAD, the south-east side, from a point 40.5 metres south of the southern kerbline of York Street southwards for a distance of 10.5 metres.	1	-	-
2	LONDON ROAD, the west side, from a point 3.5 metres south of the common boundary wall of the Nos. 26/28 London Road northwards for a distance of 11.5 metres.	1	-	-
3	HILL RISE, the north-east side, from a point 2 metres south east of the boundary wall of Nos. 26/28 Hill Rise northwestwards for a distance of 12 metres.	1	-	-

## SCHEDULE 2 (SEE ARTICLE 4)

IN RELATION TO A LOADING PLACE REFERRED TO IN THIS SCHEDULE THE EXPRESSION PERMITTED HOURS MEANS THE PERIOD BETWEEN 8.30 A.M. AND 6.30 PM. ON MONDAY TO SATURDAY INCLUSIVE, ANY SUCH DAY NOT BEING CHRISTMAS DAY, GOOD FRIDAY OR A BANK HOLIDAY.

LOADING PLACES IN RESPECT OF WHICH THE MAXIMUM INITIAL PERIOD FOR WHICH A VEHICLE MAY BE LEFT DURING THE PERMITTED HOURS IS ONE HOUR FOR THE PURPOSE OF LOADING OR UNLOADING.

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No of loading place	Designated Loading Place	Maximum number of loading bays	Minimum total length in metres not to be occupied by loading bays	Special manner of standing
1	THE EMBANKMENT, the south-east side from a point 108 metres north-east of the north-east facing boundary wall of the Boat House, north-eastwards for a distance of 4.8 metres and which has a width throughout of 5 metres.	1	-	At an angle of 90° to the south-east edge of the carriageway

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### EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport).

This Order makes the necessary textual amendments to allow enforcement under the provisions of the Road Traffic Act 1991.