
TRAFFIC MANAGEMENT ORDER

THE LONDON BOROUGH OF RICHMOND UPON THAMES (LOADING PLACES) (AMENDMENT No. 28) ORDER 2008

Made: 1 December 2008

Coming into operation: 8 December 2008

The Council of the London Borough of Richmond upon Thames, having consulted 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 all other enabling powers hereby make the following Order—

1. This Order shall come into operation on 8 December 2008 and may be cited as the London Borough of Richmond upon Thames (Loading Places) (Amendment No. 28) Order 2008.
2.
 - (1) In this Order the expression “enactment” means any enactment whether public, general or local and includes any order, bye-law, rule, regulation, scheme or other instrument having effect by virtue of an enactment.
 - (2) 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.
 - (3) The Interpretation Act 1978(b) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
3. Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into effect of this Order, the London Borough of Richmond upon Thames (Loading Places) Order 1994(c), as amended, shall have effect as though:-
 - (a) the amendments as specified in Schedule 1 to this Order were made to the articles numbered 3, 7, 8, 13, 14 and 15 of that Order as a consequence of the coming into force of Part 6 of the Traffic Management Act 2004(d);
 - (b) the amendments as specified in Schedule 2 to this Order were made to the articles numbered 4, 5, 6 and 7 of that Order as a consequence of adding Schedule 18 to that Order as provided for by the next sub-paragraph;
 - (c) there were added to that Order as Schedule 18 the schedule and item numbered 18/1 as set out in columns 1, 2, 3, 4 and 5 of the Schedule to this Order.

(a) 1984 c. 27.

(b) 1978 c. 30.

(c) 1994/3 – there is no relevant amending Order.

(d) 2004 c. 18.

Dated 5 December 2008

Assistant Director, Traffic and Transport
(The officer appointed for this purpose)

SCHEDULE 1
(See Article 3 (a))

Textual amendments to 1994/3 as a consequence of the coming into force of Part 6 of the
Traffic Management Act 2004

1 Article	2 Amendment
Article 3	Add the following:– “civil enforcement officer” means a person appointed by or on behalf of the Council for the enforcement of road traffic contraventions”
Article 3	Delete the meaning of the expression “parking attendant”
Article 3	For the expression “penalty charge” substitute as follows – “penalty charge” means the charge set by the Council under the provisions of the Road Traffic Act 1991 or the Traffic Management Act 2004 and following approval of the Secretary of State or the Mayor of London, as the case may be, which is to be paid following the issue of a penalty charge notice within 28 days of the issue or service of that notice”
Article 3	For the expression “reduced penalty charge” substitute as follows – “reduced penalty charge” means the charge set by the Council under the provisions of the Road Traffic Act 1991 or the Traffic Management Act 2004 and following approval of the Secretary of State or the Mayor of London, as the case may be, which is to be paid following the issue of a penalty charge notice within 14 or 21 days of the issue or service of that notice”
Article 7	For the third sentence, substitute as follows – “A penalty charge notice may then be issued by a civil enforcement officer or served by the Council.”

SCHEDULE 1 (Continued)

1 Article	2 Amendment
Article 8	<p>Substitute the whole of this Article as follows –</p> <p>“The penalty charge shall be paid to the Council by cash, cheque, postal order or other accepted means which shall be delivered or sent by post to the Council's payment office or to the Council's agents' office at the address or addresses indicated on the penalty charge notice and in accordance with instructions on that notice, to arrive not later than 5pm, or be paid by a credit card or debit card by telephone by 5pm:-</p> <p>(a) on the fourteenth day in the case of a reduced penalty charge where the notice was issued under Regulation 9 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 [S.I. 2007 No. 3483] beginning on the date the notice was served; or</p> <p>(b) on the twenty-first day in the case of a reduced penalty charge where the notice was issued under Regulation 10 of those Regulations beginning on the date the notice was served; or</p> <p>(c) on the twenty-eighth day in the case of a penalty charge, beginning on the date the notice was served:-</p> <p>Provided that, if the said fourteenth, twenty-first or twenty-eighth day falls upon a day on which the said payment office or agents' offices are closed, the period within which payment of the said charge shall be made to the Council or their agents shall be extended until the next day on which the said offices are open.”</p>
Articles 13, 14 and 15	For the expression “parking attendant” substitute the expression “civil enforcement officer”.

SCHEDULE 2
(See Article 3 (b))

Amendments to 1994/3 as a consequence of adding Schedule 18

1	2
Article	Amendment
Article 4	<p>Substitute as follows:-</p> <p>“Each area on a highway comprising the length of carriageway of a street specified in Column 2 of Schedule 1, Schedule 2, Schedule 3, Schedule 4, Schedule 5, Schedule 6, Schedule 7, Schedule 8, Schedule 9, Schedule 10, Schedule 11, Schedule 12, Schedule 13, Schedule 14, Schedule 15, Schedule 16, Schedule 17 or Schedule 18 and, unless otherwise 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”.</p>
Article 5	<p>Substitute as follows:-</p> <p>“Each loading place referred to in Schedule 1, Schedule 2, Schedule 3, Schedule 4, Schedule 5, Schedule 6, Schedule 7, Schedule 8, Schedule 9, Schedule 10, Schedule 11, Schedule 12, Schedule 13, Schedule 14, Schedule 15, Schedule 16, Schedule 17 or Schedule 18 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.”</p>
Article 6	<p>Substitute as follows:-</p> <p>“No person shall cause any vehicle to be left in a loading place designated by Schedule 1, Schedule 3, Schedule 5, Schedule 6, Schedule 7, Schedule 9, Schedule 10 or Schedule 11 for a continuous period of more than twenty minutes or in a loading place designated by Schedule 2, Schedule 4, Schedule 8, Schedule 12, Schedule 13, Schedule 15, Schedule 16, Schedule 17 or Schedule 18 for a continuous period of more than one hour or in a loading place designated by Schedule 14 for a continuous period of more than two hours”.</p>
Article 7	<p>For the first and second sentences, substitute as follows:-</p> <p>“If a goods vehicle is left in a loading place designated by Schedule 1, Schedule 3, Schedule 5, Schedule 6, Schedule 7, Schedule 9, Schedule 10 or Schedule 11 for a continuous period of more than twenty minutes or in a loading place designated by Schedule 2, Schedule 4, Schedule 8, Schedule 12, Schedule 13, Schedule 15, Schedule 16, Schedule 17 or Schedule 18 for a continuous period of more than one hour or in a loading place designated by Schedule 14 for a continuous period of more than two hours 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 Schedules 1 to 18 inclusive during the permitted hours, a contravention shall have occurred and a penalty charge shall be payable.”</p>

SCHEDULE 3
(See Article 3 (c))

SCHEDULE 18 [to 1994/3]

IN RELATION TO A LOADING PLACE REFERRED TO IN THIS SCHEDULE THE EXPRESSION "PERMITTED HOURS" MEANS BETWEEN 7 AM AND 8 PM ON MONDAYS TO SATURDAYS INCLUSIVE, AND BETWEEN 9 AM AND 6 PM ON SUNDAYS AND ON GOOD FRIDAY, CHRISTMAS DAY AND BANK HOLIDAYS.

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.

1 No. of Loading Place	2 Designated Loading Place	3 Maximum number of loading bays	4 Minimum total length in metres not to be occupied by loading bays	5 Special manner of standing
18/1	White Hart Lane, Barnes: the east side, for a distance of 13 metres outside Nos 9-11 White Hart Lane.	1	-	-

EXPLANATORY NOTE

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

This Order introduces a loading place for goods vehicles at:-

White Hart Lane, Barnes:

for a length of 13 metres outside Nos 9-11 White Hart Lane. The hours of control are Mondays to Saturdays, from 7am to 8pm, and Sundays, bank holidays, Good Friday and Christmas Day from 9am to 6pm. Vehicles will be subject to a maximum stay of 1 hour.

STATEMENT OF REASONS

This Order provides for a loading bay in White Hart Lane, Barnes for the benefit of local businesses.

**THE LONDON BOROUGH OF RICHMOND UPON THAMES (LOADING PLACES)
(AMENDMENT No. **) ORDER 200***

WHITE HART LANE, BARNES
(Reference 79/08)

1. The Council of the London Borough of Richmond upon Thames propose to make the above Order under sections 6 and 124 of, and Part IV of Schedule 9 to, the Road Traffic Regulation Act 1984, as amended by the Local Government Act 1985 and the Traffic Management Act 2004.
2. The general effect of the Order will be to introduce a new loading place in White Hart Lane, Barnes as detailed in the Schedule to this notice. The loading place will be for the use of goods vehicles only, during the times specified in the Schedule.
3. Copies of the proposed Order, plans showing the location and effect of the proposals and the Council's Statement of Reasons for proposing to make the Order can be inspected, quoting Reference 79/08, at:
 - (a) East Sheen Library, Sheen Lane Centre, Sheen Lane, London SW14 8LP during opening hours; and
 - (b) the Civic Centre (Planning Reception, ground floor), 44 York Street, Twickenham between 9.15am and 5pm on Mondays to Fridays, except for Bank and other public holidays.
4. Persons wishing to object to or support the proposals or any part thereof should write to the Manager for Highways and Transport, Civic Centre, 44 York Street, Twickenham TW1 3BZ within 21 days of the date of this Notice giving the grounds of their objection.

ANDREW DARVILL
Assistant Director, Traffic and Transport
Civic Centre, 44 York Street, Twickenham TW1 3BZ

SCHEDULE
PROPOSED LOADING BAY

White Hart Lane, Barnes:

The east side, outside new retail development at Nos 9-11 White Hart Lane for a length of 13 metres. The hours of control will be on Mondays to Saturdays inclusive, from 7am to 8pm, and on Sundays and public holidays from 9am to 6pm. The maximum stay will be 1 hour, with no return within 1 hour.

The expression "public holidays" will include Good Friday and Christmas Day.

Dated 3 October 2008

THE LONDON BOROUGH OF RICHMOND UPON THAMES (LOADING PLACES)
(AMENDMENT No. 28) ORDER 2008

WHITE HART LANE, BARNES

(Reference 93/08)

1. The Council of the London Borough of Richmond upon Thames on the 1 December 2008 made the above Order under sections 6 and 124 of, and Part IV of Schedule 9 to, the Road Traffic Regulation Act 1984, as amended.
2. The general effect of this Order is to introduce a new loading place in White Hart Lane, Barnes as detailed in the Schedule to this notice. The loading place will be for the use of goods vehicles only, during the times specified in the Schedule.
3. Copies of this Order, which will come into operation on 8 December 2008, a plan showing the location and effect of the Order and the Council's Statement of Reasons for making the Order can be inspected for a period of six weeks from the date of this Notice, quoting Reference 93/08, at:-
 - (a) East Sheen Library, Sheen Lane Centre, Sheen Lane, London SW14 8LP during opening hours; and
 - (b) the Civic Centre (Planning Reception, ground floor), 44 York Street, Twickenham between 9.15am and 5pm on Mondays to Fridays, except for Bank and other public holidays.
4. Copies of this Order may be purchased from the Environment Directorate, Civic Centre, 44 York Street, Twickenham TW1 3BZ.
5. Persons wishing to question the validity of this Order or any of its provisions on the grounds that it or they are not within the powers conferred by the 1984 Act, or that any requirement of the Act or any instrument made under the Act has not been complied with that person may, within six weeks from the date on which the Order was made, apply for the purpose to the High Court.

ANDREW DARVILL

Assistant Director, Traffic and Transport
Civic Centre, 44 York Street, Twickenham TW1 3BZ

SCHEDULE
LOADING BAY

White Hart Lane, Barnes:

The east side, outside new retail development at Nos 9-11 White Hart Lane for a length of 13 metres. The hours of control will be on Mondays to Saturdays inclusive, from 7am to 8pm, and on Sundays and public holidays from 9am to 6pm. The maximum stay will be 1 hour, with no return within 1 hour.

The expression "public holidays" includes Good Friday and Christmas Day.

Dated 5 December 2008