

TRAFFIC MANAGEMENT ORDER

THE LONDON BOROUGH OF RICHMOND UPON THAMES (WAITING AND LOADING RESTRICTION) (CIVIL ENFORCEMENT AREA) (AMENDMENT No. 14) ORDER 2008

Made: 15 December 2008

Coming into operation: 1 January 2009

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 1 January 2009 and may be cited as the London Borough of Richmond upon Thames (Waiting and Loading Restriction) (Civil Enforcement Area) (Amendment No. 14) 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 operation of this Order, the London Borough of Richmond upon Thames (Waiting and Loading Restriction) (Civil Enforcement Area) Order 2008(c), as amended, shall have effect as though for the item numbered 534 in Schedule 1 to that Order there were substituted the item similarly numbered and set out in columns 1, 2 and 3 of the Schedule to this Order.

Dated 15 December 2008

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

(a) 1984 c. 27. (b) 1978 c. 30.
(c) 2008/0/38 – the relevant amending Order is 2008/75.

SCHEDULE
(See Article 3)

SCHEDULE 1 [to 2008/38] RESTRICTED STREETS

1 Item No.	2 Street	3 Prescribed hours - see Schedule 3 [to 2008/38]
534	<p>Petersham Road, Richmond:</p> <p>(a) from its junction with Hill Rise, Richmond to the north-western kerb-line of Star and Garter Hill, Richmond;</p> <p>(b) the service road leading to Nos 155 and 155A Petersham Road:0</p> <p style="padding-left: 40px;">(i) the northern side, from the western kerb-line of the main carriageway of Petersham Road eastwards for a distance of 15 metres, to the eastern kerb-line of Tree Close, Petersham;</p> <p style="padding-left: 40px;">(ii) the whole of the perimeter of the island site in that access road;</p> <p style="padding-left: 40px;">(iii) the southern side, from the western kerb-line of the main carriageway of Petersham Road eastwards for a distance of 20 metres;</p> <p>(c) the west side, the lay-by to the south of the former "Three Pigeons" public house, excluding the loading place.</p>	<p>(i)</p> <p>A</p> <p>A</p> <p>A</p> <p>A</p> <p>A</p>

EXPLANATORY NOTE

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

This Order provides for waiting restrictions to operate at all times in a lay-by at a point of access to the towpath of the River Thames adjacent to the west side of Petersham Road, Richmond. The lay-by is for the use of vehicles seeking limited access to the towpath, and for vehicles using a designated loading place adjoining the lay-by.

This is one of three Orders which give statutory provisions for a local scheme to improve pedestrian access and to regulate vehicular access to the towpath.

STATEMENT OF REASONS

It is an offence under section 34 of the Road Traffic Act 1988, as amended by the Countryside and Rights of Way Act 2000, for motor vehicles to use the towpath without lawful authority. The arrangements which were in place prior to June 2007 to prevent vehicular access to the towpath were deemed to be inadequate. However, the Council recognizes the necessity of vehicular access for riverside businesses and properties in special cases. The Council is, therefore, designating an area of public highway where loading and unloading will be permitted at all times, and a means of providing limited vehicular access to the towpath at times when pedestrian activity is expected to be light. Vehicular access to the towpath is to be restricted to vehicles of no more than 7.5 tonnes maximum gross weight. The restrictions on vehicular access and the method and means of gaining such access are a compromise between an outright prohibition and unrestricted vehicular movement, but will give the authority to which the Act of 1988 alludes.

This scheme was introduced by way of an experiment to give the Council powers to make modifications or variations to the scheme in the light of operational experience. The experimental Order which provided for the waiting restrictions was the London Borough of Richmond upon Thames (Waiting and Loading Restriction) (Special Parking Area) (No. 2) Experimental Order 2007.

The London Borough of Richmond upon Thames has considered the results of the experiment and is satisfied that it has been successful in restricting vehicular access to the towpath with no adverse effects on the local community. This Order therefore is made to replicate and continue in force indefinitely the provisions of that experimental Order.

THE LONDON BOROUGH OF RICHMOND UPON THAMES (LOADING PLACES)
(AMENDMENT No. 29) ORDER 2008

THE LONDON BOROUGH OF RICHMOND UPON THAMES (WAITING AND LOADING
RESTRICTION) (CIVIL ENFORCEMENT AREA) (AMENDMENT No. 14) ORDER 2008

THE LONDON BOROUGH OF RICHMOND UPON THAMES (TRAFFIC RESTRICTION)
(WEIGHT RESTRICTION) (No. 1) ORDER 2008

PETERSHAM ROAD, RICHMOND

(Reference 98/08)

1. The Council of the London Borough of Richmond upon Thames on 15 December 2008 made the above-mentioned Orders under sections 6 and 124 of, and Part IV of Schedule 9 to, the Road Traffic Regulation Act 1984 (as amended).
2. The principal objective of these Orders is to allow an experimental traffic management scheme (introduced in July 2007) to be continued on a permanent basis. The principal objective of the scheme is to provide a controlled access point on the west side of Petersham Road, Richmond and to the south of the site of the former "Three Pigeons" public house for vehicles and pedestrians to the towpath adjoining the River Thames.
3. The general effect of the **Loading Places Order** is to make permanent the designation of a loading place in a lay-by near the former "Three Pigeons" public house, Petersham Road where vehicles may wait for a maximum stay of 1 hour for the purposes of loading or unloading, such restriction being in force at all times. The sole effect of this Order is to replicate and continue in force indefinitely the provisions of the London Borough of Richmond upon Thames (Loading Places) (No. 1) Experimental Order 2007.
4. The general effect of the **Waiting and Loading Restriction Order** is to make permanent the waiting restrictions "no waiting at any time" in the said lay-by. The sole effect of this Order is to replicate and continue in force indefinitely the provisions of the London Borough of Richmond upon Thames (Waiting and Loading Restriction) (Special Parking Area) (No. 2) Experimental Order 2007.
5. The general effect of the **Weight Restriction Order** will be to permit access by motor vehicles to the towpath at the point described in paragraph 2 above only between the hours of midnight and 10am every day, such movement being controlled by an electrically-operated bollard and access being granted only to those vehicles as have a reasonable need for access, and which do not exceed 7.5 tonnes maximum gross weight. The sole effect of this Order is to replicate and continue in force indefinitely the provisions of the London Borough of Richmond upon Thames (Traffic Restriction) (Weight Restriction) (No. 1) Experimental Order 2007.
6. Copies of the Orders, which will come into operation on 1 January 2009, a plan showing the location and effect of the Orders and the Council's Statement of Reasons for making the Orders can be inspected for a period of 6 weeks from the date of this Notice, quoting Reference 98/08, at:-
 - (a) Richmond Reference Library, Old Town Hall, Whittaker Avenue, Richmond TW9 1TP 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.
7. Copies of the Orders may be purchased from the Environment Directorate, Civic Centre, 44 York Street, Twickenham TW1 3BZ.
8. If any person wishes to question the validity of the Orders or of any of their provisions on the grounds that they are not within the powers conferred by the Road Traffic Regulation Act 1984, or that any requirement of the said Act of 1984 or of any instrument made under the said Act of 1984 has not been complied with, that person may, within 6 weeks from the date on which the Orders were made, apply for the purpose to the High Court.

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

Dated 19 December 2008