

LONDON BOROUGH OF CAMDEN
TRAFFIC MANAGEMENT ORDER
2012 / No. 78

The Camden (Parking Places) (Queen's Crescent Market) Traffic Order 2012

Made on 13 May 2013

Coming into force on 17 May 2013

ARRANGEMENT OF ARTICLES

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SCHEDULE

Market Traders Parking Places

The London Borough of Camden, after consulting the Commissioner of Police of the Metropolis, in exercise of the powers conferred by sections 45, 46, 49 and 124 of 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 AND COMMENCEMENT

- 1.1 This order may be cited as the Camden (Parking Places) (Queen's Crescent Market) Traffic Order 2012 and will come into force on 17 May 2013.

2 INTERPRETATION

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

"the Act of 1984" means the Road Traffic Regulation Act 1984;

"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;

"council" means the Council of the London Borough of Camden or authorised agent;

"controlled hours" in relation to a parking place means the period specified in the **fourth column** of each item in the schedule but excludes Christmas Day, Good Friday and any day designated as a bank holiday by the Banking and Financial Services Act [1971 c.80];

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

"electronic payments system", for the purposes of this order, 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 businesses 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, bylaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;

"goods" means goods of any kind whether animate or inanimate and **"delivering"** and **"collecting"** in relation to any goods includes the checking of goods and completion of any relevant paperwork;

“hand-held device” means a portable, computer terminal which is capable of transmitting data to and receiving data from the electronic payments system in respect of particular vehicles;

“market trader” means a person who is the holder of an unexpired street trader’s licence issued by the council under the provisions of the London Local Authorities Acts 1990 [1990 c. 7] as amended;

“parking place” means an area on a highway specified in an item in the schedule;

“postal packets” has the same meaning ascribed to it by the Postal Services Act 2000 [2000 c. 26];

“scratchcard” means a permit issued with a validity period of one day with provision on the face for the driver to indicate the date of use;

“schedule” means the schedule to this order;

“traffic sign” has the same meaning as in section 64 of the Act of 1984;

“vehicle” for the purposes of this order means a motorised vehicle not exceeding 7.5 tonnes gross unladen weight;

2.2 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.

2.3 Any reference in this order to a numbered article shall, unless the context otherwise requires, be construed as a reference to the Article bearing that number in this order including, unless otherwise specified, each sub-article within that article.

2.4 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.

2.5 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 and any exception or exemption from the provisions of this order are without prejudice to the provisions of any other enactment.

2.6 For the purposes of this order a vehicle shall be deemed to be waiting in a parking place if the vehicle is stationary and any point of the parking place is below the vehicle or its load.

3 DESIGNATION AND USE OF PARKING PLACES

3.1 Each area on a highway comprising the length of carriageway specified in the third column of a street specified in the second column of each item in the schedule and having a width throughout of at least 1.8 metres is hereby designated as a parking place.

3.2 Subject to the provisions of this order and unless provided for by another order made under sections 45 and 46 of the Act of 1984, each parking place may be used for the leaving during the controlled hours only of such vehicles in respect of which a valid market traders permit has been issued.

4 PROVISIONS RELATING TO PERMITS FOR MARKET TRADERS

4.1 Any market trader who is the owner of a vehicle may apply to the Council for a permit for the leaving of that vehicle in such parking places as are specified in article 3 during the controlled hours

4.2 The issuance of any permit is dependent on the applicant being able to satisfy the council's eligibility criteria for such permits and on payment of the appropriate charge specified in table in article 4.6.

4.3 Permits shall be issued with validity periods of either 12, 6 or 3 calendar months or a single day

4.4 Permits shall be issued either in writing or in the form of a scratchcard or shall take the form of an electronic record in the electronic payments system.

4.5 A permit shall cease to be valid if:

4.5.1 the permit holder ceases to be a market trader;

4.5.2 the permit holder fails to comply with any terms and conditions imposed by the council under which the market traders licence or permit was issued;

4.5.3 the permit expires and the permit holder has not renewed it prior to its expiry;

4.5.4 the vehicle in respect of which the permit was issued ceases to be of the type specified in the definition of the term "vehicle";

4.5.5 the permit holder ceases to be the owner of the vehicle in respect of which the permit was issued.

4.6 The charge for the permit shall be dependent on the validity period of the permit and the number of days per week for which the permit has been issued;

validity period	number of days per week	charge (£)
12 months	6	232.00
6 months	6	130.00
3 months	6	71.00
12 months	2	101.00
6 months	2	58.00
3 months	2	37.25
12 months	1	51.00
6 months	1	29.00
3 months	1	19.75
1 day	n/a	2.50

- 4.7 In the case of a permit issued in the form of writing, an indication that the parking charge has been paid shall be given by the clear display of that permit inside the vehicle so that all details relating to the permit are visible from the exterior of the vehicle.
- 4.8 In the case of a permit which takes the form of an electronic record, an indication that the parking charge has been paid shall be given when on inputting and submitting the registration number of a vehicle using a hand-held device, a response is received from the electronic payments system via the device that a permit has been issued with respect to the vehicle.
- 4.9 In the case of a permit issued in the form of a scratchcard, an indication that the parking charge has been paid shall be given by the clear display of the scratchcard inside the vehicle so that the date on which the vehicle was left in the parking place, as indicated by the driver, is visible from the exterior of the vehicle.

5 POWER TO SUSPEND THE USE OF A PARKING PLACE

- 5.1 The Council or the Commissioner of Police of the Metropolis may suspend the use of a parking place or part of a parking place whenever that person considers it reasonably necessary to do so:
- 5.1.1 to facilitate the movement of traffic or to promote its safety;
- 5.1.2 to facilitate any building operation, demolition or excavation adjacent to the parking place;
- 5.1.3 for the maintenance, improvement or reconstruction of the road and street furniture, the cleansing of gullies or to maintain trees adjacent to the parking place;
- 5.1.4 to facilitate the laying, erection, alteration, removal or repair in or adjacent to the parking place of any sewer, mains or pipe for the supply of water, gas, electricity or of any electronic communications apparatus;
- 5.1.5 for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture to or from one office or dwelling-house adjacent to the parking place from or to a depository, another office or dwelling-house;
- 5.1.6 on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed or to facilitate filming work;
- 5.1.7 for the convenience of occupiers of premises adjacent to the parking place on the occasion of weddings, funerals, or other special occasions.
- 5.2 A police constable in uniform may suspend for not longer than twenty-four hours the use of a parking place or any part thereof whenever he or she considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.

- 5.3 The suspension of a parking place or part of a parking place shall be indicated by the placement in or adjacent to the parking place of traffic signage of such type as may be prescribed or authorised under section 64 or 65 of the Act of 1984 indicating that the waiting of vehicles is prohibited and the Council may temporarily remove or replace any permanent traffic signage in order to convey the same effect.
- 5.4 No person shall cause or permit a vehicle to wait in any part of a parking place during such period as there is in or adjacent to that parking place a traffic sign placed in pursuance of article 5.3.
- 5.5 Nothing in this paragraph shall apply in respect of any vehicle which is waiting for any reason specified in articles 6.1.1, 6.1.2 or 6.1.3 or with the permission of the person suspending the use of all or part of the parking place or a police constable in uniform or any person duly authorised by the Council.

6 RESTRICTION ON WAITING BY A VEHICLE IN A PARKING PLACE

- 6.1 Notwithstanding the foregoing provisions of this order any vehicle may wait during the permitted hours in any part of a parking place if the use of that part as not been suspended and if:
- 6.1.1 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;
- 6.1.2 the vehicle is an ambulance or is being used for Fire Brigade or Police purposes;
- 6.1.3 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;
- 6.1.4 the vehicle is waiting for a period not exceeding two minutes or such longer period as a police constable in uniform or a civil enforcement officer may approve to enable a person to board or alight from the vehicle or load thereon or unload therefrom their personal luggage but the waiting period shall not be limited if the said person suffers from any disability or injury which seriously impairs their ability to walk;
- 6.1.5 the vehicle, not being a passenger vehicle, 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 place in which it is waiting;
- 6.1.6 the vehicle is waiting while postal packets are being loaded onto or unloaded from the vehicle or while postal packets are being delivered to or collected from addresses or post boxes adjacent to the parking place;
- 6.1.7 the vehicle is waiting for not more than twenty minutes or such longer period as may be approved by the Council or Civil Enforcement Officer for the purposes of loading or unloading goods;

6.1.8 the vehicle not being a passenger vehicle is waiting only for so long as may be reasonably necessary to enable it to be used for any purposes specified in articles 5.1.2, 5.1.3 or 5.1.4.

6.2 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 parking place during the controlled hours.

7 RESTRICTION ON THE REMOVAL OF PERMITS

7.1 Where a permit has been displayed on a vehicle in accordance with the provisions of this order, no person, not being the driver or owner of the vehicle, or a person authorised by the Council or its authorised agent shall remove the permit from the vehicle unless authorised to do so by the driver of the vehicle.

8 MANNER OF STANDING IN A PARKING PLACE

8.1 Every vehicle left in a parking place which is not in a one-way street shall stand so that every part of the vehicle is within the marked limits of a parking place and with its side parallel to the kerb unless the marked limits of the parking place indicate that the vehicle should stand otherwise.

8.2 In the case of a vehicle left in a parking place that is in a one-way street, the vehicle shall stand so that the near-side of the vehicle is adjacent to the left-hand edge of the carriageway or so that the off-side of the vehicle is adjacent to the right-hand edge of the carriageway unless the marked limits of the parking place indicate that the vehicle should stand otherwise.

9 MISCELLANEOUS RESTRICTIONS

10.1 No person shall use any parking place or any vehicle whilst in a parking place in connection with the sale or offering for sale of any article to any person in or near the parking place or in connection with the selling or offering for sale or hire of their skill in handicraft or their services in any other capacity.

10 PLACEMENT OF TRAFFIC SIGNS

10.1 The Council shall:

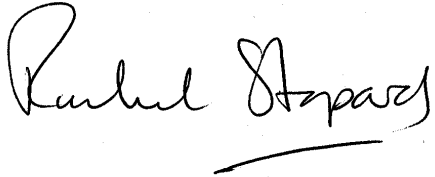
10.1.1 cause the limits of each parking place to be indicated on the carriageway by placing and maintaining thereon appropriate traffic signs;

10.1.2 place and maintain in or in the vicinity of each parking place traffic signs indicating that the parking place may be used for the leaving of vehicles specified in article 3;

10.1.3

carry out such other work as may be reasonably required for the purposes of the satisfactory operation of a parking place.

Dated this 13 May 2013

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

Rachel Stopard
Director – Culture and Environment

SCHEDULE

ITEM NUMBER	STREET	LENGTH OF STREET	CONTROLLED HOURS
12592	ALLCROFT ROAD	west side: from the northern boundary of no. 44 Allcroft Road, southwards for a distance of 26 metres	Thursday & Saturday 8.30am – 6.30pm
12593	ALLCROFT ROAD	east side: from a point 47 metres south of the southern kerb line of Queen's Crescent, southwards for a distance of 25 metres	Thursday & Saturday 8.30am – 6.30pm
12594	ALLCROFT ROAD	east side: from a point 25 metres south of the southern kerb line of Queen's Crescent, southwards for a distance of 6 metres	Thursday & Saturday 8.30am – 6.30pm
12595	BASSETT STREET	east side: from a point 14 metres south-east of the southern kerb line of Queen's Crescent, southwards for a distance of 20 metres	Monday – Saturday 8.30pm – 6.30pm
12596	BASSETT STREET	west side: from a point 12 metres south of the southern kerb line of Queen's Crescent, southwards for a distance of 40 metres	Thursday & Saturday 8.30am – 6.30pm
12598	GRAFTON ROAD	west side: from a point 5 metres south of the southern kerb line of Queen's Crescent, southwards for a distance of 11 metres	Thursday & Saturday 8.30am – 6.30pm
12599	GRAFTON ROAD	west side: from a point 39 metres south of the southern kerb line of Queen's Crescent, southwards for a distance of 25 metres	Thursday & Saturday 8.30am – 6.30pm

ITEM NUMBER	STREET	LENGTH OF STREET	CONTROLLED HOURS
12600	MALDEN ROAD	south-west side: from a point 20 metres south-east of the south-eastern kerb line of Queen's Crescent, south-eastwards for a distance of 25 metres	Thursday & Saturday 8.30am – 6.30pm
12601	QUEEN'S CRESCENT	north side: from a point 18 metres east of the eastern kerb line of Grafton Road, eastwards for a distance of 37 metres	Thursday & Saturday 8.30am – 6.30pm
12602	QUEEN'S CRESCENT	north-west side: from a point 5 metres north-west of the north-eastern kerb line of Herbert Street, north-eastwards for a distance of 24 metres	Thursday & Saturday 8.30am – 6.30pm
12603	QUEEN'S CRESCENT	south-east side: from a point 18.7 metres south-west of the south-western kerb line of Malden Road, south-westwards for a distance of 29.7 metres	Monday – Saturday 8.30pm – 6.30pm
12604	WEEDINGTON ROAD	east side: from a point 14 metres south of the southern kerb line of Queen's Crescent, southwards for a distance of 30 metres	Thursday & Saturday 8.30am – 6.30pm
12605	WEEDINGTON ROAD	west side: from a point 12 metres south of the southern kerb line of Queen's Crescent, southwards for a distance of 7.5 metres	Thursday & Saturday 8.30am – 6.30pm
12606	WEEDINGTON ROAD	west side: from a point 25 metres south of the southern kerb line of Queen's Crescent, southwards for a distance of 20 metres	Thursday & Saturday 8.30am – 6.30pm