



London Borough of Tower Hamlets
TRAFFIC MANAGEMENT ORDER
2011 No: 85

THE TOWER HAMLETS (LOADING BAYS) (No.1) TRAFFIC ORDER 2011

Made: 31 October 2011

Coming into force: 14 November 2011

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Schedules – Areas of streets designated as Loading Bays

The Council of the London Borough of Tower Hamlets, after 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 (1984 C.27), as amended by Section 8 of and Part 1 of Schedule 5 to the Local Government Act 1985 (1985 C.51) and the Traffic Management Act 2004 (2004 C.18) and of all other powers thereunto enabling hereby make the following Order: -

PART 1 – PRELIMINARY

Citation and commencement

1. This Order shall come into force on 14 November 2011 and may be cited as The Tower Hamlets (Loading Bays) (No.1) Traffic Order 2011.

Interpretation

2. (i) In this Order, except where the context otherwise requires,

“Civil Enforcement Officer” has the same meaning as in Section 76 of the Traffic Management Act 2004;

“Cycle Docking Station” refers to an area of carriageway or footway designated for pedal cycles used for the London Cycle Hire Scheme;

“Council” means the Council of the London Borough of Tower Hamlets;

“Driver” (in relation to a vehicle waiting in a Loading Bay) means the person driving the vehicle at the time it was left in a Loading Bay;

“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 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 vehicle” has the same meaning as in the Traffic Signs Regulations and General Directions 2002 [SI. 2002/3113];

“Loading Bay” means any area on a highway designated as a Loading Bay by this Order;

“London Cycle Hire Scheme” refers to the pedal cycle rental scheme operated by Transport for London and their agents;

“One-Way street” means a street in which the driving of vehicles otherwise than in one direction is prohibited;

“Owner” in relation to a vehicle, means the person by whom such vehicle is kept and used;

“Permitted Hours” in relation to a Loading Bay, means the period specified at the beginning of a Schedule;

“Schedule” means a Schedule to this Order;

“Street” means part of a street;

“Telecommunications System” has the same meaning as in the Telecommunications Act 1984 (1984 C.12);

- (ii) 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.

PART 2 – DESIGNATION OF LOADING BAYS

Designation of Loading Bays

3. Each area on a highway comprising the length of carriageway of a street specified in column 2 of a Schedule and, unless otherwise so specified, bounded on one side of that length by the edge of the carriageway and having a minimum width throughout of 1.8 metres, is designated as a Loading Bay;

Restrictions on the use of a Loading Bay

4. During the permitted hours and subject to the conditions specified in the heading to a Schedule and in relation to that Loading Bay, the driver or other person in charge of a vehicle of the class specified, which is permitted to use the Loading Bay, shall not cause such vehicle to wait thereon during the hours specified other than whilst goods are being continuously loaded or unloaded from the vehicle or are being delivered or collected from premises adjacent to the vehicle.

PART 3 – SUPPLEMENTARY PROVISIONS

Manner of standing in a Loading bay

5. The driver of a vehicle waiting in a Loading Bay in accordance with the foregoing provisions of this Order shall cause it so to stand:-
 - (i) so that every part of the vehicle is within the limit of the Loading Bay;
 - (ii) so that no part of the vehicle obstructs any vehicular means of ingress 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 Bay

6. (i) Any person duly authorised by the Council may suspend the use of a Loading Bay or any part thereof whenever he/she 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 Bay, the maintenance, improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the Loading Bay, the laying, erection, alteration or repair in or adjacent to the Loading Bay of any main, pipe or apparatus for the supply of gas, electricity or water or 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 bay on any occasion of the removal of furniture to or from one office or dwelling house adjacent to the Loading Bay 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;
 - (e) for the convenience of occupiers of premises adjacent to the Loading Bay at times of weddings or funerals, or on other special occasions;
 - (f) for the purposes of filming in or adjacent to the Loading Bay.

(ii) A Police Constable in uniform may suspend for not longer than twenty-four hours the use of a Loading Bay or any part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.

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

(iv) No person shall cause or permit a vehicle to wait in a Loading Bay or any part thereof during such period if there is in or adjacent to that Loading Bay or that part thereof, as the case may be, a traffic sign placed in pursuance of paragraph (iii) of this Article.

It is provided that nothing in this paragraph shall apply:-

- (1) 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 8 (1) (a) or (c) of this Order; or
- (2) to anything done with the permission of the person suspending the use of the Loading Bay or part thereof in pursuance of Paragraph (1) of this Article 8, a police constable in uniform or a civil enforcement officer.

Restriction on the use of a Loading Bay

7. During the permitted hours, no person shall use a Loading Bay or any vehicle whilst it is in a Loading Bay in connection with the sale or offering or exposing for sale of any goods to any person in or near the parking place or in connection with the selling or offering for sale of their skill in handicraft or their services in any other capacity.

Restriction on waiting by a vehicle in a Loading Bay

8. (1) Notwithstanding the foregoing provisions of this Order, any vehicle may wait in any part of a Loading Bay if the use of that part has not been suspended and if:-

- (a) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his/her control or to such waiting being necessary in order to avoid an accident;
- (b) the vehicle is being used for fire brigade, ambulance or police purposes, or, 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;
- (c) the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;
- (d) the vehicle is waiting:-

(i) whilst postal packets addressed to premises adjacent to the Loading Bay in which the vehicle is waiting are being unloaded from the vehicle or, having been unloaded therefrom, are being delivered;

(ii) whilst postal packets are being collected for loading onto the vehicle from premises or posting boxes adjacent to the Loading Bay in which the vehicle is waiting or, having been so collected, are being loaded thereon.

(e) vehicles when used in the maintenance, improvement or operation of the London Cycle Hire Scheme whilst waiting adjacent to/nearby a cycle docking station.

(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 Bay during the permitted hours.

Movement of a vehicle in a Loading Bay in an emergency

9. A police constable in uniform or a civil enforcement officer may move or cause to be moved, in the case of an emergency (to any place he thinks fit) any vehicle left unattended in a Loading Bay.

Placing of Traffic Signs

10. The Council shall place and maintain traffic signs indicating the limits of each Loading Bay and the restrictions on use.

Revocation

11. 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 Tower Hamlets(Goods Vehicles Loading Bays) (No.1) Traffic Order 2000 [LBTH 2000 No.17]and the Tower Hamlets (Loading Bays) (No.1) Traffic Order 2002 [LBTH 2002 No.20] both as amended and applied, ARE HEREBY REVOKED.

Dated: 31 October 2011



JAMIE BLAKE
SERVICE HEAD, PUBLIC REALM
(The Officer appointed for the purpose)