TEMPORARY TRAFFIC MANAGEMENT ORDER

THE LONDON BOROUGH OF RICHMOND UPON THAMES (HIGHWAY MAINTENANCE AND PUBLIC CLEANSING) (TEMPORARY PROHIBITION AND REGULATION OF TRAFFIC) ORDER 2013

Made: 18 September 2013

Coming into operation: 23 September 2013

WHEREAS the Council of the London Borough of Richmond upon Thames (hereinafter referred to as "The Council") being the Highway Authority for all streets within the said London borough, with the exception of those streets which are part of the Transport for London Road Network and those which are Crown roads in the Royal Parks of Richmond Park and Bushy Park, is satisfied that vehicular traffic should be prohibited or restricted and waiting restricted in order to facilitate highway maintenance and public cleansing works wherever these may be in progress.

NOW, THEREFORE, the Council in exercise of their powers under Section 14(1) of the Road Traffic Regulation Act 1984 (a), as amended by the Road Traffic (Temporary Restrictions) Act 1991 (b), and of all other enabling powers hereby makes the following Order –

Citation, commencement and maximum duration

1. This Order may be cited as the London Borough of Richmond upon Thames (Highway Maintenance and Public Cleansing) (Temporary Prohibition and Regulation of Traffic) Order 2013; shall come into operation on 23 September 2013 and shall remain in force for a maximum period of 18 months.

Interpretation

2. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

   "street works" means any works of street or highway maintenance, resurfacing works, patching works, maintenance or replacement of street lighting columns, street cleansing, tree pruning/felling or any other works on or near the highway, provided that the person or persons carrying out such works are doing so under the direct order or control of a person or persons duly authorised by the Council;

   "prohibition" includes a prohibition of vehicles, or vehicles of any specified class from proceeding along any length of street, or from turning from one street into another, or, where the context so requires, a direction that such vehicles should turn from one street into another;

   "restriction" includes a restriction on vehicles from waiting or loading or unloading goods either generally or during specified hours;

   "street" has the meaning as indicated in the preamble to this order.

Prohibition or restriction of vehicular traffic

3. Whilst works are in progress no person may cause any vehicle to:

   (a) proceed in any street or length of street or turn from one street to another in the London Borough of Richmond upon Thames which is, at the time, subject to any temporary prohibition to facilitate street works; or

   (b) wait or stand at any time in any street or length of street in the London Borough of Richmond upon Thames which is, at the time, subject to any temporary restriction to facilitate street works.

4. Nothing in Article 2 of this Order shall apply to the driver of any vehicle connected with the execution of the said works or to any public service or utility vehicle.

5. Nothing in this Order shall apply to anything done with the permission or at the direction of a police officer in uniform or a traffic warden.

6. Nothing in this order shall apply to any vehicle on an occasion when it is being used for fire brigade, ambulance or police purposes, if the observance of that provision would be likely to hinder the use of the vehicle for the purpose for which it is being used on that occasion"

7. The provisions of this Order will apply:-

   (a) only to streets or lengths of street within the London Borough of Richmond upon Thames during such times when it is reasonably necessary or expedient to prohibit or restrict vehicular traffic in that street or length of street and to such extent as is at the time indicated by traffic signs prescribed by the Traffic Signs Regulations and General Directions 2002 **(c)**; and

   (b) provided that the Council has given at least 7 clear days public notice of the intended prohibitions or restrictions and the dates on which and hours during which they will apply and that the Council has taken such steps as it sees fit to publicise such prohibitions and restrictions, including, in the case of the temporary closure of any highway, particulars of an alternative route or routes available for traffic.

Alteration of position of/or removal of vehicles

8. Where any vehicle is standing in contravention of the provisions of this Order, a civil enforcement officer may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions or he may relocate the vehicle or cause it to be relocated.

Contravention

9. If a vehicle is left during the restricted time without complying with the requirements of this Order, a contravention shall have occurred and a penalty charge shall be payable. A penalty charge notice showing the information required by the Traffic Management Act 2004 **(d)** may then be issued by a civil enforcement officer in accordance with the requirements of the Traffic Management Act 2004.

Manner of payment of the penalty charge

10. The penalty charge shall be paid to the Council as set out in Schedule 2 to the London Borough of Richmond upon Thames (Manner of Payment of Penalty Charges) Order 2011**(e)**:

Temporary suspension of other orders

11. Where, for the purpose of providing an alternative route for traffic which is diverted away from street works, the drivers of vehicles may be required to act in contravention of any other Order or Orders, the provisions of that Order or those Orders are hereby deemed to be suspended for the days and for the hours specified in the public notice referred to in Article 5(b), always provided that any traffic signs indicating the effect of such an Order or Orders are removed or otherwise covered over in a manner to obscure the face of the sign, whether illuminated or not.

Dated 18 September 2013

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

EXPLANATORY NOTE

(This note is not part of the order, but is intended to summarise the key points of the order)

This order allows the Council to introduce whatever traffic management measures it considers to be necessary to facilitate works to repair or maintain the public highways within the area of the London Borough of Richmond upon Thames. This includes works affecting the street lighting columns, other illuminated or non illuminated traffic signs and the pruning or felling of trees within the highway boundary or in footpaths which are public rights of way or otherwise maintained by the Council.

It is a requirement of this order that advance public notice be given of any such works and the associated traffic management measures. The manner in which the public notice is given is not specified, but must be done as the Council sees fit. This may include a notice published in a local newspaper, a notice published on the Council's web site, a notice displayed on street or informatory traffic signs.

(a) 1984 c. 27. **(b)** 1991 c. 26. **(c)** S.I. 2002 No 3113.
(d) 2004 c. 18. **(e)** 2011/11.