

"carriageway" means a way constituting or comprised in a highway, being a way over which the public have a right of way for the passage of vehicles;

"designated parking place" has the meaning given in section 142(1) of the Road Traffic Regulation Act 1984;

"licensed cab" has the same meaning as in the London Cab Act 1968 (c. 7);

"London Bus Service" and "London Local Service Licence" have the same meaning as in Part II of the Transport Act 1985 (c. 67);

"street" includes any part of a street;

"telecommunication systems" has the same meaning as in the Telecommunication Act 1984.

(2) For the purposes of this Order a vehicle shall be deemed to have stopped or to wait:

(a) in a restricted street if any point in that street is below the vehicle or its load (if any) and the vehicle is stationary; or

(b) for more than a specified period in the same place in a restricted street if any one point in that street is below the vehicle or its load (if any) throughout a period exceeding the specified period whether or not the vehicle is moved during that period.

(3) 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.

(4) Any reference in this Order to a length of street shall, unless otherwise specified, be construed as a reference to the whole width of that length of street.

(5) Unless the context otherwise requires a reference in this Order:

(a) to a numbered article or Schedule is a reference to the article or Schedule bearing that number in this Order, and

(b) to a numbered paragraph is a reference to the paragraph bearing that number in the article in which the reference occurs.

(6) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

(7) 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 is without prejudice to the provisions of any other enactment.

Application of Order

4. The restrictions imposed by Part II of this Order are subject to the exceptions and exemptions set out in Part III of this Order.

PART II RESTRICTIONS

Restrictions applicable to streets specified in Schedule 1 or Schedule 2

5. (1) No person shall cause or permit any vehicle to stop or wait during the prescribed hours in any restricted street, subject to the provisions of the next paragraph.

(2) No person shall cause or permit any vehicle to wait for the purpose of delivering or collecting goods or loading or unloading the vehicle in any of the streets specified in Schedule 2 (which consist of restricted streets or parts thereof) during the restricted hours:

(a) for a period in excess of the time that may be necessary for that purpose, or

(b) for a period of more than 20 minutes,

whichever is less, in the same place.

Prohibitions on vehicles stopping or waiting

6. Notwithstanding anything in Article 5, no person shall cause or permit a vehicle to stop or wait at any time in any part of any restricted street other than at the edge of the carriageway.

PART III

EXCEPTIONS AND EXEMPTIONS FROM RESTRICTIONS

Persons boarding or alighting from vehicles

7. Nothing in Part II of this Order shall render it unlawful to cause or permit:

(1) a licensed cab to wait at the edge of the carriageway in any restricted street for so long as may be necessary for the purpose of enabling a person to board or alight from the vehicle or to load or unload his personal luggage;

(2) a vehicle which is displaying a disabled person's badge in the relevant position to wait at the edge of the carriageway in any restricted street for so long as may be necessary for the purpose

of enabling a disabled person to board or alight from the vehicle;

(3) a disabled person's vehicle to wait at the edge of the carriageway in any restricted street for so long as may be necessary for the purpose of enabling a disabled person to board or alight from the vehicle.

Excepted vehicles

8. The restrictions imposed by Part II of this Order shall not apply in relation to the following vehicles, that is to say:

(1) a vehicle being used for the provision of a London bus service under a London local service licence, or for which such a licence is not required by virtue of section 35(2) or 36(1) of the Transport Act 1985, whilst waiting at an authorised stopping place bounded by a traffic sign consisting of markings of a type shown in diagram 1025 or 1025.2 of the Traffic Signs Regulations and General Directions 1981 (SI 1981/859 to which there are no relevant amendments) or at a turning point;

(2) vehicles when used for fire brigade, ambulance or police purposes;

(3) hackney carriages whilst waiting upon any duly authorised cab rank.

Miscellaneous exemptions

9. (1) Nothing in Part II of this Order shall render it unlawful to cause or permit a vehicle to wait in any restricted street:

(a) while any gate or other barrier at the entrance to premises, to which the vehicle requires access or from which it has emerged, is being opened or closed, if it is not reasonably practicable for the vehicle to wait in any other place while such gate or barrier is being opened or closed;

(b) where the person in control of the vehicle is required by law to stop, or is obliged to do so in order to avoid an accident or prevented from proceeding by circumstances beyond that person's control.

(2) Nothing in Part II of this Order shall apply to anything done with the permission or at the direction of a police constable in uniform.

(3) Nothing in Part II of this Order shall apply to a designated parking place.

(4) Nothing in Part II of this Order shall apply to any person who causes any vehicle to proceed in accordance with any restriction or requirement indicated by traffic signs placed on the highway pursuant to section 66 or section 67 of the Road Traffic Regulation Act.

PART IV ADDITIONAL PROVISIONS

Duty to move on

10. Notwithstanding any exception or exemption contained in this Order, the person in control of a vehicle waiting during the prescribed hours in any restricted street shall move the vehicle on the instructions of a police constable in uniform whenever such moving may be reasonably necessary for the purpose of preventing or removing obstruction.

Restrictions on methods of loading or unloading vehicles

11. No person shall cause any goods to be loaded on to or unloaded from any vehicle in any street in the London Borough of Hackney otherwise than in accordance with the following conditions, that is to say:

(a) no such goods shall be deposited on any carriageway or footway except on the carriageway immediately at the rear of the vehicle and no goods shall remain on any carriageway before the arrival of or after the departure of the vehicle;

(b) no part of any rope, chain, wire, apparatus or machinery used in connection with such loading or unloading, and no load suspended therefrom, shall be less than 4.88 metres above a carriageway, except when over any vehicle being loaded or unloaded, or less than 2.74 metres above the footway;

(c) no such goods shall be passed from hand to hand across any part of any carriageway or footway;

Provided that nothing in this Article shall apply in relation to:

(i) any vehicle specified in sub-paragraph (2) or sub-paragraph (3) of Article 8 of this Order; or

(ii) anything done with the permission or at the direction of a police constable in uniform.