



Deposited Documents – Reference TMO/P002/24

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Placed on deposit on Friday, 8 March 2024

End of Consultation period is Friday, 29 March 2024

Proposed waiting restrictions, Burlington Close, Feltham

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 - A. The London Borough of Hounslow (Waiting and Loading Restriction) Order 2008 (Extract of Articles only)

Any queries regarding these deposited documents should be sent by email to trafficorders@hounslow.gov.uk or alternatively a voicemail can be left on extension 3322.

Proposed waiting restrictions, Burlington Close, Feltham

A. The London Borough of Hounslow (Waiting and Loading Restriction) (Amendment No.*) Order 20****

1. The London Borough of Hounslow proposes to make the above Order under the Road Traffic Regulation Act 1984.
2. The general effect of the Order would be to introduce “no waiting at any time” restrictions for the full extent of Burlington Close except those areas which are marked as parking bays to ensure unfettered access to refuse and emergency vehicles.
3. Documents giving further information of the proposed Order can be viewed for a period of 21 days from the date of this Notice online at hounslow.gov.uk by typing in the term “traffic notices” in the search bar.
4. Any person wishing to object to the proposed Order should send a statement in writing, stating the grounds of the objection, to the Assistant Director of Traffic, Transport & Parking, Hounslow Council, Hounslow House, 7 Bath Road, Hounslow, Middlesex TW3 3EB or by email to trafficorders@hounslow.gov.uk quoting the reference TMO/P002/24, to be received by no later than Friday, 29 March 2024.

Dated 8 March 2024

Jefferson Nwokeoma
Assistant Director Traffic, & Transport & Parking



Traffic Management Order

20** No.**

The London Borough of Hounslow (Waiting and Loading Restriction) (Amendment No.***) Order 20**

Made on ** ***** 20**

Coming into operation on ** ***** 20**

The Council of the London Borough of Hounslow, after consulting the Commissioner of Police of the Metropolis, in exercise of the powers conferred by the Road Traffic Regulation Act 1984¹ as amended, and of all other enabling powers hereby make the following Order:

- 1 This Order shall come into operation on ** ***** 20** and may be cited as the London Borough of Hounslow (Waiting and Loading Restriction) (Amendment No.***) Order 20**.
- 2 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 Hounslow (Waiting and Loading Restriction) Order 2008² shall have effect as though the items numbered 1515 is added to Schedule 1 to that Order as similarly numbered and set out in the Schedule to this Order.

Dated this ***** day of ***** 20**

Assistant Director for Traffic, Transport & Parking
(the officer appointed for the purpose)

¹ 1984 c.27

² LBH 2008/24

Schedule

1 Street Reference	2 Item Number	3 Street	4 Prescribed hours - see Schedule 3
1515		Burlington Close, Feltham, both sides from its junction with Staines Road service road for the entire extent other than those areas marked with parking bay	A

EXPLANATORY NOTE

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

This Order further amends the Hounslow (Waiting and Loading Restriction) Order 2008 by amending waiting restrictions in Burlington Close, Feltham, to prevent obstructive parking and improve sightlines and to ensure unfettered access to refuse trucks and emergency vehicles.



**London Borough
of Hounslow**

Statement of Reasons

Proposed no waiting “at any time” restrictions in Burlington Close, Feltham

The Council is proposing to introduce “no waiting and loading at any time” restrictions for the full extent of Burlington Close except those areas which are marked as parking bays to prevent obstructive parking and improve sightlines and to ensure unfettered access to refuse trucks and emergency vehicles.



Traffic Management Order

2008 No.24

The London Borough of Hounslow (Waiting and Loading Restriction) (Civil Enforcement Area)
Order 2008

Made on 4 August 2008

Coming into operation on 11 August 2008

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The London Borough of Hounslow, after consulting the Commissioner of Police of the Metropolis, in exercise of powers conferred by sections 6 and 124 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984^a, as amended by section 8 and Schedule 5 of the Local Government Act 1985^b, the Road Traffic Act 1991^c and Part 6 of the Traffic Management Act 2004^d and of all other powers thereunto enabling hereby make the following Order:

^a 1984 c.27

^b 1985 c.51

^c 1991 c.40

^d 2004 c.18

PART I

Commencement and citation

1. This Order shall come into operation on 11 August 2008 and may be cited as the London Borough of Hounslow (Waiting and Loading Restriction) (Civil Enforcement Area) Order 2008.

Revocation

2. 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 Hounslow (Waiting and Loading Restriction) Order 1977^a is hereby revoked.

Interpretation

3. (1) In this Order, except where the context otherwise requires:
 - “bus” has the same meaning as in Regulation 22 of the Traffic Signs Regulations and General Directions 2002^b;
 - “civil enforcement officer” means a person appointed by or on behalf of the Council to enforce the restrictions imposed by this Order;
 - “Council” means the Council of the London Borough of Hounslow;
 - “enactment” means any enactment, whether public general or local, and includes any order, byelaw, 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, include 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;
 - “motor cycle parking area” means that part of a restricted street specified in Schedule 8;
 - “parking contravention” has the meaning assigned to it in Part 1 of Schedule 7 of the Traffic Management Act 2004;
 - “penalty charge and reduced penalty charge” means the charge set by the Council under the provisions of the Road Traffic Act 1991 or Part 6 of the Traffic Management Act 2004 and following approval of the Secretary of State or the Mayor of London, which is to be paid to the Council, which in the case of a penalty charge is to be paid within 28 days beginning on the date of the Notice, or in the case of a reduced penalty charge is to be paid following the issue of a penalty charge notice within 14 or 21 days of the issue or service of that notice;
 - “prescribed hours”, in relation to a restricted street, means the time specified in column 2 of Schedule 3 in relation to the letter set out in column 1 of the Schedule and which letter is the letter set out in column 3 of Schedule 1 or 4 in relation to that street;
 - “provision of a universal postal service” and “universal service provider” have the same meanings as in Section 126 of the Postal Services Act 2000^c;
 - “restricted hours”, in relation to any street specified in Schedule 2 means the time specified in column 2 of Schedule 3 and which number set out in column 3 of Schedule 2 in relation to that street;

^a GLC1977/642 – including all amendments up to 2008/15

^b SI.2002/3113 (as amended)

^c 2000 c.26

“restricted street” means any street within the London Borough of Hounslow specified in Schedule 1 or 4 (hereinafter referred to as a “scheduled street”) and includes, except where the context otherwise requires, so much of every other street within that London Borough which is not a scheduled street or a street specified in Schedule 5 and which joins any scheduled street specified in Schedule 1 as lies between the kerb-line of the scheduled street and a point 18.29 metres distant there from, and any reference in this Order to any restricted street specified in Schedule 1 shall be construed accordingly:

Provided that the expression “restricted street” shall not for the purpose of this Order include:

- (a) any area on a highway or any place within the London Borough of Hounslow for the time being designated or described as a parking place by any Order made or having effect as if made or having effect as if made under section 6, section 32 (as extended by section 63 thereof) or section 45 of the Road Traffic Regulation Act 1984; or
- (b) in its application to a street specified in column 1 of Schedule 7, that the length of street which extends 18.29 metres measured in the direction specified in column 2 of that Schedule from the kerb-line of the scheduled street specified in column 3 of that Schedule,

and in this definition the expression “kerb-line” in relation to a scheduled street shall mean that imaginary line which is the projection of the lines formed by the edge of the main carriageway of the scheduled street adjacent to its junction with the side in question of any other street”;

“Scheduled” means a Schedule to this Order;

“street” includes any part of the street;

“telecommunications system” has the same meaning as in the Telecommunications Act 1984^a.

(2) For the purpose of this order a vehicle shall be deemed 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 that 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) The Interpretation Act 1978^b shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament
- (6) The restrictions, prohibitions and requirements imposed by this Order are in addition to and not in derogation of any restrictions, prohibitions or requirement imposed by any other enactment and any exception for exemption from the provisions of this Order is without prejudice to the provisions of any other enactment.

^a 1984 c.12(b)

^b 1978 c.30

- (7) For the purposes of this Order a vehicle shall be regarded as displaying a disabled persons' badge and parking disc in the relevant position when it is so regarded for purposes of Regulation 3(1) of the Local Authorities' Traffic Orders (Exemption for Disabled Persons) (England and Wales) Regulations 2000^a and "relevant position" has the same meaning as in Regulation 4 of those Regulations.

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, and any such exceptions or exemptions are subject to the provisions of Part IV of this Order.

PART II

RESTRICTIONS

Restrictions applicable to streets specified in Schedule 1, Schedule 2 or Schedule 6

5. (1) No person shall cause or permit any vehicle to wait during the prescribed hours in any restricted street specified in Schedule 1 except, subject to the provisions of the next paragraph, for so long as may be necessary for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the street.
- (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 –
- (a) in any of the streets specified in Schedule 2 (which consist of restricted streets or parts thereof specified in Schedule 1) during the restricted hours, or
 - (b) without prejudice to the provisions of the last fore-going sub-paragraph –
 - (i) for a period of more than forty minutes in the same place during the prescribed hours in any part of the street in the London Borough of Hounslow specified in Schedule 6 which is a restricted street; or
 - (ii) for a period of more than forty minutes in the same place during the prescribed hours in any other restricted streets specified in Schedule 1.

Restrictions applicable to restricted streets specified in Schedules 4, 4A and 4B

6. (1) No person shall cause or permit any vehicle to wait during the prescribed hours in any restricted street specified in Schedule 4 –
- (a) for a longer period than 20 minutes or,
 - (b) if a period of less than 20 minutes has elapsed since the termination during the prescribed hours of the last period of waiting (if any) of the vehicle in that street;
- (2) No person shall cause or permit any vehicle to wait during the prescribed hours in any restricted street specified in Schedule 4A –
- (a) for a longer period than 30 minutes or,
 - (b) if a period of less than 1 hour has elapsed since the termination during the prescribed hours of the last period of waiting (if any) of the vehicle in that street;
- (3) No person shall cause or permit any vehicle to wait during the prescribed hours in any restricted street specified in Schedule 4B –

^a SI.2000/683

- (a) for a longer period than 1 hour or,
- (b) if a period of less than an 1 hour has elapsed since the termination during the prescribed hours of the last period of waiting (if any) of the vehicle in that street;

Provided that

- (i) for the purposes of sub-paragraphs 1(b), 2(b) or 3(b) of this Article no account shall be taken of any period during which a vehicle is waiting in that street for any purpose specified in Part IV of this Order;
- (ii) nothing in sub-paragraphs 1(b), 2(b) or 3(b) of this Article shall apply in respect of a disabled person's vehicle which displays in the relevant position a disabled person's badge issued by any local authority.

Restrictions applicable to streets specified in Schedule 5

- 7. No person shall cause or permit any vehicle to stop or remain at rest in any street specified in Schedule 5

PART III

CONTRAVENTION OF WAITING RESTRICTIONS

Restriction on vehicles

- 8. 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, no person shall cause or permit any motor vehicle to wait in any prescribed or restricted street during the prescribed hours.

Contravention of waiting restrictions

- 9. Except as provided in Article 13 of this Order, if a vehicle waits in any street referred to in the Schedules to this Order during the prescribed hours a parking contravention shall have occurred and a penalty charge shall be payable. A penalty charge notice may then be issued by a civil enforcement officer or served by the Council.

Manner of payment of the penalty charge

- 10. The penalty charge shall be paid to the Council by cash, cheque, postal order or other accepted means which shall be delivered or sent by post to the Finance Department of the Council at the address indicated on the penalty charge notice and in accordance with instructions on that notice, to arrive during the hours when such office is open, or to be paid by credit card or debit card by telephone or other means as the Council may from time to time allow -
 - (a) on the fourteenth day in the case of a reduced penalty charge where the notice was issued under Regulation 9 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 beginning on the date the notice was served;
 - (b) on the twenty-first day in the case of a reduced penalty charge where the notice was issued under Regulation 10 of those Regulations beginning on the date the notice was served; or
 - (c) on the twenty-eighth day in the case of a penalty charge, beginning on the date the notice was served:-

Provided that, if the said fourteenth, twenty-first or twenty-eighth day falls upon a day on which the said payment office is closed, the period within which payment of the said charge

shall be payable to the Council shall be extended until the next day on which the office is open.

Removal of a vehicle from waiting restrictions

11. Where a civil enforcement officer is of the opinion that any of the provisions contained in Articles 8 or 9 of this Order have been contravened or not complied with they may, under the provisions of the Road Traffic Act 1991, the Traffic Management Act 2004 and the Removal and Disposal of Vehicles Regulations 1986, remove or cause to be removed the vehicle from the waiting restriction and, where it is so removed, shall provide for its safe custody of the vehicle.

PART IV

EXCEPTIONS AND EXEMPTIONS FROM RESTRICTIONS

Persons boarding or alighting from vehicles

12. Nothing in Article 5 or 6 of this Order shall render it unlawful to cause or permit a vehicle to wait in any restricted street for so long as may be necessary for the purpose of enabling any person to board or alight from the vehicle or to load thereon or unload therefrom his personal luggage:

Excepted Vehicles

13. The restrictions imposed by Part II of this Order shall not apply in relation to the following vehicles, that is to say –
- (a) public service vehicles operated by Transport for London whilst waiting at an authorised stopping place or at a terminal or turning point;
 - (b) vehicles when used for fire brigade, ambulance or police purposes;
 - (c) vehicles when 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;
 - (d) hackney carriages whilst waiting upon any duly authorised cab rank;
 - (e) vehicles whilst waiting in any restricted street for so long as may be necessary in connection with the taking in of petrol, oil, water or air, if such taking in cannot be effected unless the vehicle waits in that place where it is waiting.
 - (f) a motor cycle propelled by mechanical power, not being an invalid carriage, with less than four wheels and the weight of which does not exceed 410 kilograms whilst waiting wholly within the limits of a motor cycle parking area.

Furniture removals and other exceptional loading or unloading

- 14 (1) Nothing in Article 5 or 6 of this Order shall apply so as to restrict the loading or unloading of any vehicle while the vehicle is in actual use in any restricted street in connection with the removal of furniture to or from one office, dwelling-house or depository adjacent to that restricted street from or to another office, dwelling-house or depository:

Provided that this paragraph shall not apply to a vehicle waiting in any restricted street to which the provisions of Article 5(2)(a) or 6 of this Order apply unless notice is given twenty-four hours in advance to the London Borough of Hounslow, their consent is obtained, and such reasonable conditions as they may impose are complied with.

- (2) Without prejudice to the provisions of the last foregoing paragraph, nothing in Article 5 or 6 of this Order shall apply so as to restrict the loading or unloading of any vehicle

while the vehicle is in actual use in any restricted street in connection with the collection or delivery of goods from or to premises in or adjacent to that street if those goods cannot reasonably be loaded or unloaded outside the prescribed hours or within the time (if any) allowed in relation to that street, as the case may be, if notice is given twenty-four hours in advance to the London Borough of Hounslow, their consent is obtained, and such reasonable conditions as they may impose are complied with.

Miscellaneous exemptions

- 15 (1) Nothing in Part II of this Order shall render it unlawful to cause or permit a vehicle to wait in any restricted street or remain at rest in any street specified in Schedule 5 –
- (a) while postal packets addressed to premises adjacent to any such street in which a vehicle bearing a livery which is used by a universal service provider and which is waiting for as long as may be necessary for the purpose of the provision of a universal postal service;
 - (b) while the vehicle is being used in connection with any building operation, demolition or excavation in or adjacent to any such street, the removal of any obstruction to traffic in any street, the maintenance, improvement, reconstruction, cleansing or lighting of any street, the laying, erection, alteration or repair in or adjacent to any street of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telegraphic line, or the placing, maintenance or removal of any traffic sign, if the vehicle cannot conveniently and lawfully be used for that purpose in any street not being a street specified in Schedule 5 or a restricted street or outside the prescribed hours;
 - (c) 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.
- (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 or where the person in control of the vehicle is required by law to stop, or wait or remain at rest, or is obliged to do so in order to avoid an accident.
- (3) Nothing in Article 5 or 6 of this Order shall render it unlawful for a person who is licensed by the Council of the London Borough of Hounslow to sell goods from a stationary vehicle on a pitch in any restricted street to cause or permit a vehicle to wait on that pitch for that purpose.
- (4) Nothing in Article 7 of this Order shall render it unlawful to cause or permit a vehicle to stop in any street specified in Schedule 5 if that vehicle thereupon remains at rest for any reason specified in paragraph (1) of this Article.

PART V

ADDITIONAL PROVISIONS

Duty to move on

16. 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 or in any street specified in Schedule 5 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 obstructions.

Restriction on methods of loading or unloading vehicles

- 17 (1) No person shall cause any goods to be loaded on to or unloaded from any vehicle in any street in the London Borough of Hounslow otherwise than in accordance with the following conditions, that is to say-
- (d) 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 (b) or sub-paragraph (c) of Article 13 of this Order or any vehicle while it is being used as mentioned in paragraph (1)(c) or Article 15 of this Order; or
 - (ii) anything done with the permission or at the direction of a police constable in uniform.
- (2) Nothing in sub-paragraph (b) of paragraph (1) of this Article shall apply to any pipe, apparatus or machinery being used in connection with loading or unloading of any petrol, water, oil or liquid fuel on to or from any vehicle in any street or from any premises adjacent to any street, provided that all necessary means are taken to give adequate warning of any possible obstruction.

Restriction on street trading

18. No person shall, on any day other than on Sunday, sell, offer or expose for sale goods from a vehicle which is in any restricted street unless –
- (a) that person is licensed by the Council of the London Borough of Hounslow to sell goods from a stationary vehicle on a pitch in that street and sells goods from that pitch; or
 - (b) the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is affected.

Restriction on advertising

19. No person shall in any restricted street or in any street specified in Schedule 5, either wholly or mainly for the purposes of advertisement, ride, drive, conduct, use or employ or cause to be ridden, driven, conducted, used or employed any animal or vehicle of any kind, or wear or cause to be worn any fancy dress or other costume.

Power to suspend the use of a motor cycle parking area

20. (1) Notwithstanding any other provision of this Order, the council of the London Borough of Hounslow or the Commissioner of Police of the Metropolis, on the occasion of any public procession or for other good and sufficient reason, or a civil enforcement officer or a police constable or traffic warden in uniform, in case of an emergency, may suspend the use of any motor cycle parking area or any part thereof during such period as may be reasonably necessary;
- (2) the Council of the London Borough of Hounslow or the Commissioner of Police of the Metropolis, or a civil enforcement officer or a police officer or traffic warden in


uniform suspending the use of a motor cycle parking area or any part thereof in accordance with the provisions of paragraph (1) of this Article, shall thereupon place or cause to be placed in or adjacent to that motor cycle parking area or that part thereof, as the case may be, the use of which is suspended, a traffic sign indicating that the waiting of vehicles is prohibited;

- (3) no person shall cause or permit a vehicle to wait in a motor cycle parking area or any part thereof during such period that there is in or adjacent to that motor cycle parking area or that part thereof, as the case may be, a traffic sign placed in pursuance of paragraph (2) of this Article:

Provided that nothing in this paragraph shall apply to anything done with the permission of the Council of the London Borough of Hounslow or the Commissioner of Police of the Metropolis or a civil enforcement officer or a police constable or traffic warden in uniform or in relation to any vehicle being used for fire brigade, ambulance or police purposes or to any vehicle which is waiting for any reason specified in Article 15(2)

Dated this fourth day of August 2008.



 Director of Environment
(The officer appointed for this purpose)