

APPENDIX 3

TRO APPLICATION AND MAPS – MARLOWES SHOPPING ZONE

INCLUDING ORIGINAL TRO/PPO FOR INFORMATION

Name (must be a Herts Highways applicant) - _____ of _____

Contact Number - _____ Date - _____

Project Number - _____ Project Name - _____

Workstage - _____ WBS Code - _____

Client Budget Holder - _____ Purchase Order No - _____

Type of TRO(Please delete as required)

Permanent / ~~Experimental~~ / ~~Notice Only~~

Specify Restriction - (e.g. Waiting, speed etc)

Pedestrian Zone Order (PZO) & One Way Order

Planned Operational Date of Order* - Mar 15

Please endorse all parties that have been consulted (dates of consultations added)

(include contact name where applicable)

POLICE

Mike Sibley, Crime Prevention design Officer (stakeholder attendee)

FIRE AND RESCUE - Ian Markwell, Hertfordshire Fire Brigade - TBA

AMBULANCE - Jackie Page, Hertfordshire Ambulance Service - TBA

PASSENGER TRANSPORT UNIT – N/A

LOCAL COUNCILLOR – Cllr McKay and Adshead – 2012 to date

COUNTY COUNCILLOR – Cllr Douris and Wyatt-Lowe - 2012 to date

PARISH COUNCIL – N/A

LOCAL AUTHORITY – All DBC Stakeholders – 2012- date

OTHERS - Local area residents, local area businesses, market traders (at various public consultations from 2012 and ongoing), Town Centre Partnership, Andrew Freeman HCC, Cycle Officer, HCC

*It is important that sufficient time is allowed. You should allow a minimum of 6 weeks from the request date plus 21 days and one working day for Public Consultation, plus a further 2 - 4 weeks for legal procedures - see Procedure IWP 020 Section 10

Enclosures

- 1) Scale Plans** - (1:1250 preferred for urban / 1:2500 for rural on A4 if possible, if not A3)
- 2) Statement of Reasons** – (**Please complete attached form**)
- 3) Schedules** - (Lengths of road specified by fixed points to which the restrictions apply)
- 4) Other Documentation - Drawings**



TRO Ref. No.
(To be added by TRO Team)

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INSTRUCTIONS TO CARRY OUT PROCEDURE BEFORE MAKING TRAFFIC REGULATION ORDER

PART II The Local Authorities' Traffic Orders (Procedure)
 (England and Wales) Regulations 1996

Subject: Marlowes Shopping Zone

PROPOSED TRO FOR Marlowes, Hemel Hempstead

Bridge Street in the north to Waterhouse Street in the south. The length of the proposed area is approximately 330m. The area is known as the Marlowes Shopping Zone.

Proposed Order – Pedestrian Zone Order (PZO)

Provision of a PZO and one way order – to run in a southerly direction from Bridge Street along Marlowes Shopping Zone exiting into Waterhouse Drawing Number 110 and 111 respectively.

The PZO will prohibit all vehicles from entering the area with the exception of authorised LA permit holders - (copy of permit scheme attached) and statutory bodies

One Way Order

Permit holders will be permitted under the PZO, however they are only permitted to travel in a southbound direction from Bridge Street and vehicles will exit the area onto Waterhouse Street at Moor End Road - and this will be controlled via an ANPR barrier/bollard.

The Bridge Street access will be controlled via permit system the use of ANPR Software.

Delegated Officer:

Engineer: Curtains

Tel: Shalini Jayasinghe, DBC 01442 228000

Tel:

1. Description of Proposed TRO

(a) Name of Road: (plan of part affected to be attached)	Marlowes Shopping Zone – Paved area from Bridge Street in the north to Waterhouse Street in the south.
(b) Classification of Road: (strike out/delete if not applicable)	<ul style="list-style-type: none"> • Highway/Private Road • If highway:- <ul style="list-style-type: none"> • Carriageway/Footway/Cycle Track/Verge; • Footpath/Bridleway/Restricted Byway/BOAT
(c) Any Additional Information: (any limitations or such other relevant information about the road)	There is currently Pedestrian Planning Order (PPO) in place, however a request to revoke this will take place in order to allow the PZO to be effective

<p>(d) Nature of proposed restrictions: (details of proposed order)</p>	<p>The Pedestrian Zone Order will prohibit all vehicles and mounted cycles except for LA permit holders and statutory bodies</p> <p>Vehicles permitted in the PZO, are to travel in a southbound direction from Bridge Street and will exit the area onto Waterhouse Street at Moor End Road</p>
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2. Purpose of the Proposed TRO

<p>The TRO is proposed to address the following statutory purposes: (Section 1 of Road Traffic Regulation Act 1984) (Strike out if not applicable)</p>	
(a)	for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising
(b)	for preventing damage to the road or to any building on or near the road
(c)	for facilitating the passage on the road or any other road of any class of traffic (including pedestrians)
(d)	for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property
(e)	(without prejudice to the generality of paragraph (d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot
(f)	for preserving or improving the amenities of the area through which the road runs
(g)	for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality).

3. Reasons for Proposed TRO

<p>Description of Reasons why the TRO is expedient for the above statutory purposes: (Paragraph 2(d) of Schedule 2 of the Regulations)</p>
<p>To facilitate safe passage to pedestrians in this limited linear shopping zone to the benefit of all concerned.</p> <p>The current PPO/TRO is out of date and does not provide the robust level of safety to the users and future-proof the continued use of this busy shopping zone and encourage more visitors both during the day and evening</p> <p>The PZO and one way order would allow parking contraventions to be enforced by Dacorum BC Civil Enforcement Officers although moving contraventions will still be enforced by the Police only.</p>

4. Section 122 Duty

Section 122 of the Traffic Regulation Act 1984:

(1) It shall be the duty of every local authority upon whom functions are conferred by or under this Act, so to exercise the functions conferred on them by this Act as (so far as practicable having regard to the matters specified in subsection (2) below) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.

Section 122(2) Matters:	Summary of Consideration (If relevant)
<i>(a) the desirability of securing and maintaining reasonable access to premises</i>	Access to existing properties will largely remain unaffected as access to service areas is behind buildings. For those premises that may not have access a permit scheme will ensure sufficient restricted access
<i>(b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;</i>	Effect on amenities are negligible
<i>(bb) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy)</i>	The proposed PZO prohibits general vehicular traffic (subject to certain exemptions) which is considered to be positive from an air quality perspective.
<i>(c) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles</i> <i>Note: A public service vehicle is a motor vehicle (other than a tramcar) adapted to carry 9 or more passengers for hire or reward or adapted to carry 8 or less passengers for hire or reward at separate fares in the course of a passenger carrying business</i>	Whilst PSVs are restricted within this area, the restriction will not be to detriment of any user. Provision of these are provided within the easy reach of the area

<p>Section 122(1) Generally</p> <p><i>(Including: S122(2)(d)- any other matters appearing to the local authority to be relevant)</i></p> <p>Note:</p> <p>Considering the purpose and reason of the proposed TRO have you secured as far as practical the expedient, convenient and safe movement of vehicular and other traffic (including pedestrians) permitted to use the road and, if applicable, the provision of suitable and adequate parking facilities on and off the highway</p>	<p>Summary of Consideration</p> <p>The existing PPO is no longer considered to be fit for purpose and the regeneration of the Marlowes Shopping Zone provides an opportunity to revoke the existing PPO and implement a new PZO which is fit for purpose, and allows enforcement by LA Officers and Police as required.</p>
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5. Any other relevant matters

I hereby instruct the TRO Team to proceed with the publication and notification of the proposed TRO in accordance with Part II of the Regulations. The above comments are subject to further consideration after the consultation/publication period has concluded and a decision on the making of the TRO will be made at such time.

Signed:

Title: Shalini Jayasinghe..... Date:



THE DEPARTMENT
OF TRANSPORT

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HEMEL HEMPSTEAD
Herts
1HH

Your Ref:

Our Ref:

432/33/8/

525241/17/03

17 September 1991

EXTINGUISHMENT OF VEHICULAR RIGHTS (MARLOWES HEMEL HEMPSTEAD)
COUNTY OF HERTFORDSHIRE) (NO. 17) ORDER 1991
DECISION FOLLOWING PUBLIC INQUIRY

I am directed by the Secretary of State for Transport to refer the Public Local Inquiry held at the Council Chamber, Civic Centre, Marlowes, Hemel Hempstead, Hertfordshire on 2 April 1991 by Mr J M BSc Tech C Eng FICE FBIM, the Inspector appointed for the purpose of hearing objections to, and representations about the proposals, contained in the draft Order referred to above, to extinguish vehicular rights and create a pedestrian only precinct in specified parts of Marlowes and Bridge Street, subject to certain exemptions, to improve parts of Marlowes, King Harry Street, Hillfield Road, Churchouse Street, Moor End Road and Seldon Hill at Hemel Hempstead.

INSPECTOR'S REPORT

The Inspector has submitted his report to the Secretary of State and summarises all the proceedings at the Inquiry. The report is divided into the following main sections:-

Site and Surroundings	Section 2
The Case for the Order	Section 3
The Case for the Objectors	Section 4
Findings of Fact	Section 5
Conclusions	Section 6
Recommendations	Section 7 and 8

Two copies of the report are enclosed. A copy of this letter and the report are being sent to those who made objections to, or representations about, the draft Order, and to Hertfordshire County Council.

INSPECTOR'S RECOMMENDATION

The Inspector has considered the objections and representations in writing and/or orally before or at the Inquiry. He has recommended that the Order should be made as drafted, subject to

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modification to permit mounted cyclists to use the marked bus route along Bridge Street, between Waterhouse Street and Marlowes, and along Marlowes, between Bridge Street and Hillfield Road.

THE DECISION OF THE SECRETARY OF STATE

5. The Secretary of State has carefully considered the Inspector's report and recommendation, together with all relevant matters raised by objectors and others about the draft Order. He has also taken full account of a late representation submitted by Mr A C J Chalmers after the Inquiry had closed which reiterated points made in evidence at the Inquiry. He agrees with the Inspector's findings of fact and conclusions.

6. The Secretary of State notes the strong support for the pedestrianisation scheme given in response to the consultations on the Hemel Hempstead Town Centre Plan, of which it is a key component, in 1987 and 1989.

7. The Secretary of State accepts that under the provisions of the Order the length of Marlowes between Moor End Road and Bridge Street would be predominantly used by pedestrians and that its additional use by mounted cyclists would not be consistent with safety. He is satisfied that Waterhouse Street, which has good links with Marlowes, could conveniently replace this length of Marlowes as a north-south cycle route and that cyclists would not therefore be seriously disadvantaged by the prohibition of cyclists from Marlowes.

8. The Secretary of State is satisfied that pedestrians using the length of Bridge Street between Waterhouse Street and Marlowes and the length of Marlowes between Bridge Street and Hillfield Road would need to be alert to the danger of passing buses and taxis and therefore any danger to them from mounted cyclists would not be as great as in the length of Marlowes to be pedestrianised. He notes that the police regard the bus and taxi route between Waterhouse Street and Hillfield Road as unsuitable for cyclists, but agrees with the Inspector that the occasional presence of a cyclist would not present any greater danger of collision than is accepted on Waterhouse Street (North) and Combe Street.

9. With regard to the fears that traffic speeds would increase and add to the dangers for cyclists in the roads forming the proposed gyratory system around the town centre, which would accommodate traffic displaced by the pedestrianisation, the Secretary of State shares the Inspector's view that the character of the route is likely to keep traffic speeds reasonably low.

10. The Secretary of State is satisfied that your Council adopted a proposal to improve the amenity of parts of Marlowes and Bridge Street by resolution and consulted the local highway authority about it in accordance with the requirements of Section 249 of the Town and Country Planning Act 1990, before applying for an Order, and that your Council required no further mandate to do so.

11. The Secretary of State appreciates that implementation of the proposals will result in the loss of on-street parking spaces, but he

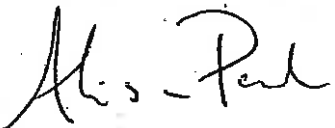
is satisfied that convenient and adequate alternative off-street parking is available.

12. The Secretary of State considers that an exemption to allow orange badge holders access into the pedestrian area, other than to gain access to the designated parking spaces at the southern end of Marlowes, could defeat the true intention of the Order and lead to its abuse by other drivers. In view of the intended provision of on-street parking for the disabled, at the southern end of Marlowes, Bank Court and to the north of Market Square, off-street parking for the disabled in car parks and the introduction of the "Shopmobility" wheelchair loan service he agrees with the Inspector that the disabled have been adequately catered for.

13. For the above reasons, I am to inform you that the Secretary of State has decided to make the Extinguishment of Vehicular Rights (Marlowes, Hemel Hempstead) (County of Hertfordshire) (No) Order 199 modified to permit the use of Bridge Street and of Marlowes between Bridge Street and Hillfield Road, by cyclists along a marked route, as recommended by the Inspector. However, the Secretary of State considers that the wording proposed by the Inspector is not entirely appropriate. The Order will therefore be modified by altering Part III of Schedule 2 as follows:-

- (1) the word "or" will be deleted from the end of paragraph (b) and inserted at the end of paragraph (c); and
- (2) after paragraph (c) there will be inserted a new paragraph reading -
- (d) a pedal cycle being ridden along a route identified as for the use of cyclists and buses.

I am Sir
Your obedient Servant



MRS A K PARKER

THE TOWN AND COUNTRY PLANNING ACT 1990

SECTION 249

**THE EXTINGUISHMENT OF VEHICULAR RIGHTS (MARLOWES, HEMEL
HEMPSTEAD) (COUNTY OF HERTFORDSHIRE) (NO) ORDER 199**

PUBLIC LOCAL INQUIRY

Date of Inquiry: 2 April 1991

Inspector: JOHN M GILL BScTech CEng FICE FBIM

Reference: 525241/17/03

To: The Right Honourable Malcolm Rifkind MP
Secretary of State for Transport

Sir

I have the honour to report that on 2nd April 1991 I opened a local inquiry at the Council Chamber, Civic Centre, Marlowes, Hemel Hempstead, Hertfordshire, for the purpose of hearing representations and objections concerning the intention of the Secretary of State for Transport, on the application of the Borough Council of Dacorum, to make the following Order under section 249 of the Town and Country Planning Act 1990: -

The Extinguishment of Vehicular Rights (MARLOWES, HEMEL HEMPSTEAD) (County of Hertfordshire) (No.) Order 199

1.1 The effect of the order if made would be to prohibit vehicles and create a pedestrian-only precinct in parts of the roads known as Marlowes and Bridge Street in Hemel Hempstead, subject to certain exemptions. Some adjoining portions of highway would be improved.

1.2 When the inquiry opened there were two outstanding objections to the Order. Two objectors appeared and took part in the proceedings.

1.3 The main grounds of objection were:

- a. The Council had no mandate to pedestrianise these streets; the order was unnecessary;
- b. There would be insufficient ground-level parking spaces to replace those in Marlowes and in demolished carparks;
- c. Shoppers would go to places with easier access;
- d. There was inadequate provision for the disabled;
- e. An established cycling route would be abolished, to the greater danger of cyclists. Cyclists should be given a marked track through Marlowes and the right to use the facility available to buses.

1.4 I made an unaccompanied inspection of the area before the inquiry and a further site inspection at the close of the inquiry, accompanied by representatives of the parties.

1.5 This report contains a brief description of the site and surroundings of the proposal which is the subject of the Orders, the gist of the cases presented and my findings of fact, conclusions and recommendation. Lists of appearances, documents and plans referred to at the inquiry are attached. Proofs of Evidence (separately listed) have been annotated where evidence was modified by addition or cross-examination and all such modification has been taken into account in my report and conclusions.

1.6 The Borough Council representative confirmed that all the statutory formalities had been complied with.

2.0 SITE AND SURROUNDINGS

2.1 Marlowes is the main shopping street of Hemel Hempstead; it originally ran northwards from a large traffic roundabout at the junction of the A414 and A4146 near the confluence of the River Gade with the River Bulbourne. However, the final 95m of Marlowes has been separated from the roundabout by a hoarding and is currently used as a surface car park, access to the southern end of the street being by means of Selden Hill from the east and Moor End Road from the west. The latter is a two-way single carriageway road linked with the Leighton Buzzard Road by a traffic signal controlled junction; Selden Hill is a two-way narrow and fairly steep hill road linking to the southern end of Wolsey Road and also to Park Lane (Plan P1). Wolsey Road has been reconstructed as part of the new Marlowes shopping complex and is now a one-way street leading north through King Harry Road to join Hillfield Road.

2.2 Marlowes is a dual-carriageway with two traffic lanes in each direction and a paved central reservation, partly built up with brick planters. Kerb-side short term parking is permitted along a large proportion of the street; a taxi rank occupies part of the eastern kerbside nearly opposite the Bridge St junction. Between Moor End Road and Combe Street, the street is developed on both sides with shopping, both local and national in nature, and there are two new malls on the east side linking pedestrians into a new and not yet completely occupied shopping mall development with integral car parking. There are pedestrian links through the development on the west side of Marlowes into the parallel Waterhouse Street via the Market Square, Bank Court and Quality House, as well as through Bridge Street and Moor End Road. Waterhouse Street gives rear access to many of the Marlowes shops and buildings, and on its western side it is open to the water and garden developments which have been created out of the controlled River Gade. The arcade of shops facing the eastern side of Marlowes between Bridge Street and Hillfield Road is raised above the level of the street and approached by a number of staircases from the kerbside footway level; it can be serviced from King Harry Street. The junction of Marlowes with Hillfield Road is controlled by traffic signals, which also provide pedestrian phases. Both Waterhouse Street and Marlowes are connected by Combe Street at the northern end of the former.

3.0 THE CASE FOR THE ORDER

The Scheme

3.1 For the improvement of the amenity of the town, Marlowes, which now was substantially a shopping street of the 1950s, would be brought up to date by pedestrianising the whole street from Moor End Road northwards to Bridge Street, and by the introduction of substantial pedestrianisation, but with a channelled two-way bus route, in Bridge St from Waterhouse St to Marlowes and in Marlowes from Bridge St to Hillfield Road. There would be new paving, planting, seating, lighting and appropriate structures in accordance with a prepared scheme. Taxis would be permitted to travel in this channel one-way only, from Waterhouse St eastwards along Bridge St and northwards along Marlowes from Bridge St; the taxi rank would be transferred to the west side of Marlowes from its present position on the eastern side (Town Centre Plan, Doc RO 5B).

3.2 Traffic displaced from Marlowes would circulate in an anti-clockwise manner about the area, using the conventional one-way streets Wolsey Rd and King Harry St northwards and the two-way roads Selden Hill, Moor End Rd, Marlowes north of Hillfield Rd, and Combe St. Waterhouse St would be primarily a two-lane one-way route southbound, but it would have a 4m wide contraflow bus lane northbound, which would also be made available to cyclists, but it was not the Council's present intention to permit taxis to use this contraflow lane. Road widening would take place in Combe St, with junction improvements with mini roundabouts at its junctions with Marlowes and Waterhouse St and improvement also at the Leighton Buzzard Rd junction. Waterhouse St (south) would be widened as far as possible without excessive intrusion into the riverside area; road improvements would also be made to Moor End Rd, Selden Hill and Hillfield Rd, as indicated on Plan 1. Council Members considered that cycling in a pedestrianised area caused nuisance and danger to pedestrians, especially to the old, the young and the disabled: unmounted cycles could be pushed in the area.

Planning Policy

3.3 Dacorum Borough Council had resolved on 17 Apr 89 in its Town Centres Committee to improve the amenity of part of its area by applying to the Secretary of State for the Environment for a Pedestrian Planning Order under S.212(2) of the Town & Country Planning Act 1971 (RO Doc.5). The proposal had first been included in the draft Town Centre Plan published for public discussion in July 87, with widespread publicity material, a public exhibition and the distribution of comment forms. Respondents were strongly in favour of the pedestrianisation of Marlowes, and substantially in favour of making the section of the street between Bridge St and Hillfield Road an area for buses and taxis only. These elements were included in the non-statutory Local Plan in June 1988. Further consultation took place early in 1989 (Doc DBW 4); 29 members of the public responded in support of pedestrianisation and 8 opposed it. The Order was requested as a consequence of the Council's resolution of 26 Apr 89. The consultation draft of the Dacorum Borough Local Plan was approved by the Council in Jan 90 and published on 23 Apr 90. Pedestrianisation was specifically included in the Plan and public consultation was from April to June 1990. No respondents opposed pedestrianisation, though comments by Royal Mail and Post Office Counters led to slight changes in the Order. The Plan, reported to committee on 14 Jan 91, needed amendment before submission for certification by the County Council, but pedestrianisation proposals would be unchanged. Public deposit would permit formal objection and a Public Inquiry might be needed before the Plan could be adopted as a statutory Local Plan. This planning process amply rebutted the objection of Mr Chalmers to the effect that the Council had no mandate for its scheme.

Car Parking Provision

3.4 135 on-street parking spaces would be lost as a result of the Order, mostly in Marlowes. Highway works associated with the new shopping centre and other traffic management measures had also reduced the on-street spaces available, but all were more than replaced by the additional 387 spaces provided in the Water Gardens North car park (D on Plan 2). Three car parks had been demolished to allow for the development of the Marlowes Centre, but the loss of 450 spaces had to be balanced against a gain of 1200 spaces in the new development, all served by lifts. 280 spaces (outside office hours only) had been lost with the removal of the former BP car park off Moor End Rd, but this would probably be replaced on redevelopment of that site. In all 529 spaces had been provided off-street (Plan 2) and 31 on-street spaces remained (19 of them for the disabled). A further 590 spaces were available off Hillfield road and Albion Hill and 590 at Marlowes shopping level. These figures answered Mr Chalmers' objection to loss of car parking.

Traffic Congestion and Traffic Accidents

3.5 The removal of on-street parking would relieve congestion and reduce danger to drivers and pedestrians. This part of Marlowes was an accident "black section" with 31 accidents between Nov 87 and Oct. 90, 10 serious, though none fatal (Doc BES 13). 16 pedestrian/cyclist accidents had occurred elsewhere in the Borough in three years; the advice of guideline material from the IHT and of the Police was that shared use by cyclists and other traffic was unwise if the flow of each element was greatly different in volume. Here, pedestrian flow was high and cycle flow was low (Docs BES 14). Council members did not favour mixing the two, and the Police opposed the presence of cyclists with the buses and taxis on the Bridge St/Marlowes link. The Council had specifically offered to widen the contra-flow bus lane in Waterhouse St between Moor End Road and Bridge St, so that cyclists could have a two-way route within easy reach of the Marlowes shops, and without the steep inclines of Selden Hill and Hillfield Rd. This alternative ought to satisfy the objections of "Safe Cycling in Dacorum (SCID)"; there were ample links between Waterhouse St and Marlowes pedestrianised zone (Doc BES 15) and cycle stands would be placed appropriately.

Speed of Traffic Flow

3.6 The success of the Town Centre depended partly upon adequate traffic flow. Consultants had advised the Council, taking account of the new office and shopping developments within the town centre. One way streets would give increased capacity (Doc BES 17) and accommodate the predicted flows. The design of the streets was appropriate in character and location and the special provision for cyclists in Waterhouse St should give adequate service for them and be a suitable alternative for the loss of cycling rights in Marlowes. There should be no increased danger to cyclists.

Access by Public Transport

3.7 Buses would have free passage along Waterhouse St, Bridge St and the part of Marlowes between the latter and Hillfield Rd, with stopping places at the bus station in Waterhouse St and near the Co-operative store in that street, in North End Road, Bridge St and on the east side of Marlowes north of the Bridge St junction (Town Centre Plan, Doc RD 5B). Removal of other traffic from Marlowes would improve the reliability of bus services; major operators had been fully consulted and had raised no objections.

Distance from shops to car parks

3.8 Although the removal of on-street parking from Marlowes would increase the walk of some shoppers, no-one now could rely on the availability of space to park. Off-street spaces were available within 130m of some shops, and none were more than 850m away (Doc DBW 8). Any increase in walking distance was amply compensated by the enhancement of amenity and safety in pedestrianised areas.

Access for the Disabled Driver

3.9 Vehicles displaying the Orange Badge would not be permitted to enter the pedestrianised streets, except to reach 10 spaces provided near Moor End Rd, since such a concession could lead to abuse by other drivers. However 19 spaces for Orange Badge Holders were to be provided in the scheme (Doc DBW 9) near Marks and Spencer, in Bank Court (where not only 6 spaces were designated, but other spaces could be used on-street), and in Marlowes north of Market Square. The latter were particularly close to the Post Office. Designated spaces also existed in off-street car parks: 25 at present, but plans were being made to reconsider the number made available as part of a Hemel Hempstead Transportation Study. It was intended to introduce a wheelchair loan service with volunteer helpers during 1991/2, so as to provide positive help to disabled people leaving their cars in the off-street carparks. Some of the wheelchairs would be electrically powered and available alongside designated free car park spaces: a booking service and transfer assistance would be provided. This should meet the objections and representations received.

Exemptions to the Order

3.10 The Order allowed emergency and highway and services repair vehicles access to the pedestrianised areas at all times, and light vehicles needed to repair or fit-out premises were permitted outside the core time of 10am to 4pm. Additionally, light vehicles could service premises and kiosks constructed in the highway of Marlowes outside core time. Royal Mail vehicles could gain access to parking space at the southern end of Marlowes, but could only enter and leave by Moor End Rd. The bus and taxi route along Bridge St and Marlowes was available for public service vehicles in both directions, but taxis could only proceed eastwards and northwards; Royal Mail vehicles could also use this part of the highway eastwards and northwards only. The special concessions for the servicing of Royal Mail and Post Office premises had been negotiated after the first draft Order had been made, and were incorporated in the present order. No exemptions were now needed for servicing the Market area, as adequate access was available without using the pedestrianised area.

Cycling Policy

3.11 County and District policy favoured cycling facilities, but they must be consistent with safety. Structure Plan (Doc BES 3) Policy 32 must be considered with Policy No.40 which proposed cycling facilities where numbers justified them and which they could use safely and conveniently. Dacorum District Plan referred to appropriate measures for both cyclists and pedestrians (Doc BES 4). The draft Local Plan (Doc BES 5) emphasised road safety (Policy 52), pedestrians (Policy 57) and cyclists (Policy 58), but provision must be balanced to include safety. The TPP 1991/2 (Doc BES 6) highlighted the need to minimise personal injury accidents. The Borough had spent £40,000 so far on cycle routes; a construction of a pedestrian/cycle link from St Albans to Hemel Hempstead was in progress.

4.0 THE CASE FOR THE OBJECTORS

The gist of the case presented at the Inquiry was as follows:

4.1 Section 247(3) of the Town & Country Planning Act allowed the Secretary of State to permit the use of cycles on the highway, notwithstanding the extinguishment of vehicular rights. Cycles should have a high priority, since they were non-polluting and encouraged the saving of energy. In the case of the Marlowes pedestrianisation, special facilities for cyclists were justifiable, but the Council's scheme discouraged, rather than encouraged them. The TPP, however, implied that cycling should be encouraged. The council members' objections to the admission of cycles seemed to be based upon the supposition that cyclists would misbehave, but most cyclists behaved well on the highway. A random mix of cycles and other vehicles was less safe than the use of cycles on a segregated system.

4.2 The authorities had not really attempted to control the growth of car traffic and to encourage cycling, despite their public statements. New office development with substantial car parking incorporated had been carried out without regard for the encouragement of cycling to work. The world was concerned about air pollution, but the contribution of cycling to the environment had been ignored in Hemel Hempstead. Other cities, notably Cambridge, Oxford, Cheltenham and Milton Keynes, had large lengths of divided cycle/pedestrian paths. UK provision for cyclists compared unfavourably with what had been done in Holland and Germany. The Council had quoted very small numbers of cyclists counted as compared with thousands of pedestrians, but they had not taken account of the great number of potential cyclists, who could be encouraged and provided for. It was most surprising that the Police discouraged the use of cycles in Marlowes, as a properly signed path would ease their enforcement problems.

4.3 The additional provision made for cyclists by the widening of the contra-flow lane in Waterhouse St was welcome to the SCID organisation, but it was not entirely satisfactory. They accepted that there would be much public resistance to any proposal to take another 1.5m from the water gardens to provide a separated cycle track; too much of the gardens had already been lost for car parks.

The Rebuttal of the Council to the Objections of SCID

4.4 The cycling organisation's concern for the cycling public and their motivation was genuine and understandable, but it would not be safe to mix a small number of cyclists with a very large number of pedestrians in Marlowes, nor to put cyclists with buses and taxis at the northern end of the scheme. The guideline material produced by the IHT strongly advised against mixing cycles with large numbers of pedestrians in paved areas. The true intentions of Section 247 of the TCP Act 1990 should not be defeated by admitting extraneous traffic unnecessarily. A satisfactory alternative had been put forward in the opening up of Waterhouse St in both directions to cyclists. The Chairman of the Dacorum Town Centres Committee had assured the Inquiry that he would oppose any proposal that the contra-flow bus lane should be used by taxis as well as by cyclists and buses.

5.0 FINDINGS OF FACT

I find the following facts:

The Scheme

5.1 Dacorum Borough Council propose to pedestrianise Marlowes from Moor End Rd northwards to its junction with Hillfield Rd and Bridge St from Waterhouse St to Marlowes. There would be new paving, planting, seating, lighting and appropriate structures in accordance with a prepared scheme. A channelled two-way bus route would run in Bridge St from Waterhouse St to Marlowes and in Marlowes from Bridge St to Hillfield Road; taxis would be permitted to travel in this channel one-way only, from Waterhouse St eastwards along Bridge St and northwards along Marlowes from Bridge St. Traffic displaced from Marlowes would circulate anti-clockwise about the area, using the one-way streets Wolsey Rd and King Harry St northwards and the two-way roads Selden Hill, Moor End Rd, Marlowes north of Hillfield Rd, and Combe St. Waterhouse St would be primarily a two-lane one-way route southbound, but it would have a 4m wide contraflow bus lane northbound, which would also be made available to cyclists, who would be prohibited from Bridge St and Marlowes. Road widening would take place in Combe St, with junction improvements with mini roundabouts at its junctions with Marlowes and Waterhouse St and improvement also at the Leighton Buzzard Rd junction. Unmounted cycles could be pushed in the pedestrianised area.

The Order

5.2 Dacorum Borough Council resolved on 17 Apr 89 in its Town Centres Committee to improve the amenity of part of its area by applying to the Secretary of State for the Environment for a Pedestrian Planning Order under S.212(2) of the Town & Country Planning Act 1971 (RO Doc.5).

Planning Policy and Public Consultation

5.3 The pedestrianisation proposal was included in the draft Town Centre Plan published in July 1987 and also in the consultation draft of the Dacorum Borough Local Plan published in April 1990; the latter is to be amended before going for certification to the County Council and possibly to Public Inquiry, but no amendment to pedestrianisation in Marlowes is considered necessary, in view of the strength of public support during consultations undertaken in 1987 and 1989.

Public Transport

5.4 Buses would have stopping places at the bus station in Waterhouse St and near the Co-operative store in that street, in North End Road, Bridge St and on the east side of Marlowes north of the Bridge St junction. Major operators had been fully consulted and had raised no objections.

Car Parking

5.5 135 on-street parking spaces will be lost as a result of the Order, mostly in Marlowes. An additional 387 spaces have been provided in the Water Gardens North car park. Three car parks were demolished to allow for the development of the Marlowes Centre, but 1200 spaces have been provided in the new development, all served by lifts. 280 spaces (outside office hours only) have been lost with the removal of the former BP car park off Moor End Rd. In all 529 spaces have been provided off-street and 31 on-street spaces remain (19 of them for the disabled). A further 590 spaces are available off Hillfield Rd and Albion Hill.

Traffic and Safety

5.6 The part of Marlowes referred to in the Order is considered to be an accident "black section" with 31 accidents between Nov 87 and Oct 90, 10 serious, though none fatal. 16 pedestrian/cyclist accidents have occurred elsewhere in the Borough in three years; the advice of guideline material from the IHT and of the Police is that shared use by cyclists and other traffic is unwise if the flow of each element is greatly different in volume. In the case of Marlowes, pedestrian flow is very high and cycle flow is very low. The Council will widen the contra-flow bus lane in Waterhouse St between Moor End Road and Bridge St to 4m so that cyclists could have a two-way route within easy reach of the Marlowes shops, and without the steep inclines of Selden Hill and Hillfield Rd. There are five links between Waterhouse St and Marlowes pedestrianised zone and cycle stands will be placed appropriately. County and District policy favours cycling facilities when they are consistent with safety. The Herts CC TPP 1991/2 highlights the need to minimise personal injury accidents. The Borough has spent £40,000 so far on cycle routes; a construction of a pedestrian/cycle link from St Albans to Hemel Hempstead is in progress.

Disabled Drivers and Orange Badge Holders

5.6 Vehicles displaying the Orange Badge will not be permitted to enter the pedestrianised streets, except to reach 10 spaces provided near Moor End Rd. 19 spaces for Orange Badge Holders will be provided in the scheme: near Marks & Spencer, in Bank Court (where not only 6 spaces are designated, but other spaces could be used on-street), and in Marlowes north of Market Square, close to the Post Office. 25 designated spaces are in off-street car parks: plans are being made to reconsider the number made available as part of a Hemel Hempstead Transportation Study. A wheelchair loan service with volunteer helpers is due to start during 1991/2, so as to provide positive help to disabled people leaving their cars in the off-street carparks. Some of the wheelchairs will be electrically powered and available alongside designated free car park spaces: a booking service and transfer assistance will be provided.

Distance from shops to car parks

5.7 Removal of on-street parking from Marlowes will increase the walk of shoppers who now rely on the availability of space to park on-street. Off-street spaces are available within 130m of some shops, none more than 850m away.

Consultation with the Highway Authority

5.8 Hertfordshire County Council have been consulted and have raised no objections to the pedestrianisation scheme.

6.0 CONCLUSIONS

Bearing in mind the above facts:-

The Need and the Procedures

6.1 I consider that the Order is validly made; Dacorum Borough Council have passed the requisite resolution to improve the amenity of their area and they have consulted the Highway Authority and other interested bodies. At present the southern end of Marlowes, the principal shopping street in Hemel Hempstead is heavily used by pedestrians, it has two lanes of traffic in each direction and much of that traffic is seeking on-street parking space or leaving it, creating situations of danger to all road users. I am of the opinion that, although no fatalities have been reported in the past three years, the personal injury accident rate is unacceptably high.

The Design and the alternative traffic routes

6.2 The design criteria for road widths and junction treatment seem to me to be suitable for the situation, and the proposed generally one-way circulation north via the one way streets on the higher ground east of Marlowes and south via a widened Waterhouse St to the west of Marlowes appears to be a satisfactory way of dealing with displaced traffic. I note that most of the shops can be serviced from this giratory system, and that it also serves the Bus Station in Waterhouse St. Fears were expressed by the cycling organisation that the one-way giratory would increase traffic speeds and therefore add to the danger to cyclists, but I think that the presence of mini-islands and of traffic light controls, the relatively short stretches of highway between junctions, and the movements of servicing traffic, are likely to keep traffic speeds reasonably low.

6.3 I consider that the provision of a contra-flow bus lane in Waterhouse St and of a defined two-way route for buses through Bridge St and Marlowes north to Hillfield Rd should give adequate public transport service to the Marlowes shops and there seems to be ample provision of car parking within reasonable distance. Bearing in mind the present taxi rank in Marlowes and its evident importance in the transport arrangements of that shopping street, I understand the decision to allow one-way movement of taxis through Bridge St and the northern part of the pedestrianised Marlowes; I note, however, that that system can only be reached from Combe St in the north. Understandably, there may be pressure brought to bear from taxi operators to allow them, also, to use the bus contra-flow lane in Waterhouse St. It would, in my opinion, be quite wrong to allow taxis ever to use this bus facility as long as it is the only route for northbound cyclists in close proximity to the shopping street, for such additional traffic would add considerably to the accident risks. On the understanding that this contra-flow lane will be 4m wide, I accept that its permitted use by pedal cyclists is an adequate compensation for their loss of a route through Marlowes itself.

6.4 Vehicles carrying the disabled have been catered for by 19 spaces in three positions in or near Marlowes. Although this seems a small number, I bear in mind the availability of spaces in multi-storey car parks served by lifts and the proposed system for making wheelchairs, with or without attendants, available for those needing them and consider that the Council has gone a long way to help improve the mobility of the less able. I hope that attention has been given to the position of controls in the lifts, so that small people in wheelchairs can still use them independently.

Publicity

6.5 The pedestrianisation of Marlowes has been given widespread publicity and I am satisfied that there has been ample opportunity for the public to participate in the planning stage of the scheme.

The Objection of SCID (Safe Cycling in Dacorum)

6.6 I have given close attention to the evidence and the written submissions of SCID; this is a well argued case, and insofar as there are general statements made as to the environmental and other benefits of the encouragement of cycling in place of motoring, I agree with the objectors in this. Indeed, Government, County and District advice material is unanimous in supporting the provision of facilities for cyclists. The issue, when dealing with the particular situation posed by the pedestrianisation of Marlowes, is more difficult to decide. Undoubtedly there are strong feelings of danger amongst users of footpaths when silent cycles suddenly come past them; this has always been a factor to consider when planning shared or parallel tracks for foot passengers and cyclists. It is a factor which has been overcome in many situations, and when facilities are well used and people are accustomed to them. Abuse of footpaths by cyclists is not uncommon and it is dangerous, but the objectors rightly point out that legality should be assumed to be the norm. In places where large numbers of people cycle, so there is little disparity in number between them and those who walk, it is rational to provide discrete cycle tracks, but it has been pointed out that the count of cyclists in Marlowes, albeit in a winter month, is extremely low compared with the number of pedestrians, and that the advice literature states that it will be rare for pedestrianised shopping areas to be suitable for shared use in safety. I therefore conclude that it would be hazardous to permit cycling within the wholly pedestrianised southern part of Marlowes, noting that the order specifically permits the wheeling of dismounted cycles, and that the distance from Waterhouse St is minimal. As a through route, since Waterhouse St is to remain open in each direction for cyclists, that street seems to me to be an adequate substitute for Marlowes; it has only a slight gradient and is substantially on the level of shopping. If Waterhouse St should become, in the future, evidently dangerous for cyclists, it would be appropriate for the Council to reconsider the desirability of providing for cyclists in the southern part of Marlowes and of varying the order correspondingly.

6.7 I do not consider that possible conflict between cyclists and pedestrians in Bridge St and in the portion of Marlowes north of that street is quite so critical, since pedestrians will not have dominant use of the street to the same extent. In the marked track which will be taken by taxis (one-way) and by buses in both directions, the occasional presence of a cyclist should not present any greater danger of collision between cycle and vehicle than on Waterhouse St (North) or Combe St, streets on which the Council is quite ready to allow all traffic to mingle. I am therefore minded to recommend that the order be modified to the extent that pedal cycles can share the route marked out for use by buses in the highways described in 2a and 2b of Schedule 1 to the Order.

The Written Objections of Mr Chalmers

Council's Mandate; Loss of Car Parking Spaces

6.8 Paragraphs 6.1 and 6.5 above indicate that I am quite satisfied that the scheme as prepared has gone through all the necessary steps to seek public approval and has achieved a very substantial degree of support from the public and from all those bodies consulted. I do not therefore agree with this objector's view that the Council has no mandate. Very substantial numbers of easily accessible car parking have been provided in the area, and I consider that the Council are quite justified in removing on-street parking which is both dangerous and a cause of congestion. Objectors at the inquiry suggested that there might have been an over-provision of car parking in connection with the office developments, and this is a tenable argument, but one which works in entirely the opposite direction to that suggested by Mr Chalmers; I cannot agree with this objection.

Access by Public Transport, Cyclists and for the Disabled

6.9 I have dealt with these matter in 6.3 and 6.4 above. I do not uphold the objection to the effect that access by bus, and indeed by taxi, will be inadequate. The Council has thought about the needs of disabled drivers and wheel-chair users, and the mobility assistance they plan to bring into operation this year should quite adequately meet Mr Chalmers' objection. With this help, I consider that the walking distances to the shops from the various bus stops and car parks should not present too much of a problem. I have dealt earlier in this report with the situation of cyclists.

7.0 MODIFICATION

7.1 I recommend that Schedule 2 of the Order should be modified by the addition to Part III of a new paragraph:-

- d) a pedal cycle being used to traverse the area, but so, however, that passage be restricted to an identified route to be used by public service vehicles, hackney carriages and Royal Mail vehicles.

8.0 RECOMMENDATIONS

8.1 I recommend that the Extinguishment of Vehicular Rights (Marlowes, Hemel Hempstead) (County of Hertfordshire). (No.) Order 199 should be modified as described in paragraph 7.1 above and that the order so modified should be made.

I have the honour to be,
Sir,
Your obedient Servant


JOHN M GILL BScTech CEng FICE FBIM
Inquiry Inspector

12th April 1991

APPEARANCES

APPENDIX A

FOR DACORUM BOROUGH COUNCIL

Mr Thomas Hill, of counsel

instructed by the Borough Secretary,
Dacorum Borough Council

he called

Mr David Brian Wass ARICS MRTPI

Town Centres Project Manager
Dacorum Borough Council

Mr Brian Edward Scott BSc CEng MICE

Principal Engineer (Town Centres & Traffic)
Dacorum Borough Council

Councillor John Buteux

Chairman, Town Centres Committee
Dacorum Borough Council

FOR THE OBJECTORS

Mrs Patricia Mann

4 Pinewood Gardens, Hemel Hempstead, HP1 1TN
representing "Safe Cycling in Dacorum" (SCID)

Mrs Sylvia Davidson

16 Sebright Road, Hemel Hempstead, HP1 1QY
also representing SCID

LIST OF DOCUMENTS**APPENDIX B****DOSSIER SUPPLIED BY REGIONAL HEADQUARTERS PRIOR TO THE INQUIRY**

- RO.Doc.1 Draft Order and Plan
- 2 Notice of SoS of Tpt's proposal to make the order
 - 3 Withdrawn draft order
 - 4 Notice of SoS's proposal to make the withdrawn draft order
 - 5 Dacorum BC's resolution to adopt proposal to improve amenity of Marlowes etc by pedestrianisation
 - 5A Application for a Pedestrian Planning Order
 - 5B Statement of Planning Policies, County and District, TPP 88/89.
 - 5C Public Off-Street Carparking Schedule
 - 5D Existing and Proposed Bus Routes
 - 5E Improvements to Junctions and Highways
 - 5F Telecommunications operators
 - 5G Public Utilities
 - 5I Permitted access to pedestrian areas
 - 5J Effective Date of Order
 - 6 Ministerial correspondence on progress and procedure
 - 7 Correspondence with Mr ACJ Chalmers, an objector
 - 8 Correspondence with Safe Cycling in Dacorum (SCID), an objector
 - 9 Correspondence with the County Surveyor, Hertfordshire CC: an objection subsequently withdrawn
 - 10 Correspondence between Dacorum BC and DTp relating to modifications to the original draft order on behalf of the Royal Mail.
 - 11 Guidance Notes on Section 212 Orders with Circular Roads 13/71
 - 12 Notice of the Local Inquiry

Documents produced in the Inquiry by the Borough Council

- C.1 Statement updating the Application as a consequence of the publication of a draft Local Plan on 23 April 1990
- 1.1 Appendix (i): Local Plan references to pedestrianisation of Marlowes
 - 1.2 Appendix (ii): Policies 52, 57 & 60 of the draft Plan
 - 1.3 Appendix (iii) Correspondence between Dacorum Borough Council and Mercury Communications dated 8 Feb 91, 18 Feb 91 and 15 Mar 91
- DBW1 Objection letter from Mr ACJ Chalmers dated 25 May 90
- 2 Correspondence dated 13 Jul 90, 18 Jul 90, 27 Jul 90, 7 Aug 90, 22 Aug 90, 12 Sep 90, 10 Nov 90, 22 Nov 90, 28 Nov 90, & 7 Dec 90, DBC/Mr Chalmers
 - 3 Results of Public discussion questionnaire on draft Town Centre Plan
 - 4 Extract from Town Centre Committee report 17 Apr 89 with summary of responses to Public Consultation annexed.
 - 5 Extracts from Dacorum Borough Local Plan (Consultation Draft)
 - 6 Location of Demolished Car Parks
 - 7 Extracts from Herts County Structure Plan 1986 Review written statement
 - 8 Distances between car parks and extremities of pedestrianised area
 - 9 Location of proposed designated parking for the disabled
- BES 1 Letter from Ms Christine Harris to DTp EReg Office dated 18 June 90
- 2 Comment Form returned by SCID in public discussion of draft Plan together with correspondence dated 31 Mar 89, 13 Jul 90, 27 Jul 90, 7 Aug 90, 24 Aug 90, & 12 Sep 90, between SCID and Dacorum Borough Council
 - 3 Extracts from Herts County Structure Plan 1986
 - 4 Extracts from Dacorum District Plan
 - 5 Extracts from Dacorum Local Plan (Consultation Draft)
 - 6 Extracts from Herts CC TPP 1991/92
 - 7 Extracts from Hemel Hempstead Town Centre Plan 1988

SEPT4

20

DEPARTMENT OF TRANSPORT

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING GENERAL REGULATIONS 1976

THE EXTINGUISHMENT OF VEHICULAR RIGHTS (COUNTY OF HERTFORDSHIRE)
(NO 1) ORDER 1993

The Secretary of State for Transport hereby gives notice that, on the application of Dacorum Borough Council, he has made an Order entitled "The Extinguishment of Vehicular Rights (County of Hertfordshire) (No. 1) Order 1993". The Order comes into force on **4 FEB 1993** and extinguishes any right which persons may have to use vehicles (other than those specified in Schedule 2 to the Order) on parts of Marlowes and of Bridge Street at Hemel Hempstead in Hertfordshire.

Copies of the Order may be obtained, free of charge, by applying to the Network Management Division of the Eastern Regional Office of the Department of Transport, Heron House, 49-53 Goldington Road, Bedford MK40 3LL (quoting ref No 525241/17/03) and may be inspected at all reasonable hours at the Borough Secretary's Office, Dacorum Borough Council, Civic Centre, Marlowes, Hemel Hempstead, Herts.

If any person aggrieved by the Order desires to question its validity, or the validity of any provision contained in it, on the ground that it is not within the powers conferred by the above Act or that any requirement of that Act or of any regulations made under it has not been complied with in relation to the Order, he or she may, within 6 weeks from **4 FEB 1993** apply to the High Court for the suspension or quashing of the Order or of any provision contained in it.

Unless the Order is suspended or quashed as a consequence of any such application, any person who on **4 FEB 1993** has an interest in land having lawful access to a highway to which the Order relates may claim to be entitled to be compensated by the Dacorum Borough Council in respect of any depreciation in the value of his or her interest which is directly attributable to the Order and of any other loss or damage which is so attributable. Any claim must be served on the Council at its above address within a period of 6 months from **4 FEB 1993** unless the period is extended in any particular case by the Secretary of State.

R. T. Thorndike

R T THORNDIKE
A Director Network Management in the
Department of Transport

JAN 1

TOWN AND COUNTRY PLANNING ACT 1990

THE EXTINGUISHMENT OF VEHICULAR RIGHTS
(MARLOWES, HEMEL HEMPSTEAD)
(COUNTY OF HERTFORDSHIRE) (NO 1) Order 1993

Made 19 JAN 1993

The Secretary of State for Transport makes this Order in exercise of his powers under Section 249 of the Town and Country Planning Act 1990, and of all other enabling powers:-

1. Save as provided in Article 2 below, any right which persons may have to use vehicles on the highways at Hemel Hempstead in the County of Hertfordshire described in Schedule 1 to this Order and shown zebra-hatched on the deposited plan is hereby extinguished.

2. The provisions of Article 1 above shall not apply -

(a) to the use of vehicles on any of the said highways in the cases specified in Part I Schedule 2 to this Order.

(b) to the use of vehicles on the highway described in paragraph 1 of Schedule 1 to this Order in the cases specified in Part II of Schedule 2 to this Order; and

(c) to the use of vehicles on the highways described in paragraph 2 of Schedule 1 to this Order in the cases specified in Part III of Schedule 2 to this Order.

3. The Council shall carry out improvements to those parts of Marlowes, King Harry Street, Waterhouse Street, Moor End Road, Hillfield Road and Selden Hill, all at Hemel Hempstead aforesaid, as more particularly delineated by cross-hatching on the deposited plan.

4. In this Order -

"the Council"

means the Dacorum Borough Council;

"the deposited plan"

means the plan numbered "T&CPA 525241/17/03", marked "Highways at Hemel Hempstead in the County of Hertfordshire", signed by authority of the Secretary of State and deposited at the Department of Transport, Romney House, 43 Marsham Street, London SW1P 3PY;

"disabled person's
vehicle"

means a vehicle which displays a disabled person's badge issued by any local authority in accordance with the provisions of the Disabled Persons (Badges for Motor Vehicles) Regulations 1971 or a badge having effect under those regulations as if it were a disabled person's badge;

"invalid carriage"

means an invalid carriage as defined in Section 136(5) of the Road Traffic Regulation Act 1984; and

"vehicles"

means any vehicles whether mechanically propelled or not, but does not include an invalid carriage, a pedestrian-operated trolley, a perambulator or a pedal cycle propelled by hand by a pedestrian.

5. This Order shall come into operation on the date on which notice that it has been made is first published in accordance with Section 252(10) of the Town and Country Planning Act 1990 and may be cited as the Extinguishment of Vehicular Rights (Marlowes, Hemel Hempstead) (County of Hertfordshire) (No 1) Order 1993.



R T THORNDIKE
Director Network Management
Department of Transport
Eastern Region
Authorised by the Secretary of State

SCHEDULE 1

Description of highways to which this Order relates
(The distances are approximate)

The highways to which this Order relates are at Hemel Hempstead in the Borough of Dacorum in the County of Hertfordshire. They are shown zebra-hatched on the deposited plan and are:-

1 Marlowes from its junction with Selden Hill and Moor End Road northwards for a distance of 360 metres to the southern boundary of its junction with Bridge Street; and

2 a) Marlowes from the southern boundary of its junction with bridge Street northwards for a distance of 172 metres to its junction with Hillfield Road; and

b) Bridge Street from its junction with Waterhouse Street eastwards for a distance of 75 metres to its junction with Marlowes.

SCHEDULE 2

Part I Cases where persons may use vehicles on any of the highways described in Schedule 1 to this Order

1. Where the vehicle is a vehicle of any description and is using the highways:-

a) for police, ambulance or fire brigade purposes;

b) in connection with the laying, erection, inspection, maintenance, alteration, repair, renewal or removal in or near the said length of highway of any sewer, main, pipe, conduit, wire, cable or other apparatus for the supply of gas, water, electricity or of any telecommunication apparatus as defined in Schedule 2 to the Telecommunications Act 1984; or

c) in accordance with a special authorisation in writing for that use given by or on behalf of the Dacorum Borough Council.

2. Where the vehicle is:-

a) a highway maintenance vehicle being used by or on behalf of a local authority in pursuance of its statutory powers and duties; or

- b) a vehicle with a gross weight not exceeding 5 tonnes being used after 16.00 hours and before 10.00 hours in connection with the construction, alteration, maintenance or demolition of any premises adjacent to the said lengths of highway or in connection with the removal of furniture and fittings to or from such premises.

Part II Cases where persons may use vehicles on the highway described in paragraph 1 of Schedule 1 to this Order

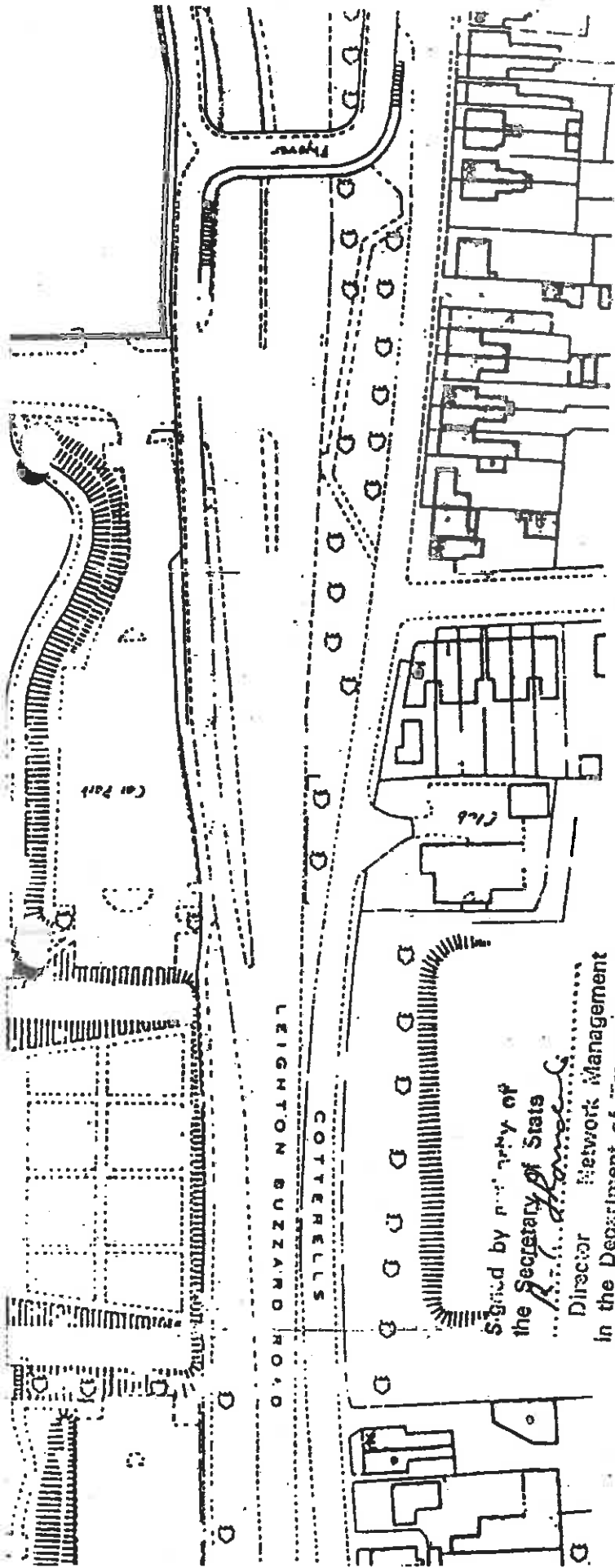
Where the vehicle is:-

- a) a vehicle with a gross weight not exceeding 5 tonnes being used after 16.00 hours and before 10.00 hours to gain access to any kiosk or other premises or facility to be constructed in the said length of highway for the purposes only of the delivery thereto or removal therefrom of materials, furniture, fittings, machinery and stock in connection with the construction, alteration, maintenance, demolition or operation of any such kiosk or other premises or facility;
- b) a disabled person's vehicle being used to gain access to a parking space reserved for such vehicles and Royal Mail vehicles at the southern end of Marlowes but so however that access thereto and egress therefrom shall be by way only of Marlowes south of its junction with Moor End Road; or
- c) a Royal Mail vehicle being used to gain access to the parking space reserved for disabled persons vehicles and Royal Mail vehicles at the southern end of Marlowes but so however that access thereto and egress therefrom shall be by way only of Marlowes south of its junction with Moor End Road.

Part III Cases where persons may use vehicles on the highways described in paragraph 2 of Schedule 1 to this Order

Where the vehicle is:-

- a) a public service vehicle as defined in Section 1(1)(a) and (b) of the Public Passenger Vehicles Act 1981;
- b) a hackney carriage (within the meaning of Section 37 of the Town Police Clauses Act 1847) being used in an easterly and northerly direction only from the junction of Bridge Street with Waterhouse Street towards the junction of Marlowes with Hillfield Road;
- c) a Royal Mail vehicle being used in an easterly and northerly direction only from the junction of Bridge Street and Waterhouse Street towards the junction of Marlowes with Hillfield Road; or
- d) a pedal cycle being ridden along a route identified as for the use of cyclists and buses.



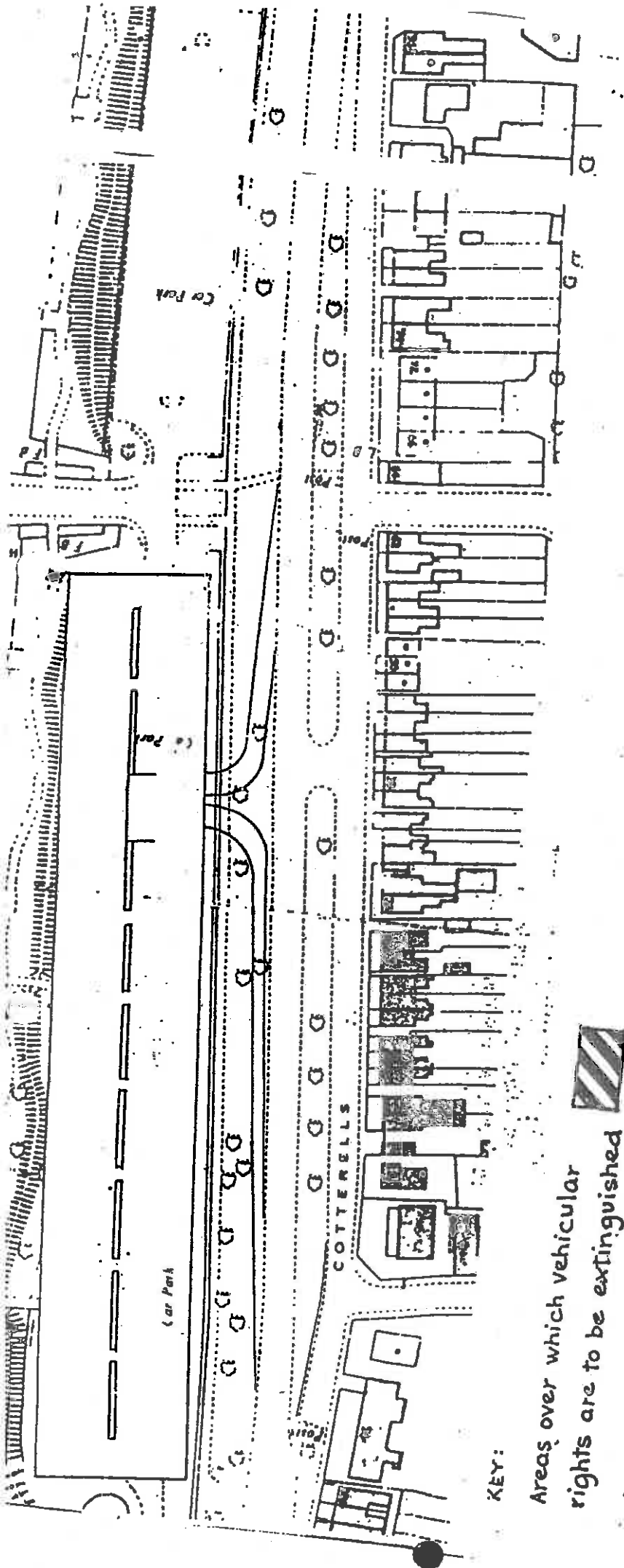
FOR DIMENSIONS NO. 101217
 ST. JEROME'S CO. LTD.

Signed by authority of
 the Secretary of State
R. G. H. Jones
 Director Network Management
 in the Department of Transport
 10 JAN 1993

Scale: 1/1250

Department of Transport
 Plan No T & CPA 525241/17/03

1el Hempstead
Hertfordshire



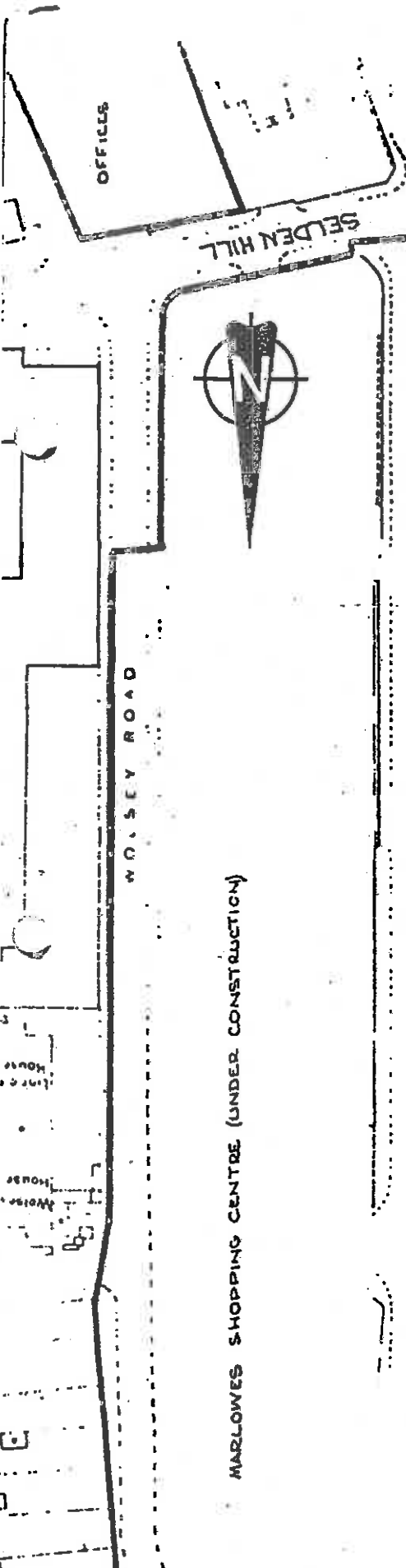
Highways at Hertford
in the County of Hertford

KEY:

Areas over which vehicular rights are to be extinguished

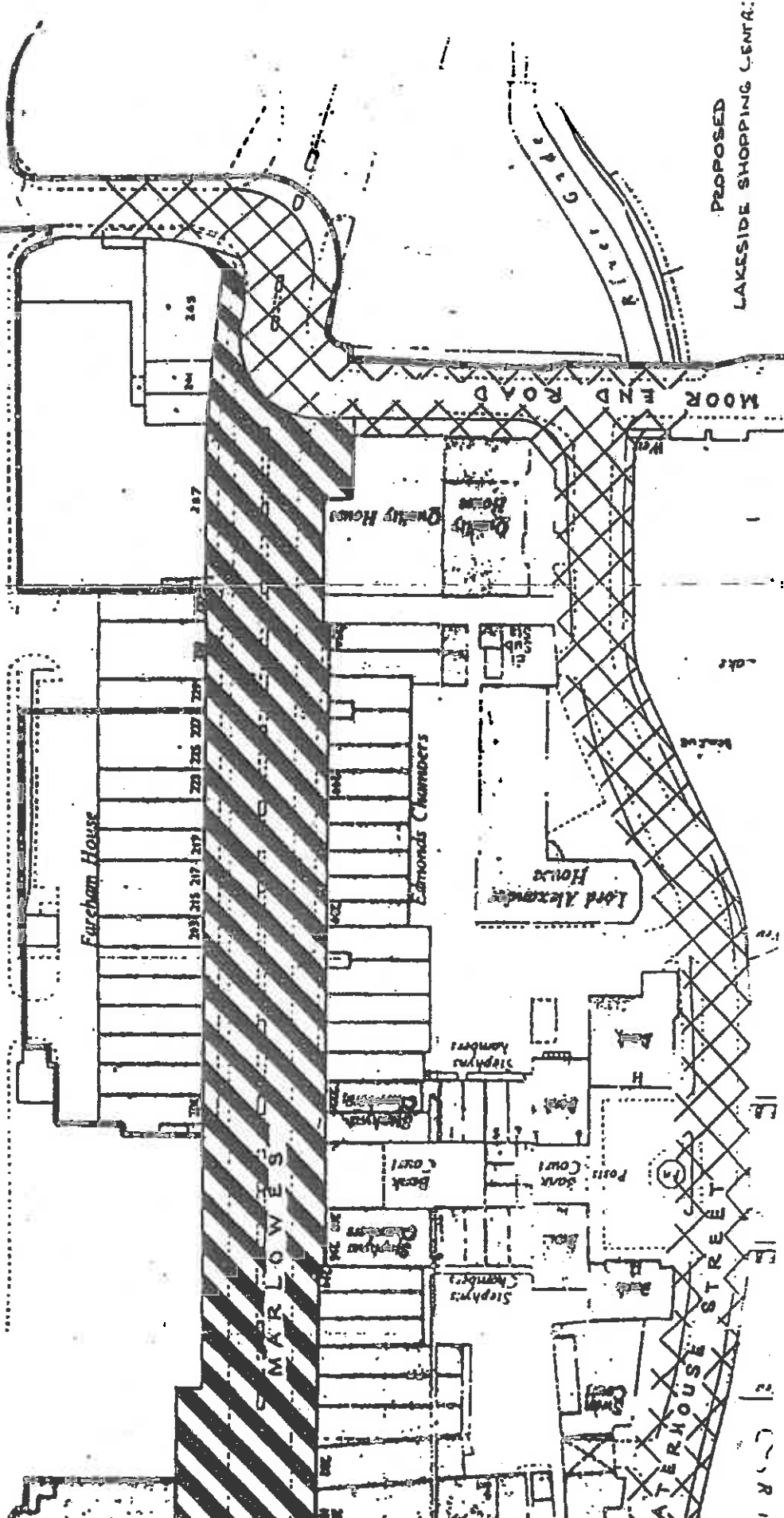
Highways to be improved





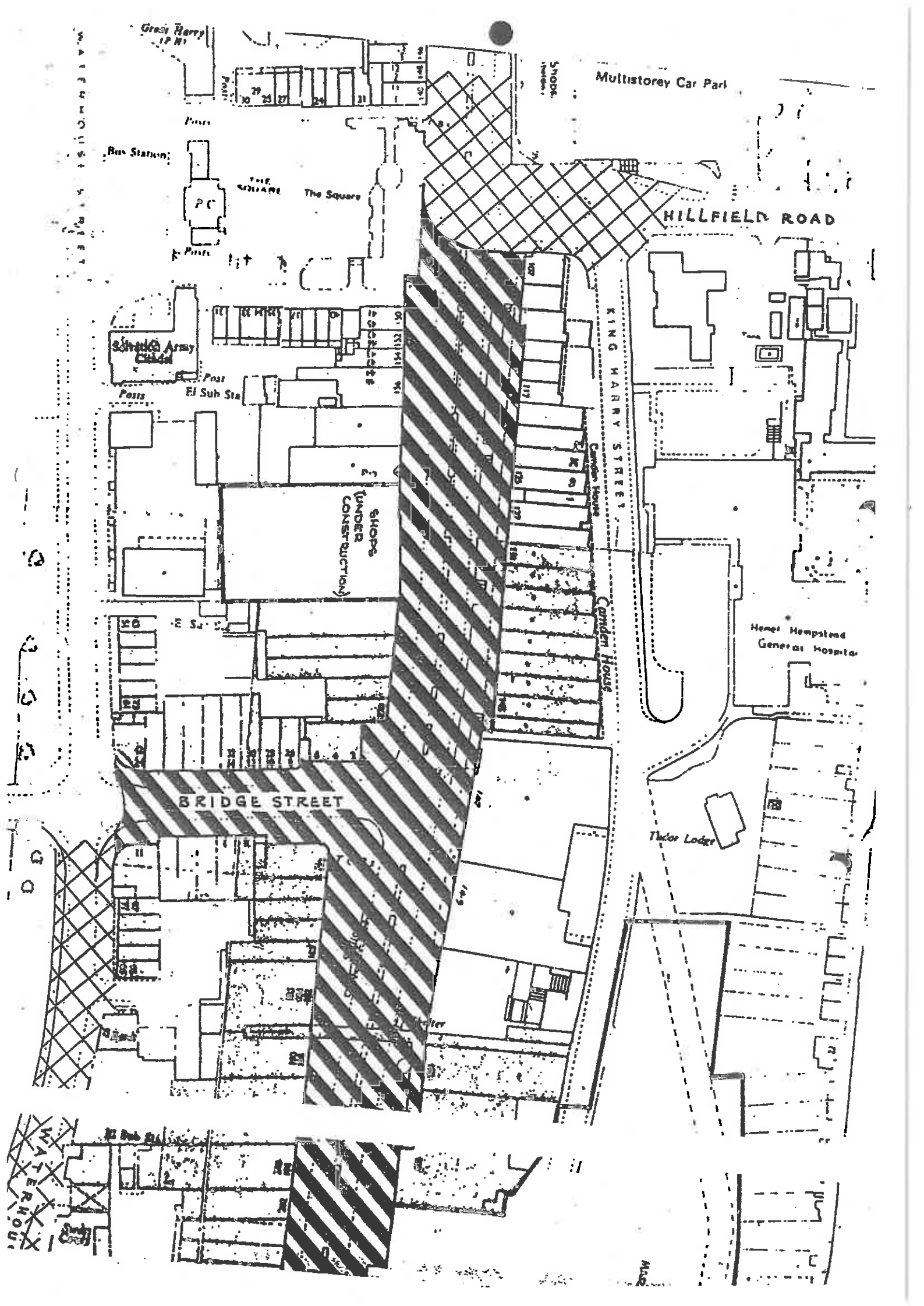
WOLSEY ROAD

MARLOWES SHOPPING CENTRE (UNDER CONSTRUCTION)



PROPOSED LAKESIDE SHOPPING CENTRE

1001



Great Harry
IP 11

Multistorey Car Park

Bus Station

THE SQUARE
The Square

HILLFIELD ROAD

Soldado Army
Club

SHOPS
(UNDER
CONSTRUCTION)

KING HARRY STREET

Hemel Hempstead
General Hospital

BRIDGE STREET

Tudor Lodge

WATERHOUSE STREET

