

HERTSMERE BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

Date of Order: xxxxxxxx2017

Order No.xxx

THE HERTSMERE BOROUGH COUNCIL (PARK ROAD, RADLETT)(RESTRICTION OF WAITING) ORDER 2017

Hertsmere Borough Council (hereinafter referred to as “the Council”) pursuant to arrangements made with Hertfordshire County Council (“the County Council”) under Section 19 of the Local Authorities (Arrangements for Discharge of Functions) (England) Regulations 2012 in exercise of the powers on the said County Council by Sections 1, 2 and 3 of the Road Traffic Regulation Act 1984 (hereinafter referred to as “the Act of 1984”) and Part IV of Schedule 9 of the Act of 1984 and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984, hereby make the following Order:

1. This Order may be cited as “The Hertsmere Borough Council (Park Road,Rad) (Restriction of Waiting)Order 2017” and shall come into operation on xxxxxxxx2017.
2. Save as provided in Articles 4, 5 and 6 of this Order no person shall cause or permit any vehicle to wait at any time in those lengths of Park Road,Radlett as specified in the Schedule1 to this Order.
3. Save as provided in Articles 4,5 and 6 of this Order no person shall cause or permit any vehicle to wait between 8.00am and 6.30pm Monday to Saturday inclusive in those lengths of Park Road, Radlett as specified in Schedule 2 to this Order.
4. (1) Nothing in Articles 2 and 3 of this Order applies to the lengths of road restricted by that Article (which said lengths of road are referred to in this Article as “the restricted area”) in relation to:
 - (a) A vehicle being used for fire and rescue, ambulance or police purposes.
 - (b) Anything done with the permission of or at the direction of a Police Constable in uniform or with the permission of a Civil Enforcement Officer appointed by Hertsmere Borough Council and as defined by the Traffic Management Act 2004.
 - (c) A vehicle which is prevented from proceeding by circumstances beyond the drivers control or which has stopped in order to avoid injury or damage to persons or property or when required to do so by law;
 - (d) A vehicle which is stationary in order that it may be used for one or more of the purposes specified in sub-Article (2) of this Article and which cannot reasonably be used for such a purpose without stopping in the restricted area;
 - (e) A marked vehicle which, whilst used by a universal service provider in the course of the provision of a universal postal service, is stationary only for so

long as may reasonably be necessary for postal packets to be delivered or collected;

In this Article;

The expression “universal service provider”, “provision of a universal postal service” and “postal packet” shall bear the same meanings as in the Postal Services Act 2011.

- (2) The “purposes” referred to in sub-Article (1)(d) of this Article are:
- (a) Any operation involving building, demolition or excavation;
 - (b) The removal of any obstruction to traffic;
 - (c) The maintenance, improvement or reconstruction of a road;
 - (d) Constructing, improving, maintaining or cleaning of any street furniture; or
 - (e) The laying, erection, alteration, repair or cleaning of any sewer or of any main pipe or apparatus for the supply of gas, water or electricity, or of any telecommunications apparatus kept or installed for the purposes of a telecommunications code system or of any other telecommunications apparatus lawfully kept installed in any position.
5. Nothing in Articles 2 and 3 of this Order applies to the lengths of road restricted by that Article (which said lengths of road are referred in this Article as “the restricted area”) so as to render it unlawful to cause or permit any vehicle to wait only for so long as may reasonably be necessary -
- (a) to enable goods to be loaded on or unloaded from the vehicle from or to premises adjacent to the restricted area; or
 - (b) to enable a passenger to board or alight and to load and unload any luggage.
6. (1) Nothing in Article 2 and 3 of this Order shall render it unlawful to cause or permit a disabled person’s vehicle which displays in the relevant position a disabled person’s badge, and a parking disc, to wait at any time in the lengths of road specified in Schedules 1 and 2 of this Order for a period not exceeding 3 hours (not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle in the same length of road).
- (2) In this Article –
- “disabled person’s vehicle” has the same meaning as in Section 142(1) of the Act of 1984;
- “disabled person” means a disabled person of a description prescribed by Regulation 4 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 SI 682;
- “disabled persons badge”, “Blue Badge” have the same meaning as given in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 SI 682;

“parking disc” has the same meaning as given in Regulation 8(5) of The Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

“Relevant position” has the same meaning as given in Regulation 4 of The Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000.

7. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament:

7(1)Where a motor vehicle is parked in contravention of any of the Articles to this Order the driver of any such vehicle shall be issued with a penalty charge notice.

(2) In this Article

“Penalty Charge” shall have the meaning as a charge set by the Council in accordance with The Civil Enforcement of Parking Contraventions(Guidelines on Levels and Charges)(England) Order 2007 and the provisions of part 6 and Schedule 9 of the Traffic Management Act 2004

“driver” means the person driving or having control or charge of the vehicle at any given time and in particular in relation to the vehicle.

8. The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulations made or having effect as if made under the Act of 1984 or by any other enactment.
9. The provisions of the following Order are hereby revoked but only in so far as they are affected by the restrictions imposed by this Order;

The Borough of Hertsmere (Control of Parking) (Consolidation) Order 2012

SCHEDULE 1

NO WAITING AT ANYTIME

PARK ROAD, RADLETT

Park Road (North side)	From a point in line with the northern kerbline of junction with Watling Street eastwards for a distance of 25.8 metres
Park Road (South side)	From a point in line with the southern kerbline of junction with Watling Street eastwards for a distance of approximately 61 metres

SCHEDULE 2

MONDAY TO SATURDAY 8AM-6.30PM

PARK ROAD, RADLETT

Park Road (North side)	From a point 14.7 metres northeast of the common boundary between property numbers 4 and 6 north-eastwards for a distance of approximately 6 metres
Park Road (North side)	From a point 1.5 metres northeast of the common boundary between property numbers 10 and 12 north-eastwards for a distance of approximately 22 metres
Park Road (North side)	From a point 8.2 metres northeast of the common boundary between property numbers 16 and 18 north-eastwards for a distance of 8.2 metres
Park Road (North side)	From a point 11.4 metres northeast of the common boundary between property numbers 18 and 20 north-eastwards for a distance of 8.2 metres
Park Road (North side)	From a point 9.8 metres northeast of the common boundary between property numbers 20 and 22 north-eastwards for a distance of 6.8 metres
Park Road (North side)	From a point 9.4 metres northeast of the common boundary between property numbers 24 and 26 north-eastwards for a distance of 8.9 metres
Park Road (North side)	From a point 9.4 metres northeast of the common boundary between property numbers 30 and 32 north-eastwards for a distance of approximately 5 metres
Park Road (North side)	From a point 5.6 metres southwest of the common boundary

side)	between property numbers 30 and 32 south-westwards for a distance of approximately 16.3 metres
Park Road (North side)	From a point 25.7 metres from the southern boundary of property number 32 south-westwards for a distance of approximately 94
Park Road (South side)	From a point approximately in line with the southern kerbline of junction with Watford Road westwards to a point in line with the eastern kerbline of Access road to Darnhills
Park Road (South side)	From a point in line with the northern kerbline of junction with Watford Road, north-westwards for a distance of approximately 69 metres

IN WITNESS where of the Common Seal of the Hertsmere Borough Council was hereunto affixed
This xxth day of xxxxxxx2017.

The Common Seal of the
Hertsmere Borough Council
was hereunto affixed in the
presence of :-

Head of Legal and Democratic Services