

# HERTSMERE BOROUGH COUNCIL

## ROAD TRAFFIC REGULATION ACT 1984

Date of Order: xxxxxxxxx2018

Order No.: xxx

### **THE BOROUGH OF HERTSMERE (ALDENHAM AVENUE, PARK AVENUE THE CROSSPATH AND WATLING STREET, RADLETT) (DISABLED PERSONS PARKING PLACES) ORDER 2018**

Hertsmere Borough Council (hereinafter referred to as “the Council”) pursuant to arrangements made under Section 19 of the Local Government Act 2000 with the County Council of Hertfordshire in exercise of the powers of the said County Council under Sections 32 and 35 of the Road Traffic Regulation Act 1984 (hereinafter referred to as “the Act of 1984”), 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 1984 Act, hereby make the following Order:-

1. This Order may be cited as “The Borough of Hertsmere (Aldenham Avenue, Park Avenue, The Crosspath and Watling Street, Radlett) (Disabled Persons Parking Places) Order 2018 and shall come into operation on .....
2. Those lengths of road specified in Schedule 1 to this Order are hereby designated for use as parking places at any time for disabled persons vehicles, which display in the relevant position a disabled person’s badge.
3. Save as provided in Article 6 of this Order, where in Article 2 of this Order a parking place is described as designated for use as a parking place at any time for disabled persons vehicles, which display in the relevant position a disabled persons parking badge, the driver of a vehicle shall not permit the vehicle to wait in that parking place unless it is:
  - (a) A disabled persons vehicle on which is correctly displayed in the relevant position a disabled persons badge; and
  - (b) Wholly parked within the limits of the parking place.
4. Those lengths of road specified in Schedule 2 to this Order are hereby designated for use as parking places for disabled persons vehicles which display in the relevant position a disabled person’s badge and a parking disc from Mondays to Saturday’s inclusive with a maximum stay of 3 hours with no return within 1 hour.
5. Save as provided in Article 6 of this Order, where in Article 4 of this Order a parking place is described as designated for use as a parking place from Mondays to Saturdays inclusive for disabled persons vehicles, which display in the relevant position a disabled persons parking badge and a parking disc, the driver of a vehicle shall not permit the vehicle to wait in that parking place unless it is:
  - (a) A disabled persons vehicle on which is correctly displayed in the relevant position a disabled persons badge and parking disc; and
  - (b) Wholly parked within the limits of the parking place; and
  - (c) Waiting for no more than 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).

6. (1) Nothing in Articles 3 or 5 of this Order applies to the lengths of road restricted by those Articles (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 as defined by the Traffic Management Act 2004 and appointed by Hertsmere Borough Council;
  - (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 be reasonably necessary for postal packets to be delivered or collected;

In this sub-Article-

The expressions “universal service provider” “provision of a universal postal service” and “postal package” 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.

7. In this Order –

“disabled person’s vehicle” has the same meaning as in Section 142 (1) of the Act of 1984;

“disabled person’s badge” has the same meaning as given in Regulation 3(1) of The Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000

“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; and

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

8. The provisions of The Borough of Hertsmere (Control of Parking) (Consolidation) Order 2012, are hereby revoked but only in so far as they are affected by the provisions and restrictions imposed by this Order.
9. Those disabled persons parking places specified in Schedule 3 to this Order are hereby removed.
10. The provisions of The Borough of Hertsmere (Control of Parking) (Consolidation) Order 2012 is hereby revoked in so far as those disabled persons parking places so specified in schedule 3 are concerned.
11. The provisions of The Borough of Hertsmere (Aldenham Avenue, Park Avenue, The Crosspath and Watling Street, Radlett) (Disabled Persons Parking Place)(No.8) Order 2018 is revoked.
12. A breach of any of the requirements or restrictions set out in the provisions of this Order shall be a contravention within the meaning of Traffic Management Act 2004 Part 6 and Schedule 7, Part 1, Article 4.
13. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
14. The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any other regulations made or having effect as if made under the Act of 1984 or by or under any other enactment

## SCHEDULE 1

### Disabled persons parking places at all times

Road Name	Side	Description
Park Road	South Side	From a point approximately in line with the common boundary of property number 19 and 21 south westwards for a distance of 6.6 metres.

## SCHEDULE 2

### Disabled persons parking places, Monday to Saturday maximum stay 3hours No return within 1hr

Road Name	Side	Description	Manner of Parking
Aldenham Avenue	South	From a point approximately 23 metres south of the southern kerbline of junction with Watling Street southwards for a distance of 13.5 metres	Parallel to the kerb
Watling Street	West	From a point in line with the eastern boundary of property number 269 Watling Street, westwards for a distance of 3.3 metres	45° to the Kerb
Watling Street	West	From a point 0.5 metres north of the western boundary of property number 291 Watling Street eastwards for a distance of approximately 15 metres	Parallel to the kerb
Watling Street	East	Opposite a point approximately in line with the southern boundary of property	45° to the Kerb

		number 399 Watling street westwards for a distance of 3.3 metres	
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### SCHEDULE 3

Disabled persons parking places, Monday to Saturday maximum stay  
3hours No return within 1hr to be revoked

Road Name	Side	Description	Manner of Parking
Watling Street	West	Opposite a point approximately 2.7 metres north of northern boundary of property number 399 Watling Street north westwards for a distance of 3.3 metres	45° to the Kerb
Watling Street	East	From a point in line with the eastern boundary of property number 319 Watling Street, westwards for a distance of 3.3 metres	45° to the Kerb
Watling Street	West	Opposite a point approximately 20 metres south of southern boundary of property number 333 Watling Street south westwards for a distance of 3.3 metres	45° to the Kerb
The Crosspath	South	From a point in line with the north western boundary of property number 75 The Crosspath, south-eastwards for a distance of approximately 6.6 metres	Parallel to the kerb

IN WITNESS whereof the Common Seal of the Hertsmere Borough Council was hereunto affixed this                      day of 2018.

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

Head Of Legal and Democratic Services