

HERTSMERE BOROUGH COUNCIL
ROAD TRAFFIC REGULATION ACT 1984

Date of Order: xxxxxxxxxx 2018
Order No: XXX

THE HERTSMERE BOROUGH COUNCIL
(MANOR WAY SERVICE ROAD, BOREHAMWOOD) (PARKING PLACES) ORDER 2018

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 Government Act 2000 and the Local Government (Arrangements for Discharge of Functions) (England) Regulations 2012 and in exercise of the powers conferred on the said County Council by 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 Act of 1984, hereby makes the following Order:

1. This Order may be cited as The Hertsmere Borough Council (Manor Way Service Road, Borehamwood) (Parking Places) Order 2018 hereinafter referred to as “this Order” and shall come into force on xxxxxxxx 2018.

2. In this Order:

“Civil Enforcement Officer” means a person in uniform authorised by or on behalf of Hertsmere Borough Council to supervise any parking place as defined by the Traffic Management Act 2004;

“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;

“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 waiting in a Parking Place the person driving at the time it was left in that Parking Place;

“Motor vehicle” means passenger motor vehicle or motor cycle not larger than 2.30 metres in height and 5.25 metres in length;

“Owner” in relation to a vehicle means the person by whom such vehicle is kept and/or used;

“Parking Bay” means an area contained within a Parking Place in which a vehicle of any class, not larger than 2.3 metres in height and 5.25 metres in length may be parked, marked in accordance with the Traffic Signs Regulations and General Directions 2016 as designated in Articles 4 and 6 of this Order and listed in Schedules 1 and 2 to this Order;

“Parking Place” means any place where a Vehicle, or Vehicles of any class, not larger than 2.3 metres in height and 5.25 metres in length may be parked, marked in accordance with the Traffic Signs Regulations and General Directions 2016 as designated in Articles 4 and 6 of this Order and listed in Schedules 1 and 2 to this Order;

“Passenger Vehicle” means a motor vehicle constructed solely for the carriage of passengers and their effects and adapted to carry not more than sixteen passengers exclusive of the Driver, and not drawing a trailer;

“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;

“Permitted Hours” means the hours and days of the week specified in Schedules 1 and 2 to this Order.

“Relevant Position” means if the Vehicle is one being used by a Disabled Person displayed in such a position as described in the Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations 2000 SI 682 and in all cases displayed in such a position as to be clearly visible from outside the Vehicle’s front or nearside;

3. Save as provided in Articles 8, 9 and 10 of this Order those lengths of road specified in Schedule 1 to this Order are authorised for use as Parking Bays or Parking Places as set out in Articles 4 and 6 and Schedules 1 and 2 to this Order.
4. Save as provided in Articles 8, 9 and 10 no person shall cause or permit any vehicle to wait in that length of road specified in Schedule 1 to this Order for longer than 2 hours, with no return permitted within 2 hours, between 8.00 am to 6.30 pm on Monday to Saturday.
5. Save as provided in Articles 8, 9 and 10 of this Order where in Article 4 lengths of road are described as authorised for use as a Parking Bay or Parking Place, the Driver of a Vehicle shall not permit the Vehicle to wait in that Parking Place unless it is wholly parked within the marked limits of the Parking Bay or Parking Place.
6. Save as provided in Articles 8, 9 and 10 of this Order those lengths of road specified in Schedule 2 to this Order are authorised for the use as a parking place for disabled persons 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) for disabled persons vehicles which display in the relevant position a disabled persons badge.
7. Save as provided in Article 8, 9 and 10 of this Order where in Article 6 of this Order a parking space is described as authorised for use as a parking place for disabled persons vehicles 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), 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 displayed in the relevant position a disabled persons badge: and
 - b) Wholly parked within the marked limits of the parking place.
8. Any person authorised by the Council or the Police may suspend the use of a parking place whenever they consider such suspension reasonably necessary;
 - (a) for the purpose of facilitating the movement of traffic or promoting its safety;
 - (b) for the purpose of any building operation, demolition or excavation in or adjacent to the parking place or the maintenance, improvement or reconstruction of the Parking Places or adjacent roads or the laying, erection, alteration, removal or repair in or adjacent to the Parking Place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus or traffic sign; or
 - (c) for the convenience of occupiers of premises adjacent to the Parking Place on any occasion for the removal of furniture from one office or dwelling house to another place; or
 - (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or

- (e) for the convenience of occupiers of premises adjacent to the Parking Place at times of weddings or funerals or on other special occasions; or
- (f) for the purpose of facilitating the cleansing of the Parking Place; or
- (g) for a vehicle to be used for fire brigade, police or ambulance purposes.

9. In furtherance of Article 8 of this Order no person shall cause or permit a vehicle to wait in a parking place or any part thereof at any time during which there is displayed in or adjacent to that parking place or that part thereof, as the case may be, a traffic sign placed by any person authorised by the Council or the Police indicating that the parking place is suspended.
10. Nothing in Articles 3, 4 and 6 of this Order applies to anything done at the direction of or with the permission of a police officer in uniform or with permission of a Civil Enforcement Officer as defined by the Traffic Management Act 2004 and appointed by Hertsmere Borough Council.
11. Where a Motor Vehicle is parked in contravention of any of the Articles to this Order the Driver of any such Motor Vehicle shall be issued with a Penalty Charge notice.
12. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.
13. The provisions of the following Order is hereby revoked but only in so far as they are affected by the restrictions imposed by this Order;

The Hertsmere Borough Council (Manor Way, Borehamwood) (Prohibition and Restriction of Waiting) Order 1992

The Hertsmere Borough Council (Manor Way, Borehamwood) (Prohibition and Restriction of Waiting) Order 1995

The Borough of Hertsmere (Manor Way Service Road, Borehamwood) (Restriction of Waiting) Order 2007

SCHEDULE 1

MANOR WAY SERVICE ROAD, BOREHAMWOOD

Parking Places designated for the leaving of vehicles for a maximum period of 2 hours with no return permitted within 2 hours during the hours between 8.00 am to 6.30 pm on Mondays to Saturdays inclusive

LOCATION	DESCRIPTION	PARKING POSITION
Manor Way Service Road (east side)	From a point 4.3m south of a point opposite the common boundary of numbers 148 and 150 Manor Way northwards for a distance of 24.5m	Parallel to kerb
Manor Way Service Road (east side)	From a point 4.2m north of a point opposite the common boundary of numbers 138 and 140 Manor Way northwards for a distance of 73.0m	Parallel to kerb
Manor Way Service Road (west side)	From a point opposite the common boundary of numbers 148 and 150 Manor Way northwards for 17.5m	Parallel to kerb
Manor Way Service Road (west side)	From a point 1.4m north of a point opposite the common boundary of numbers 140 and 142 Manor Way northwards for a distance of 82.0m	Echelon parking at 45 degrees as indicated by parking bay markings

SCHEDULE 2

MANOR WAY SERVICE ROAD, BOREHAMWOOD

Parking Places designated for use of disabled persons vehicles 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)

LOCATION	DESCRIPTION	PARKING POSITION
Manor Way Service Road (east side)	From a point 1.3m south of a point opposite the common boundary of numbers 112 and 114 Manor Way southwards for a distance of 5.5m	Echelon parking at 45 degrees as indicated by parking bay markings
Manor Way Service Road (east side)	From a point 2.4m south of a point opposite the common boundary of numbers 138 and 140 Manor Way northwards for a distance of 6.6m	Echelon parking at 45 degrees as indicated by parking bay markings

IN WITNESS whereof the Common Seal of the Hertsmere Borough Council was hereunto affixed
This xxxxxxxx 2018

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

Head of Legal and Democratic Services