

HERTSMERE BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

Date of Order: xxxxxxxx2016

Order No: xxx

THE HERTSMERE BOROUGH COUNCIL (VARIOUS ROADS INCLUDING CHACE AVENUE, POTTERS BAR) (RESTRICTION OF WAITING) ORDER 2016

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 2000 in exercise of the powers conferred 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 (Various Roads including Chace Avenue, Potters Bar) (Restriction of Waiting) Order 2016” and shall come into operation on xxxxxxxx2016
2. Save as provided in Articles 3, 4 and 5 of this Order no person shall cause or permit any vehicle to wait at any time in those lengths of road in Potters Bar as specified in the Schedule to this Order.
3. (1) Nothing in Article 2 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.

4. Nothing in Article 2 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.

5. (1) Nothing in Article 2 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 the Schedule 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;

“Relevant position” has the same meaning as given in Regulation 4 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;

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

NO WAITING AT ANYTIME

1	Aston Way bothside	From a point approximately in line with the Northern and southern kerblines of Aston Way Junction with Chace Avenue westwards for a distance of approximately 11 metres
2	Bowmans Close bothsides	From a point approximately in line with the eastern and western kerblines of junction with Chace Avenue southwards for a distance of approximately 10 metres
3	Chace Avenue Northside	From a point approximately 8 metres west of the common boundary between property numbers 26 and 28 Chace Avenue westwards for a distance of approximately 15 metres
4	Chace Avenue Southside	From a point approximately 15 metres east of the eastern boundary of property number 33 Chace Avenue eastwards for a distance of approximately 26 metres
5	Chace Avenue Northside	From a point approximately in line with the common boundary between property numbers 46 and 48 Chace Avenue eastwards for a distance of approximately 134 metres
6	Chace Avenue North westside	Opposite a point approximately in line with the common boundary between property numbers 94 and 96 Chace Avenue eastwards for a distance of approximately 25 metres
7	Chace Avenue North eastside	From a point approximately in line with the common boundary between property numbers 94 and 96 Chace Avenue eastwards for a distance of approximately 25 metres.
8	Chace Avenue West side	Opposite a point approximately in line with the southern boundary of property number 106 Chace Avenue south-westwards for a distance of approximately 22 metres.
9	Chace Avenue Eastside	From a point approximately in line with the southern boundary of property number 106 Chace Avenue south westwards for a distance of approximately 24 metres.
10	Chace Avenue Eastside	From a point approximately 8 metres north of the northern kerbline of junction with Featherstone Road southwards for a distance of 22 metres.
11	Chace Avenue Westside	From a point approximately in line with the southern boundary of property numbers 107 to 113 north eastwards for a distance of approximately 31 metres
12	Chace Avenue Eastside	From a point approximately in line with the southern boundary of property numbers 148 to 150 south westwards for a distance of approximately 57 metres

13	Chace Avenue Westside	From a point approximately in line with the common boundary of property numbers 125 and 127 Chace Avenue North eastwards for a distance 24 metres
14	Chace Avenue Eastside	From a point approximately 10 metres south of the common boundary between property numbers 156 and 156 southwards for a distance of approximately 29 metres
15	Chauncy Avenue both sides	From a point in line with the Northern and southern kerblines of junction with Tempest Avenue eastwards for a distance of approximately 10 metres
16	Coningsby Drive bothsides	From a point in line with the western and eastern kerblines of junction with Chace Avenue south eastwards for a distance of approximately 10 metres
17	Featherstone Road Both Sides	From a point in line with the northern and southern kerblines of junction with Chace Avenue eastwards for a distance of approximately 10 metres
18	Forbes Avenue bothsides	From a point in line with the western and eastern kerblines of junction with Chace Avenue southwards for a distance of approximately 10 metres
19	Forbes Avenue westside	From a point approximately in line with the common boundary between property numbers 56 and 58 Forbes Avenue north westwards for a distance of approximately 27 metres
20	Forbes Avenue eastside	Opposite a point approximately in line with the common boundary between property numbers 56 and 58 Forbes Avenue north westwards for a distance of approximately 45 metres
21	Forbes Avenue Northside	From a point approximately in line with the common boundary between property numbers 72 and 74 eastwards for a distance of approximately 29 metres
22	Forbes Avenue Southside	Opposite a point approximately in line with the common boundary between property numbers 70 and 72 Forbes Avenue eastwards for a distance of approximately 17 metres
23	Forbes Avenue bothsides	From a point in line with the Northern and Southern kerb lines of Forbes Avenue junction with Tempest Avenue eastwards for a distance of approximately 10 metres
24	Margaret Close bothsides	From a point in line with the Northern and southern kerblines of junction with Tempest Avenue eastwards for a distance of approximately 10 metres
25	Park Avenue bothsides	From a point in line with the western and eastern kerblines of junction with Chace Avenue southwards for a distance of approximately 10 metres
26	Stamford Close	From a point in line with the Northern and Southern kerb

	Both sides	lines of Stamford Close junction with Chace Avenue eastwards for a distance of approximately 10 metres
27	Tempest Avenue East side	From a point approximately 4 metres south of the common boundary between 79 and 81 Tempest Avenue Southwards for a distance of approximately 25 metres
28	Tempest Avenue east side	From a point approximately 6 metres south of the common boundary between 100 and 102 Tempest Avenue Southwards for a distance of approximately 25 metres
29	Tempest Avenue west side	From a point approximately 6 metres south of the common boundary between 71 and 73 Tempest Avenue Southwards for a distance of approximately 25 metres
30	Tempest Avenue north side	From a point approximately 8 metres west of the common boundary between 51 and 53 Tempest Avenue westwards for a distance of approximately 24 metres
31	Tempest Avenue west side	From a point approximately in line with the common boundary between property numbers 35 and 37 to a point approximately 14 metres south of the southern boundary of property number 33
32	Tempest Avenue west side	From a point approximately in line with the common boundary between property numbers 5 and 7 Tempest Avenue southwards for a distance of approximately 26 metres
33	Wayside both sides	From a point approximately in line with the eastern and western kerblines of junction with Forbes Avenue southwards for a distance of approximately 10 metres
34	Wayside	From a point approximately 18 metres east of the eastern boundary of property number 13 to 23 Wayside eastwards for a distance of approximately 24 metres
35	Wayside east side	From a point approximately in line with the eastern kerb lines of junction with Aston Way, southwards for a distance of approximately 10 metres.
36	Wayside West side	From a point approximately in line with the eastern kerb lines of junction with Aston Way, southwards for a distance of approximately 5 metres.
37	Wayside both sides	From a point approximately in line with the eastern and western kerblines of junction with Chace Avenue northwards for a distance of approximately 10 metres

IN WITNESS whereof the Common Seal of the Hertsmere Borough Council was hereunto affixed
This xxxxxxxx2016.

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

Head of Legal and democratic Services