

HERTFORDSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

Date of Order: 4 August 2006

Order No : 6995

THE HERTFORDSHIRE (VARIOUS ROADS, WALTHAM CROSS) (DISABLED PERSONS PARKING PLACES AND GOODS VEHICLE LOADING BAY) ORDER 2005

The Hertfordshire County Council in exercise of their powers under Sections 32 and 35 of the Road Traffic Regulation Act 1984 (which said Act of 1984 is hereinafter referred to as "the Act of 1984"), and Part IV 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 of the Act of 1984, hereby makes the following Order:-

1. This Order may be cited as "The Hertfordshire (Various Roads, Waltham Cross) (Disabled Persons Parking Places and Goods Vehicle Loading Bay) Order 2005" and shall come into operation on Friday 25 August 2006.
2. Save as provided in Articles 3 and 6 of this Order the lengths of road specified in Schedule 1 to this order are authorised for use as parking places at any time for disabled persons vehicles which display in the relevant position a disabled persons badge
3. Save as provided in Article 6 of this Order where in Article 2 of this Order a parking place is described as authorised for use as a parking place 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 bay.
4. Save as provided in Articles 5, 6 and 7 of this Order the length of High Street specified in Schedule 2 to this Order is authorised for use as a parking place at any time for goods vehicles for the purpose of loading or unloading goods.
5. Save as provided in Article 6 and 7 of this Order where in Article 4 of this order a parking place is described as authorised for use as a parking place at any time for goods vehicles, the driver of a vehicle shall not permit the vehicle to wait in that parking place unless it is;
 - (a) a goods vehicle being used to load or unload goods and;
 - (b) wholly parked within the marked limits of the parking bay.

In Articles 4 and 5 to this order –

"goods vehicle" has the meaning as a motor vehicle or trailer constructed or adapted for use for the carriage or haulage of goods or burden of any description.

6. (1) Nothing in Articles 2, 3, 4, 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 –

- (i) a police officer in uniform;
 - (ii) in respect of any of the lengths of road in the restricted area which are in a special parking area designated under Part II of the Road Traffic Act 1991 or Schedule 3 to that Act, a parking attendant appointed under Section 63A of the Act of 1984;
- (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 Article –

The expressions “universal service provider”, “provision of a universal postal Service” and “postal packet” shall bear the same meanings as in the Postal Services Act 2000.

(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. Nothing in Articles 4 or 5 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 length of road as specified in Schedule 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).

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 in Section 142(1) of the Act of 1984;

“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” means

- i) A vehicle displays a disabled person's badge in the relevant position if:-
 - a) in the case of a vehicle fitted with a dashboard or facia panel, the badge is exhibited thereon so that Part 1 of the badge is legible from outside the vehicle; or
 - b) in the case of a vehicle not fitted with a dashboard or facia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part 1 of the badge is legible from outside the vehicle;
 - ii) A vehicle displays a parking disc in the relevant position if:-
 - a) in the case of a vehicle fitted with a dashboard or facia panel, the disc is exhibited thereon so that the quarter hour period during which the period of waiting began is legible from outside the vehicle; or
 - b) in the case of a vehicle not so fitted, the disc is exhibited in a conspicuous position on the vehicle so that the quarter hour period during which the period of waiting began is legible from outside the vehicle.
8. The provisions of the following Order are hereby revoked only in so far as they are affected by the restrictions imposed by this Order;
- The Borough of Broxbourne (Control of Parking) (Consolidation) Order 2005.
9. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
10. 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

length of road in Waltham Cross – disabled persons parking places

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| High Street (west side) | from a point 14 metres north of a point in line with the southern boundary of Harold House 73 High Street northwards for 10 metres: 2 disabled parking bays. |
| High Street Service Road fronting No's 3 to 21 High Street (west side) | from a point 2 metres south of its junction with the south kerbline of Lodge Crescent southwards for 5 metres: 1 disabled parking bay. |
| High Street Service Road fronting No's 35 to 71 High Street (west side) | (a) from a point 6 metres north of its junction with the north kerbline of Lodge Crescent northwards for 5 metres: 1 disabled parking bay (b) from a point 12.5 metres south of a point in line with the north wall of 59a High Street southwards for 5 metres: 1 disabled parking bay. |
| High Street Service Road fronting No's 70 to 102 High Street (east side) | (a) from a point 27 metres south of a point in line with the south wall of 88 to 102 High Street southwards for 7 metres: 1 disabled parking bay |

(b) from a point 17 metres north of a point in line with the south wall of 88 to 102 High Street northwards for 5 metres; 1 disabled parking bay.

SCHEDULE 2

length of High Street, Waltham Cross - designated loading/unloading bay at any time for goods vehicles

High Street
(west side)

from a point 39 metres south of its junction with the south kerbline of Regent Gate Estate Road southwards for 8 metres.

IN WITNESS whereof the Common Seal of the Hertfordshire County Council was hereunto affixed this 4th day of August 2006 .

The Common Seal of Hertfordshire County Council was hereunto affixed in the presence of:-)
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Assistant *C Platt*
County Secretary

