

HERTSMERE BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

Date of Order: 20th June 2013

Order No: 266

THE HERTSMERE BOROUGH COUNCIL (MELROSE AVENUE AND FURZEHILL ROAD, BOREHAMWOOD) (CONTROLLED PARKING ZONE) (RESTRICTION OF WAITING) ORDER 2012

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 on the said County Council by Sections 1, 2, 3, 4, to 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 Hertsmere Borough Council (Melrose Avenue and Furzehill Road, Borehamwood) (Controlled Parking Zone) (Restriction of Waiting) Order 2012" and shall come into operation on 2nd July 2013.
2. Save as provided in Articles 4, 5 and 6(1) of this Order no person shall cause or permit any vehicle to wait at any time in those lengths of Melrose Avenue and Furzehill Road, Borehamwood as specified in Schedule 1 to this Order.
3. Save as provided in Articles 4, 5 and 6(2) of this Order no person shall cause or permit any vehicle to wait between the hours of 2pm to 3pm, Monday to Friday in those lengths of Melrose Avenue, Borehamwood 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 paragraph (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 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 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.

5. Nothing in Articles 2 or 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 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 Schedule 1 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) Nothing in Article 3 of this Order shall render it unlawful to cause or permit a Disabled Person's Vehicle that displays in the Relevant Position a Disabled Person's Badge and Parking Disc, to wait at any time in the lengths of road specified in Schedule 2 of this Order.

(3) 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;

"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.

“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.

“Vehicle” means passenger motor vehicle or motorcycle not larger than 2.30 metres in height and 5.25 metres.

7. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament:
8. 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.
9. 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.
10. 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 Borough of Hertsmere (Control of Parking) (Consolidation) Order 2012

SCHEDULE 1

Lengths of Melrose Avenue and Furzehill Road, Borehamwood – no waiting at any time

Melrose Avenue (west side) (a)	From a point 8 metres south west of a point in line with the boundary between 50 and 52 Melrose Avenue southwards and south westwards for approximately 5 metres to a point 2 metres south west of a point in line with the boundary between 52 and 54 Melrose Avenue.
Melrose Avenue (west side) (b)	From a point 15 metres north east of a point in line with the north boundary of 2 Melrose Avenue eastwards and north eastwards for approximately 32 metres to its junction with the south west kerblin of Furzehill Road.
Melrose Avenue (east side) (a)	From a point 8.8 metres south west of a point in line with the boundary between 50 and 52 Melrose Avenue westward and south westwards for approximately 4 metres to a point 2 metres south west of a point in line with the boundary between 52 and 54 Melrose Avenue.
Melrose Avenue (east side) (b)	From a point 14.4 metres north east of a point in line with the north boundary of 1 Melrose Avenue northwards and north eastwards for approximately 36.2 metres to a point 1.4 metres south west of a point in line with the south west kerblin of Furzehill Road.
Furzehill Road (south side) (a)	From its junction with the projected west kerblin of Melrose Avenue westwards for approximately 9.4 metres to a point 7.4 metres east of a point in line with the boundary between 108 and 110 Furzehill Road.

SCHEDULE 2

Lengths of Melrose Avenue, Borehamwood – no waiting 2pm to 3pm Monday to Friday

Melrose Avenue (west side) (a)	From a point 2 metres north east of a point in line with the boundary between 52 and 54 Melrose Avenue north eastwards for approximately 12 metres to a point 4 metres north east of a point in line with the boundary between 50 and 52 Melrose Avenue.
Melrose Avenue (west side) (b)	From a point 3 metres north east of a point in line with the boundary between 48 and 50 Melrose Avenue north eastwards for approximately 7.2 metres to a point 1 metre north east of a point in line with the boundary between 49 and 48 Melrose Avenue.
Melrose Avenue (west side) (c)	From a point 5.6 metres north east of a point in line with the boundary between 46 and 48 Melrose Avenue north eastwards for approximately 7 metres to a point 4.2 metres north east of a point in line with the boundary between 44 and 46 Melrose Avenue.
Melrose Avenue (west side) (d)	From a point 5.8 metres north east of a point in line with the boundary between 42 and 44 Melrose Avenue north eastwards for approximately 7 metres to a point 3 metres north east of a point in line with the boundary between 40 and 42 Melrose Avenue.
Melrose Avenue (west side) (e)	From a point 6 metres north east of a point in line with the boundary between 38 and 40 Melrose Avenue north eastwards for approximately 8.5 metres to a point 4.6 metres north east of a point in line with the boundary between 36 and 38 Melrose Avenue.
Melrose Avenue (west side) (f)	From a point 4.8 metres north east of a point in line with the boundary between 34 and 36 Melrose Avenue north eastwards for approximately 7.5 metres to a point 2.8 metres north east of a point in line with the boundary between 32 and 34 Melrose Avenue.
Melrose Avenue (west side) (g)	From a point 6 metres north east of a point in line with the boundary between 30 and 32 Melrose Avenue north eastwards for approximately 6.6 metres to a point 3 metres north east of a point in line with the boundary between 28 and 30 Melrose Avenue.
Melrose Avenue (west side) (h)	From a point 6 metres north east of a point in line with the boundary between 26 and 28 Melrose Avenue north eastwards for approximately 6.4 metres to a point 2.8 metres north east of a point in line with the boundary between 24 and 26 Melrose Avenue.
Melrose Avenue (west side) (i)	From a point 6 metres north east of a point in line with the boundary between 22 and 24 Melrose Avenue north eastwards for approximately 8 metres to a point 4.4 metres north east of a point in line with the boundary between 20 and 22 Melrose Avenue.
Melrose Avenue (west side) (j)	From a point 6 metres north east of a point in line with the boundary between 18 and 20 Melrose Avenue north eastwards for approximately 7.4 metres to a point 3.6 metres north east of a point in line with the boundary between 16 and 18 Melrose Avenue.
Melrose Avenue (west side) (k)	From a point 4 metres north east of a point in line with the boundary between 14 and 16 Melrose Avenue north eastwards for approximately 8.5 metres to a point 3 metres north east of a point in line with the boundary between 12 and 14 Melrose Avenue.

Melrose Avenue (west side) (l)	From a point 5.4 metres north east of a point in line with the boundary between 10 and 12 Melrose Avenue north eastwards for approximately 7.2 metres to a point 3 metres north east of a point in line with the boundary between 8 and 10 Melrose Avenue.
Melrose Avenue (west side) (m)	From a point 6 metres north east of a point in line with the boundary between 9 and 8 Melrose Avenue north eastwards for approximately 7.2 metres to a point 3 metres north east of a point in line with the boundary between 4 and 6 Melrose Avenue.
Melrose Avenue (west side) (n)	From a point 7.4 metres north east of a point in line with the boundary between 2 and 4 Melrose Avenue north eastwards for approximately 7.4 metres to a point 3.5 metres north east of a point in line with the
Melrose Avenue (east side) (a)	From a point 1 metre south west of a point in line with the boundary between 51 and 53 Melrose Avenue north eastwards for approximately 7.2 Melrose Avenue to a point 3 metres south west of a point in line with the boundary between 49 and 51 Melrose Avenue.
Melrose Avenue (east side) (b)	From a point 4 metres south west of a point in line with the boundary between 47 and 49 Melrose Avenue north eastwards for approximately 9.8 metres to a point 4 metres south west of a point in line with the boundary between 45 and 47 Melrose Avenue.
Melrose Avenue (east side) (c)	From a point 3.8 metres south west of a point in line with the boundary between 43 and 45 Melrose Avenue north eastwards for approximately 6.6 metres to a point 6.8 metres south west of a point in line with the boundary between 41 and 43 Melrose Avenue.
Melrose Avenue (east side) (d)	From a point 3.6 metres south west of a point in line with the boundary between 39 and 41 Melrose Avenue north eastwards for approximately 6.8 metres to a point 6.6 metres south west of a point in line with the boundary between 37 and 39 Melrose Avenue.
Melrose Avenue (east side) (e)	From a point 4.2 metres south west of a point in line with the boundary between 35 and 37 Melrose Avenue north eastwards for approximately 8.4 metres to a point 5.5 metres south west of a point in line with the boundary between 33 and 35 Melrose Avenue.
Melrose Avenue (east side) (f)	From a point 5.6 metres south west of a point in line with the boundary between 31 and 33 Melrose Avenue north eastwards for approximately 9.2 metres to a point 6.6 metres south west of a point in line with the boundary between 29 and 31 Melrose Avenue.
Melrose Avenue (east side) (g)	From a point 3.8 metres south west of a point in line with the boundary between 27 and 29 Melrose Avenue north eastwards for approximately 6.6 metres to a point 7 metres south west of a point in line with the boundary between 25 and 27 Melrose Avenue.
Melrose Avenue (east side) (h)	From a point 5 metres south west of a point in line with the boundary between 23 and 25 Melrose Avenue north eastwards for approximately 8 metres to a point 7 metres south west of a point in line with the boundary between 21 and 23 Melrose Avenue.
Melrose Avenue (east side) (i)	From a point 3.6 metres south west of a point in line with the boundary between 19 and 21 Melrose Avenue north eastwards for approximately 7.8 metres to a point 6 metres south west of a point in line with the boundary between 17 and 19 Melrose Avenue.

Melrose Avenue (east side) (j)	From a point 7 metres south west of a point in line with the boundary between 15 and 17 Melrose Avenue north eastwards for approximately 9.6 metres to a point 7 metres south west of a point in line with the boundary between 11a and 15 Melrose Avenue.
Melrose Avenue (east side) (k)	From a point 3.6 metres south west of a point in line with the boundary between 11 and 11a Melrose Avenue north eastwards for approximately 6.4 metres to a point 7 metres south west of a point in line with the boundary between 9 and 11 Melrose Avenue.
Melrose Avenue (east side) (l)	From a point 3.4 metres south west of a point in line with the boundary between 7 and 9 Melrose Avenue north eastwards for approximately 6.2 metres to a point 7 metres south west of a point in line with the boundary between 5 and 7 Melrose Avenue.
Melrose Avenue (east side) (m)	From a point 3.4 metres south west of a point in line with the boundary between 3 and 5 Melrose Avenue north eastwards for approximately 7.4 metres to a point 5.8 metres south west of a point in line with the boundary between 1 and 3 Melrose Avenue.
Melrose Avenue (east side) (n)	From a point 5.8 metres north east of a point in line with the boundary between 1 and 3 Melrose Avenue north eastwards for approximately 5 metres to a point 0.8 metres north east of a point in line with the north boundary of 1 Melrose Avenue.

IN WITNESS whereof the Common Seal of the Hertsmere Borough Council was hereunto affixed
this 20th day of June 2013

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



Director Of Resources



Seal
6161



