

HERTSMERE BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

Date of Order: 3rd June 2008

Order No. : 234

**THE BOROUGH OF HERTSMERE
(DISABLED PERSONS PARKING PLACES) (No.1)
ORDER 2008**

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"), and in accordance with the Traffic Management Act 2004 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 (Disabled Persons Parking Places Order) (No.1) 2008" and shall come into operation on 27 June 2008.
2. Save as provided in Articles 3 and 4 of this Order, the lengths of roads specified in the schedule 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 person's badge.
3. Save as provided in Article 4 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 limits of the parking bay.
4. (1) Nothing in Article 2 or 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 –
 - (i) a police officer in uniform;
 - (ii) 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 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 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. 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;

6. The provisions of The Borough of Hertsmere (Control of Parking) (Consolidation) Order 2007, are hereby revoked only in so far as they are affected by the restrictions imposed by this Order:-

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. 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

Lengths of road in Hertsmere – disabled persons parking places

Bridgewater Way - Bushey (north west side)	From a point 1.7 metres north west of the partywall of Nos. 18 and 19 Bridge water way north westwards for a distance of 6.6m at a right angle to the northwestern edge of the carriageway.
Farriers Way – Borehamwood (north west side)	From a point 27.0 metres north east of the north eastern kerb line of Saddlers Close north eastwards for a distance of 6.6m.
Oakfield Close – Potters Bar (north west side)	From a point 13.2 metres south west of the party wall of Nos. 43 and 44 Oakfield close, south westwards for a distance of 8.0m.
Reston Close – Borehamwood (south west side)	From a point 0.5 metres northwest of the common boundary of Nos. 52 and 54, Reston Path south eastwards for a distance of 6.6m.
Stamford Close – Potters Bar (north east side)	From a point 4.0 metres north west of the south eastern flank wall of No. 28 Stamford Close north westwards for a distance of 6.6m.
Sullivan Way – Elstree (north west side)	From a point 1m southwest of the party wall of numbers 139 and 141 Sullivan Way south westwards for a distance of 6.6 m.
The Drive – Radlett (north west side)	From a point 4.3 metres south west of the south-western boundary of No. 6 The Drive, south westwards for a distance of 6.6m.

The Crosspath – Radlett
(north east side)

From a point 1.0 metre north west of the party wall of Nos. 32 and 34, The Crosspath, south eastwards for a distance of 6.6m.

Thirsk Road – Borehamwood
(south east side)

From a point outside the north eastern boundary of No. 148 Thirsk Road, south westwards for a distance of 6.6m.

Torworth Road –
Borehamwood
(north east side)

From a point opposite 1.0 metre north west of the party wall of Nos. 83 to 89 and 91 to 97 Torworth Road, south eastwards for a distance of 6.6m.

Willow Way – Potters Bar
(south west side)

From a point 4.2 metres North west of the south eastern boundary of no 21 willow way north westwards for a distance of 6.6m.

Woodstock road
service road - Bushey
(south east side)

From a point 8.8 metres south west of south western kerb line of Montacute Road south westwards for a distance of 6.6m.

IN WITNESS whereof the Common Seal of the Hertsmere Borough Council was hereunto affixed this 3rd day of June 2008.

The Common Seal of the
Hertsmere Borough Council
was hereunto affixed in the
presence of :-)
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Seal N° 5200

Head of Legal Services

