

THE NORTH HERTFORDSHIRE DISTRICT COUNCIL

(CONTROL OF PARKING) (CONSOLIDATION) ORDER 2014

Date of Order: 16th December 2014

The Council of the North Hertfordshire District Council (hereinafter referred to as "the Council") in accordance with Section 21 of The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 and pursuant to arrangements made under Section 19 of the Local Government Act of 2000 and the Local Government (Arrangements for Discharge of Functions) (England) Regulations 2000 with Hertfordshire County Council ("the County Council") in exercise of the powers conferred by Sections 1(1) 2(1) — (3), 3, 4, 32 and 35, 45, 46, 47, 49, and 53 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the 1984 Act") (as amended by the Road Traffic Regulation (Parking) Act 1986) and Section 43 and Schedule 3 of the Road Traffic Act 1991 ("the 1991 Act") and the provisions of Part 6 of The Traffic Management Act 2004 ("the 2004 Act") 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, the purpose of which is to incorporate all on street parking place and prohibition and restriction of waiting Orders into one Order.

PART I

GENERAL

Commencement Citation and Revocations

- (1) This Order shall come into operation on Monday 26th January 2015 and may be cited as the "North Hertfordshire District Council (Control of Parking) (Consolidation) Order 2014" hereinafter referred to as "this Order".
- (2) The North Hertfordshire District Council On-Street Parking and Waiting Plans ("the On-Street Plans") and the Schedules to this Order are incorporated into this Order.

Revocations

- This Order revokes and re-enacts the various orders listed within Schedule 1 insofar as they relate to On-Street Designated Places and Prohibition and Restriction on Waiting.

Interpretation

- (1) Save as otherwise defined within this Order each and every expression shall have the meaning assigned to it by the Traffic Signs Regulations and General Directions 2002, SI 3113.

"Approved method of payment" means payment by credit, debit, pre-paid or any other electronic card or payment by phone through a scheme organised through the Council;

"Blue Badge" has the same meaning as disabled persons badge in the Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations 2000 SI 682;

"Business Permit" means a permit issued to a small business in accordance with Article 6 (c) of this Order;

"Controlled Parking Zone, Parking Zone or Zone means either - an area - in which, except where parking places have been provided, every road has been marked with road markings and into which each entrance for vehicular traffic has been indicated by signs; or an area - in which signs have been placed on each side of every road; and into which each entrance for vehicular traffic has been indicated by the signs.

"Civil Enforcement Officer" has same meaning as in Section 76 of the Act of 2004;

"Council" means North Hertfordshire District Council and includes any parking services contractor or authorised agent appointed by or acting on behalf of the Council for the purpose of any function under the provisions of this order;

"Delivering" and "Collecting" in relation to any goods include checking the goods for the purpose of their delivery or collection;

"Disabled Persons Badge" and "Parking Disc" have the same meaning as in the Local Authorities Traffic Orders (Exemption 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 a Vehicle waiting in a Parking Place the person driving at the time it was left in that Parking Place or road or length of road;

"Disabled Persons Vehicle" means a vehicle displaying in the relevant position a disabled persons badge and which has been used immediately before or is about to be used by the person(s) in respect of whom the badge has been issued;

"Eligible Address" means any postal address which is listed in Schedule 2 to this Order and therefore indicates that the resident or entitled business user may apply for a Parking Permit and/or Visitor Tickets;

"General Prohibition" means the prohibition as set out in Article 4 of this Order;

"Goods" means goods or burden of any description and includes postal packets of any description;

"Goods Vehicle" means a motor vehicle which is constructed or adapted for use for the carriage of goods or burden of any description, and is not drawing a trailer;

"Household" means a dwelling with a separate entry on the Council's Council Tax register;

"Key" means the Key attached to the On-Street Plans to be read in conjunction with those On-Street Plans;

"Motor Cycle" has the meaning as given by Section 136(4) of the 1984 Act;

"Motor Vehicle" has the meaning as given by Section 136(1) of the 1984 Act;

"No Return" means no return to a parking place within the same named street within a specified period;

"On-Street Plans" means The North Hertfordshire District On-Street Parking and Waiting Plans including the Key and the Schedules, which are incorporated in to this Order pursuant to Article 1(b) hereof;

"Operational Vehicle" means a vehicle not exceeding 3.5 tonnes gross laden weight, owned

and operated by a small business for the explicit use of making deliveries, collections, servicing or such other business activity as the Council shall consider and approve;

"Operative Hours" means the hours within which the Residents' Parking Scheme or Pay and Display Parking Places are operative as particularised in the Key to the On-Street Plans;

"Owner" has the meaning assigned to it by s.82 (2) and (3) of the Road Traffic Act 1991;

"Parking Bay" means an area contained within a Parking Place delineated by white markings to indicate the position in which a Vehicle may be parked;

"Parking Disc" means a device which is 125 millimetres square and coloured blue has been issued by a local authority and has not ceased to be valid and is capable of showing the quarter hour period during which a period of waiting has begun as provided for in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 SI 683;

"Parking Place" means any place where Vehicles, or Vehicles of any class, may wait as set out in s.32 (4) (b) of the 1984 Act and as shown in the Key and On-Street Plans;

"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;

"Parking Permit" means a Resident's Permit, Business Permit, Visitors Permit or Ticket.

"Parking Zone" refers to all the parking places in a specified area indicated by name or alphanumerical code which are to be used only by vehicles displaying a valid parking permit or visitor ticket for that specified area during the specified hours of operation.

"Penalty Charge" , shall have the same meaning as a charge set by the Council in accordance with The Civil Enforcement of Parking Contraventions (Guidance on level of Charges) (England) Order 2007 and the provisions of Part 6 and Schedule 9 of the Traffic Management Act 2004.

"Penalty Charge Notice" shall mean a notice issued by a Civil Enforcement Officer in accordance with The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 and the provisions of Part 6 and Schedule 9 of the Traffic Management Act 2004.

"Permit Holder" means a person to whom a Resident's Permit, Business Permit, Visitors Permit or Visitors Ticket has been issued by North Hertfordshire District Council.

"Permitted Hours" means a period specified for each parking place during which the waiting by vehicles of a specific class is permitted as specified on the plans;

"Permit Parking Place" means any place where vehicles may park provided that a valid parking permit or ticket is displayed in the Relevant Position.

"Premises in immediately adjoining Streets or Mews" in relation to a Controlled Parking Zone are those properties eligible for parking permits adjacent to the street named in the traffic Order consolidated by this Order and shown within the Controlled Parking Zone boundary on the On-Street Plans;

"Public Service Vehicle" has the same meaning as assigned to it by s.1 of the Public

Passenger Vehicles Act 1981;

"Relevant Position" means on the dashboard or fascia of the Vehicle or where the Vehicle is not fitted with a dashboard or fascia in a conspicuous position on the Vehicle as described in the Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations 2000 SI 682;

"Resident" means a person whose principal home is a dwelling in one of the resident parking zone addresses as stipulated in Schedule 2 to this Order;

"Resident's Permit" means a Permit issued to a Resident in accordance with Article 6 of this Order;

"Road" means any length of highway or of any other road to which the public has access, and includes bridges over which a road passes as set out in s.142 (1) of the 1984 Act;

"Small Business" means a trade or profession whose floor space is 235 square metres or less which has a postal address contained within Schedule 2 to this Order.

"Traffic Sign" means a device or object as prescribed or authorised under, or having effect as though prescribed or authorised under Section 64 of the Act of 1984;

"Universal Service Provider" has the same meaning as that assigned to it in s.4 (3) of the Postal Services Act 2000;

"Vehicle" has the same meaning as that assigned to "motor vehicle" in s.36 (1) of the 1984 Act;

"Visitor's Ticket" means a ticket issued under the provisions of Article 7 of this Order;

"Visitor's Permit" means a permit issued under the provisions of Article 7 to this Order;

"Zone" refers to any one of the resident parking zones shown on the On-Street Plans and identified in the Key to the "On Street Plans";

- (2) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

Prohibition and Restriction of Waiting and Loading.

- 4.(a) Save as provided in Articles 14, 15 (a) and 16 of this Order no person shall, except upon the direction of or with the permission of a Police Constable in uniform or of a Civil Enforcement Officer as defined by the Traffic Management Act 2004 and appointed by North Hertfordshire District Council, cause or permit any vehicle to stop or wait on any part of a Road where stopping and waiting is prohibited as shown on the On-Street Plans to this Order.
- (b) Save as provided in Articles 14, 15 (a), and 16 of this order no person shall, except upon the direction or with the permission of a Police Constable in uniform or of a Civil Enforcement Officer as defined by the Traffic Management Act 2004 and appointed by North Hertfordshire District Council, cause or permit any vehicle to wait on any restricted road during the restricted hours as shown on the On-Street Plans to this Order.

- (c) Save as provided in Articles 14, 15(b) and 16 of this Order no person shall, except with the permission of a Police Constable in uniform or of a Civil Enforcement Officer as defined by the Traffic Management Act 2004 and appointed by North Hertfordshire District Council, cause or permit any vehicle to wait on any restricted road in respect of which there is specified on the On-Street Plans a period during the restricted hours in which waiting is allowed,
- (i) for a period longer than specified on the "On-Street Plans", or
 - (ii) if a period less than that specified on the Plans as being the period in which the vehicle shall not return has elapsed since a previous period of waiting by the same vehicle on the same length of road.
- (d) Save as provided in Article 14 and 16 no person shall, except with the permission of Police Constable in uniform or of a Civil Enforcement Officer as defined by the Traffic Management Act 2004 and appointed by North Hertfordshire District Council, cause or permit any vehicle to wait during the restricted hours in any loading area shown on the On-Street Plans unless it is of the specified class and except for the loading and unloading of goods.
- (e) Where there is specified on the On-Street Plans a maximum period during the restricted hours for which loading or unloading is permitted, no person shall, except with the permission of a Police Constable in uniform or of a Civil Enforcement Officer as defined by the Traffic Management Act 2004 and appointed by North Hertfordshire District Council, cause or permit any vehicle to wait on any loading area,
- (i) for a period longer than specified on the "On-Street Plans", or
 - (ii) if a period less than that specified on the Plans as being the period in which the vehicle shall not return has elapsed since a previous period of waiting by the same vehicle on the same length of road.
- (f) Save as provided in Articles 14, 15 and 16 of this Order where a Vehicle is parked in a Parking Bay within a Parking Place as shown on the On-Street Plans and identified and defined in the Key to the "On-Street Plans" the driver of that Vehicle shall not permit the Vehicle to wait in that Parking Bay unless it is parked wholly within the marked lines of that Parking Bay.

PART II DESIGNATION OF PARKING PLACES

Designation of Permit Parking Places and Parking Bays

- 5.(a) Subject to the provisions of this Order, Permit Parking Places may be used for the leaving during the permitted hours of vehicles as defined above, motorcycles and disabled persons vehicles (on which must be displayed the relevant parking disc) that display a valid Parking Permit in the relevant position).
- (b) Save as provided in Articles 14, 15 and 16 of this Order no motor vehicle may be parked in a parking place during the specified hours without a valid Parking Permit displayed.
- (c) Where a motor vehicle is parked in contravention of Article 4 to this Order the driver of any such motor vehicle shall be issued with a penalty charge notice.

- (d) The absence of a Parking Permit from a motor vehicle left in a parking place shall be evidence of the fact that a Parking Permit has not been purchased to the driver of the vehicle.
- (e) Permits to be displayed on vehicles left in parking bays at all times during which a vehicle is left in a parking bay as shown in the "On Street Plans" during the permitted hours the driver thereof shall cause to be displayed in the relevant position, so that all the particulars referred to in Articles 9 are readily visible from the front of the vehicle

Eligibility for a Residents Permits, Business Permits, Visitors Permits and Visitors Tickets

- 6.(a) Any resident who is the owner of a motor vehicle or motorcycle may apply to the Council for the issue of a Parking Permit for each such vehicle in their ownership or control, subject to the maximum Parking Permit allocation specified by the Council in accordance with the Zone in which the Resident Lives as shown in Schedule 2.
- (b) Any resident may apply to the Council for the issue of a Visitors Permit or Tickets up to the maximum annual allocation specified by the Council in accordance with the Zone in which the Resident Lives as shown in Schedule 2.
- (c) Any entitled business may apply to the Council for the issue of a Business Permit in respect of operational vehicles only, up to the maximum number as specified by the Council in accordance with the Zone in which the Resident Lives as shown in Schedule 2. A business permit shall be valid for two operational vehicles but shall only be used by one operational vehicle at a time.

Application for Residents Permits, Business Permits, Visitors Permits and Visitors Tickets

- 7.(a) Application for a Parking Permit or Visitors Tickets will be made on a form issued by and obtainable from the Council. The form must be completed and returned accompanied by a payment for the charge set by the Council and by such documentary evidence of entitlement in respect of an application for a Parking Permit or Visitors Tickets made to them.
- (b) On receipt of a properly completed application and fee where appropriate the Council shall issue to the appropriate applicant a Parking Permit or Visitors Tickets up to a maximum number specified by the Council provided that the applicant qualifies for the Parking Permit or Visitors Tickets.
- (c) Where a Parking Permit or Visitors Tickets are issued to any person upon receipt of a cheque or credit/debit card details and the payment is subsequently dishonoured, the Parking Permit or Visitor Tickets shall immediately cease to be valid.
- (d) The Council will serve notice by recorded delivery on the person to whom the Parking Permit or Visitors Tickets was issued at the address shown by the applicant on the application form or at any other address believed to be the applicant's place of abode, requiring that person to surrender the Parking Permit or Visitor Tickets, to the Council within 48 hours of the receipt of the notice.

Charges for Residents Permits, Business Permits, Visitors Permits and Visitors Tickets

8. The charges for Parking Permits or Visitors Tickets shall be in accordance with the charges specified in the Schedules contained within the Orders consolidated and reenacted by this Order and are subject to variation at the Council's discretion giving notice in accordance with section 46A of the Act of 1984.

Form of Parking Permits and Tickets

9. (a) A Parking Permit shall be in writing and shall include the following particulars:
- (i) A serial number by which the Permit Holder may be identified;
 - (ii) The registration number(s) of the vehicle(s) for which the Parking Permit is issued where that Permit is issued to a Resident.
 - (iii) The expiry date;
 - (iv) Authentication that the Parking Permit has been issued by the Council;
 - (v) Identification of the Parking Zone or street in which the Parking Permit is valid.
- (b) A Business Permit shall be in writing and include the following particulars:
- (i) A unique serial number to identify the Permit Holder;
 - (ii) The registration number of the Vehicle for which the Business Permit was issued;
 - (iii) The expiry date of the Business Permit;
 - (iv) Authentication that the Business Permit was issued by the Council;
 - (v) An indication of the zone or street in which the Business Permit is valid.
- (c) A Visitors Permit shall be in writing and shall include the following details:
- (i) A unique serial number to identify the Permit Holder;
 - (ii) The expiry date of the Visitors Permit;
 - (iii) Authentication that the Visitors Permit was issued by the Council;
 - (iv) An indication of the zone or street in which the Visitors Permit is valid.
- (d) A Visitors Ticket shall be in writing and shall include the following particulars:
- (i) A serial number by which the Permit Holder may be identified;
 - (ii) The registration number of the Vehicle on which the Visitors Ticket is displayed;
 - (iii) The date of use of the Visitors Ticket. A Visitors Ticket shall be valid; from 00:01 to 00:00 on the date of use;
 - (iv) Authentication that the Parking Permit was issued by the Council;
 - (v) An indication of the zone or street in which the Parking Permit is valid.

where any part of the Ticket requires completion by the person using the Ticket then those part requiring completion shall be completed in ink or other permanent medium.

Surrender, Withdrawal and Validity of Residents Permits, Business Permits, Visitors Permits and Visitors Tickets

10. (a) A Permit Holder may surrender a Parking Permit or Visitor Tickets to the Council at any time subject to Article 10 (b) to (g).
- (b) The Council may- by notice served by recorded delivery on the Permit Holder at the address shown by that person on the application form or at any other address believed to be that person's place of abode, withdraw a Parking Permit or Visitor Tickets, if it appears to the Council that:-
- (i) the Permit Holder has ceased to be eligible to hold a Parking Permit or Visitor Tickets under the provisions of Articles 6, 7, 9 and 10 of this order
 - (ii) the vehicle or motorcycle in respect of which a Parking Permit was issued has been adapted or used in such a manner that it is no longer a vehicle for which a Parking Permit can be issued;
 - (iii) the details on the Parking Permit or Visitor Tickets as described in Articles 9a) and 9b) of this Order have been deliberately altered.
- (c) A Parking Permit will be valid only if displayed on the vehicle or motorcycle to which the Parking Permit relates in the relevant position.
- (d) A Visitor Ticket will be valid only if displayed on a vehicle or a motor cycle in the relevant position correctly marked in accordance with the instructions for validation on the front face.
- (e) A Parking Permit shall cease to be valid at midnight on the specified expiry date or on the date the Council withdraws the Parking Permit by notice, whichever is the earlier.
- (f) The Council will not make any refund for the withdrawal or surrender of a Parking Permit or Visitor Tickets.
- (g) A Visitors Ticket shall be valid for one day (from 12.01am to 12 midnight) on the day of use specified in accordance with the provisions of Article 9.

Application for and the issue of a Duplicate Residents Permits, Business Permits, Visitors Permits and Visitors Tickets

- 11 The Council will issue a duplicate or replacement Parking Permit or Visitors Tickets in the following circumstances:
- (a) If a Parking Permit is mutilated or accidentally defaced or the figures or particulars on it have become illegible or the colour of the Parking Permit has faded or altered, the Permit Holder shall surrender it to the Council. If the Parking Permit is accompanied by an application for a replacement Parking Permit, a duplicate Parking Permit shall be issued and the original Parking Permit shall become invalid.
 - (b) If a Parking Permit is lost or destroyed, the Permit Holder may apply to the Council for the issue of a duplicate. If the Council is satisfied as to the loss or destruction of

the Parking Permit, a duplicate will be issued and the original permit shall become immediately invalid.

- (c) If a Permit Holder acquires a new vehicle or motorcycle, the Permit Holder shall surrender the original Parking Permit to the Council and make an application for a new Parking Permit and the original Parking Permit shall become invalid.
- (d) If Visitor Tickets are lost or destroyed, the Permit Holder may apply to the Council for the issue of duplicates. If the Council is satisfied as to the loss or destruction of the Visitor Tickets, duplicates will be issued, on receipt of a new application and the appropriate fee specified by the Council. This article applies to whole books of Visitor Tickets only.
- (e) The Council at its discretion may apply an administration charge for the issue of a duplicate Parking Permit or duplicate Parking Tickets.

Restriction on the removal of a Parking Permit or Visitor Ticket

12. Where a Parking Permit or Visitor Ticket has been displayed on or attached to a motor vehicle in accordance with the provisions of Article 5 of this Order, no person other than the driver of the motor vehicle or a Civil Enforcement Officer shall remove the Parking Permit or Visitor Ticket from the motor vehicle unless authorised to do so by the driver of the motor vehicle.

Power to Suspend use of Parking Places

- 13 (1) Any person authorised by the Council may suspend the use of a parking place whenever he considers 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 place 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.
- (2) A Police Officer in uniform may suspend the use of a parking place for no longer than twenty-four hours whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting safety.

- (3) Any person suspending the use of a parking place in accordance with the provisions of paragraph (1) or paragraph (2) of this Article shall place in or adjacent to that parking place a traffic sign indicating that vehicle waiting is prohibited.

Exemptions to the provisions of this order

14. Nothing in Articles 4, and 5(b) of this Order shall render it unlawful to cause or permit any vehicle to wait in the parts of the road referred to therein for so long as may be reasonably necessary to enable:-
- (a) goods to be loaded on or unloaded from the vehicle
 - (b) a person to board or alight from the vehicle;
 - (c) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely:-
 - (i) building, industrial or demolition operations;
 - (ii) the removal of any obstructions to traffic;
 - (iii) the maintenance, improvement or reconstruction of the said roads;
 - (iv) 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.
 - (d) the vehicle if it cannot conveniently be used for such purpose in any other road to be used in the service of a local authority or water authority in pursuance of statutory powers or duties.
 - (e) the vehicle to be used for fire brigade, ambulance or police purposes;
 - (f) the vehicle to be used by a universal service provider in the course of the provision of a universal postal service for the purpose of delivering or collecting postal packets.
 - (i) in this Article —
 - (ii) 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.
 - (g) the motor vehicle is being used by community health personnel or carers on duty and displays identification that the driver is employed as such
15. (a) Nothing in Articles 4(a), (b), and 5(b) 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 on which the driver, or other person in charge of the vehicle, has marked the time at which the period of waiting began, to wait in any of the lengths of road or on the sides of road referred to in that Article for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same length of road on the same day).

- (b) Nothing in Article 5(b) 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 any of the lengths of road shown on the On-Street Plans where waiting is permitted.
16. Nothing in Articles 4 and 5(b) of this Order shall render it unlawful to cause or permit a vehicle to wait in the part of the road referred to therein if the vehicle is prevented from proceeding by circumstances beyond the driver's control or if the driver of the vehicle has stopped in order to avoid injury or damage to persons or property or is required to do so by law.

Penalty charge

- 17 (a) If a vehicle is left in a parking place, road or length of road as shown on the "On Street Plans" and in conjunction with the key to the "On Street Plans", during the permitted hours, without complying with the provisions of this Order, then a contravention of or failure to comply with the provisions of this Order shall be deemed to have occurred.
- (b) Where a civil enforcement officer has reason to believe that a penalty charge is payable in respect of a vehicle pursuant to Article 17 (1) to this Order, the civil enforcement officer may attach to the vehicle in a conspicuous position a penalty charge notice.
- (c) The Penalty charge shall be payable to North Hertfordshire District Council in accordance with the instructions contained on the Penalty Charge Notice.

Alteration of position of a vehicle in a parking bay

18. Where any vehicle is standing in a parking bay in contravention of the provisions of Article 24, a police constable in uniform or a Civil Enforcement Officer may cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

Movement of a vehicle in a parking place in an emergency

19. A Police Constable in uniform or a Civil Enforcement Officer may cause to be moved, in case of emergency, to any place he thinks fit any vehicle left in a parking bay.

PART III - SUPPLEMENTARY PROVISIONS

Restrictions on the removal of Penalty Charge Notices

20. (a) Where a Penalty Charge Notice has been attached to a vehicle in accordance with the provisions of Article 17(c) no person other than the driver of the vehicle, a Civil Enforcement Officer or a police officer in uniform shall remove the permit or ticket from the vehicle unless authorised to do so by the driver of the vehicle.
- (b) Provided that nothing herein shall apply to a civil enforcement officer or a police constable in uniform or a person removing the vehicle in pursuance of an arrangement made by a police constable or a civil enforcement officer by or under regulations in pursuance of powers contained in Sections 99, 100, 101 and 102 of the Road Traffic Regulation Act 1984.

Interval before a vehicle may again be left in parking place as shown in the "On Street Plans"

21. Without prejudice to the provisions of Article 23, no vehicle which has been taken away from a parking place, after waiting thereon, the driver shall not permit the vehicle to wait upon that parking place, or upon any other parking place in the same street, until the number of hours specified on the plans for not returning to wait in that parking place have elapsed following the termination of the last period of waiting (if any) by that vehicle on that parking place.

Manner of standing in a parking place

22. Every vehicle left in a parking place in accordance with the foregoing provisions of this Order shall so stand:

(a) In the case of a parking place in relation to which special provisions as to the manner of standing of a vehicle in that parking place are specified on the "On Street Plans" as to be in accordance with those provisions;

(b) In the case of any other parking place:-

(i) If the parking place is not in a one-way street, that the left or near-side of the vehicle is parallel to the left-hand edge of the carriageway;

(ii) That the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 50 centimetres;

(c) In the case of a vehicle left in a parking place as shown in the "On Street Plans" that every part of the vehicle is within the limits of a parking bay.

Restriction on the use of a parking place

23. During the permitted hours no person shall use any parking place or any vehicle while it is in a parking place in connection with the sale or offering or exposing for sale of any goods to any person in or near the parking place or in connection with the selling of offering for sale of his skill in handicraft or his services in any other capacity:

Provided that nothing in this Article shall prevent the sale of goods from a vehicle -

(a) If the vehicle is a passenger vehicle, a goods carrying vehicle, a motor cycle or an invalid carriage and the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected; or

(b) If the vehicle is one to which the provisions of Article 24(1) (h) apply.

Exemptions to the Restriction on waiting by a vehicle in a parking place

24. Notwithstanding the foregoing provisions of this Order any vehicle may wait during the permitted hours in any part of a parking place if the use of that part has not been suspended and if:

(1) The vehicle is waiting for a period not exceeding two minutes, or such longer period as a police constable in uniform or a parking attendant may approve, to enable a person to board or alight from the vehicle or load thereon or unload there from his personal luggage;

- (a) Provided that if the said person is a person suffering from any disability or injury which seriously impairs his ability to walk or who is blind, the vehicle may wait for as long as may be necessary to enable that person to board or alight from the vehicle or load thereon or unload there from his personal luggage;
 - (b) The vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident;
 - (c) The vehicle is being used for fire brigade, ambulance or police purposes, or, not being a passenger vehicle, is being used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary for such duties for the vehicle to wait in the place in which it is waiting;
 - (d) The vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;
 - (e) The vehicle is waiting:-
 - (i) While postal packets addressed to premises adjacent to the parking place in which the vehicle is waiting are being unloaded from the vehicle or, having been unloaded there from, are being delivered; or
 - (ii) While postal packets are being collected for loading on the vehicle from premises or posting boxes adjacent to the parking place in which the vehicle is waiting or, having been so collected, are being loaded thereon;
 - (f) The vehicle not being a passenger vehicle is waiting only for so long as may be reasonably necessary to enable it to be used for any purpose specified in Article 14;
 - (g) The vehicle is in actual use in connection with the removal of furniture to or from one office or dwelling-house adjacent to the parking place from or to a depository, another office or dwelling-house;
 - (h) in any other case the vehicle is waiting for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is waiting and the vehicle does not wait for a period exceeding twenty minutes or the period during which the vehicle is exempt from payment of the initial charge by virtue of Article 14(a) whichever is the longer or for such longer period as a police constable in uniform or a parking attendant may approve; or
- (2) No initial charge or charge specified in the foregoing provisions of this Order shall be payable in respect of any vehicle waiting in a parking bay in accordance with the foregoing provisions of this Article.
 - (3) Except as provided by this Order, the driver or person in charge of a vehicle shall not cause or permit a vehicle to wait in a parking place during the permitted hours.
 - (4) Nothing in the foregoing provisions of this Order shall be taken as authorising anything which would be a contravention of any Regulation made or having effect as if made under Section 25 of the Act of 1984.

Manner of waiting in a parking place

25. No person shall cause or permit a vehicle to wait in a parking place by virtue of the provisions of paragraph (1) (e), (f), (g), or (h) of Article 24 otherwise than:

- (a) In the case of a parking place in relation to which special provisions as to the manner of standing of a vehicle in that parking place as shown in the "On Street Plans" so that the vehicle shall stand:
 - (i) Unless the length of the vehicle precludes compliance with this sub-paragraph, in accordance with those provisions and so that every part of the vehicle is within the limits of the parking place;
 - (ii) If the length of the vehicle does preclude compliance with the last preceding sub-paragraph so that the longitudinal carriageway nearest to the vehicle and the distance between the said edge and the nearest wheel of the vehicle is not more than 50 centimetres; and
- (b) In the case of any other parking place so that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and the distance between the said edge and the nearest wheel of the vehicle is not more than 50 centimetres: and
- (c) So that no part of the vehicle obstructs any vehicular means of ingress to or egress from any premises adjacent to the side of the road on which the vehicle is waiting.

For the purposes of the last foregoing sub-paragraph, the expression "premises" shall not include any premises to or from which any furniture is being removed by virtue of the provisions of paragraph (1) (g) of Article 24 or to or from which goods are being delivered or collected by virtue of the provisions of paragraph (1) (h) of Article 24 and in each case to or from the vehicle in question.

Installation of and placing of traffic signs, etc

26. The Council shall:-

- (a) Place and maintain traffic signs indicating the limits of each parking bay; and place and maintain in or in the vicinity of each parking bay as shown in the "On Street Plans" traffic signs indicating that such parking place may be used during the permitted hours for the leaving of the vehicles specified in Article 5(a); and
- (b) Carry out such other work as is reasonably required for the purposes of the satisfactory operation of a parking place.

Restrictions on the use of Disabled parking places as shown in the "On Street Plans"

27. (a) Save as provided in Article 24 (1) (a) — (d) no person shall cause or permit any vehicle to remain in a disabled persons parking place for longer than the maximum period specified for that parking place on the "On-Street Plans".
- (b) Where as indicated on the plans there is a limit on the time of stay on a disabled person's parking place, the driver of the vehicle shall upon leaving the vehicle in the disabled person's parking place, display in the relevant position a disabled person's badge and parking disc, on which has been marked the time at which the period of

waiting began and shall remove that vehicle from the said parking place within the maximum time specified.

(c) Where a period within which a vehicle must not be left again in a disabled person's parking place is specified on the "On Street Plans", no person shall cause or permit the vehicle to wait again in that parking place until the expiry of that specified period.

- 28 The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the Interpretation of an Act of Parliament.
29. The prohibitions and 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

List of Orders to be revoked, re-enacted and consolidated into the 2014 Consolidation Order

CONSOLIDATION

The North Hertfordshire District Council (Control of Parking) (Consolidation) Order 2012

Hitchin

The North Hertfordshire District Council (Browning Drive, Byron Close, Common Rise, Meadowbank and St Michaels Road, Hitchin) (Restriction of Waiting) Order 2012. – NHDC/HIT/2012/02

The North Hertfordshire District Council (Various Roads in Hitchin – Zone H) (Control of Parking) Order 2012

The North Hertfordshire District Council (Various Roads, Hitchin) (Restriction of Waiting) Order 2011

The North Hertfordshire District Council (Highbury Road, Hitchin) (Parking Places) Order 2011

The North Hertfordshire District Council (Various Roads in Hitchin) (Restriction of Waiting) Order 2013

The North Hertfordshire District Council (Tilehouse Street and Old Charlton Road, Hitchin) (Parking Places) Order 2013 – NHDC/HIT/2013/05

The North Hertfordshire District Council (Old Charlton Road, Wratten Road East and Tilehouse Street, Hitchin) (Restriction of Waiting) Order 2013 – NHDC/HIT/2013/06

The North Hertfordshire District Council (Old Charlton Road, Wratten Road East and Tilehouse Street, Hitchin – Zone C) (Control of Parking) Order 2013 – NHDC/HIT/2013/03

The North Hertfordshire District Council (Tilehouse Street, Hitchin) (Disabled Persons Parking Place) Order 2013

The Hertfordshire (Walsworth Road and Station Approach, Hitchin) (Restriction of Waiting) Order 2013 Order No. 7703

The North Hertfordshire District Council (Various Roads in Hitchin) (Restriction of Waiting) Order No.2 2013

The North Hertfordshire District Council (Bancroft, Hitchin) (Prohibition of Waiting) Order 1989

Letchworth

The Hertfordshire (Rushby Mead, Rushby Place, Baldock Road, and Ridge Avenue, Letchworth) (Restriction of Waiting) Order 2011 Order No. 7635

The Hertfordshire (Icknield Way and Lindsell Avenue, Letchworth Garden City) (Restriction of Waiting) Order 2013 – Order No. 7738

Baldock

The North Hertfordshire District Council (Thurnall Close and the Twitchell, Baldock) (Control of Parking) Order 2011 – NHDC/BAL/2011/05

The North Hertfordshire District Council (Simpson Drive, Thurnall Close and The Twitchell, Baldock) (Restriction of Waiting) Order 2011 – NHDC/BAL/2011/06

The North Hertfordshire District Council (Simpson Drive, Baldock) (Disabled Persons Parking Bay) Order 2011

The Hertfordshire (Baldock Area Restriction) (Goods Vehicles in Excess of 5 Tonne Gross Weight) (Prohibition of Waiting) Order 1991 Order No 4057

Royston

The North Hertfordshire District Council (Kings James Way, Royston) (Restriction of Waiting) Order 2012

The North Hertfordshire District Council (Royston Town Centre) (Restricted Zone) Order No. 1 2011 (Amendment) Order 2012 – NHDC/ROY/2012/01

The Hertfordshire (Various Roads, Royston, Letchworth, Great Ashby and Baldock) (Restriction of Waiting) Order 2012 Order No. 7639

The Hertfordshire (Burns Road, Royston) (Restriction of Waiting) Order 2012. Order no. 7673

The North Hertfordshire District Council (Royston Town Centre) (Restricted Zone) Order No. 1 2011 – NHDC/ROY/2011/01-01

The North Hertfordshire District Council (Fish Hill, Royston) (Pedestrian Zone) Order 2011 – NHDC/ROY/2011/03

The North Hertfordshire District Council (Market Hill, Royston) (Prohibition of Waiting Except Taxis) Order 2011

The North Hertfordshire District Council (Various Roads in Royston) (Control of Parking) Order 2003

The North Hertfordshire District Council (Various Roads in Royston) (Prohibition and Restriction of Waiting) Order 2003

The North Hertfordshire District Council (Various Roads in Royston) (Prohibition and Restriction of Waiting) Order 1998

The North Hertfordshire District Council (Various Roads in Royston) (Control of Parking) Order 1998

The Hertfordshire (Upper King Street, Royston) (Parking Bays) Order 2011 Order No. 7661

The Hertfordshire (Upper King Street, Royston)(Disabled Person parking Bays) Order 2011 Order No.7662

The Hertfordshire (Lower King Street, Royston)(Prohibition of Stopping and Waiting except Taxis) Order 2011 Order No. 7663

The North Hertfordshire District Council (Market Hill, Royston) (On Street Pay & Display) Order 2011 – NHDC/ROY/2011/04

Knebworth

The North Hertfordshire District Council (Kerr Close, London Road, St Martins Road and Station Road, Knebworth) (Parking Places) Order 2012 – NHDC/KNEB/2012/03

The North Hertfordshire District Council (Various Roads, Knebworth) (Restriction of Waiting and Loading) Order 2012 – NHDC/KNEB/2012/02

Ickleford

The Hertfordshire (Various Roads, Ickleford) (Restriction of Waiting) Order 2010 Order No. 7579

SCHEDULE 2

List of Streets Eligible for Parking Permits.

Hitchin

Street	Zone	Properties (All numbers inclusive)
Charlton Road	C	All addresses except Kitchen Garden Court
Tilehouse Street	C	No's 8 to 36 inclusive and No's 70 to 92 inclusive, 94, 95 and 96 excluding Thompson's Yard.
Wratten Road East	C	All addresses except Kitchen Garden Court
Arnold Close	H	All addresses
Browning Drive	H	All Addresses
Cambridge Road	H	No's 9 to 15 inclusive
Common Rise	H	All Addresses
Burns Close	H	All Addresses
Byron Close	H	All Addresses
Meadowbank	H	All Addresses
St Michaels Mount	H	No's 23 to 25

Royston

Street	Zone	Properties (All numbers inclusive)
Barkway Road	A	Those addresses between the junctions of Barkway Street and Beldam Avenue
Barkway Street	A	No's 27 to 39 inclusive
Prince Andrews Close	A	All Addresses
Priory Lane	A	Those Addresses between the junctions of Market Hill and Barkway Street
Garden Lane	A	All Addresses
Market Hill	A	No 41
Serby Avenue	B	All Addresses
Lower Gower Road	B	All Addresses
Gower Road	B	All Addresses
Leete Place	B	All Addresses
Old North Road	B	No's 3 to 53 inclusive and between the railway bridge and Orchard Road on the west side
Mill Road	B	All Addresses

Queens Road	B	All Addresses
Clark Road	B	All Addresses
Queensway	B	All Addresses
Victoria Crescent	B	All Addresses
Morton Street	B	All Addresses
Stamford Avenue	B	All Addresses
Kneesworth Street	B	The Granary and The Barfield Almshouses
Melbourn Road	B	No's 16 to 24 inclusive, 56 and 58
The Green	B	No 7

Baldock

Street	Zone	Properties (All numbers inclusive)
Simpson Drive	D	No's 1 to 30 Simpsons Court
Thurnall Close	D	All Addresses
The Twitchell	D	All Addresses (not including Riddell Gardens)

Permit Charges

The charges for Parking Permits and Visitor Tickets shall be in accordance with the charges specified in the Schedules contained within the Orders consolidated and re-enacted by this Order and are subject to variation at the Council's discretion giving notice in accordance with section 46A of the Act of 1984.

END OF SCHEDULES

IN WITNESS
whereof THE
COMMON SEAL of
NORTH HERTFORDSHIRE DISTRICT COUNCIL was hereunto

affixed this 16th day of December 2014

in the presence of:

Janina Atkey

STRATEGIC DIRECTOR, FINANCE, POLICY & GOVERNANCE
A Duly Authorised Officer

