

**THE NORTH HERTFORDSHIRE DISTRICT COUNCIL
(WEST HILL AND GRAYS LANE AREA, HITCHIN – ZONE J)
(CONTROL OF PARKING) ORDER 2015**

Date of Order: 23 May 2016
Order No: NHDC/HIT/2015/03

North Hertfordshire District Council ("the Council") in accordance with arrangements made under section 19 of the Local Government Act 2000 and the Local Government (Arrangements for the Discharge of Functions) (England) Regulations with Hertfordshire County Council, and exercising its powers under sections 1, 2(1), 2(2), 4, 45 and 46(1), 49 and 124 of the Road Traffic Regulation Act 1984 ("the RTRA 1984") and Part IV of Schedule 9 of that Act 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 RTRA 1984 hereby make the following Order:-

1. Commencement and Citation

- a. This Order shall come into force on 18 July 2016.
- b. This Order may be cited as The North Hertfordshire District Council (West Hill and Grays Lane Area, Hitchin – Zone J) (Control of Parking) Order 2015.

2. Interpretation and Miscellaneous

a. In this Order:-

"Business Permit"	means a permit issued to a Small Business under the provisions of Article 10;
"Business Permit Holder"	means a Small Business, as defined below, to which a business permit is issued;
"Business Vehicle"	means a Motor Vehicle as defined below owned or operated by a Small Business as defined below;
"delivering" and "collecting"	means in relation to any goods the checking of those goods for the purpose of their collection and delivery;
"Disabled Persons Vehicle"	has the same meaning as in section 142(1) of the RTRA 1984;
"Disabled Persons Badge"	has the same meaning as in section 142(1) of the RTRA 1984;
"Driver"	means the person driving the vehicle at the time it was left in the parking place;
"Enforcement Officer"	means a Civil Enforcement Officer as defined in the Traffic Management Act 2004 appointed by the Council;
"goods"	includes postal packets of any description;
"Motor Car"	has the same meaning as in section 136(2) of the RTRA 1984;

"Motor Cycle"	has the same meaning as in section 136(4) of the RTRA 1984;
"Motor Vehicle"	has the same meaning as in section 136(1) of the RTRA 1984;
"Owner"	shall mean the person in whose name the vehicle was registered under the Vehicle Excise and Registration Act 1994 at the time it was left in a parking place unless the registered keeper can show on the balance of probabilities that he/she was not the owner at that time;
"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;
"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;
"Parking Permit"	means a permit issued under the provisions of Article 10;
"Parking Place"	means an area on a highway designated by Article 3 and listed in the First Schedule;
"Permit"	means a parking permit, business permit or visitors permit;
"Permit Holder"	means the individual, firm or company to whom a permit has been issued;
"Regulated Hours"	means the hours shown in the First Schedule when the parking restrictions imposed by this Order are in force;
"Relevant Position"	in respect of a Disabled Persons Badge, has the same meaning as given in Regulation 4 of The Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 and in respect of a Parking Permit or Ticket means on the front or nearside of the vehicle;
"Resident"	means a person whose usual residence is at premises the postal address of which is within the area described in the Second Schedule;
"Small Business"	means any individual, firm or company which occupies solely for the purposes of a business premises with an area of less than 235 square metres the postal address of which is within the area described in the Second Schedule;
"Traffic Sign"	means a sign of any size colour or type prescribed or authorised under section 64 of the RTRA 1984;
"Ticket"	means a Visitors Ticket;

"Ticket Holder"	means a person to whom a book of Visitors Tickets has been issued;
"Vehicle"	means a motor car, motor cycle or motor vehicle;
"Visitors Ticket"	means a ticket issued under Article 10;
"Visitors Permit"	Means a permit issued under Article 10;

- b. The Interpretation Act 1978 shall apply to this Order.
- c. Any reference in this Order to any enactment or regulation shall refer to that enactment or regulation as amended from time to time and in force at the relevant date.
- d. Headings are included for reference only and shall not effect the interpretation or meaning of any Article or sub-Article in this Order.
- e. Any reference in this Order to a numbered Article or to a numbered Schedule is a reference to the Article or Schedule so numbered in this Order.
- f. The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any other regulations made or having effect as if made under the RTRA 1984 or by any other enactment.

3. Designation of Parking Places

Each length of highway listed in the First Schedule, excluding any length of highway on which a restriction of waiting introduced under Sections 1 and 2 of the Road Traffic Regulation Act 1984 applies, shall be designated as a Parking Place during the Regulated Hours specified in the heading to that Schedule.

4. Restriction on Parking

During the Regulated Hours no Vehicle shall be parked in a Parking Place except in accordance with the terms of this Order.

5. Display of Permits

- a. Any Vehicle parked in a Parking Place listed in the First Schedule shall display a valid Permit, Ticket or Disabled Persons Badge and parking disc in the Relevant Position and in accordance with the terms of this Order.
- b. A valid Permit or Ticket shall be one that has been issued by either the Council or, in the case of a Disabled Persons Badge, by a body authorised by law to issue such badges and which in any event has not expired or been cancelled at the time when the Vehicle is first parked in the Parking Place and which, if appropriate, refers to the zone or street in which the Vehicle is parked.

- c. If a Vehicle parked in a Parking Place listed in the First Schedule does not continuously display a Valid Permit, Ticket or Disabled Persons Badge and parking disc whilst it is parked in the Parking Place then the Owner of such a Vehicle shall be issued with a Penalty Charge Notice in accordance with the Traffic Management Act 2004 and the Civil Enforcement of Parking Contraventions (England) General Regulations 2007.

6. Parking Permits

Any Resident who is the owner of a Motor Vehicle or Motor Cycle 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 the second Schedule.

7. Business Permits

Any entitled Business may apply to the Council for the issue of a Business Permit in respect of Operational Vehicles only, up to a maximum number as specified by the Council in accordance with the Zone in which the Business is situated as shown in the second Schedule. A Business Permit shall be valid for up to two Operational Vehicles but shall only be used by one Operational Vehicle at a time.

8. Visitors Permits and Tickets

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 the second Schedule.

9. Permits and Tickets

- a. A Parking Permit shall be in writing and include the following details:-
 - i. A unique serial number to identify the Permit Holder;
 - ii. The registration number of the Vehicle for which the Parking Permit was issued;
 - iii. The expiry date of the Parking Permit;
 - 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.
- b. A Business Permit shall be in writing and include the following details:-
 - 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 include the following details:-

- i. A unique serial number to identify the person to whom the book of Visitors Tickets was issued;
 - 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 Visitors Ticket was issued by the Council;
 - v. An indication of the zone or street in which the Visitors Ticket is valid
- Where any part of the Visitors Ticket requires completion by the person using the Ticket then those parts requiring completion shall be completed in ink or other permanent medium.

10. Application for a Permit

- a. An application for a Permit or Visitors Tickets must be made on the form issued by and obtainable from the Council. The form must be completed with all of the details and information required and must be returned to the Council together with payment of the appropriate Fee as set out in Article 13 of this Order.
- b. The Council may at any time require an applicant for a Permit or Tickets or any Permit Holder to produce to an officer of the Council such evidence in respect of an application for a Permit or Tickets as the Council may require to verify the details and information given on the application.
- c. On receipt of a properly completed application and the appropriate fee the Council may in its absolute discretion issue to the applicant the number of Permits or Tickets for which the applicant has applied.
- d. If in accordance with Article 10(c) or 10(d) above the Council decides not to issue any or all of the Permits or Tickets applied for then the Council shall refund that part of the fee in respect of which no Permits or Tickets are issued.
- e. In issuing any Permit or Ticket the Council does not guarantee that any Parking Place will be available for use by the holder of a Permit or Ticket at any time during the Regulated Hours.
- f. Any Permit or Ticket issued by the Council in accordance with this Order remains the property of the Council at all times and must be returned to the Council on expiry if demanded.

- g. Where any Permit or Ticket is issued by the Council and the payment of the appropriate fee is subsequently dishonoured the Permit or Ticket so issued shall cease to be valid.
- h. In event of the dishonour of any payment in respect of a Permit or Ticket the Council shall notify the person to whom the Permit or Ticket was issued of the default at the address shown on the application form and shall require the return of the Permit or Tickets within 48 hours of receipt of the notice.

11. Surrender, Withdrawal and Validity of Permits and Tickets

- a. A Permit or Ticket Holder may surrender the Permit or Tickets at any time.
- b. If the Council becomes aware of the occurrence of any of the following events it may serve a notice on the Permit or Ticket Holder at the address shown on the application form referred to in Article 10(a) withdrawing the Permit or Tickets and requiring their return to the Council:-
 - i. The Permit or Ticket Holder has ceased to be a Resident or Small Business;
 - ii. The Small Business has ceased to operate at a postal address within the area described in the Second Schedule;
 - iii. A Permit Holder has ceased to be the owner of a Vehicle for which a Permit was issued;
 - iv. The Vehicle in respect of which the Permit was issued has been adapted or changed in such a manner that it no longer conforms to the definition set out in Article 2a above;
 - v. The Permit or Tickets have been deliberately defaced or altered;
 - vi. The Permit or Tickets were obtained by fraud and/or deception or as a result of a material misstatement of information on the application form.
- c. A Permit or Ticket shall only be valid for a parking place in the zone or street shown on the Permit or Ticket.
- d. A Permit or Ticket will only be valid if displayed on a Vehicle in the Relevant Position.
- e. A Permit will cease to be valid at midnight on the expiry date shown on the Permit.
- f. The Council will not make any refunds in respect of an unused period of validity for any Permit or Tickets which are either surrendered or withdrawn.

12. Duplicate Permits and Tickets

- a. If a Permit is mutilated or accidentally defaced or the figures or other particulars become illegible or the colour of the Permit has faded or altered then the Permit Holder shall surrender it to the Council. If on surrender for such reason the Permit is accompanied by an application for a replacement Permit which has been properly completed by the Permit Holder the Council shall issue a duplicate Permit and the original one shall cease to be valid.

- b. If a Permit is lost, destroyed or stolen the Permit Holder may apply to the Council for a duplicate Permit. The Council shall require such evidence as it shall consider appropriate and if satisfied by that evidence may issue a duplicate Permit and the original one shall cease to be valid. If the original Permit is later found or recovered it shall be returned to the Council.
- c. If the Permit Holder acquires a new Vehicle then the Permit Holder shall surrender the original Permit to the Council and make an application for a new Permit. On issue of the new Permit by the Council the original Permit shall cease to be valid.
- d. The Council may at its discretion make an administration charge in respect of the issue of duplicate Permits and Tickets, such charge not to exceed the original charge for the Permit or Ticket replaced.

13. Fees for Permits and Tickets

- a. The fee for a Parking Permit for a Motor Vehicle is:
£84 for 12 months (£42 for 6 months).
- b. The fee for a Parking Permit for a Motor Cycle is £Nil.
- c. The fee for a Business Permit is £84 (£42 for 6 months).
- d. The fee for a Visitors Permit is £84 (£42 for 6 months).
- e. The fee for a book of ten Visitors Tickets is £12.
- f. The fee for a Permit or Ticket(s) may be amended by the Council giving notice in writing that this Order has been varied to the Chief Officer of Police and the highway authority and by publishing a notice in a local newspaper circulating in the area in which this Order applies. The Council shall also place notices setting out the changes in a place adjacent to the Parking Places created by this Order.

14. Restrictions of the removal of Permits, Tickets and Penalty Charge Notices

Where a Permit, Ticket or Penalty Charge Notice is displayed on or fixed to a Vehicle in accordance with this Order no person other than the Driver of the Vehicle or an Enforcement Officer shall remove the Permit, Ticket or Penalty Charge Notice unless authorised to do so by the Driver of the Vehicle or by law.

15. Traffic Signs

- a. The Council shall place and maintain on or in the vicinity of each Parking Place appropriate traffic signs indicating that the Parking Place may only be used during the Regulated Hours for the parking of Motor Cars, Motor Cycles or Motor Vehicles, as appropriate to the Parking Place, display a valid Permit or Ticket for those lengths of highway listed in the First Schedule;

- b. Carry out such other works as are reasonably required for the satisfactory operation of a Parking Place.

16. Manner of standing in a Parking Place

- a. A Vehicle left in a Parking Place shall stand within the marked limits of the Parking Place.
- b. Where no marked limits are provided to indicate the limits of the Parking Place, a Vehicle left in a Parking Place shall stand so that no part of the nearside of the vehicle is more than 50 centimetres from the kerb.

17. Movement of Vehicles in emergencies

An Enforcement Officer or a police constable in uniform may require any Vehicle left in a Parking Place which is in a dangerous position or causing an obstruction to be moved either by the Driver or in any other reasonable manner.

18. Power to suspend the use of Parking Places

- a. Any person authorised by the Council may suspend the use of a Parking Place whenever they considers such suspension necessary:-
 - i. For facilitating the movement of traffic or promoting it safety; or
 - ii. For the purpose of any building operation, demolition or excavation in or adjacent to the Parking Place; or the improvement or reconstruction of the Parking Place or highway; 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, electricity or telecommunications service or traffic signs; or
 - iii. 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
 - iv. On any occasion on which it is likely, by reason of some special attraction or event, that any street on which a Parking Place is located will be used by a large number of pedestrians or vehicles or otherwise obstructed or rendered impassable; or
 - v. For the convenience of occupiers of premises adjacent to the Parking Place at times of weddings, funerals or other special occasions; or
 - vi. For the purpose of cleansing the Parking Place.
- b. A police constable in uniform may suspend the use of a Parking Place for no longer than twenty four hours whenever he considers such suspension to be reasonably necessary for the purpose of facilitating the movement of traffic or promoting safety.
- c. Any person suspending the use of a Parking Place in accordance with the provisions of this Article shall place in or adjacent to the suspended Parking Place a traffic sign indicating that waiting by Vehicles in the Parking Place is prohibited.

19. Restriction on the use of Vehicles at Parking Places

- a. While any Vehicle is in a Parking Place during Regulated Hours no person shall use the Vehicle for the sale or provision of any article, skill or service.
- b. Nothing In this Article shall prevent the sale of goods from a Vehicle if the goods purchased are immediately delivered or taken into premises adjacent to the Vehicle from which the sale is affected. Any Vehicle being used for such a sale is permitted to wait in a Parking Place without displaying a Permit or Ticket for a maximum of five minutes and may not return to that Parking Place for at least two hours after the expiry of that time.

20. Exemptions

- a. Any Vehicle may wait at any time in any Parking Place (other than one that has been suspended under Article 18) without displaying a Permit, Ticket or Disabled Persons Badge and parking disc for so long as may be reasonably necessary to enable: -
 - i. a person to board or alight from a Vehicle;
 - ii. goods or luggage to be loaded onto or unloaded from a Vehicle;
 - iii. a Vehicle, if it cannot be conveniently used for such purpose in any other road to be used in conjunction with any of the following operations namely:-
 - 1. building, industrial or demolition operations;
 - 2. the removal of any obstruction to traffic;
 - 3. the maintenance, improvement or reconstruction of the said lengths of road;
 - 4. the laying, erection, alteration, repair in or on land adjacent to the said lengths of road of any sewer or of any main, pipe, cable or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in Paragraph 1 (1) of the Telecommunications Code contained in Schedule 2 to the Telecommunications Act 1984;
 - iv. the Vehicle, if it cannot conveniently be used for such purpose in any other road, to be used for the service of a local authority or other statutory undertaker for the provision of supplies of gas, water, electricity or telecommunication services in pursuance of its statutory powers;
 - v. the Vehicle to be used for the purpose of delivering or collecting postal packets as defined in section 125 of the Postal Services Act 2000;
 - vi. the Vehicle to be used for fire brigade, ambulance or police purposes;
 - vii. the Vehicle to be used by community health personnel or carers and displaying identification that the Driver is employed as such;

- viii. the Vehicle, not being a passenger vehicle, to be used in connection with the actual removal of furniture from one office or dwelling house to another or from such premises to a depository or from a depository to such premises;
 - ix. the Vehicle to wait owing to the Driver being prevented from proceeding by circumstances beyond his/her control or such waiting being necessary to avoid an accident.
- b. A Vehicle which displays in the relevant position a Disabled Persons Badge and parking disc may wait at any time in any lengths of road referred to in the First Schedule.
- c. Nothing in this Article shall be taken as authorising anything which would be a contravention of any regulations made or having effect as if made under section 25 RTRA 1984.

21. Contraventions

If a Vehicle is left in a Parking Place during the Regulated Hours without complying with the requirements of this Order, a contravention shall have occurred and a penalty charge shall be payable. A penalty charge notice conforming to the requirements of the appropriate legislation or any subsequent application legislation may then be served by a Civil Enforcement Officer.

22. Revocations

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 North Hertfordshire District Council (Control of Parking) (Consolidation) Order 2014.

FIRST SCHEDULE
Lengths of road in Hitchin
 (No Waiting 11.00am to noon and 2.00pm to 3.00pm Mondays to Saturdays except Permit Holders – Zone J)

- | | |
|-----------------|---|
| GRAYS LANE | <ul style="list-style-type: none"> (1) The North and North-East Side <ul style="list-style-type: none"> (a) From a point 13 metres north-west of a point opposite the common boundary of Nos. 73 and 75 Grays Lane to a point 2.3 metres west of the common boundary of Nos. 20 and 22 Grays Lane; (b) From a point 8 metres north-west of a point opposite the north-western wall of No. 11 Grays Lane to the common boundary of No. 8 Grays Lane and No. 16 Winston Close; (c) From the common boundary of No. 6 Grays Lane and No. 1 Winston Close to the common boundary of Nos. 2 and 4 Grays Lane; (2) The South and South-West Side <ul style="list-style-type: none"> (a) From a point 13 metres north-west of the common boundary of Nos. 73 and 75 Grays Lane to a point 15 metres north-west of the north-western kerb-line of High View; (b) From a point 15 metres south-east of the south-eastern kerb-line of High View to a point 2.3 metres west of a point opposite the common boundary of Nos. 20 and 22 Grays Lane; (c) From a point 8 metres north-west of the north-western wall of No. 11 Grays Lane to a point opposite the common boundary of Nos. 2 and 4 Grays Lane. |
| HIGH VIEW | <ul style="list-style-type: none"> (1) Both sides <ul style="list-style-type: none"> (a) From a point 18 metres south of the common boundary of Nos. 2 and 4 High View to a point 15 metres south-west of the south-western kerb-line of Grays Lane. |
| WALSH CLOSE | <ul style="list-style-type: none"> (1) All sides. <ul style="list-style-type: none"> (a) From a point 12.5 metres north-west of the south-eastern boundary of No. 6 Walsh Close to the south-western boundaries of Nos. 3 and 4 Walsh Close (so much as is public highway). |
| WEST HILL | <ul style="list-style-type: none"> (1) The North Side <ul style="list-style-type: none"> (a) From a point 30 metres west of a point opposite the western boundary of No. 93 West Hill to a point 1 metre east of the western boundary of No. 37 Old Park Road; (2) The South Side <ul style="list-style-type: none"> (a) From a point 30 metres west of the western boundary of No. 93 West Hill to a point 0.5 of a metre west of the eastern boundary of No. 3 West Hill. |
| WESTFIELD CLOSE | <ul style="list-style-type: none"> (1) Both sides. <ul style="list-style-type: none"> (a) From a point 10 metres east of the eastern kerb-line of Westfield Lane to a point 11.3 metres east of a point opposite the common boundary of Nos. 12 and 14 Westfield Close. |

- WESTFIELD LANE (1) The East Side
 (a) From a point opposite and in line with the southern wall of No. 14 Grays Lane to a point 10 metres south of the southern kerb-line of Westfield Close;
 (b) From a point 10 metres north of the northern kerb-line of Westfield Close to the northern extremity of Westfield Lane;
 (2) The West Side
 (a) From a point in line with the southern wall of No. 14 Grays Lane to the northern extremity of Westfield Lane.
- WINSTON CLOSE (1) Both sides.
 (a) From a point opposite and in line with the south-western wall of No. 1 Winston Close to a point opposite the common boundary of Nos. 7 and 8 Winston Close.

SECOND SCHEDULE
Lengths of road in Hitchin
(Those residences, small businesses eligible for permits – Zone J)

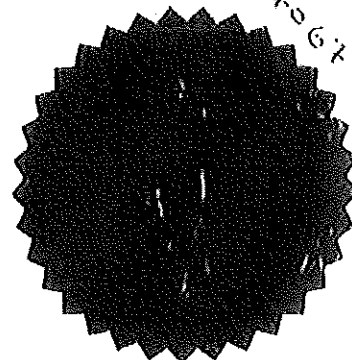
- GRAYS LANE - All addresses
 HIGH VIEW - All addresses
 OLD PARK ROAD - Nos. 29 to 46 inclusive
 UPPER TILEHOUSE STREET - Nos. 58 to 66 inclusive
 WALSH CLOSE - Nos. 1 to 3 and 7 to 10 inclusive
 WEST HILL - All addresses
 WESTFIELD CLOSE - All addresses
 WESTFIELD LANE - All addresses
 WINSTON CLOSE - All addresses

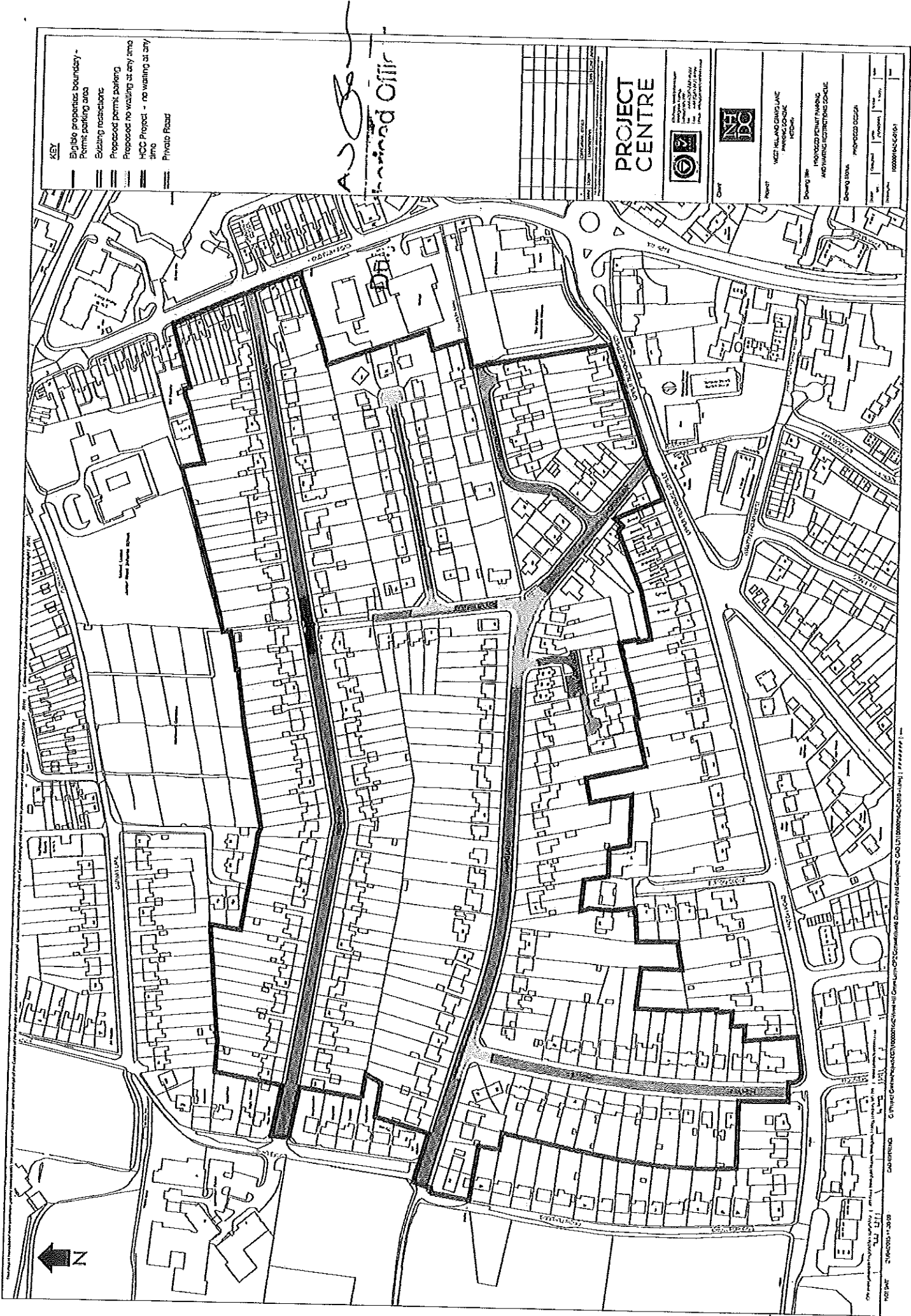
THE COMMON SEAL OF
 NORTH HERTFORDSHIRE
 DISTRICT COUNCIL was hereunto

affixed this 23 day of *May* 2016

in the presence of:

A J [Signature]





- KEY**
- Biglbo properties boundary -
 - Permit parking area
 - Existing restrictions
 - Proposed permit parking
 - Proposed no waiting at any time
 - HCC Project - no waiting at any time
 - Private Road

ASB
 Planning Office

NO.	DESCRIPTION	DATE	BY

PROJECT CENTRE

PROJECT CENTRE
 1000000-145-0010

1000000-145-0010
 21/06/2018
 CAD: [unreadable]
 G:\Project\Centre\Project\1000000-145-0010\1000000-145-0010.dwg
 Drawing Title: PROPOSED PERMIT PARKING AND WAITING RESTRICTIONS CONCEPT
 Drawing No: 1000000-145-0010
 Project: WEST WILLOW CREEK PARKWAY
 Client: PROJECT CENTRE

