

ST ALBANS CITY AND DISTRICT COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

Date of Order: 20 April 2012

Order No: EUMR1-2011

THE ST ALBANS CITY AND DISTRICT COUNCIL (ETNA ROAD AND UPPER MARLBOROUGH ROAD)(PARKING PLACES) ORDER 2011

St Albans City and District Council 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, and in exercise of their powers under Sections 32 and 35 of the Road Traffic Regulation Act 1984 ("the Act of 1984") and 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 Act of 1984, hereby make the following Order:-

- 1 This Order may be cited as "The St Albans City and District (Etna Road and Upper Marlborough Road)(Parking Places) Order 2011" and shall come into operation on 30 April 2012.
- 2 Save as provided in Article 4 and 5 of this Order those lengths of Etna Road and Upper Marlborough Road specified in the relevant Location Schedule and associated Map Schedule to this Order are authorised for use as parking places between the hours and days of operation specified in the relevant Location and Map Schedule.
- 3 Save as provided in Article 4 of this Order where in Article 2 of this Order a length of Etna Road, St Peters Street and Upper Marlborough Road 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 wholly parked within the marked limits of the parking bay.
- 4 (1) Nothing in Articles 2 and 3 of this Order applies to the lengths of road restricted by those Articles (which said lengths of road are referred to in this Article as "the restricted area") in relation to –
 - (a) 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 The St Albans City and District Council;
 - (iii) an authorised Officer of The St Albans City and District 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 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 (1) Nothing in Article 3 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, to wait at any time in the lengths of road specified in the Schedule of this Order.

(2) In this article-

“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 given in Regulation 3(1) of The Local Authorities’ Traffic Orders (Exemptions for Disabled Persons)(England) Regulations 2000

“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.

6 The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the Interpretation of an Act of Parliament.

7 The provisions of the following Order are hereby revoked only in so far as they are affected by the restrictions imposed by this Order –

The City and District of St Albans (Control of Parking)(Consolidation) Order 2004.

Etna Road - Plan STA0884 - 01/10/2004

Upper Marlborough Road - Plan STA0909 - 01/10/2004

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 any other enactment.

LOCATION SCHEDULE

Etna Road - length of road as specified within map schedule ER-1011-V2 designated as parking places 9.00am to 5.00pm, Monday to Saturday limited to 1 hour waiting with no return within the next 2 hours.

Upper Marlborough Road - length of road as specified within map schedule UMR-ONE-1011-V2 designated as parking places 10.00am to 4.00pm, Monday to Saturday limited to 1 hour waiting with no return within the next 2 hours and length of road as specified within map schedule UMR-TWO-1011-V1 designated as parking places 9.00am to 5.00pm, Monday to Saturday limited to 1 hour waiting with no return within the next 2 hours.

IN WITNESS whereof the Common Seal of The St Albans City and District Council was hereunto affixed this 24 April 2012

THE COMMON SEAL of ST ALBANS)
CITY AND DISTRICT COUNCIL)
was hereunto)
affixed on the 24 April 2012)
in the presence of:



Aislinn Lee

Authorised Signatory

G S [Signature]

Authorised Signatory