

**THE ST ALBANS CITY AND DISTRICT COUNCIL (THE CUNNINGHAMS
AREA, VARIOUS ROADS, ST ALBANS) (RESTRICTION OF WAITING AND
PERMIT PARKING ZONE) ORDER 2015**

The St Albans City and District 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 conferred on the said County Council by Sections 1, 2, 3, 4, 32, 35, 45, 46, 47, 49, 51 and 53 of the Road Traffic Regulation Act 1984 ("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 makes the following Order:-

Commencement

1. This Order shall come into operation on 27th March 2015 and may be cited as The St Albans City And District Council (The Cunninghams area, Various Roads, St Albans) (Restriction Of Waiting And Permit Parking Zone) Order 2015 hereinafter referred to as "this Order".

Interpretation

2. In this Order :-

"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 person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 SI 682;

"disabled person's vehicle" means a vehicle lawfully displaying a disabled person's badge and which is a vehicle which, immediately before or after any period of waiting allowed by virtue of a provision of a kind required by regulation 8 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 SI 683, has been or is to be driven by a disabled person or, as the case may be, has been or is to be used for carrying disabled persons as passengers;

"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 nearside of the vehicle, or if the vehicle is one being used by a disabled person has the same meaning as given in Regulation 4 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;

"Civil Enforcement Officer" is a Civil Enforcement Officer as defined by the Traffic Management Act 2004;

"Eligible Address" means any postal address which is listed in Schedule 1 to this Order and therefore indicates that the resident or entitled business user may apply for a Parking Permit and/or Visitor Parking Permits;

"Parking Zone" refers to all the Parking Places in a specified area indicated by name or alphanumeric code which are to be used only by vehicles displaying a valid Parking Permit or Visitor Parking Permit for that specified area during the specified hours of operation and which are listed in Schedule 3 to this Order;

"Visitor Parking Permit" means a Visitor Permit issued by the Council under the provisions of this order and bearing printed instructions for its validation;

"Parking Permit" means a Resident Permit, Business Permit, Doctor/Health Permit or Special Permit issued by the Council under the provisions of this Order;

"Permit Holder" means a person to whom a Parking Permit and/or a Parking Permit has been issued;

"Resident" means a person whose main place of abode is an eligible address listed in Schedule 1 to this Order;

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

"pensioner" means any resident who is in receipt of a state pension;

"vehicle" means motor vehicle or motor cycle;

- a. "motor vehicle" has the same meaning as in Section 136(1) of the Act of 1984;
- b. "motor cycle" has the same meaning as in Section 185(1) of the Road Traffic Act 1988;

"driver" means the person driving the vehicle at the time it was left in the parking place;

"owner" in relation to a vehicle means the person by whom such vehicle is kept and used;

Restriction of waiting

3. Except as provided in Articles 29, 30 and 31 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, cause or permit any vehicle to wait at any time on the sides or in the lengths of road specified in Schedule 2 to this Order.

Designation of Permit Parking Places

4. Each length of road listed in Schedule 3 to this Order is designated as a parking place for permit holders on the days and between the hours specified in that schedule.
5. Except as provided in Articles 29 and 30 of this Order no vehicle may be parked in a parking place specified in Schedule 3 to this Order during the specified hours without a valid Parking Permit, or valid Visitor Parking Permit displayed in the relevant position.
6. Where a vehicle is parked in contravention of Article 5 to this Order the driver of any such vehicle shall be issued with a penalty charge notice.

Eligibility for a Parking Permit or Visitor Parking Permits

7. Any resident who is the owner of a vehicle or has access to a company vehicle or hired vehicle may apply to the Council for the issue of a **Resident Permit** for each such vehicle in their ownership or control, subject to the maximum Parking Permit allocation per household set out in Schedule 4 to this Order.
8. Any resident may apply to the Council for the issue of Visitor Permits, up to the maximum annual allocation per household as specified in Schedule 4 to this Order.
9. Any agency, professional practice or organisation which manages local doctors, midwives, district nurses, health visitors and various other essential domiciliary medical or caring personnel may apply for the issue of a **Doctor/Health Permit** for the use of these personnel when visiting households in the roads specified in Schedule 1 to this Order. Where possible, such permits will be issued to a particular vehicle. The decision to issue a Doctor/Health Permit and whether it will be issued to a vehicle, to an individual or to an agency, professional practice or organisation will be at the discretion of the Council.
10. Any person (or any person acting on behalf of a resident) may at any time apply to the Council for the issue of a **Special Permit** in respect of a vehicle identifying the user of the vehicle. The decision to issue a special parking permit is at the discretion of the Council. Without prejudice to the generality of the Council discretion the following circumstances may be relevant to an application:
 - (a) the applicant's exceptional medical needs;
 - (b) the applicant's exceptional social needs;
 - (c) any exceptional difficulty experienced by a carer for any resident.

Application for a Parking Permit or Visitor Parking Permits

11. Application for a Parking Permit or Visitor Parking Permits will be made on a form issued by and obtainable from the Council. The form must be completed and returned accompanied by payment for the charge specified in Schedule 5 of this Order and by such documentary evidence of entitlement in respect of an application for a Parking Permit or Visitor Parking Permits made to them as the Council may reasonably request to verify any particulars or information given to them.
12. On receipt of a properly completed application and fee where appropriate the Council shall issue to the appropriate applicant a Parking Permit or Visitor Parking Permits provided that the applicant qualifies for the Parking Permit or Visitor Parking Permits
13. Where a Parking Permit or Visitor Parking Permits are issued to any person upon the payment being subsequently dishonoured, the Parking Permit or Visitor Parking Permit shall immediately cease to be valid.

Charges for Parking Permits and Visitor Parking Permits

14. The charges for a Parking Permit and Visitor Parking Permits shall be as specified in Schedule 5 to this Order.
15. The charges for a Parking Permit and Visitor Parking Permits may be amended by the Local Authority giving notice in accordance with section 46A of the Act of 1984.

Form of Parking Permit and Visitor Parking Permit

16. 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
 - iii) the expiry date;
 - iv) an authentication that the Parking Permit has been issued by the Council;
 - v) an alphanumeric code to identify the Parking Zone.
- b) A Visitor 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 day, date, month and year of commencement;
 - iii) an authentication that the Visitor Parking Permit has been issued by the Council
 - iv) an alphanumeric code to identify the Parking Zone.

Surrender, Withdrawal and Validity of a Parking Permit or Visitor Parking Permit

17. A Permit Holder may surrender a Parking Permit or Visitor Parking Permits to the Council at any time.
18. The Council may by notice served on the Permit Holder at the address shown by that person on the application form, withdraw a Parking Permit or Visitor Parking Permits, if it appears to the Council that:-
 - a) the Permit Holder has ceased to be eligible to hold a Parking Permit or Parking Vouchers under the provisions of Articles 7 to 12 of this Order
 - b) the vehicle 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;
 - c) the details on the Parking Permit or Visitor Parking Permits as described in Articles 17a) and 17b) of this Order have been deliberately altered.
 - d) For any reason as determined by the Council as detailed in writing to the Permit Holder
19. A Parking Permit will be valid only if displayed on the vehicle to which the Parking Permit relates in the relevant position.
20. A Visitor Parking Permit will be valid only if displayed on a vehicle in the relevant position correctly marked in accordance with the instructions for validation on the permit.
21. 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.
22. The Council will not make any refund for the withdrawal of a Parking Permit or Visitor Parking Permits.
23. The Council will refund part of the cost of a Parking Permit which has been surrendered, if not less than one month remains before the expiry date, the amount of refund to be as specified in Schedule 5 to this Order and subject to an administration charge as specified in said Schedule to this Order.
24. The Council will refund the cost of whole books of Visitor Parking Permits which is subject to an administration charge as specified in Schedule 5 to this Order.

Application for and the issue of a Duplicate Parking Permit or Visitor Parking Permits

25. The Council will issue a duplicate or replacement Parking Permit or Visitor Parking Permits 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.
- c) If a Permit Holder acquires a new vehicle, 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) The Council will make an administration charge for the issue of a duplicate Parking Permit.

Power to Suspend use of Parking Places

26. 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.

No Waiting in a Suspended Parking Place

27. No person shall cause or permit a vehicle to wait in a parking place or any part thereof during which such period as the Council has suspended that parking place or part thereof.
28. Nothing in Article 27 shall render it a contravention to cause or permit a vehicle to be left in a parking place which has been suspended, which displays in the relevant position a valid dispensation issued by the Council.

Exemptions to the provisions of this Order

29. It shall not contravene Articles 3 and 5 of this Order 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) the removal of any obstructions to traffic;
 - ii) the maintenance, improvement or reconstruction of the said roads;
 - iii) 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.

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.

30. It shall not contravene Articles 3 and 5 of this Order 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.
31. Nothing in Article 3 and 5 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 2 and Schedule 3 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).
32. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.

SCHEDULE 1

Eligible Properties for Resident and Visitor Parking Permits – Zone CA

Road	Eligible Properties
Barncroft Way	All Properties
Cell Barnes Lane	St Luke’s Vicarage, 46 Cell Barnes Lane Only
Colindale Avenue	All Properties
Cunningham Avenue	All Properties
Cunningham Avenue Allotments	Cunningham avenue Allotment Holders (1 resident permit only)
Cunningham Hill Road	All Properties
Greenbanks	1 to 7
Hordle Gardens	All Properties
Kenton Gardens	All Properties
Orchard Close	All Properties

SCHEDULE 2
Lengths of road designated No Waiting at Any Time

Col 1	Col 2	Col 3	Col 4
Col	Name Of Road	Side Of Road	Description
1	Colindale Avenue	Both	From its junction with London Road northwards for a distance of 37.5 metres
2	Colindale Avenue	East	From a point in line with the common boundary of number 10 and 12 Colindale Avenue northwards and then northeastwards for a distance of 33.5metres
3	Colindale Avenue	Northwest	From a point 8 metres southwest of the southwestern kerbline of Kenton Gardens northeastwards for a distance of 29 metres
4	Colindale Avenue	Southeast	From a point 12 metres southwest of the southwestern kerbline of Hordle Gardens northeastwards for a distance of 24.5 metres
5	Cunningham Avenue	Northwest	From its junction with London Road northeastwards for a distance of 16 metres
6	Cunningham Avenue	Southeast	From its junction with London Road northeastwards for a distance of 22 metres
7	Cunningham Hill Road	Both	From its junction with London Road northeastwards for a distance of 10 metres
8	London Road	Northeast	From a point 6 metres northwest of the northwestern kerbline of Cunningham Hill Road southeastwards for a distance of 38 metres
9	London Road	Northeast	From a point 5 metres northwest of the northwestern kerbline of Cunningham Avenue southeastwards for a distance of 18.5 metres
10	Hordle Gardens	Both	From its junction with Colindale Avenue southeastwards for a distance of 9.5 metres
11	Kenton Gardens	Both	From its junction with Colindale Avenue northwestwards for a distance of 7.5 metres

SCHEDULE 3
Lengths of road designated as Parking Places - Resident Permit Holders
Zone CA

Col 1	Col 2	Col 3	Col 4	Col 5
	Name Of Road	Side Of Road	Description	Permitted Hours
1	Barncroft Way	Both	From its junction with Cunningham Hill Road for its entire length	Monday to Friday 10am to 11am and 2pm to 3pm
2	Colindale Avenue	East	From a point in line with the common boundary of number 4 and 5 Green Banks northwards to a point in line with the common boundary of number 10 and 12 Colindale Avenue	Monday to Friday 10am to 11am and 2pm to 3pm
3	Colindale Avenue	West	From a point in line with the common boundary of number 4 and 5 Green Banks northwards and then northeastwards to a point 8 metres southwest of the southwestern kerbline of Kenton Gardens	Monday to Friday 10am to 11am and 2pm to 3pm
4	Colindale Avenue	Northeast	From a point in line with the southwestern flank wall of number 17 Colindale Avenue northeastwards to its junction with Orchard Close	Monday to Friday 10am to 11am and 2pm to 3pm
5	Colindale Avenue	Southeast	From a point 7 metres northeast of the northeastern kerbline of Hordle Gardens northeastwards to its junction with Orchard Close	Monday to Friday 10am to 11am and 2pm to 3pm
6	Cunningham Avenue	Northwest	From a point 16 metres northeast of its junction with London Road northeastwards for its remaining length	Monday to Friday 10am to 11am and 2pm to 3pm
7	Cunningham Avenue	Southeast	From a point 22 metres northeast of its junction with London Road northeastwards for its remaining length	Monday to Friday 10am to 11am and 2pm to 3pm
8	Cunningham Hill Road	Both	From a point 10 metres northeast of its junction with London Road northeastwards for its remaining length	Monday to Friday 10am to 11am and 2pm to 3pm
9	Hordle Gardens	Both	From a point 9.5 metres southeast from its junction with Colindale Avenue southeastwards for its remaining length	Monday to Friday 10am to 11am and 2pm to 3pm
10	Kenton Gardens	Both	From a point 7.5 metres northwest of its junction with Colindale Avenue northwestwards for its remaining length	Monday to Friday 10am to 11am and 2pm to 3pm
11	Orchard Close	Both	From its junction with Colindale Avenue for its entire length	Monday to Friday 10am to 11am and 2pm to 3pm

SCHEDULE 4
Allocation of Parking Permits and Visitor Parking Permits
Permit Type Limit

Resident Permit: 3 per household
 Allotment holders: 1 per allotment

Visitor Parking Permits: 12 books per annum (books contain 10 permits)(additional 6 books may be applied for and may be issued at the Council's discretion)
 Allotment holders are not eligible for visitor permits

Doctors/Health or Special Permit Allocated at Council's discretion

SCHEDULE 5
Charges for Parking Permits and Visitor Parking Permits

Type	Charges
Resident Parking Permit for blue badge holder	Free for the first vehicle within the household
Resident Parking Permit for first car	£19.38 per annum
Resident Parking Permit for second car	£67.32 per annum
Resident Parking Permit for third car	£146.88
Visitor Parking Permits	36p up to 4 hours. Sold in books of 10 - £3.60 72p over 4 hours (all day). Sold in books of 10 - £7.20
Doctors/Health Permit	£20
Special Permit	£10
Administration Charges	
Refund of Resident Permit	£5
Duplicate / replacement permit	£10

Refunds

Permit Type Refund

Resident Permit - Pro rata to the nearest month on amounts above £5

Visitor Parking Permits – Whole books only

Doctors/Health Permit and Special Permits no refund.

The Common Seal of)
 St Albans City and District Council)
 was hereunto affixed on the 24th March 2015)
 in the presence of:-)

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 Authorised Signatory

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 Authorised Signatory



