

# HERTFORDSHIRE COUNTY COUNCIL

## ROAD TRAFFIC REGULATION ACT 1984

Date of Order: 5 October 2001

Order No.: 6152

### THE HERTFORDSHIRE (GREEN STREET, CHORLEYWOOD) (PARKING PLACES) ORDER 2001

The Hertfordshire County Council in exercise of their powers under Sections 1, 2, 4, 35, 45, 49, 51, 53 and 95 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (hereinafter referred to as 'the Act of 1984') as amended by the Road Traffic Act 1991 and of all other enabling powers and after consultation with the Chief Constable of Police in accordance with Part III of Schedule 9 to the Act of 1984 hereby makes the following Order:-

1. This Order may be cited as "The Hertfordshire (Green Street, Chorleywood) (Parking Places) Order 2001 and shall come into operation on Monday 5 October 2001.

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### Interpretation

2. (1) In this Order except where the context otherwise requires the following expressions have the meaning hereby respectively assigned to them:

"Council" means Three Rivers District Council or authorised agent appointed by and acting on behalf of the Council for the purposes of any function under the provisions of this Order;

"Designated Officer" means an officer of Three River District Council nominated by the Director of Planning and Leisure or equivalent to carry out Council functions associated with the provisions of this Order;

"disabled person's badge" and "disabled person's vehicle" have the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986 and the Disabled Persons (Badges for Motor Vehicles) Amendment Regulations 1992;

"driver" in relation to a vehicle waiting in a parking place or restricted waiting area means the person driving the vehicle at the time it was left in the parking place or restricted waiting area;

"goods" means goods of any kind whether animate or inanimate and includes postal packets of any description; and "delivering" and "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection;

"goods carrying vehicle" means a motor vehicle or trailer which is constructed or adapted for use for the carriage of goods or burden of any description;

"household" means a dwelling with a separate entry on the Council's Council Tax Register;

"motor-cycle" has the same meaning as that in the Road Vehicles (Construction and Use) Regulations 1986;

"one-way street" means a highway in which the driving of vehicles otherwise than in one direction is prohibited;

"operational vehicle" means a vehicle operated by the entitled business user for the purposes of making deliveries or collections or servicing or such other business purposes as the Council shall approve;

"owner" in relation to a vehicle means the person by whom such vehicle is registered or to whom the vehicle is hired under a hire purchase agreement or hire agreement;

"parking bay" means a parking area within the parking place as defined in Article 3(2);

"parking disc" means a disc issued by Three Rivers District Council and capable of showing the quarter hour period during which a period of waiting commences;

"parking place" means any area on a highway as defined in Article 3(1) designated as a parking place by this Order;

"passenger vehicle" means a motor vehicle (other than a motor-cycle or invalid carriage) constructed or adapted solely for the carriage of not more than twelve passengers (exclusive of the driver) and their effects and not drawing a trailer;

"registered keeper" in relation to a vehicle means the person registered to use the vehicle with the consent of the owner at the time of the contravention or non-

Each area on a highway comprised within a parking place and marked out for the purposes of parking in accordance with the provisions of this Order and not comprised within a restricted waiting area is hereby designated as a parking bay.

- 4 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 an on-street parking place during the prescribed hours.

Vehicles for which on-street parking places are designated

- 5 (1) Subject to the provisions of this Order on-street parking places may be used for the leaving during the permitted hours of vehicles of the following class that is to say passenger vehicles and goods carrying vehicles (the overall height of which does not exceed 2.3 metres and the overall length of which does not exceed 5.25 metres) and motor cycles and invalid carriages.
- (2) Subject to the provisions of this Order parking places referred to in Schedule 1 hereto may be used for the leaving during the prescribed hours of such vehicles of the class specified in paragraph (1) above:
- (a) as display in the manner specified in Article 16 a valid residents' permit issued in respect of that vehicle; or
  - (b) as display in the manner specified in Article 31 a valid special parking permit issued in respect of that vehicle and that parking place.
- (3) Subject to the provisions of this Order parking places referred to in Schedule 1 hereto may be used for the leaving during the prescribed hours of such vehicles of the class specified in paragraph (1) above:
- (a) as display in the manner specified in Article 25 (1) a valid parking disc for no longer than a period of 2 hours; or
  - (b) as display in the manner specified in Article 31 a valid special parking permit issued in respect of that vehicle and that parking place.
- (4) Subject to the provisions of this Order parking places referred to in Schedule 2 hereto may only be used for the leaving at any time of such disabled person's vehicles of the class specified in paragraph (1) above which display in the relevant position a disabled person's badge.

Exemptions from charges under this Order

- 6.(1) A disabled person's vehicle which displays in the relevant position a disabled person's badge issued by any Local Authority may be left in a parking place referred to in Schedule 1 and 2 hereto provided that the use of that parking place in which the vehicle is left has not been suspended and no initial charge shall be incurred in respect of that vehicle.
- (2) A motor cycle may be left in a parking place referred to in Schedule 2 hereto provided that the use of that parking place in which the motor cycle is left has not been suspended and no initial charge shall be incurred in respect of that motor cycle but it shall be treated as if the initial charge had been paid at the time when it was left and all the provisions of this Order shall apply accordingly.
- (3) Without prejudice to the generality of this Article and notwithstanding the provisions of this Order a vehicle to which this Article applies shall stand in a parking place in accordance with the provisions of Article 10(a) or (b) and wholly within the limits of that parking place.

compliance notwithstanding that the person was not the driver of the vehicle at the time of the contravention or non-compliance;

“resident” means a person whose usual residence is at premises the postal address of which is in any street or part of any street described in Schedule 1 of this Order;

“residents’ permit” means a permit issued under the provisions of Article 18(3);

“residents’ permit holder” means a person to whom a permit has been issued under the provisions of Article 18(3);

“Special parking permit” means a permit issued under the provisions of Articles 29 and 30;

“Special parking permit holder” means a person to whom a permit has been issued under the provisions of Articles 29 and 30;

“traffic warden” means a person authorised by or on behalf of the Chief Constable of Hertfordshire Constabulary to enforce any parking place;

- (2) Any reference in this Order to a numbered Article shall unless the context otherwise requires be construed as a reference to the Article bearing that number in this Order.
- (3) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended applied consolidated re-enacted by or as having effect by virtue of any subsequent enactment.
- (4) For the purposes of this Order a vehicle shall be regarded as displaying a disabled person’s badge in the relevant position when it is so regarded for the purposes of Regulation 3 of The Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986 and the Disabled Persons (Badges for Motor Vehicles) Amendment Regulations 1992.
- (5) For the purpose of defining the expression “relevant position” in this Order a vehicle shall be regarded as displaying:
  - (a) A disabled person’s badge in the relevant position if in the case of a vehicle fitted with a front windscreen the badge is exhibited thereon on the near side of and immediately behind the windscreen and with its front facing forward so as to be legible from outside the vehicle.
  - (b) A disabled person’s badge in the relevant position if in the case of a vehicle fitted with a dashboard or facia panel the badge is exhibited thereon so that Part 1 of the badge is legible from outside the vehicle.
- (6) For the purposes of this Order any reference to a length of road shall be construed as a reference to the length specified in column 3 of the Schedules to this Order of the side or sides of road specified in respect of that length in column 2 thereof in relation to the road named in respect of that side or those sides in column 1 of those Schedules.

#### Designation of on-street parking places

- 3 (1) Each area on a highway comprising the length of road specified in column 3 of Schedule 1 hereto unless otherwise so specified bounded on one side of that length by the edge of the carriageway and having a minimum width throughout of 1.8 metres is hereby designated as a parking place.

Restriction on the removal of parking discs

7 Where a parking disc has been displayed on a vehicle in accordance with the provisions of Article 25 no person not being the driver of the vehicle shall remove any parking disc from the vehicle unless authorised to do so by the driver of the vehicle.

8 The provisions of the following Traffic Regulation Orders are hereby revoked :-

- a) The County of Hertford (Various Roads, Chorleywood) (Prohibition of Waiting) Order 1973.
- b) Three Rivers (green Street and Adjacent Roads Chorleywood) (Prohibition and Restriction of Waiting) Order 1996.
- c) Three Rivers (Green Street (Nos. 1-49 and 2-48) Controlled Parking Order 1996.

Manner of standing in on-street parking places

9 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 in column 3 of Schedules 1, 2 and 3 hereto 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 adjacent to the left-hand edge of the carriageway and
  - (ii) that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 300 millimetres.

Power to suspend the use of on-street parking places

10 (1) Any person duly authorised by the Council or the Chief Officer of Police or his representative may suspend the use of a parking place or any part thereof whenever they consider such suspension reasonably necessary:

- (a) for the purpose of facilitating the movement of traffic or promoting its safety; or
- (b) for the purpose of any building operation or demolition or excavation adjacent to the parking place or maintenance or improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the parking place or the laying or erection or alteration or repair in or adjacent to the parking place of any sewer or of any main or pipe or apparatus for the supply of gas or water or electricity or of any telecommunication system or the placing or maintenance or removal of any traffic sign; or
- (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture to or from one office or dwelling-house adjacent to the parking place from or to a depository or another office or dwelling-house; 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.

- (2) A police constable in uniform or traffic warden may suspend for not longer than twenty-four hours the use of a parking place or any part thereof whenever they consider such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (3) A police constable in uniform or a traffic warden suspending the use of a parking place or any part thereof in accordance with the provisions of paragraph (1) or as the case may be paragraph (2) of this Article shall thereupon place or cause to be placed in or adjacent to that parking place or part thereof a traffic sign indicating that waiting by vehicles is prohibited.
- (4) No person shall cause or permit a vehicle to be waiting in a parking place or any part thereof during which such period as there is in or adjacent to that parking place or part thereof a traffic sign placed in pursuance of paragraph (3) above provided that nothing in this paragraph shall apply -
  - (a) in respect to any vehicle being used for fire brigade, ambulance or police purposes or any vehicle which is waiting for any reason specified in Article 13(1)(b), (d) and (e); or
  - (b) to anything done with permission of the police constable in uniform or a traffic warden in pursuance of paragraph (1) of this Article.

Restrictions on the use of on-street parking places

- 11 During the prescribed 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 or offering for sale of their skill in handicraft or their 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 12(1)(g) apply.

Exemptions on waiting by a vehicle in on-street parking places

12 (1) Notwithstanding the foregoing provisions of this Order any vehicle may wait during the prescribed hours in any part of a restricted area or on-street parking place if the use of that part has not been suspended and if:

- (a) the vehicle is waiting for so long as may be necessary for the purpose of enabling any person to board or alight from the vehicle or load thereon or unload therefrom their personal luggage;
- (b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond their control or to such waiting being necessary in order to avoid an accident;
- (c) the vehicle is being used for fire brigade or 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 in the exercise of such powers or in the performance of such duties for the vehicle to wait in the place in which it is waiting;
- (d) the vehicle is waiting 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 during the delivery or collection falling within the terms of Section 87 of The Post Office Act 1953 of postal packets at or from premises or posting boxes fronting any length of road referred to in Schedule 1 hereto.
- (f) the vehicle not being a passenger vehicle is waiting only for as long as may be reasonably necessary to enable it to be used for the purpose specified in Article 11(1)(b);
- (g) 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 waiting vehicle and the vehicle does not wait for a period exceeding twenty minutes or for such longer period as a police constable in uniform or a traffic warden may approve.

(2) No initial charge or charge specified in the provisions of this Order shall be payable in respect of any vehicle waiting in an on-street parking place in accordance with the foregoing provisions of this Article.

(3) Nothing in the provisions of this Order shall be taken as authorising anything which would be a contravention of any regulations made or having effect as if made under Section 25 of the Act of 1984.

Manner of waiting in on-street parking places

13 No person shall cause or permit a vehicle to wait in a parking place by virtue of the provisions of paragraph (1)(e) or (f) or (g) of the last preceding Article 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 are so specified in column 3 of Schedule 1 hereto 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; or
- (ii) if the length of the vehicle does preclude compliance with the last preceding sub-paragraph 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 300 millimetres; 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 300 millimetres; and
- (c) so that no part of the vehicle obstructs any vehicular means of ingress to or egress from premises adjacent to the side of the road on which the vehicle is waiting.

For the purposes of the last preceding sub-paragraph the expression "premises" shall not include any premises to or from which goods are being delivered or collected by virtue of the provision of paragraph (1)(g) of that Article.

#### Placing of traffic signs etc. in relation to on-street parking places

14 The Council shall:

- (a) place and maintain traffic signs indicating the limits of each parking place;
- (b) place and maintain in or in the vicinity of each parking place traffic signs of a design approved by the Secretary of State indicating that such parking places may be used during the prescribed hours for the leaving only of the vehicles specified in Article 5 (1); and
- (c) carry out such other work as it reasonably required for the purposes of the satisfactory operation of a parking place.

#### Residents' permits displayed on vehicles left in on-street parking places

15 At all times during which a vehicle (other than a vehicle otherwise exempted by this Order) is left in a parking place referred to in Schedule 1 to this Order during the prescribed hours the driver thereof shall cause to be displayed on the front or near side of the vehicle a valid residents' permit issued in respect of that vehicle so that all the particulars referred to in Article 23 are readily visible from the front or near side of the vehicle.

#### Qualifying address for entitlement to a residents' permit

16 Only those residents whose usual place of abode is at premises the postal address of which is in any street or part of any street described in Schedule 1 hereto shall be entitled to apply for a residents' permit in the manner specified in Article 17.

#### Application for and issue of residents' permits

17 (1) Any resident entitled to apply who is the owner or keeper of a vehicle of the class specified in Article 5(1) may apply to the Council for the issue of a residents' permit in respect of that vehicle and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.



- (c) the withdrawal of such residents' permit by the Council under the provisions of paragraph (2) of this Article;
  - (d) the vehicle in respect of which such residents' permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 5 (1);
  - (e) the issue of a duplicate residents' permit by the Council under the provisions of Article 21;
  - (f) the residents' permit ceasing to be valid pursuant to the provisions of paragraph (4) of this Article.
- (4) Without prejudice to the foregoing provisions of this Article and the provisions of the next following paragraph a residents' permit shall cease to be valid at the expiration of the period specified thereon or on the occurrence of any one of the events set out in paragraph (3)(a), (b), (c), (d) or (e) of this Article whichever is the earlier.
- (5) Where a residents' permit is issued to any person upon receipt of a cheque or credit card and the payment is subsequently dishonoured the residents' permit shall cease to be of any effect and the Council shall by notice in writing served on the person to whom such residents permit was issued by sending the same by recorded delivery service to the residents permit holder at an address shown by that person on the application for the residents' permit or at any other address believed to be that person's place of abode require that person to surrender the residents permit to the Council within 48 hours of the receipt of the aforementioned notice.

#### Application for and issue of duplicate residents' permits

- 21 (1) If a residents' permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the residents' permit has become altered by fading or otherwise the residents' permit holder shall either surrender it to the Council or apply to the Council for the issue to them of a duplicate residents' permit and the Council upon receipt of the residents' permit shall issue a duplicate residents' permit so marked. Upon such issue the residents' permit shall become invalid.
- (2) If a residents' permit is lost or destroyed the residents' permit holder may apply to the Council for the issue to them of a duplicate residents' permit and the Council upon being satisfied as to such loss or destruction shall issue a duplicate residents' permit so marked and upon such issue the residents' permit shall become invalid.
- (3) The provisions of this Order shall apply to a duplicate residents' permit and an application therefor as if it were a residents' permit or as the case may be an application therefor.

#### Restriction on the removal of residents' permits

- 22 Where a residents' permit has been displayed in accordance with the provisions of Article 16 no person not being the driver of the vehicle shall remove the residents' permit unless authorised to do so by the driver of the vehicle.

#### Form of residents' permits

- 23 A residents' permit shall be in writing and shall include the following particulars:
- (a) the registration mark of the vehicle in respect of which the residents' permit has been issued unless at the discretion of the Council's Designated Officer the permit has been issued as an open permit;

(2) The Council may at any time require an applicant for a residents' permit or a residents' permit holder to produce to an officer of the Council or authorised agent such evidence in respect of an application for a residents' permit made to them as they may reasonably call to verify any particulars or information given to them or in respect of any residents' permit issued by them as they may reasonably call for to verify that the residents' permit is valid.

(3) Upon receipt of an application duly made under the foregoing provisions of this Article and upon receipt of the charge specified in Part 2 of Schedule 1 hereto the Council upon being satisfied that the applicant is a qualifying resident and is the owner or keeper of a vehicle of the class specified in Article 5 (1) shall issue to the applicant therefore a residents' permit for the leaving during the prescribed hours in a parking place of the vehicle to which such residents' permit relates by the owner or keeper of such vehicle or by any person using such vehicle with the consent of the owner other than a person to whom such vehicle has been let for hire or reward.

18 The Council shall not issue a residents' permit during a period of one year to a resident in any household in respect of which 2 other residents' permits have been issued and remain valid during that period subject to the provision of Article 20.

Refund of charge paid in respect of a residents' permit

19 (1) A residents' permit holder who surrenders a residents' permit to the Council before it becomes valid shall be entitled to a refund of the charge paid in respect thereof.

(2) A residents' permit holder who surrenders a resident permit to the Council after it has become valid shall be entitled to a refund of part of the charge paid in respect thereof in accordance with the provisions of the next following paragraph.

(3) The part of the charge which refundable under the provisions of the last foregoing paragraph shall be calculated as a sum in respect of each complete month of the period specified thereon as the period during which it shall be valid which remains unexpired at the time when the residents permit is surrendered to the Council or authorised agent.

(4) The sum referred to in the last foregoing paragraph shall be fixed by the Council from time to time.

Surrender, withdrawal and validity of residents' permits

20 (1) A residents' permit holder may surrender a residents' permit to the Council at any time and shall surrender a residents' permit to the Council on the occurrence of any one of the events set out in paragraph (3) of this Article or in accordance with the provisions of paragraph (5) of this Article.

(2) The Council or authorised agent may by notice in writing served on the residents' permit holder by sending the same by the recorded delivery service to the residents' permit holder at the address shown by that person on the application for the residents' permit or at any other address believed to be that person's place of abode withdraw a residents' permit if it appears to the Council or authorised agent that any of the events set out in paragraph (3)(a), (b) or (d) of this Article has occurred and the residents' permit holder shall surrender the permit to the Council or authorised agent within 48 hours of the receipt of the aforementioned notice.

(3) The events referred to in the foregoing provisions of this Article are -

(a) the residents' permit holder ceasing to be a resident at premises in respect of which the residents' permit was issued;

(b) the residents' permit holder ceasing to be the owner of the vehicle in respect of which the residents' permit was issued;

- (b) the period during which subject to the provisions of Article 20 the residents' permit shall remain valid;
- (c) an indication that the residents' permit has been issued by the Council and
- (d) an indication of the locality within which the use of the residents' permit is valid.

### SCHEDULE 1

#### Lengths of roads in Chorleywood – Residents Permit Parking Areas

**No Waiting – Monday to Friday – 7.00am to 2.00pm. Except holders of Resident Parking Permits.**

Street Name	Side of Road	Location
Green Street East side Service Road	East	From a point approximately 13.5 metres from its junction with Green Street south-eastwards for a distance of approximately 28 metres.
Green Street East side Service Road	East	From a point approximately 48 metres from its junction with Green Street south-eastwards for a distance of approximately 17 metres.
Green Street East side Service Road	East	From a point approximately 77 metres from its junction with Green Street south-eastwards for a distance of approximately 70 metres.
Green Street West side Service Road	West	From a point approximately 16 metres from its junction with Green Street (northern end) south-eastwards for a distance of approximately 53 metres.
Green Street West side Service Road	West	From a point approximately 86 metres from its junction with Green Street (northern end) south-eastwards for a distance of approximately 76 metres.

#### Schedule 2 : No Waiting – Residents Disabled Parking Bay.

Street Name	Side of Road	Location
Green Street East side Service Road	East	From a point approximately 31.5 metres from its junction with Green Street, south-eastwards for a distance of approximately 6.5 metres.
Green Street East side Service Road	North	From a point approximately 147 metres from its junction with Green Street north-eastwards for a distance of approximately 6.5 metres.

Part 1 - Prescribed Hours  
Monday to Saturday 9 am to 5 pm except Bank Holidays

Part 2 - Scale of Charges

Parking Discs

Initial charge up to 2 hours Free

(on display of disc indicating the time of arrival)

IN WITNESS whereof the Common Seal of the Hertfordshire County Council was hereunto affixed this 5 day of October 2001

The Common Seal of  
Hertfordshire County Council  
was hereunto affixed  
in the presence of:



0199

County Secretary