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THREE RIVERS DISTRICT COUNCIL

TRAFFIC REGULATION ORDER

Croxley 2006 No. 1

THE THREE RIVERS (WINTON DRIVE, SPRINGFIELD CLOSE, GIRTON WAY AND WINTON  
APPROACH, CROXLEY GREEN) (PARKING AND WAITING RESTRICTIONS) ORDER 2006

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Made: 17 March 2006

Coming into operation: 27 March 2006

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Three Rivers District Council, pursuant to arrangements made under Section 101 of the Local Government Act 1972 with the Hertfordshire County Council, and in exercise of the powers conferred on that County under sections 1, 2, 3, 4, 32, 35, 45, 46, 47, 49, 51 and 53 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 and the Road Traffic Act 1991 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, hereby makes the following Order:

## **PART I - PRELIMINARY**

### **Citation and commencement**

- 1 This Order shall come into operation on [ ] 2006 or at a later date and may be cited as the Three Rivers (Winton Drive, Springfield Close, Girton Way And Winton Approach, Croxley Green) (Parking and Waiting Restrictions) Order 2006.

### **Interpretation**

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

"Council" means Three Rivers District Council and includes any parking services contractors 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 Rivers District Council nominated by the Head of Planning and Transportation 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 and as amended by the Local Authorities Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000;

"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;

"enactment" means any enactment, whether public general or local, and includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;

"entitled business user" means a person who occupies premises the postal address of which has been issued with a business permit by the Chamber of Commerce;

"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 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;

'motorcycle' 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, collections, 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 kept and used;

"parking attendant" means a person authorised by or on behalf of the Council to supervise any parking place;

"parking bay" means a parking area within the parking place;

"parking place" means any area on a highway 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;

"penalty charge" has the same meaning as in Section 82(1) of the Road Traffic Act 1991;

"permitted hours" means the periods of operation stated for each particular restriction within Schedules 1-4;

"protective cover" means a transparent cover designed to protect a permit displayed under the provisions of Articles 20 and 34;

"resident" means a person 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 4;

"residents' permit" means a permit issued under the provisions of Article 21;

"residents' permit holder" means a person to whom a permit has been issued under the provisions of Article 21;

"residents' visitor's permit" means a permit issued under the provisions of Article 29;

"residents' visitor's permit holder" means a person to whom a visitor's permit has been issued under the provisions of Article 29;

"special parking permit" means a permit issued under the provisions of Articles 35 and 36;

"special parking permit holder" means a person to whom a permit has been issued under the provisions of Articles 35 and 36;

"Street" means any street as listed at Schedule 4 being a qualifying address

"telecommunication system" has the same meaning as in the Telecommunications Act 1984 (c.12);

- (2) Any reference in this Order to a numbered Article or Schedule shall, unless the context otherwise requires, be construed as a reference to the Article or Schedule 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, as amended by the Local Authorities Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000.

- (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.



## **PART II - RESTRICTIONS AND PARKING PLACES**

### **Section 1 – Provisions of the Order**

#### **Designation of parking places**

- 3 (1) Each area on a highway comprising the length of carriageway of a street specified in Schedules 1 and 2 which shall be bounded on one side of that length by the edge of the carriageway and having a width throughout of 1.8 metres, is hereby designated as a parking place.
- (2) Each area on a highway comprising the length of carriageway of a street specified in Schedules 1 and 2 which shall be bounded on one side of that length by the edge of the carriageway is hereby designated as a parking place.

#### **Parts of Parking Places in which vehicles may not be left**

- 4 No person shall cause or permit any vehicle to wait in an area designated as a parking place unless authorised by the subsequent provisions of this Order

#### **Vehicles for which parking places are designated**

- 5 (1) Subject to the provisions of this Order, parking places may be used for the leaving during the permitted hours of vehicles of the following class, that is to say, passenger vehicles, 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), motor cycles and invalid carriages.
- (2) Parking places referred to in Schedules 1 and 2 may be used for the leaving during the permitted hours as specified in each schedule of such vehicles of the class specified in paragraph (1) above -
- (a) when a valid residents' permit issued in respect of that vehicle is displayed in the manner specified in Article 20; or
  - (b) when a valid residents' visitor's permit is displayed in the manner specified in Article 28(1); or
  - (c) when a valid special parking permit issued in respect of that vehicle and that parking place is displayed in a manner specified in Article 34.

**Alteration of position of a vehicle in a parking place**

- 6 Where any vehicle is standing in a parking place in contravention of the provisions of Article 9(3) or of the provisions of Article 10, a parking attendant or a traffic warden may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

**Removal of a vehicle from a parking place**

- 7 Where a traffic warden or a parking attendant is of the opinion that any of the provisions contained in Articles 13(3) or 18 have been contravened or not complied with in respect of a vehicle left in any part of a parking place they may remove or cause to be removed the vehicle from the parking place and, where it is so removed, shall provide for the safe custody of the vehicle.

**Movement of a vehicle in a parking place in an emergency**

- 8 In the case of an emergency a police constable in uniform, a traffic warden or a parking attendant may move or cause to be moved to any place they think fit, any vehicle left in a parking place or a restricted waiting area.

**Exemptions from charges under this Order**

- 9 (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 Schedules 1 and 2 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) 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 and wholly within the limits of that parking place.

### **PART III - SUPPLEMENTARY PROVISIONS**

#### **Section 1 - General**

##### **Manner of standing in a parking place**

- 10 Every vehicle left in a parking place in accordance with the foregoing provisions of this Order shall so stand 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 Schedules 1 and 2 as to be in accordance with those provisions.

##### **Power to suspend the use of a parking place**

- 11 (1) Any person duly authorised by the Council or the Police 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;
  - (b) for the purpose of any building operation, demolition or excavation adjacent to the parking place, the maintenance, improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the parking place, the laying, erection, alteration 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 system or the placing, maintenance or removal of any traffic sign;
  - (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, another office or dwelling-house;
  - (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 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.

- (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, 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 -
    - (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 therefrom, are being delivered; or
    - (ii) while postal packets are being collected for the 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 unloaded thereon;
  - (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) the vehicle is in actual use in connection with the removal of furniture to or from an office or a 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 for such longer period as a police constable in uniform, a traffic warden or a parking attendant 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 a parking place 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 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 Road Traffic Regulation Act 1984.

**Manner of waiting in a parking place**

14 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 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 Schedules 1 and 2 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 any furniture is being removed by virtue of the provisions of paragraph (1)(g) of the preceding Article or to or from which goods are being delivered or collected by virtue of the provision of paragraph (1)(h) of that Article.

**Placing of traffic signs, etc.**

15 The Council shall:

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

## **Section 2 – Penalty Charges**

### **Liability for penalty charge**

- 16 (1) If a vehicle (other than a vehicle otherwise exempted by this Order) is left within a Street during the permitted hours in contravention of any provision of this order a penalty charge shall be payable.
- (2) If a vehicle (other than a vehicle otherwise exempted by this Order) is left within a Street during the hours outside the permitted hours in contravention of any no waiting regulation a penalty charge shall be payable.
- (3) In the case of a vehicle in respect of which a penalty charge is payable, a penalty charge notice showing the information required by section 66(3) of the Road Traffic Act 1991 may be issued by a parking attendant in uniform in accordance with the requirement of section 66(1) of the said Act.

### **Manner of payment of the penalty charge**

- 17 The penalty charge shall be paid to the Council by cheque or such other method deemed appropriate by the Council which shall be delivered or sent by post to the Council at the address indicated on the penalty charge notice and in accordance with the instructions on that notice, to arrive not later than:-
- (a) the twenty-eighth day from the date of the notice; or
- (b) in the case of a reduced penalty charge, the fourteenth day from the date of the notice;

Provided that, if the said twenty-eighth day or, as the case may be, fourteenth day, falls upon a Sunday or public holiday or a day which the said Council's offices are closed, the period within which payment of the said charge shall be extended until the next full day on which the said offices are open.

### **Period for which a vehicle may be left after the penalty charge has been incurred**

- 18 The period for which a vehicle may be left in a parking place during the permitted hours after the penalty charge has been incurred shall not exceed one hour.

**Restriction on the removal of notices**

- 19 (1) Where a notice has been attached to a vehicle in accordance with the provisions of Article 16(3), no person, not being the driver of the vehicle, shall remove the notice from the vehicle unless authorised to do so by the driver of the vehicle:

Provided that nothing herein shall apply to a parking attendant or police constable in uniform or a person removing the vehicle in pursuance of an arrangement made by the police constable by or under the regulations in pursuance of powers contained in sections 99, 100, 101 and 102 of the Road Traffic Regulation Act 1984.

**Section 3 – Residents' Permits**

**Residents' Permits displayed on vehicles left in parking places**

- 20 At all times during which a vehicle (other than a vehicle otherwise exempted by this Order) is left in a parking place during the permitted hours, the driver thereof shall cause to be displayed in the protective cover on the front or near side of the vehicle a valid residents' permit relating to the Street within which that vehicle is left issued in respect of that vehicle, so that all the particulars referred to in Article 27 are readily visible from the front or near side of the vehicle.

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

- 21 (1) Any resident residing at a qualifying address as listed in Schedule 4, who is the owner of a vehicle of the class specified in Article 5(1) may apply to the Council for the issue of a residents' permit relating to the Street within which they reside 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.
- (2) The Council may at any time require an applicant for a resident's 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 paragraph (5) of this Article, the Council upon being satisfied that the applicant is a resident and is the owner of a vehicle of the class specified in paragraph (1) of this Article, shall issue to the applicant therefore a

residents' permit for the leaving during the permitted hours in a parking place of the vehicle to which such residents' permit relates by the owner 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.

- (4) The Council shall issue residents' permits subject to terms and conditions issued by the Council.
- (5) The charge referred to in paragraph (3) of this Article shall be as follows:-
  - (a) in respect of a first residents' permit which shall be valid for a period of twelve months running from the date on which the residents' permit first becomes valid, twenty pounds; except in the case of motorcycles for which the charge shall be ten pounds; or
  - (b) in respect of a second resident's permit which shall be valid for a period of twelve months running from the date on which the residents' permit first becomes valid, forty pounds, except in the case of motorcycles for which the charge shall be as for a first residents' permit as specified in Article 21(5)(a),
  - (c) in respect of any one first residents' permit or second residents' permit issued to a disabled person holding a valid disabled person's badge issued by any Local Authority, free of charge and any other residents' permit issued to a resident in the same household for any part of the same period shall be at the rate provided for in sub paragraph (a) or (b) above.

**Limit on the number of Residents' Permits to be issued to a Household**

- 22 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 24.

**Refund of charge paid in respect of a residents' permit**

- 23 A residents' permit holder who surrenders a residents' permit to the Council whether before or after it becomes valid will not be entitled to a refund of the charges paid unless the Council in its discretion considers that there are exceptional circumstances to justify refunding the charge in full or in part.

**Surrender, withdrawal and validity of residents' permits**

- 24 (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



- (3) Any person or police constable 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 at 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 23(1)(b), (d) or (e); or
  - (b) to anything done with permission of the person suspending the use of the parking place or part thereof in pursuance of paragraph (1) of this Article or a police constable in uniform.

**Restriction on the use of a parking place**

- 12 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 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 13(1)(h) apply.

**Restriction on waiting by a vehicle in a parking place**

- 13 (1) 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:
- (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;

events set out in paragraph (3) of this Article or in accordance with the provisions of paragraph (5) of this Article.

- (2) The Council 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 within the streets listed at Schedule 4 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;
  - (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 10;
  - (e) the issue of a duplicate residents' permit by the Council under the provisions of Article 25;
  - (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 or within 48 hours of the receipt of the aforementioned notice.

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

- 25 (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 and 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' original 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 original residents' permit shall become invalid.
- (3) The provisions of this Order shall apply to a duplicate residents' permit and an application therefore as if it were a residents' permit or, as the case may be, an application therefore.

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

- 26 Where a residents' permit has been displayed in accordance with the provisions of Article 20, 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.

Provided that nothing herein shall apply to a parking attendant or police constable in uniform or a person removing the vehicle in pursuance of an arrangement made by the police constable by or under regulations in pursuance of powers contained in sections 99, 100, 101 and 102 of the Road Traffic Regulation Act 1984.

**Form of residents' permits**

- 27 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;
- (b) the period during which, subject to the provisions of Article 24, 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 Street or streets as listed at Schedule 4 of this Order within which the use of the residents' permit is valid and the Street in which the resident resides if this is different.

#### **Section 4 - Residents' Visitor's Permits**

##### **Residents' visitor's permits to be displayed on vehicles left in parking places**

- 28 (1) At all times during which a vehicle (other than a vehicle otherwise exempted by this Order) is left in a parking place during the permitted hours, the driver thereof shall cause to be displayed -
- (a) in the case of a vehicle fitted with a front windscreen, a valid residents' visitor's permit so that the obverse face is directed outwards from immediately behind the window adjacent to the windscreen and nearest to the edge of the carriageway so that all the particulars referred to in paragraph (2) are readily visible from the front or near side of the vehicle;
  - (b) in the case of a vehicle not fitted with a front windscreen, a valid residents' visitor's permit so that the obverse face is directed outwards on the front or on the side nearest to the edge of the carriageway so that all the particulars referred to in paragraph (2) are readily visible from the front or near side of the vehicle.
- (2) A valid residents' visitor's permit shall indicate on the obverse face, in accordance with the instructions on the reverse face -
- (a) the hour, indicating AM or PM, minute, day, month and date in which the vehicle was first left in a parking place;
  - (b) an indication of the Street or streets as listed at Schedule 4 of this Order within which the residents' visitor's permit is valid;
  - (c) the date on which, subject to the provisions of Article 31, the residents' visitor's permit becomes invalid.

##### **Application for and issue of residents' visitor's permits**

- 29 (1) Any resident, residing at a qualifying address as listed at Schedule 4, may apply to the Council for the issue of a residents' visitor's permit for a vehicle of the class referred to in Article 5(1) and any such application shall be made on a form issued by and obtainable

from the Council and shall include particulars and information required by such form to be supplied.

- (2) The Council may at any time require an applicant for a residents' visitor's permit or a residents' visitor's permit holder to produce to an officer of the Council or authorised agent such evidence in respect of an application for a residents' visitor's permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of any residents' visitor's permit issued by them as they may reasonably call for to verify that the residents' visitor's permit is valid.
- (3) Upon receipt of an application duly made under the foregoing provisions of this Article, the Council upon being satisfied that the applicant is a resident and possesses a valid residents' permit shall issue to the applicant therefore a residents' visitor's permit for the leaving of a vehicle of the class specified in paragraph (1) above in a parking place during the permitted hours and subject to terms and conditions issued by the Council with the residents' visitor's permit.
- (4) For applications where a resident does not possess a valid resident's permit the applicant may apply for a special parking permit for visitors to use issued at the discretion of the Council.

#### **One day residents' visitor's permits**

- 30
- (1) A residents' visitor's permit shall authorise parking for up to a maximum of 1 hour from the time and date indicated on the permit, subject to Article 28. The charge shall be one pound (but fifty pence if the applicant is aged 60 years or over) per permit.
  - (2) The Council shall not during a period of one year issue a residents' visitor's permit to a resident in any household in respect of which other residents' visitor's permits have been issued with a cumulative total of 80 permits (but 160 permits if the resident is aged 60 years or over) and which have not been surrendered or withdrawn under Article 31 (2) or (3).

#### **Surrender, withdrawal and validity of residents' visitor's permits**

- 31
- (1) A residents' visitor's permit shall cease to be valid for use in accordance with Article 28 on the expiration of the date indicated on the permit.
  - (2) A residents' visitor's permit holder may surrender a residents' visitor's permit to the Council at any time and shall surrender a residents' visitor's permit to the Council on the

occurrence of the residents' visitor's permit holder ceasing to be a resident in the Street in respect of which the residents' visitor's permit was issued.

- (3) The Council may, by notice in writing served on the residents' visitor's permit holder by sending the same by the recorded delivery service to the residents' visitor's permit holder at the address shown by that person on the application for the residents' visitor's permit or at any other address believed to be that person's place of abode, withdraw a residents' visitor's permit if it appears to the Council that the residents' visitor's permit holder has ceased to be a resident and the residents' visitor's permit holder shall surrender the permit to the Council within 48 hours of the receipt of the aforementioned notice.

#### **Exchange of unused residents' visitor's permits**

- 32 A resident applying for residents' visitor's permits according to the provisions of Article 29 is not entitled to exchange unused residents' visitor's permits unless the Council in its discretion considers there are exceptional circumstances to justify an exchange in which case new residents' visitor's permits valid for the subsequent year will be supplied in exchange for the unused residents' visitor's permits.

#### **Restrictions on removal of residents' visitor's permits**

- 33 Where a residents' visitor's permit has been displayed in accordance with the provisions of Article 28, no person, not being the driver of the vehicle shall remove the residents' visitor's permit unless authorised to do so by the driver of the vehicle.

Provided that nothing herein shall apply to a parking attendant or police constable in uniform or a person removing the vehicle in pursuance of an arrangement made by the police constable by or under regulations in pursuance of powers contained in sections 99, 100, 101 and 102 of the Road Traffic Regulation Act 1984.

### **Section 5 - Special Permits**

#### **Special parking permits to be displayed on vehicles left in parking places**

- 34 At all times during which a vehicle (other than a vehicle otherwise exempted by this Order) is left in a parking place during the permitted hours, the driver thereof shall cause to be displayed on the front or near side of the vehicle the valid special parking permit issued in respect of that vehicle, so that all the particulars referred to in Article 41 are readily visible from the front or near side of the vehicle.

**Application for and issue of special parking permits**

- 35 (1) 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 parking permit in respect of a vehicle of the class specified in Article 5(1) identifying the user of the vehicle. The decision to issue a special parking permit is at the discretion of the Council's Designated Officer. Without prejudice to the generality of the Council's Designated Officer's 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.
  - (d) the applicant's exceptional employment situation which requires that the applicant's vehicle be parked of necessity for business purposes near the applicant's home
- (2) The Council may at any time require an applicant for a special parking permit or a special parking permit holder to produce to an officer of the Council or authorised agent such evidence in respect of an application for a special parking permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of any special parking permit issued by them as they may reasonably call for to verify that the special parking permit is valid.

**Terms and effect of special parking permits**

- 36 (1) A special parking permit shall be issued subject to such terms and conditions as the Council's Designated Officer shall think fit.
- (2) A special parking permit shall authorise the user of the vehicle identified by the applicant to leave the vehicle specified therein:
- (a) in any parking place, or part thereof, or any restricted waiting area, or part thereof, and
  - (b) on such day or days, during such periods and at such times during the permitted hours, and
  - (c) subject to such conditions or limitations as shall be indicated on the permit.
- (3) A special parking permit shall be valid for such a period as the Council's Designated Officer shall think fit but in any event no longer than a period of twelve months from the date the permit first becomes valid.

- (4) The Council's Designated Officer may issue any special parking permit free of charge or may make such a charge as appears to be reasonable in the circumstances of each application having due regard to the charges for resident permits.



**Refund of charge paid in respect of special parking permit**

- 37 A special permit holder who surrenders a special permit to the Council whether before or after it becomes valid will not be entitled to a refund of the charges paid unless the Council in its discretion considers that there are exceptional circumstances to justify refunding the charge in full or in part.

**Withdrawal and validity of special parking permits**

- 38 (1) The Council may, by notice in writing served on the special parking permit holder by sending the same by the recorded delivery service to the special parking permit holder at the address shown by that person on the application for the special person's place of abode, withdraw a special parking permit if it appears to the Council's Designated Officer that there are sufficient reasons to justify withdrawal of the special parking permit having regard to the circumstances of the permit holder, so far as they may be known, and the permit holder shall surrender the permit to the Council within 48 hours of receipt of the aforementioned notice.
- (2) Without prejudice to the foregoing provisions of this Article, a special parking permit shall cease to be valid at the expiration of the period specified thereon, or on the occurrence of the events set out in paragraph (1) of this Article, whichever is the earlier.
- (3) Where a special parking permit is issued to any person upon receipt of a cheque or credit card and the payment is subsequently dishonoured, the special parking permit shall cease to be of any effect and the Council shall be notice in writing served on the person to whom such permit was issued by sending the same by recorded delivery service to the permit holder at the address shown by that person on the application for the special parking permit or at any other address believed to be that person's place of abode, require that person to surrender the special parking permit to the Council within 48 hours of the receipt of the aforementioned notice.

**Application for and issue of duplicate special parking permits**

- 39 (1) If a special parking permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the special parking permit has become altered by fading or otherwise, the special parking permit holder shall either surrender it to the Council or apply to the Council for the issue to them of a duplicate special parking permit and the Council, upon receipt of the special parking permit, shall issue a duplicate special parking permit, so marked, and upon such issue the original special parking permit shall become invalid.

- (2) If a special parking permit is lost or destroyed, the special parking permit holder may apply to the Council or authorised agent for the issue to them of a duplicate special parking permit and the Council upon being satisfied as to such loss or destruction, shall issue a duplicate special parking permit, so marked, and upon such issue the original special parking permit shall become invalid.
- (3) The provisions of this Order shall apply to a duplicate special parking permit and an application therefore as if it were a special parking permit or, as the case may be, an application therefore.

#### **Restrictions on the removal of special parking permits**

- 40 Where a special parking permit has been displayed on a vehicle in accordance with the provisions of Article 34, no person, not being the driver of the vehicle, shall remove the special parking permit unless authorised to do so by the driver of the vehicle.

Provided that nothing herein shall apply to a parking attendant or police constable in uniform or a person removing the vehicle in pursuance of an arrangement made by a police constable by or under regulations in pursuance of powers contained in sections 99, 100, 101 and 102 of the Road Traffic Regulation Act 1984.

#### **Form of special parking permits**

- 41 A special parking permit shall be in writing and shall include the following particulars:
- (a) the period during which, subject to the provisions of Article 38, the special parking permit shall remain valid;
  - (b) an indication that the parking permit has been issued by the Council;
  - (c) an indication of the Street with which the special parking permit is valid.

### **PART IV - WAITING RESTRICTIONS**

#### **No waiting areas**

- 42 (1) No person shall except upon the direction or with the permission of a police constable in uniform or a traffic warden cause or permit any vehicle to wait at any time on any length of road referred to in Schedule 3 to this Order.

- (2) 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 no waiting at any time area for a period not exceeding three hours (not being a period separated by an interval of less than 1 hour from any previous period of waiting by the same vehicle in the same length of road).

**Waiting Restrictions Revoked**

- 43 The relevant sections of the Hertfordshire (Various Roads, Croxley Green) (Waiting Restrictions) (Consolidation) Order 2001 are hereby revoked insofar as they relate to the lengths of Winton Drive, Springfield Close, Girton Way and Winton Approach, Croxley Green affected by this Order.

**Exemptions on waiting by a vehicle in restricted areas**

- 44 (1) Notwithstanding the foregoing provisions of this Order any vehicle may wait during the prescribed hours in any part of a restricted area 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 there from 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 3 to this Order;
  - (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 of any building operation or demolition or excavation adjacent to the waiting restriction or

maintenance or improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the waiting restriction or the laying or erection or alteration or repair in or adjacent to the waiting restriction of any sewer or of any main 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;


(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) 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.

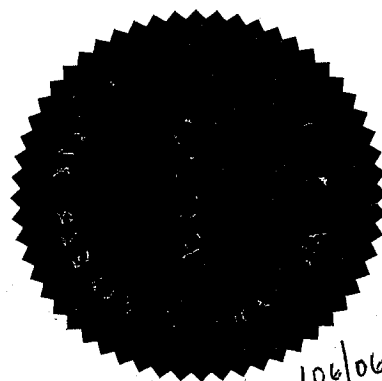
THE COMMON SEAL of THREE RIVERS

DISTRICT COUNCIL hereunto

affixed in authenticated by:



Director of Corporate Resources



106/06

### Schedules

Schedule No.	Description
1	Residents' Permit Parking Monday to Saturday (inclusive) 12 noon to 1pm, Except Bank Holidays
2	Residents' Permit Parking Monday to Saturday (inclusive) 2pm to 3pm, Except Bank Holidays
3	No Waiting At Any Time
4	Qualifying Addresses

## **SCHEDULE 1**

**Residents' Permit Parking  
Monday to Saturday (inclusive) 12 noon to 1pm  
Except Bank Holidays**

**Schedule 1: Residents' Permit Parking Monday to Saturday (inclusive) 12 noon to 1pm,  
Except Bank Holidays**

From a point 14m west of the south side of the junction of Winton Drive and Springfield Close for a distance of 84m west along Springfield Close.

From a point 172m west of the south side of the junction of Winton Drive and Springfield Close for a distance of 55m north along Springfield Close.

From a point 247m west of the south side of the junction of Winton Drive and Springfield Close for a distance of 41m east along Springfield Close.

From a point 318m west of the south side of the junction of Winton Drive and Springfield Close for a distance of 20m south along Springfield Close.

From a point 14m north east of the north west side of the junction of Winton Drive and Springfield Close for a distance of 37m north east along Winton Drive.

From a point 20m north east of the north east side of the southern junction of Winton Drive and Winton Crescent for a distance of 94m north east along Winton Drive.

From a point 21m north east of the north east side of the northern junction of Winton Drive and Winton Crescent north east along Winton Drive to a point 30m south west of the south side of the junction of Winton Drive and Girton Way.

From the north side of the junction of Winton Drive and Girton Way for a distance of 31m west along Girton Way.

From the north side of the junction of Winton Drive and Girton Way for a distance of 98m east along Winton Drive.

## **SCHEDULE 2**

**Residents' Permit Parking  
Monday to Saturday (inclusive) 2pm – 3pm,  
Except Bank Holidays**



**Schedule 2: Residents' permit parking Monday to Saturday (inclusive) 2pm – 3pm,  
Except Bank Holidays**

From a point 27m north west of the west side of the junction of Winton Approach and A412 Watford Road for a distance of 48m north west along Winton Approach.

From a point 105m north west of the west side of the junction of Winton Approach and A412 Watford Road for a distance of 38m north west along Winton Approach.

From a point 12m south west of the west side of the junction of Winton Approach and Winton Drive for a distance 487m south west along Winton Drive.

From a point 49m west of the boundary of no.2 and no.44 Springfield Close for a distance of 36m west along Springfield Close.

From a point 272m west of the boundary of no.2 and no.44 Springfield Close for a distance of 48m south along Springfield Close.

## **SCHEDULE 3**

**No Waiting At Any Time**

### **Schedule 3: No Waiting At Any Time**

From a point 18m east of the south side of the junction of Winton Drive and Springfield Close to a point 14m west of the south side of the junction of Winton Drive and Springfield Close.

From a point 128m north of the junction of Winton Drive with A412 Watford Road for a distance of 27m north along Winton Drive on the north east side.

From a point 98m west of the south side of the junction of Winton Drive and Springfield Close for a distance of 74m west along Springfield Close.

From a point 227m west of the south side of the junction of Winton Drive and Springfield Close for a distance of 20m north east along Springfield Close.

From a point 288m west of the south side of the junction of Winton Drive and Springfield Close for a distance of 30m south east along Springfield Close.

From a point 338m west of the south side of the junction of Winton Drive and Springfield Close to the north west side of the junction of Winton Drive and Springfield Close.

From the north west side of the junction of Winton Drive and Springfield Close for a distance of 14m north along Winton Drive.

From a point 51m north east of the north west side of the junction of Winton Drive and Springfield Close for a distance of 10m along Winton Drive.

From a point 10m north east of the north east side of the southern junction of Winton Drive and Winton Crescent for a distance of 10m north east along Winton Drive.

From a point 114m north east of the north east side of the southern junction of Winton Drive and Winton Crescent for a distance of 10m north east along Winton Drive.

From a point 11m north east of the north east side of the northern junction of Winton Drive and Winton Crescent for a distance of 10m north east along Winton Drive.

From the south side of the junction of Winton Drive and Girton Way for a distance of 30m south west along Winton Drive.

From the south side of the junction of Winton Drive and Girton Way for a distance of 27m north west along Girton Way.

From the east side of the junction of Winton Drive and Winton Approach for a distance of 18m east along Winton Drive. —

From a point 12m north west on the west side of the junction of Winton Approach and A412 Watford Road for a distance of 15m along Winton Approach.

From a point 75m north west of the west side of the junction of Winton Approach and A412 Watford Road for a distance of 30m north west along Winton Approach.

From the west side of the junction of Winton Approach and Winton Drive for a distance of 11m south east along Winton Approach.

From the west side of the junction of Winton Approach and Winton Drive for a distance of 12m south west along Winton Drive.

From a point in line with the boundary of no.2 and no.44 Springfield Close for a distance of 49m west along Springfield Close.

From a point 85m west of the boundary of no.2 and no.44 Springfield Close for a distance of 187m west along Springfield Close.

The Three Rivers (Winton Drive, Springfield Close, Girton Way and Winton Approach, Croxley Green) (Parking and Waiting Restrictions) Order 2006

From a point in line with the boundary of no.2 and no.44 Springfield Close for a distance of 14m north along Springfield Close.

## **SCHEDULE 4**

### **Qualifying Addresses**

#### **Schedule 4: Qualifying Addresses**

Winton Drive – 45-181 (odds) and 34-128 (plus flats adjacent to Watford Road Junction)  
Winton Approach – all dwellings  
Springfield Close – all dwellings  
Girton Way – 2 and 4 (evens only)