

**THE BOROUGH OF BROXBOURNE COUNCIL (VARIOUS OFF-STREET PARKING PLACES)
(AMENDMENT NO. 2) ORDER 2021**

The Broxbourne Borough Council ("the Council") pursuant to arrangements made under Section 19 of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 200 with Hertfordshire County Council ("the County Council") and in exercise of the powers conferred by Sections 32, 35 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the 1984 Act") 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 1984 Act hereby proposes the following:

1. This Order may be cited as "The Borough of Broxbourne Council (Various Off-Street Parking Places) (Amendment No.2) Order 2021" and shall come into operation on DDMMYYYY.

2. This Order Shall amend:

The Borough of Broxbourne (Pay and Display Parking Places) Order 2006

The Borough of Broxbourne (Wycliffe Close, Cheshunt and Goffs Oak) Pay and Display Parking Places Order 2008

The Borough of Broxbourne (Waltham Cross Playing Fields Car Park) Order 2008

The Borough of Broxbourne (Borough Offices Off-Street Parking Places Order No. 2) Order 2018

3. "The Borough of Broxbourne (Pay and Display Parking Places) Order 2006", shall amend as follows:

The following definitions shall be inserted to Article 3 (2):

"Electric Vehicle"- unless the context otherwise requires, means a vehicle designed and constructed to be propelled by electricity, supplied by a battery or other form of electrical cell or reservoir, or a plug-in hybrid electric vehicle

"Electric Vehicle Charging Parking Space" – means a part of a Parking Place which has been marked as intended for the exclusive use of an electric vehicle whilst said vehicle is being charged and at which is provided an electric vehicle charging point and is appropriately signed

"Electric Vehicle Charging Point" – means a purpose-built unit designed specifically for charging electric vehicles

After Article 34, insert the following Articles:

35. Except as provided in Article 36, no person shall, except upon the direction or with the permission of a Civil Enforcement Officer or Police Constable in uniform, cause or permit any

vehicle other than an electric vehicle to wait in the Electric Vehicle Charging Parking Space, when the vehicle is connected to the Electric Vehicle Charging Point.

36. Nothing in Article 35 of this Order shall:

(a) prohibit any person from causing or permitting a vehicle to wait or load in any of Electric Vehicle Charging Parking Space:

(i) for as long as may be necessary to enable the electric vehicle to be charged by the electric vehicle charging point;

(ii) for so long as may be necessary to enable the vehicle to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of any parking place referred to, or the laying erection, alternation or repair in or near to any of the said parking place, or any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telecommunications apparatus, as defined in the Telecommunications Act, 1984

(iii) to enable the vehicle to be used in pursuance of statutory powers and duties and in particular, but without prejudice to the generality of the foregoing, to enable the vehicle to be used in connection with police, fire brigade and ambulance purposes;

(iv) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his/her control or to such waiting being necessary in order to avoid an accident;

(b) apply to an emergency service vehicle.

4. "The Borough of Broxbourne (Wycliffe Close, Cheshunt and Goffs Oak) Pay and Display Parking Places Order 2008", shall amend as follows:

The following definitions shall be inserted to Article 2 (2):

"Electric Vehicle"- unless the context otherwise requires, means a vehicle designed and constructed to be propelled by electricity, supplied by a battery or other form of electrical cell or reservoir, or a plug-in hybrid electric vehicle

"Electric Vehicle Charging Parking Space" – means a part of a Parking Place which has been marked as intended for the exclusive use of an electric vehicle whilst said vehicle is being charged and at which is provided an electric vehicle charging point and is appropriately signed

"Electric Vehicle Charging Point" – means a purpose-built unit designed specifically for charging electric vehicles

After Article 34, insert the following Articles:

35. Except as provided in Article 36, no person shall, except upon the direction or with the permission of a Civil Enforcement Officer or Police Constable in uniform, cause or permit any

vehicle other than an electric vehicle to wait in the Electric Vehicle Charging Parking Space, when the vehicle is connected to the Electric Vehicle Charging Point.

36. Nothing in Article 35 of this Order shall:

(a) prohibit any person from causing or permitting a vehicle to wait or load in any of Electric Vehicle Charging Parking Space:

(i) for as long as may be necessary to enable the electric vehicle to be charged by the electric vehicle charging point;

(ii) for so long as may be necessary to enable the vehicle to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of any parking place referred to, or the laying erection, alternation or repair in or near to any of the said parking place, or any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telecommunications apparatus, as defined in the Telecommunications Act, 1984

(iii) to enable the vehicle to be used in pursuance of statutory powers and duties and in particular, but without prejudice to the generality of the foregoing, to enable the vehicle to be used in connection with police, fire brigade and ambulance purposes;

(iv) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his/her control or to such waiting being necessary in order to avoid an accident;

(b) apply to an emergency service vehicle.

5. "The Borough of Broxbourne (Waltham Cross Playing Fields Car Park) Order 2008", shall amend as follows:

The following definitions shall be inserted to Article 2 (2):

"Electric Vehicle"- unless the context otherwise requires, means a vehicle designed and constructed to be propelled by electricity, supplied by a battery or other form of electrical cell or reservoir, or a plug-in hybrid electric vehicle

"Electric Vehicle Charging Parking Space" – means a part of a Parking Place which has been marked as intended for the exclusive use of an electric vehicle whilst said vehicle is being charged and at which is provided an electric vehicle charging point and is appropriately signed

"Electric Vehicle Charging Point" – means a purpose-built unit designed specifically for charging electric vehicles

After Article 34, insert the following Articles:

35. Except as provided in Article 36, no person shall, except upon the direction or with the permission of a Civil Enforcement Officer or Police Constable in uniform, cause or permit any

vehicle other than an electric vehicle to wait in the Electric Vehicle Charging Parking Space, when the vehicle is connected to the Electric Vehicle Charging Point.

36. Nothing in Article 35 of this Order shall:

(a) prohibit any person from causing or permitting a vehicle to wait or load in any of Electric Vehicle Charging Parking Space:

(i) for as long as may be necessary to enable the electric vehicle to be charged by the electric vehicle charging point;

(ii) for so long as may be necessary to enable the vehicle to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of any parking place referred to, or the laying erection, alternation or repair in or near to any of the said parking place, or any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telecommunications apparatus, as defined in the Telecommunications Act, 1984

(iii) to enable the vehicle to be used in pursuance of statutory powers and duties and in particular, but without prejudice to the generality of the foregoing, to enable the vehicle to be used in connection with police, fire brigade and ambulance purposes;

(iv) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his/her control or to such waiting being necessary in order to avoid an accident;

(b) apply to an emergency service vehicle.

6. "The Borough of Broxbourne (Borough Offices Off-Street Parking Places Order No. 2) Order 2018", shall amend as follows:

The following definitions shall be inserted to Article 5:

"Electric Vehicle"- unless the context otherwise requires, means a vehicle designed and constructed to be propelled by electricity, supplied by a battery or other form of electrical cell or reservoir, or a plug-in hybrid electric vehicle

"Electric Vehicle Charging Parking Space" – means a part of a Parking Place which has been marked as intended for the exclusive use of an electric vehicle whilst said vehicle is being charged and at which is provided an electric vehicle charging point and is appropriately signed

"Electric Vehicle Charging Point" – means a purpose-built unit designed specifically for charging electric vehicles

After Article 35, insert the following Articles:

36. Except as provided in Article 37, no person shall, except upon the direction or with the permission of a Civil Enforcement Officer or Police Constable in uniform, cause or permit any

vehicle other than an electric vehicle to wait in the Electric Vehicle Charging Parking Space, when the vehicle is connected to the Electric Vehicle Charging Point.

37. Nothing in Article 36 of this Order shall:

(a) prohibit any person from causing or permitting a vehicle to wait or load in any of Electric Vehicle Charging Parking Space:

(i) for as long as may be necessary to enable the electric vehicle to be charged by the electric vehicle charging point;

(ii) for so long as may be necessary to enable the vehicle to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of any parking place referred to, or the laying erection, alternation or repair in or near to any of the said parking place, or any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telecommunications apparatus, as defined in the Telecommunications Act, 1984

(iii) to enable the vehicle to be used in pursuance of statutory powers and duties and in particular, but without prejudice to the generality of the foregoing, to enable the vehicle to be used in connection with police, fire brigade and ambulance purposes;

(iv) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his/her control or to such waiting being necessary in order to avoid an accident;

(b) apply to an emergency service vehicle.

IN WITNESS whereof the Common Seal of the Council of the Borough of Broxbourne was hereunto been affixed this DD day of MM YYYY.

The Common Seal of THE COUNCIL
OF THE BOROUGH OF BROXBOURNE
Was hereunto affixed in the presence of:

Authorised Signatory