

BROXBOURNE BOROUGH COUNCIL

THE BOROUGH OF BROXBOURNE COUNCIL (ROUNDMOOR DRIVE, CHESHUNT) (PARKING PLACE)
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 2000 with Hertfordshire County Council ("the County Council") and in exercise of the powers conferred by Sections 32 and 35, 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. (1) This Order may be cited as "The Borough of Broxbourne Council (Roundmoor Drive, Cheshunt) (Parking Place) Order 2021" and shall come into operation on DDMMYYYY.

(2) The Borough of Broxbourne Council (Roundmoor Drive, Cheshunt) (Parking Place) Order 2021 plan numbered BOB/2021/0114 herein referred to as 'the plan' is incorporated into this Order as Schedule 1.

2. **Interpretation:**

"Parking Place" means any place where Vehicles, or Vehicles of any class, may wait as set out in s.32 (4)(b) of the 1984 Act and as shown in the Key and 'the plan'

"Parking Bay" means an area contained within a Parking Place delineated by white markings to indicate the position in which a Vehicle may be parked;

"the plan" means The Borough of Broxbourne Council (Roundmoor Drive, Cheshunt) (Parking Place) Order 2021 plan numbered BOB/2021/0114 including the Key which is incorporated into this Order pursuant to Article 1(2) hereof.

"penalty charge" has the same meaning as a charge set by the Council in accordance with The Civil Enforcement of Parking Contraventions (Guidelines on levels of charges) (England) Order 2007 and the provisions of Part 6 and Schedule 9 of the Traffic Management Act 2004;

3. **Designation of Parking Place**

Those sections of road identified on "the plan" as parking place, are authorised to be used subject to the following provisions of this Order as parking place for such classes of vehicles in such positions and on such days and during such hours and to such limitations as identified on the "the plan" and as defined in the key to that plan.

4. **Leaving of vehicles in Parking Place**

(1) No person shall cause or permit any vehicle to wait in an area designated as parking place, as shown on the "the plan" and identified in the key to that plan during the permitted hours, unless authorised by the provisions of this Order or with the permission of a Designated Council Officer or Civil Enforcement Officer.

- (2) Where a person contravenes the provisions set out in Article 4(1) of this Order, the Owner of the Vehicle in question shall incur a penalty charge.

5. Manner of standing in a Parking Place

Every vehicle left in a parking place in accordance with the foregoing provisions of this Order shall so stand -

(a) 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.

(b) so that the vehicle is parked within the marked limits of the parking bay, whether those limits are indicated by road markings or contrasting surfacing

6. Exemptions to the provisions of this Order

(1) The following vehicles are exempt from the provisions of this Order:

(a) a vehicle being used for Fire and Rescue, Ambulance or Police purposes;

(b) anything done with the permission of or at the direction of a Police Constable in uniform; or with permission of a Civil Enforcement Officer as defined by the Traffic Management Act 2004 and appointed by Broxbourne Borough Council;

(c) a vehicle which is prevented from proceeding by circumstances beyond the drivers control or which has stopped in order to avoid injury or damage to persons or property or when required to do so by law;

(d) a vehicle which is stationary in order that it may be used for one or more of the purposes specified in sub-Article (2) of this Article and which cannot reasonably be used for such a purpose without stopping in the restricted area;

(e) a marked vehicle which, whilst used by a universal service provider in the course of the provision of a universal postal service, is stationary only for so long as may be reasonably necessary for postal packets to be delivered or collected;

In this Article –

The expressions “universal service provider”, “provision of a universal postal service” and “postal packet” shall bear the same meanings as in Section 65 of the Postal Services Act 2011.

(2) The “purposes” referred to in sub-Article (6)(d) of this Article are –

(a) any operation involving building, demolition or excavation;

(b) the removal of any obstruction to traffic;

(c) the maintenance, improvement or reconstruction of a road;

(d) constructing, improving, maintaining, or cleaning of any street furniture; or

(e) the laying, erection, alteration, repair or cleaning of any sewer or of any main pipe or apparatus for the supply of gas, water or electricity, or of any telecommunications apparatus kept or installed for the purposes of a telecommunications code system or of any other telecommunications apparatus lawfully kept installed in any position.

(f) a disabled person's vehicle which displays in the relevant position a disabled person's badge and a parking disc, to wait at any time in any parking place / bay as shown on and indicated in the key to 'the plan' for a period not exceeding 3 hours (not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle in the same length of road).

7. Penalty Charge Notices

- (1) Where a person contravenes any of the restrictions set out in the provisions of this Order the Owner of the Vehicle in question shall incur a penalty charge.
- (2) That charge shall be payable to Broxbourne Borough Council in accordance with the instructions contained on the Penalty Charge Notice.
8. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
9. The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any other regulations made or having effect as if made under the 1984 Act or by or under any other enactment.

SCHEDULE 1

Plan incorporated into this Order

Plan numbered BOB/2021/0114 is incorporated into this Order.

IN WITNESS whereof the Common Seal of the Council of the Borough of Broxbourne was hereunto affixed this DDMMYYYY

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

Authorised Signatory