



## Statutory Consultees

Tuesday, 08 October 2019

**Dear Sir / Madam**

**THE EAST HERTFORDSHIRE DISTRICT COUNCIL (OAK STREET, BISHOP'S STORTFORD) (DISABLED PERSONS PARKING PLACE) ORDER 2019**

I attach a copy of the Order, Notice, Statement of Reasons, and Map in relation to the above which will come into effect on 14 October 2019.

Any person wishing to question the validity of the Order, or of any provision contained in it, on the grounds that it is not within the powers conferred by the Road Traffic Regulation Act 1984, or on the grounds that any requirement of the Act or any Instrument made under it has not been complied with in relation to the Orders, may within 6 weeks from the date of this Notice apply to the High Court for this purpose. Any enquires should be sent to [Dominique.kingsbury@eastherts.gov.uk](mailto:Dominique.kingsbury@eastherts.gov.uk)

Dominique Kingsbury, Contracts Manager  
Parking Office,  
PO Box 43,  
Buntingford SG9 9WZ 01279 502036

**Yours faithfully,**  
**Lorraine Blackburn**  
**Democratic Services Officer**  
[lorraine.blackburn@eastherts.gov.uk](mailto:lorraine.blackburn@eastherts.gov.uk)

**EAST HERTFORDSHIRE DISTRICT COUNCIL**

**ROAD TRAFFIC REGULATION ACT 1984**

**THE EAST HERTFORDSHIRE DISTRICT COUNCIL (OAK STREET, BISHOP'S STORTFORD)  
(DISABLED PERSONS PARKING PLACE) ORDER 2019**

**The Council of East Hertfordshire District** ( "the Council") pursuant to arrangements made under Section 19 of the Local Government Act 2000 and the Local Government (Arrangements for 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 Part IV of Schedule 9 of the Act of 1984 and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act hereby make the following Order:

1. This Order may be cited as "The East Hertfordshire District Council (Oak Street, Bishop's Stortford) (Disabled Persons Parking Place) Order 2019" and shall come into effect on 14 October 2019.
  2. The East Hertfordshire District Council (Oak Street, Bishop's Stortford) (Disabled Persons Parking Place) plan ("the plan") identified plan EHDC/DPP/B5/01/19 is hereby incorporated into this Order.
  3. The length of road in Bishop's Stortford as shown on "the plan" EHDC/DPP/B5/01/19 incorporated into this Order and its Schedule and identified in the key to "the plan" as a disabled persons parking place, is authorised for use as parking place at any time for disabled persons vehicles which display in the relevant position a disabled persons badge and parking disc.
  4. Save as provided in Article 5 of this Order, where in Article 3 of this Order a parking place is described as authorised for use as a parking place at any time for disabled persons vehicles which display in the relevant position a disabled persons badge and parking disc, the driver of a vehicle shall not cause or permit a vehicle to wait in that parking place unless it is;
    - (a) a disabled persons vehicle on which is displayed in the relevant position a disabled persons badge and parking disc; and
    - (b) wholly parked within the marked limits of the parking place.
- 5(1) Nothing in Articles 3 or 4 of this Order applies to the length of road restricted by those Articles (which said length of road is referred to in this Article as "the restricted area") in relation to –
- (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 East Herts District 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 (1)(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.

6. In this Order -

"disabled person's vehicle" has the same meaning as in Section 142(1) of the Act of 1984;

"disabled person's badge" has the same meaning as given in Regulation 3(1) of The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000

"parking disc" has the same meaning as given in Regulation 8(5) of The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000; and

"relevant position" means has the same meaning as given in Regulation 4 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000

- 7. A vehicle left in a disabled persons parking place in contravention of Articles 3 or 4 of this Order, or left otherwise than in accordance with the provisions of this Order shall incur a penalty charge.
- 8. The provisions of the following Order are hereby revoked but only in so far as they are affected by the provisions imposed by this Order:  
  
The East Hertfordshire District Council (Control of Parking) (Consolidation) Order 2017
- 9. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
- 10. 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 Act of 1984 or by or under any other enactment.

#### SCHEDULE

The plan identified as EHDC/DPP/B5/01/19 is incorporated into this Order

GIVEN UNDER the Common Seal of the Council this 11th day of October 2019.

THE COMMON SEAL of EAST HERTFORDSHIRE DISTRICT COUNCIL  
Was hereunto affixed in the presence of



**Alison Stuart**  
**Head of Legal and Democratic Services**

14751



t, Bishop's Stortford

Disabled Persons Parking Places

; District Council

OAK STREET

BARTHOLOMEW ROAD

NEW TOWN

34

12 m

5m

24  
22

4  
2

36  
34

38

40  
42

20  
18

32

22

62

14

Disabled Persons Parking Places

75.9m

Plan No. EHDC/DDPP/E

Not to scale



## THE EAST HERTFORDSHIRE DISTRICT COUNCIL

### THE EAST HERTFORDSHIRE DISTRICT COUNCIL (OAK STREET, BISHOP'S STORTFORD) (DISABLED PERSONS PARKING PLACE) ORDER 2019

NOTICE IS HEREBY GIVEN that the East Hertfordshire District Council (pursuant to arrangement made with Hertfordshire County Council) has made the above Order under the Road Traffic Regulation Act 1984. The general effect of the Order will be to create one new disabled persons parking place to allow use by disabled badge holders in Parking Zone B5, Bishop's Stortford as specified in the Schedule to this Notice.

Documents giving more detailed particulars of the Orders may be inspected from 10 October 2019 to 22 November 2019 during normal office hours at the offices of East Herts District Council, Charrington's, Causeway, Bishop's Stortford, CM23 2ER or viewed at [www.eastherts.gov.uk](http://www.eastherts.gov.uk) from 10 October 2019

Enquiries relating to the Order should be referred to Dominique Kingsbury, East Herts District Council, Parking Services telephone 01279 502 036 or email [dominique.kingsbury@eastherts.gov.uk](mailto:dominique.kingsbury@eastherts.gov.uk)

Any person wishing to question the validity of the Order, or of any provision contained in it, on the grounds that it is not within the powers conferred by the Road Traffic Regulation Act 1984, or on the grounds that any requirement of the Act or any Instrument made under it has not been complied with in relation to the Orders, may within 6 weeks from the date of this Notice apply to the High Court for this purpose.

**Schedule: Length of Road, Parking Place for Disabled Persons – at any time – the section of road herein listed and as set out in the Order and accompanying plans: Part of Oak Street**

East Hertfordshire District Council  
Wallfields  
Pegs Lane  
Hertford  
SG13 8EQ



## **STATEMENT OF REASONS FOR PROPOSING**

### **THE EAST HERTFORDSHIRE DISTRICT COUNCIL (OAK STREET, BISHOP'S STORTFORD) (DISABLED PERSONS PARKING PLACE) ORDER 2019**

East Hertfordshire District Council is currently reviewing the use of disabled persons parking places throughout the District, especially within permit parking zones and seeks to create one new disabled persons parking place which will be opened up for blue badge holder only use.

Parking Zone B5 in Bishop's Stortford is one such parking zone which has a lack of parking places of this type and so this proposal seeks to install one new disabled persons parking place in Oak Street, 12 metres from the junction of Bartholomew Road.

Therefore, having also considered the duty imposed under Section 122 Road Traffic Regulation Act 1984, it appears to the Council that this Order is necessary to relieve or prevent congestion of traffic and to provide additional parking facilities for Disabled Persons vehicles.

All the proposed measures have been subject to consultation with local and County Councillors representing the area and Hertfordshire County Council. The local Police, Ambulance and Fire & Rescue Services, Hertfordshire County Council Passenger Transport Unit, local residents and businesses have also been consulted.



