

## WELWYN HATFIELD BOROUGH COUNCIL

### THE BOROUGH OF WELWYN HATFIELD (TOLMERS GARDENS AND CHURCH CLOSE, CUFFLEY) (RESTRICTION OF WAITING AND PERMIT PARKING ZONES) ORDER 2015

NOTICE IS HEREBY GIVEN that the Welwyn Hatfield Borough Council (pursuant to arrangement made with Hertfordshire County Council) proposes to make the above Order under the Road Traffic Regulation Act 1984 to introduce restrictions in Tolmers Gardens and Church Close, Cuffley, as specified in the Schedule(s) to this Notice.

Full details of the proposals are contained in the draft Order, the plans and the statement of reasons which may be inspected during normal office hours at the offices of Welwyn Hatfield Borough Council, The Campus, Welwyn Garden City or viewed at [www.welhat.gov.uk](http://www.welhat.gov.uk) from 18<sup>th</sup> November 2015.

General enquiries relating to the proposals should be referred to Miss V Hatfield, Parking and Cemeteries Services Manager, Council Offices, Welwyn Garden City, AL8 6AE (01707 357000); email [contact-whc@welhat.gov.uk](mailto:contact-whc@welhat.gov.uk)

Objections to the proposals should be made in writing to Pam Kettle, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE by 9<sup>th</sup> December 2015, stating the grounds on which they are made.

#### **SCHEDULE 1 No waiting at any time - those sections of roads listed below as set out in the Order and accompanying plans**

- Tolmers Gardens, Cuffley
- Church Close, Cuffley

#### **SCHEDULE 2 Permit Parking Places Monday to Saturday 9am - 5pm, those sections of road listed below as set out in the Order and accompanying plans**

- Tolmers Gardens, Cuffley

#### **SCHEDULE 3 Permit Parking Places Monday to Friday 11am - 1pm, those sections of road listed below as set out in the Order and accompanying plans**

- Church Close, Cuffley

#### **SCHEDULE 4 Eligible Addresses for Parking Permits and Parking Vouchers**

Parking Zone Name	PZ Code	Eligible Addresses
Tolmers Gardens	E 02	Odd numbers 1-29, Even numbers 2-28
Church Close	E 03	Odd numbers 1-13, Even numbers 2-14

#### **SCHEDULE 5: Allocation of Parking Permits and Parking Vouchers**

Permit Type	Limit
Resident Permit	No limit
Resident Permit for motorcycle	No limit
Business Permit	1 permit with a maximum of 2 vehicle registration numbers
Visitor Voucher	20 x Daily Vouchers only. Maximum purchase 240 days per year
Doctors/Health Visitor Permit	Allocated at Council's discretion
Special Permit	Allocated at Council's discretion
Contractor Permit	Allocated at Council's discretion

## **SCHEDULE 6: Charges for Parking Permits and Parking Vouchers**

<b>Application Type</b>	<b>Charges</b>
Resident Permit for disabled driver	First permit Free
Resident Permit for motorcycle	£10 per annum
Resident Permit for first car	£25 per annum
Resident Permit for second car	£40 per annum
Resident permit for third or subsequent cars	£60 per annum
Business permit	£225 per annum
Visitor Voucher	50p per day or 25p per day to residents receiving state pension sold in whole books only
Doctors/Health Visitor Permit	£20
Special Permit	Charged at council's discretion
<b>Administration Type</b>	<b>Charges</b>
Refund Parking Permit and Vouchers	£5
Duplicate/replacement Parking Permit	£5
Duplicate/replacement Parking Voucher	£5

## **SCHEDULE 7: Refunds**

<b>Permit Type</b>	<b>Refund</b>
Resident permit for motorcycle	Pro rata to the nearest month on amounts above £5
Resident permit for first car	Pro rata to the nearest month on amounts above £5
Resident permit for second car	Pro rata to the nearest month on amounts above £5
Resident permit for third or subsequent cars	Pro rata to the nearest month on amounts above £5
Business permit	Pro rata to the nearest month on amounts above £5
Visitor Voucher	Cost of whole books only
Doctors/health Visitor Permit	Pro rata to the nearest month on amounts above £5
Special Permit	Pro rata to the nearest month on amounts above £5

Pam Kettle, Director of Finance and Operations,  
Council Offices, The Campus, Welwyn Garden City, Herts AL8 6AE  
18<sup>th</sup> November 2015

**WELWYN HATFIELD BOROUGH COUNCIL**  
**STATEMENT OF REASONS FOR PROPOSING**

**THE BOROUGH OF WELWYN HATFIELD (TOLMERS GARDENS AND CHURCH CLOSE,  
CUFFLEY) (RESTRICTION OF WAITING AND PERMIT PARKING ZONES) ORDER 2015**

Welwyn Hatfield Borough Council is proposing to introduce a resident permit parking zone and waiting restrictions in Tolmers Gardens and Church Close, Cuffley.

The residents in the above roads were consulted in spring 2015 on proposed restrictions to prevent parking on junctions and congestion. Residents expressed concerns about commuter parking, lack of available parking and obstruction to residents' properties; extensive consultation was carried out with residents residing in the above roads.

Having considered the duty imposed by Section 122 Road Traffic Regulation Act 1984, Welwyn Hatfield Borough Council consider that it is necessary and expedient to make Orders for the following reasons:-

- In order to provide suitable and adequate parking facilities
- For the purposes of relieving or preventing congestion of traffic.
- For the avoidance of danger to persons or other traffic using the road and preventing the likelihood of any such danger arising.

The proposed new restrictions are as follows;

In parts of Tolmers Gardens, Cuffley – Permit Area E 02

1. No waiting at any time
2. No waiting Monday – Saturday 9am – 5pm

In parts of Church Close, Cuffley – Permit Area E 03

1. No waiting at any time
2. No waiting Monday – Friday 11am – 1pm

The proposal has been subject to consultation with local and county councillors representing the area and Hertfordshire County Council. The local Police, Ambulance, Fire and Rescue Services, local residents and businesses have also been consulted.

Pam Kettle  
Director of Finance and Operations  
Welwyn Hatfield Borough Council  
Council Offices, The Campus, Welwyn Garden City, Herts AL8 6AE  
18<sup>TH</sup> November 2015

## WELWYN HATFIELD BOROUGH COUNCIL

### ROAD TRAFFIC REGULATION ACT 1984

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#### THE BOROUGH OF WELWYN HATFIELD (TOLMERS GARDENS AND CHURCH CLOSE, CUFFLEY) (RESTRICTION OF WAITING AND PERMIT PARKING ZONES) ORDER 2015

The Welwyn Hatfield Borough Council (hereinafter referred to as "the Council") pursuant to arrangements made with Hertfordshire County Council ("the County Council") under Section 19 of the Local Government Act 2000 and the Local Government (Arrangements for Discharge of Functions) (England) Regulations 2000 in exercise of the powers conferred on the said County Council by Sections 1, 2, 3, 4, 45, 46, 47, 49 and 53 of the Road Traffic Regulation Act 1984 ("the Act of 1984") 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 Act of 1984 hereby makes the following Order:-

#### Commencement

- 1) This Order shall come into operation on XXXXXXXX 2015 and may be cited as **The Borough of Welwyn Hatfield (Tolmers Gardens, Church Close, King James Avenue and Tolmers Road, Cuffley) (Restriction of Waiting and Permit Parking Zones) Order 2015** hereinafter referred to as "this Order".

#### Interpretation

- 2) In this Order :-

"Business Permit" means a permit issued in accordance with Article 12 of this order;

"Disabled Person" means a disabled person of a description prescribed by regulation 4 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 SI 682;

"Disabled Person's Badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 SI 682;

"Disabled Person's Vehicle" means a vehicle lawfully displaying a disabled person's badge and which is a vehicle which, immediately before or after any period of waiting allowed by virtue of a provision of a kind required by regulation 8 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 SI 683, has been or is to be driven by a disabled person or, as the case may be, has been or is to be used for carrying disabled persons as passengers;

"Civil Enforcement Officer" is a Civil Enforcement Officer as defined by the Traffic Management Act 2004 and appointed by Welwyn Hatfield Borough Council;

"Contractor Permit" means a permit issued in accordance with the Article 15 of this Order;

"Doctors/Health Visitor" means a permit issued in accordance with the Article 13 of this Order;

"Driver" means the person driving the vehicle at the time it was left in the parking place;

"Eligible Address" means any postal address which is listed in Schedule 1 to this

Order and therefore indicates that the resident or entitled business user may apply for a Parking Permit and/or Parking Vouchers;

"Entitled Business User" means a person who occupies premises the postal address of which is an eligible address as listed in Schedule 1 and which has no off-street parking space provided or authorised by any planning consent related to the premises and who is liable for payment of business rates on that premises;

"Household" means a dwelling with a separate entry on the Council's Council Tax register;

"Motor Vehicle" has the same meaning as in Section 136(1) of the Act of 1984;

"Motor Cycle" has the same meaning as in Section 185(1) of the Road Traffic Act 1988;

"Owner" has the meaning assigned to it by s 82. (2) and (3) of the Road Traffic Act 1991;

"Parking Permit" means a Resident Permit, Business Permit, Contractor Permit, Doctor/Health Visitor Permit or Special Permit issued by the Council under the provisions of this Order;

"Parking Voucher" means a Visitor Voucher issued by the Council under the provisions of this order and bearing printed instructions for its validation on the front face;

"Parking Zone" or "PZ" refers to all the Parking Places in a specified area indicated by name or alphanumeric code which are to be used only by vehicles displaying a valid Parking Permit or Parking Voucher for that specified area during the permitted hours of operation and which are listed in Schedules 3 and 4 to this Order;

"Pensioner" means any resident who is in receipt of a state pension.

"Permit Holder" means a person to whom a Parking Permit and/or a Parking Voucher has been issued;

"Permitted Hours" means a period specified for each parking place during which the waiting by vehicles of a specific class is permitted as specified in the Schedules to this Order;

"Relevant Position" means on the dashboard or fascia of the vehicle or where the vehicle is not fitted with a dashboard or fascia in a conspicuous position on the nearside of the vehicle, or if the vehicle is one being used by a disabled person has the same meaning as given in Regulation 4 of The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"Resident" means a person whose usual place of abode is an eligible address listed in Schedule 1 to this Order;

"Resident Permit" means a permit issued to a resident in accordance with Article 10 of this order;

"Special Permit" means a permit issued in accordance with Article 14 of this order;

"Vehicle" means motor vehicle or motor cycle

### Restriction of waiting

- 3) Save as provided in Articles 40, 41 and 42 of this Order no person shall, except upon the direction of or with the permission 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 Welwyn Hatfield Borough Council, cause or permit any vehicle to wait at any time on the sides or in the lengths of road specified in Schedule 2 to this Order.

### Designation of Permit and Voucher Parking Places

- 4) Subject to the provisions of this Order, Permit Parking Places may be used for the leaving during the permitted hours of vehicles of the following class, that is to say, passenger vehicles (the overall height of which does not exceed 2.3 metres and the overall length of which does not exceed 5.25 metres), 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), motorcycles and disabled persons vehicles (on which must be displayed the relevant parking disc) that display a valid Permit or Voucher in the relevant position).
- 5) Each length of road listed in Schedules 3 and 4 to this Order is designated as a parking place for permit and voucher holders on the days and between the hours specified in those schedules.
- 6) Save as provided in Articles 40, 41 and 42 of this Order no motor vehicle may be parked in a parking place specified in Schedules 3 and 4 to this Order during the permitted hours without a valid Parking Permit, or valid Parking Voucher being displayed in the relevant position.
- 7) Where a motor vehicle is parked in contravention of Article 6 to this Order the owner of any such motor vehicle shall be issued with a penalty charge notice.
- 8) The absence of a Parking Permit or Parking Voucher from a motor vehicle left in a parking place shall be evidence of the fact that a Parking Permit or Parking Voucher has not been purchased by the driver of the vehicle.
- 9) Permits to be displayed on vehicles left in a parking place at all times; when a vehicle is left in a parking place during the permitted hours, the driver thereof shall cause to be displayed in the relevant position a valid permit issued in respect of that vehicle, so that all the particulars referred to in Article 20 are readily visible from the front of the vehicle

### Eligibility for a Parking Permit or Parking Vouchers

- 10) Any resident who is the owner of a motor vehicle or has access to a company vehicle or hired vehicle may apply to the Council for the issue of a **Resident Permit** for each such vehicle in their ownership or control, subject to the maximum Parking Permit allocation per household set out in Schedule 5 to this Order.
- 11) Any resident may apply to the Council for the issue of **Visitor Vouchers**, up to the maximum annual allocation per household of the number of hours specified in Schedule 5 to this Order.
- 12) Any entitled business user may apply to the Council for the issue of one **Business Permit** in respect of no more than two vehicles required for the operation of the business.
- 13) Any agency, professional practice or organisation which manages local doctors, midwives, district nurses, health visitors and various other essential domiciliary

medical or caring personnel may apply for the issue of a **Doctor/Health Visitor Permit** for the use of these personnel when visiting households in the roads specified in Schedule 1 to this Order. Where possible, such permits will be issued to a particular vehicle. The decision to issue a Doctor/Health Visitor Permit and whether it will be issued to a vehicle, to an individual or to an agency, professional practice or organisation will be at the discretion of the Council.

- 14) 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 Permit** in respect of a vehicle identifying the user of the vehicle. The decision to issue a special parking permit is at the discretion of the Council. Without prejudice to the generality of the Council 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.
- 15) Any contractor carrying out works on an eligible address will be able to apply for a **Contractor Permit**. The decision to issue a Contractor Permit and whether it will be issued to a vehicle or organisation will be at the discretion of the Council.

#### Application for a Parking Permit or Parking Vouchers

- 16) Application for a Parking Permit or Parking Vouchers will be made on a form issued by and obtainable from the Council. The form must be completed and returned accompanied by a payment for the charge specified in Schedule 6 of this Order and by such documentary evidence of entitlement in respect of an application for a Parking Permit or Parking Vouchers made to them as the Council may reasonably request to verify any particulars or information given to them.
- 17) On receipt of a properly completed application and fee where appropriate the Council shall issue to the appropriate applicant a Parking Permit or Parking Vouchers provided that the applicant qualifies for the Parking Permit or Parking Vouchers
- 18)
  - a) Where a Parking Permit or Parking Vouchers are issued to any person upon receipt of a cheque or credit/debit card details and the payment is subsequently dishonoured, the Parking Permit or Parking Voucher shall immediately cease to be valid.
  - b) The Council will serve notice by recorded delivery on the person to whom the Parking Permit or Parking Voucher was issued at the address shown by the applicant on the application form or at any other address believed to be the applicant's place of abode, requiring that person to surrender the Parking Permit or Parking Voucher, to the Council within 48 hours of the receipt of the notice.

#### Charges for Parking Permits and Parking Vouchers

- 19) The charges for a Parking Permit and Parking Vouchers shall be as specified in Schedule 6 to this Order.
- 20) The charges for a Parking Permit and Parking Vouchers may be amended by the Local Authority giving notice in accordance with section 46A of the Act of 1984.

#### Form of Parking Permit and Parking Voucher

- 21)
  - a) A Parking Permit shall be in writing and shall include the following particulars:
    - i) a serial number by which the Permit Holder may be identified;

- ii) the registration number(s) of the vehicle(s) for which the Parking Permit is issued
  - iii) the expiry date;
  - iv) an authentication that the Parking Permit has been issued by the Council;
  - v) an alphanumeric code to identify the Parking Zone.
- b) A Parking Voucher shall be in writing and shall include the following particulars:
- i) a serial number by which the Permit Holder may be identified;
  - ii) the day, date, month and year of commencement;
  - iii) an authentication that the Parking Voucher has been issued by the Council
  - iv) an alphanumeric code to identify the Parking Zone.

#### Surrender, Withdrawal and Validity of a Parking Permit or Parking Voucher

- 22) A Permit Holder may surrender a Parking Permit or Parking Vouchers to the Council at any time.
- 23) The Council may by notice served by recorded delivery on the Permit Holder at the address shown by that person on the application form or at any other address believed to be that person's place of abode, withdraw a Parking Permit or Parking Vouchers, if it appears to the Council that:-
- a) the Permit Holder has ceased to be eligible to hold a Parking Permit or Parking Vouchers under the provisions of Articles 10 to 14 of this order
  - b) the vehicle or motorcycle in respect of which a Parking Permit was issued has been adapted or used in such a manner that it is no longer a vehicle for which a Parking Permit can be issued;
  - c) the details on the Parking Permit or Parking Vouchers as described in Articles 20a) and 20b) of this Order have been deliberately altered.
- 24) A Parking Permit will be valid only if displayed on the vehicle or motorcycle to which the Parking Permit relates in the relevant position.
- 25) A Parking Voucher will be valid only if displayed on a vehicle or a motor cycle in the relevant position correctly marked in accordance with the instructions for validation on the front face.
- 26) A Parking Permit shall cease to be valid at midnight on the specified expiry date or on the date the Council withdraws the Parking Permit by notice, whichever is the earlier.
- 27) The Council will not make any refund for the withdrawal of a Parking Permit or Parking Vouchers.
- 28) The Council will refund part of the cost of a Parking Permit which has been surrendered, if not less than one month remains before the expiry date, the amount of refund to be as specified in Schedule 7 to this Order and subject to an administration charge as specified in Schedule 6 to this Order.
- 29) The Council will refund the cost of whole books of parking vouchers which are surrendered before their expiry date subject to an administration charge as specified in Schedule 6 to this Order.

#### Application for and the issue of a Duplicate Parking Permit or Parking Vouchers

- 30) The Council will issue a duplicate or replacement Parking Permit or Parking vouchers in the following circumstances:
- a) If a Parking Permit is mutilated or accidentally defaced or the figures or particulars on it have become illegible or the colour of the Parking Permit has faded or altered, the



Permit Holder shall surrender it to the Council. If the Parking Permit is accompanied by an application for a replacement Parking Permit, a duplicate Parking Permit shall be issued and the original Parking Permit shall become invalid.

- b) If a Parking Permit is lost or destroyed, the Permit Holder may apply to the Council for the issue of a duplicate. If the Council is satisfied as to the loss or destruction of the Parking Permit, a duplicate will be issued.
- c) If a Permit Holder acquires a new vehicle or motorcycle, the Permit Holder shall surrender the original Parking Permit to the Council and make an application for a new Parking Permit and the original Parking Permit shall become invalid.
- d) If Parking Vouchers are lost or destroyed, the Permit Holder may apply to the Council for the issue of duplicates. If the Council is satisfied as to the loss or destruction of the Parking Vouchers, duplicates will be issued, on receipt of a new application and the appropriate fee specified in Schedule 6 This article applies to whole books of Parking Vouchers only.
- e) The Council will make an administration charge for the issue of a duplicate Parking Permit or duplicate Parking Vouchers as set out in Schedule 6 to this order.

#### Restriction on the removal of a Residents Parking Permit

- 31) Where a Parking Permit or Parking Voucher, has been displayed on or attached to a motor vehicle in accordance with the provisions of Article 6 of this Order, no person other than the driver of the motor vehicle or a Civil Enforcement Officer shall remove the Parking Permit or Parking Voucher from the motor vehicle unless authorised to do so by the driver of the motor vehicle.

#### Power to Suspend use of Parking Places

- 32) Any person authorised by the Council may suspend the use of a parking place whenever he considers 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 in or adjacent to the parking place or the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, removal 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 apparatus or traffic sign; or
  - (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion for the removal of furniture from one office or dwelling house to another place; 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; or
  - (f) for the purpose of facilitating the cleansing of the parking place.

#### Manner of standing in a parking place

- 33) Every vehicle left in a parking place in accordance with the foregoing provisions of this Order shall so stand:
  - (a) In 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 listed in Schedules 3 and 4 of this Order, 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 parallel to the left-hand edge of the carriageway;

- (ii) That the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 50 centimetres;
- (c) In the case of a vehicle left in a parking place as listed in Schedules 3 and 4 of this Order, that every part of the vehicle is within the limits of a parking place.

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

- 34) 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 his skill in handicraft or his services in any other capacity. Provided that nothing in this Article shall prevent the sale of goods from a vehicle 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.

#### Alteration of position of a vehicle in a parking bay

35. Where any vehicle is standing in a parking bay in contravention of the provisions of Article 32, a Police Constable in uniform or a Civil Enforcement Officer may cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

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

36. A Police Constable in uniform or a Civil Enforcement Officer may cause to be moved, in case of an emergency, to any place he thinks fit any vehicle left in a parking place.

#### Restrictions on the removal of Penalty Charge Notices

- 37) (a) Where a Penalty Charge Notice has been attached to a vehicle no person other than the driver of the vehicle, a Civil Enforcement Officer or a Police Constable in uniform shall remove the permit or ticket from the vehicle unless authorised to do so by the driver of the vehicle.
- (b) Provided that nothing herein shall apply to a Civil Enforcement Officer or a Police Constable in uniform or a person removing the vehicle in pursuance of an arrangement made by a Police Constable or a Civil Enforcement Officer by or under regulations in pursuance of powers contained in Sections 99, 100, 101 and 102 of the Road Traffic Regulation Act 1984.

#### Installation of and placing of traffic signs, etc

- 38) The Council shall:-
- (a) Place and maintain traffic signs indicating the limits of each parking place; and place and maintain in or in the vicinity of each parking place as listed in Schedule 3 and 4 of this Order, traffic signs indicating that such parking places may be used during the permitted hours for the leaving of the vehicles specified in Article 4; and
  - (b) Carry out such other work as is reasonably required for the purposes of the satisfactory operation of a parking place.

#### Penalty Charges

- 39) (1) Where a person contravenes the prohibitions and requirements set out in the provisions of this Order, the owner of the vehicle in question shall incur a penalty

charge

- (2) The penalty charge shall be payable to the Welwyn Hatfield Borough Council in accordance with the instructions contained on the penalty charge notice.

Exemptions to the provisions of this Order

- 40) It shall not contravene Articles 3 and 6 of this Order to cause or permit any vehicle to wait in the parts of the road referred to therein for so long as may be reasonably necessary to enable:-
- a) goods to be loaded on or unloaded from the vehicle
  - b) a person to board or alight from the vehicle;
  - c) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely:-
    - i) building, industrial or demolition operations;
    - ii) the removal of any obstructions to traffic;
    - iii) the maintenance, improvement or reconstruction of the said roads;
    - iv) 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.
  - d) the vehicle if it cannot conveniently be used for such purpose in any other road to be used in the service of a local authority or water authority in pursuance of statutory powers or duties.
  - e) the vehicle to be used for fire brigade, ambulance or police purposes;
  - f) the vehicle to be used by a universal service provider in the course of the provision of a universal postal service for the purpose of delivering or collecting postal packets.

In this Article -

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

- 41) It shall not contravene Articles 3 and 6 of this Order to cause or permit a vehicle to wait in the part of the road referred to therein if the vehicle is prevented from proceeding by circumstances beyond the driver's control or if the driver of the vehicle has stopped in order to avoid injury or damage to persons or property or is required to do so by law.
- 42) (1) Nothing in Article 3 of this Order shall render it unlawful to cause or permit 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 the lengths of road specified in Schedule 2 of this Order 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).
- (2) Nothing in Article 6 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge and a parking disc, to park in a parking place specified in Schedules 3 and 4 to this Order during the permitted hours.
- 43) The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.
- 44) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an act of parliament.

- 45) The provisions of the following Order(s) are hereby revoked but only in so far as they are affected by the restrictions imposed by this Order -

The Borough of Welwyn Hatfield (Control of Parking) (Consolidation) Order 2012

<b>Schedule 1: Parking Zone</b>		
Parking Zone Name	PZ Code	Eligible addresses
Tolmers Gardens	<b>E 02</b>	Odd numbers 1-29, Even numbers 2-28
Church Close	<b>E 03</b>	Odd numbers 1-13, Even numbers 2-14

<b>Schedule 2: No waiting at anytime</b>		
Church Close (west side)		From a point in line with the northeast kerb line of King James Avenue northwards then north eastwards for approximately 44 metres to a point in line with the boundary between number 6 King James Avenue and number 1 Church Close
Church Close (east side)		From a point in line with the northeast kerb line of King James Avenue northwards for 12 metres
Tolmers Gardens (Both sides)		From a point in line with the southwest kerb line of Tolmers Road southwest for approximately 33 metres to a point in line with the boundary between numbers 2 and 3 Tolmers Garden
Church Close (east side)		From a point 23 metres northwest of a point in line with the boundary between numbers 2 and 3 north then north eastwards for 9.2 metres
Church Close (west side)		From a point 23 metres northwest of a point in line with the boundary between numbers 2 and 3 north westwards for 10.2 metres

<b>Schedule 3: Permit Monday to Friday 11am to 1pm</b>		
Church Close (southwest side)		From a point in line with boundary between number 6 King James Avenue and number 1 Church Close north westwards for approximately 71 metres to a point 23 metres northwest of a point in line of the boundary between numbers 2 and 3 Church Close
Church Close (east side)		From a point 15.5 metres north of a point in line with the boundary between numbers 11 and 12 south then southeast then south west for approximately 104 metres to a point 12 metres north of a point in line with the northeast kerb line of King James Avenue
Church Close (north side)		From a point in line with the boundary between numbers 6 and 8 southwest then west for 11.4 metres

<b>Schedule 4: Permit Monday to Saturday 9am to 5pm</b>		
Tolmers Gardens (both sides)		The entire length excluding the first 33 metres from a point in line with the southwest kerb line of Tolmers Road to a point in line with the boundary between numbers 2 and 3 Tolmers Garden

<b>Schedule 5: Allocation of Parking Permits and Parking Vouchers</b>	
<b>Permit Type</b>	<b>Limit</b>
Resident Permit	no limit
Resident Permit for motorcycle	no limit
Business Permit	1 permit with a maximum of 2 vehicle registration numbers
Visitor Voucher	20 x Daily Vouchers only Maximum purchase 240 days per year.
Doctors/ Health Visitor Permit	allocated at Council's discretion
Special Permit	allocated at Council's discretion
Contractor Permit	allocated at Council's discretion

<b>Schedule 6: Charges for Parking Permits and Parking Vouchers *</b>	
<b>Application type</b>	<b>Charges</b>
Resident Permit for disabled driver	First permit Free
Resident Permit for motorcycle	£10 per annum
Resident Permit for first car	£25 per annum
Resident Permit for second car	£40 per annum
Resident Permit for third or subsequent cars	£60 per annum
Business Permit	£225 per annum
Visitor Voucher	50p per day or 25p per day to residents receiving state pension sold in whole books only.
Doctors/ Health Visitor Permit	£20
Special Permit	charged at council's discretion
Contractor Permit	£18 per month
<b>Administration type</b>	<b>Charges</b>
Refund Parking Permit and vouchers	£5
Duplicate/replacement Parking Permit	£5
Duplicate/replacement Parking Voucher	£5 whole books only

\* The charges for Parking Permits and Visitor Tickets are subject to variation at the Council's discretion giving notice in accordance with section 46A of the Act of 1984

<b>Schedule 7: Refunds</b>	
<b>Permit Type</b>	<b>Refund</b>
Resident Permit for motorcycle	pro rata to the nearest month on amounts above £5

Resident Permit for first car	pro rata to the nearest month on amounts above £5
Residents Permit for second car	pro rata to the nearest month on amounts above £5
Resident Permit for third or subsequent cars	pro rata to the nearest month on amounts above £5
Business Permit	pro rata to the nearest month on amounts above £5
Visitor Voucher	Cost of whole books only
Doctors/ Health Visitor Permit	pro rata to the nearest month on amounts above £5
Special Permit	pro rata to the nearest month on amounts above £5
Contractor Permit	pro rata to the nearest month on amounts above £5

GIVEN under the Common Seal of the Welwyn Hatfield Borough Council this .

THE COMMON SEAL of the WELWYN )  
HATFIELD BOROUGH COUNCIL was )  
hereunto affixed in the presence of:- )

Mayor

Authorised Officer

Appendix C