

**THE NORTH HERTFORDSHIRE DISTRICT COUNCIL
(SOUBERIE AVENUE, LETCHWORTH) (RESTRICTION OF WAITING)
ORDER 2024**

Date of Order: #####
Order No: MH/23/00052/TRO/SOUBERIE

North Hertfordshire District Council (“the Council”) pursuant to arrangements made under section 19 of the Local Government Act 2000 & the Local Government (Arrangements for the Discharge of Functions) (England) Regulations 2000 with Hertfordshire County Council, and in exercise of their powers under sections 1, 2, 3, 4, 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 make the following Order:-

Commencement

1. This Order shall come into force on ##### and may be cited as The North Hertfordshire District Council (Souberie Avenue, Letchworth) (Restriction of Waiting) Order 2024.
2. The North Hertfordshire District Council (Souberie Avenue, Letchworth) (Restriction of Waiting) Order 2024 Plan numbered MH/23/00052/TRO/SOUBERIE hereinafter referred to in this Order as the “accompanying plan” as listed in the Schedule to this Order, is incorporated into this Order.
3. **Interpretation –**
In this Order, except where the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them;

“accompanying plan” is the plan numbered MH/23/00052/TRO/SOUBERIE inclusive of its key, which is incorporated into this Order as set out in Article 2 and the Schedule;

“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” has the same meaning as given in Regulation 4 of The Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000

“postal packet” shall bear the same meaning as in Section 65 of the Postal Services Act 2011.

“provision of a universal postal Service” shall bear the same meaning as in Section 65 of the Postal Services Act 2011.

“universal service provider” shall bear the same meaning as in Section 65 of the Postal Services Act 2011.
4. Save as provided in Articles 5, 6 and 7 of this Order no person shall cause or permit any Vehicle to wait, on areas of Road or sides of the Road as shown on the “accompanying plan”, where waiting is not allowed as identified and shown on the “accompanying plan” and its key thereof.
5. Nothing in Article 4 of this Order applies 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 North Herts District Council.
 - (c) a vehicle which is being used for one or more of the following purposes and which cannot reasonably be used for such a purpose without stopping in the lengths of road restricted by that Article;
 - (i) any operation involving building, demolition or excavation;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of a road;
 - (iv) constructing, improving, maintaining, or cleaning of any street furniture; or
 - (v) 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) a marked vehicle which, whilst used by a universal service provider in the course of the provision of a universal postal service, is waiting only for long as is reasonably necessary to enable postal packets to be delivered or collected.
6. Nothing in Article 4 of this Order applies to the lengths of road restricted by that Article (which said lengths of road are referred to in this Article as “the restricted area”) so as to render it unlawful to cause or permit any vehicle to wait only for so long as may be reasonably necessary –

- (a) to enable goods to be loaded on or unloaded from the vehicle from or to premises adjacent to the restricted area; or
 - (b) to enable a passenger to board or alight and to load and unload any luggage
7. Nothing in Article 4 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 restricted by that Article 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).
 8. 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.
 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. **Orders Revoked**

The following Order is hereby revoked only insofar as it is affected by the restrictions imposed by this Order.

The North Hertfordshire District Council (Control of Parking) (Consolidation) Order 2023

SCHEDULE

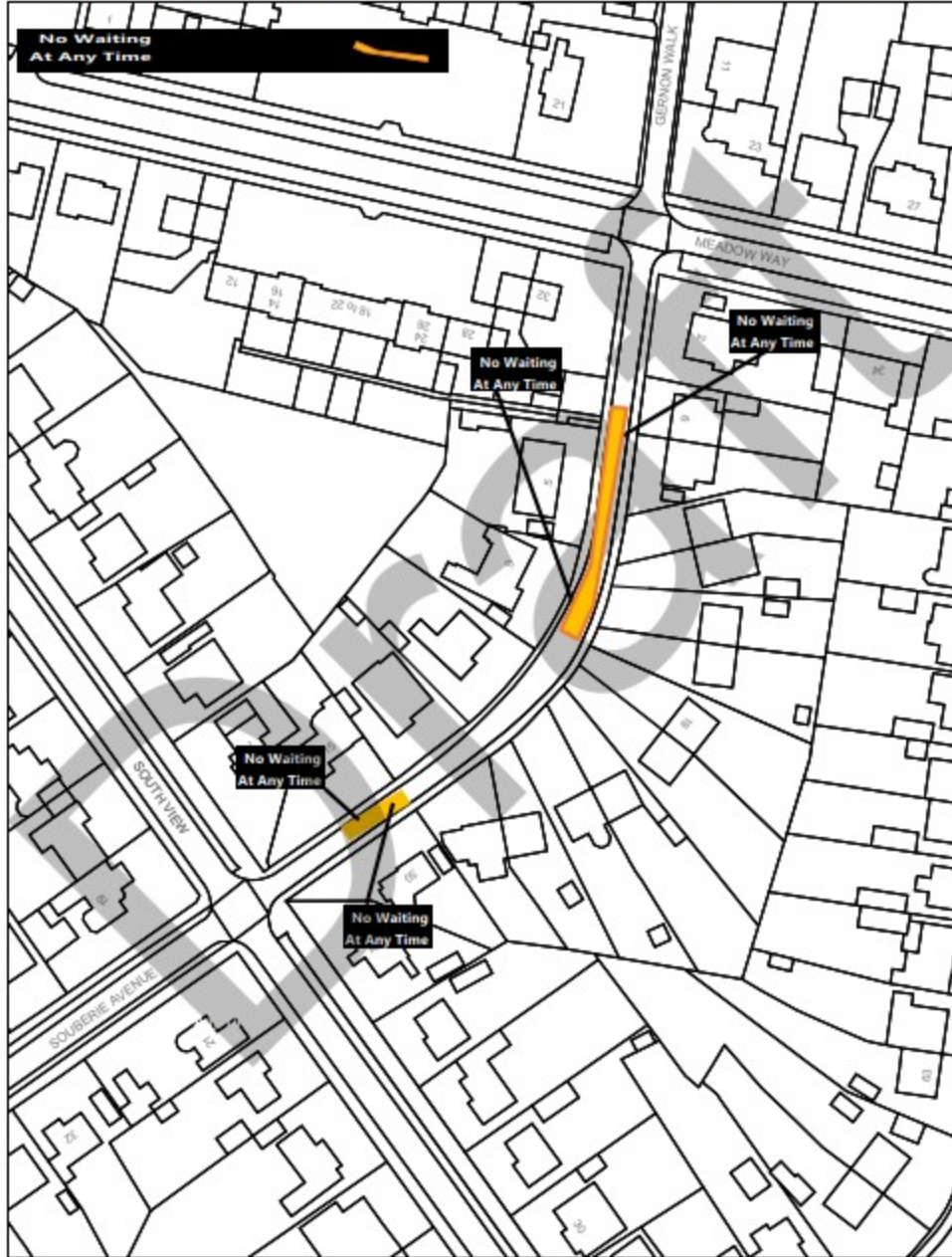
Accompanying Plan MH/23/00052/TRO/SOUBERIE

THE COMMON SEAL OF NORTH)
 HERTFORDSHIRE DISTRICT)
 COUNCIL was hereunto affixed this)
 day of in the presence)
 of)

NORTH HERTFORDSHIRE DISTRICT COUNCIL

Souberie Avenue, Letchworth

Proposed Plan MH/23/00052/TRO/SOUBERIE



Scale: 1:1000
Date: 26.01.2024

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