

**THE NORTH HERTFORDSHIRE DISTRICT COUNCIL  
(BROADWAY, LETCHWORTH GARDEN CITY) (BUS PARKING PLACE) ORDER 2021**

Date of Order: \*\*\*\*\*

Order No: NHDC/20/00110/TRO

The North Hertfordshire District Council (“the Council”) in accordance with arrangements made under Section 19 of the Local Government Act of 2000 and the Local Government (Arrangements for Discharge of Functions) (England) Regulations 2000 with Hertfordshire County Council, and in exercise of their powers under Sections 32 and 35 of the Road Traffic Regulation Act 1984 (“the Act of 1984”) and Part IV of Schedule 9 of the Act of 1984 and 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: -

1. This Order shall come into force on \*\*\*\*\* and may be cited as The North Hertfordshire District Council (Broadway, Letchworth Garden City) (Bus Parking Place) Order 2021.

Interpretation

2. (1) In this Order –

“bus” has the same meaning as in the Traffic Signs Regulations and General Directions 2002;

“Civil Enforcement Officer” means a Civil Enforcement Officer as defined by the Traffic Management Act 2004 and appointed by North Hertfordshire District Council;

“Council” means North Hertfordshire District Council and includes any parking services contractors or authorised agent appointed by and acting on behalf of the Council for the purposes of any function under the provisions of this Order;

“driver” means the person driving the bus at the time it was left in the parking place;

“motor vehicle” means a mechanically propelled vehicle intended or adapted for use on roads as in Section 136(1) of the Road Traffic Regulation Act 1984;

“parking place” means the area on a highway designated by Article 3 and listed in the Schedule to this Order;

“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;

“traffic sign” means a sign of any size, colour and type prescribed or authorised under section 64 of the Act of 1984;

- (2) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

Designation and authorisation of parking place

3. The length of Broadway, Letchworth Garden City specified in the Schedule to this Order is designated as a parking place and save as provided in Articles 4 of this Order, is authorised for use as a bus parking place between 8.00 a.m. and 18.00 p.m. on Mondays to Fridays inclusive for buses.
4. Nothing in Article 3 of this Order shall render it unlawful to cause or permit any motor vehicle to wait in the parking place so long as may reasonably necessary to enable:-

- (a) the motor 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) any operation involving building, demolition or excavation;
  - (ii) the removal of any obstruction to traffic;
  - (iii) the maintenance, improvement or reconstruction of the said length of road;
  - (iv) the laying, erection, alteration, repair in or on land adjacent to the said length of road of any sewer or of any main pipe, cable or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in Paragraph 1 (1) of the Telecommunications Code contained in Schedule 2 to the Telecommunications Act 1984;
  - (v) used for the service of a Local Authority or a Water Authority in pursuance of statutory powers or duties;
  - (vi) 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 the Postal Services Act 2000; or
- (b) used for fire brigade, ambulance or police purposes.

Placing of traffic signs, etc.

5. The Council shall:-

- (a) indicate the limits of the parking place;
- (b) place and maintain on or in the vicinity of the parking place appropriate traffic signs for indicating that the parking place may be used at any time by buses;
- (c) carry out such other work as is reasonably required for the purposes of the satisfactory operation of the a parking place.

Manner of standing in the parking place

6. A bus or motor vehicle left in a parking place shall stand wholly within the marked limits of the parking place.

Movement of vehicles in the parking place in emergencies

7. A Police Constable in Uniform or Civil Enforcement Officer may cause to be moved any bus or motor vehicle left in the parking place which is in a dangerous position or causing an unnecessary obstruction.

Power to suspend use of the parking place

8. (1) Any person authorised by the Council may suspend the use of the parking place described in the Schedule of this Order whenever they consider 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 highway 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 telecommunications apparatus or traffic signs;
  - (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;
  - (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed;
  - (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 purposes of facilitating the cleansing of the parking place.
- (2) A Police Constable in uniform may suspend the use of the parking place for no longer than twenty-four hours whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting safety.
- (3) Any person suspending the use of the parking place in accordance with the provisions of paragraph (1) or paragraph (2) of this Article shall place in or adjacent to the parking place a traffic sign indicating that waiting by vehicles is prohibited.

#### Penalty Charge Notices

9. (1) Where a vehicle is left in contravention of any Article contained within this Order, or left otherwise in accordance with the provisions of this Order, the Owner of the Vehicle in question shall incur a penalty charge.
- (2) That charge shall be payable to North Hertfordshire District Council in accordance with the instructions contained on the Penalty Charge Notice.
- 10 The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
11. 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.
- 12 The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

**SCHEDULE**

**Length of road in Broadway**

**(Bus parking place between 8.00 a.m. and 18.00 p.m. on Mondays to Fridays inclusive)**

- Broadway
- (1) West side
    - (a) from a point immediately from the end of the existing Bus Stop outside St Francis College, as shown on the accompanying plan, and running in a general Northerly direction for approximately 23 metres to join with the existing Yellow Keep Clear zig zags, as shown on the accompanying plan.

THE COMMON SEAL OF  
THE NORTH HERTFORDSHIRE  
DISTRICT COUNCIL was hereunto

Affixed this   \*\*\*          day of   \*\*\*\*          \*\*\*\*\*

in the presence of: