

PUBLIC NOTICE

THE ST ALBANS CITY AND DISTRICT COUNCIL (MARKET PLACE AREA, ST ALBANS) (RESTRICTION OF WAITING) ORDER 2017

THE ST ALBANS CITY AND DISTRICT COUNCIL (MARKET PLACE AREA, ST ALBANS)(PAY AND DISPLAY PARKING PLACES) ORDER 2017

NOTICE IS HEREBY GIVEN that the St Albans City and District Council (pursuant to arrangement made with Hertfordshire County Council) has made the above Orders under the Road Traffic Regulation Act 1984. The Orders will come into effect on **1 July 2017**.

The general effect of the Orders would be to introduce waiting restrictions to improve road safety, reduce instances of inappropriate or inconsiderate parking, increase the available provision of resident parking places, reduce congestion and improve parking space turnover. These restrictions are located within the District of St Albans City and District Council as detailed below:

SCHEDULE

Lengths of roads within St Albans – No waiting at any time

Various sections of Market Place, Spencer Street and Upper Dagnall Street

Lengths of roads within St Albans – No Waiting 3am to 6:30pm Wednesday, Saturday and Market days

Various sections of Market Place, Spencer Street and Upper Dagnall Street

Lengths of road designated as Parking Places – Pay and Display 8am to 6:30pm Monday, Tuesday, Thursday, Friday and Sunday

Various sections of Market Place, Spencer Street and Upper Dagnall Street

On street Pay and Display Charges and limits

Up to 30 Minutes	Up to 1 Hour	Pay and Display Limited Waiting period	Pay and Display No return within
£0.60p	£1.30	1 Hour	1 Hour

Any person who wishes to question the validity of the Orders or any of their provisions on the grounds that it or they are not within the powers conferred by the Act, or that any requirements of the Act or of any instrument made under it have not been complied with may, within six weeks from the date of this Notice, apply to the High Court for that purpose.

Mike Lovelady - Head of Legal, Democratic & Regulatory Services
Council of the City & District of St Albans
Civic Centre, St Peters Street, St Albans, AL1 3JE
Dated 24 May 2017

STATEMENT OF REASONS

THE ST ALBANS CITY AND DISTRICT COUNCIL (MARKET PLACE AREA, ST ALBANS) (RESTRICTION OF WAITING) ORDER 2017

THE ST ALBANS CITY AND DISTRICT COUNCIL (MARKET PLACE, ST ALBANS)(PAY AND DISPLAY PARKING PLACES) ORDER 2017

St Albans City and District Council (pursuant to arrangement made with Hertfordshire County Council) proposes to introduce various no waiting restrictions and Pay and Display parking places:

It is intended that these measures will:

- Provide suitable and adequate parking facilities.
- Assist the movement of traffic and/or pedestrians
- improve the amenity of the road and its surroundings
- Improve road safety.

The proposals have been developed following consultation with Residents, District Councillors, Hertfordshire County Council, Hertfordshire Constabulary, and all other statutory consultees, taking into account Section 122 of Road Traffic Regulation Act 1984.

16th May 2017

ST ALBANS CITY AND DISTRICT COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE ST ALBANS CITY AND DISTRICT COUNCIL (MARKET PLACE AREA, ST ALBANS) (RESTRICTION OF WAITING) ORDER 2017

The St Albans City and District 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 2012 with the Hertfordshire County Council, and in exercise of powers conferred on that County under sections 1, 2, 3 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 and the provisions of Part 6 and Schedule 9 of the Traffic Management Act 2004 and of all other enabling powers, and after consultation with the Chief Officers of Police in accordance with Part III of Schedule 9 to the 1984 Act, makes the following Order:

1. This Order may be cited as “The St Albans City and District Council (Market Place Area St Albans) (Restriction of Waiting and Loading) Order 2017” and shall come into operation on 1 July 2017
2. Save as provided in Article 4, 5 and 6 of this Order, no person shall cause or permit any vehicle to wait at any time in those lengths of road which are specified in Schedule 1 to this order.
3. Save as provided in Articles 4, 5 and 6 of this Order no person shall cause or permit any vehicle to wait between the hours of 3am and 6:30pm Wednesday, Saturday and Market Days in those lengths of road which are specified in Schedule 2 to this order
4. (1) Nothing in Articles 2 and 3 of this Order applies to the lengths of road restricted by those Articles (which said lengths of road are referred to in those Articles 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 St Albans City and 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 the Postal Services Act 2011.

(2) The “purposes” referred to in sub-Article (1) (d) of this Article are –

- (a) the removal of any obstruction to traffic;
- (b) the maintenance, improvement or reconstruction of a road;
- (c) constructing, improving, maintaining, or cleaning of any street furniture; or
- (d) 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.

5. Nothing in Articles 2 and 3 of this Order applies to the lengths of road restricted by those Articles (which said lengths of road are referred to in those Articles 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.

6. Nothing in Article 2 and 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 1 and 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).

In this Article -

“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

7. The provisions of the following Orders are hereby revoked but only in so far as they are affected by the restrictions imposed by this Order -

The City and District Of St Albans (Control of Parking) (Consolidation) Order 2013

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 Act of 1984 or by or under any other enactment.

SCHEDULE 1
Lengths of roads within St Albans – No waiting at any time

Col 1	Col 2	Col 3	Col 4
Number	Road	Side of Road	Description
1	Market Place	Both	From its junction with High Street northeastwards for a distance of 33 metres
2	Market Place	Southeast	From a point 61 metres northeast of its junction with High Street northeastwards for a distance of 112.5 metres
3	Market Place	Northwest	From a point 61 metres northeast of its junction with High Street northeastwards for a distance of 33 metres
4	Market Place	Northwest	From a point 115 metres northeast of its junction with High Street northeastwards for a distance of 16.5 metres
5	Market Place	Northwest	From a point 157.5 metres northeast of its junction with High Street northeastwards for a distance of 17 metres
6	Spencer Street	Northeast	From a point in line with the eastern kerbline of Cross Street southeastwards to its junction with Market Place
7	Spencer Street	Southwest	From a point in line with the eastern kerbline of Cross Street southeastwards for a distance of 11 metres
8	Spencer Street	Southwest	From a point 60 metres southeast of the eastern kerbline of Cross Street southeastwards for a distance of 30.5 metres
9	Upper Dagnall Street	Southwest	From a point in line with the eastern kerbline of Cross Street to its junction with Market Place
10	Upper Dagnall Street	Northeast	From its junction with Market Place northwestwards for a distance of 37.5 metres

SCHEDULE 2

Lengths of roads within St Albans – No Waiting 3am to 6:30pm Wednesday, Saturday and Market days

Col 1 Number	Col 2 Road	Col 3 Side of Road	Col 3a Description
1	Market Place	Northwest	From a point 6 metres southwest of the northeastern flank wall of number 37 Market Place southwestwards for a distance of 26.5 metres
2	Market Place	Northwest	From a point 4 metres southwest of the northeastern flank wall of number 23 Market Place southwestwards for a distance of 21 metres
3	Market Place	Both	From a point 59 metres southwest of the northeastern flank wall of number 23 Market Place southwestwards for a distance of 28 metres
4	Spencer Street	Southwest	From a point 11 metres southeast of its junction with Cross Street southeastwards for a distance of 49 metres
5	Upper Dagnall Street	Northeast	From a point 13 metres southeast of its junction with Cross Street southeastwards for a distance of 10 metres

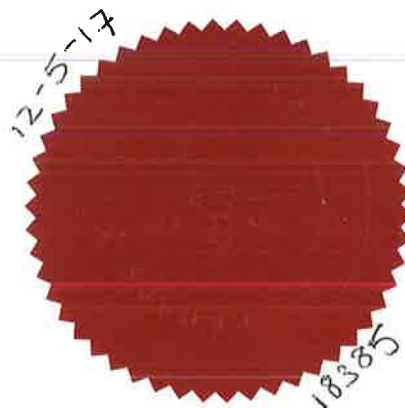
The Common Seal of
St Albans City and District Council
was hereunto affixed on the 24/05/ 2017
in the presence of:-

Sally C. F. L.

Authorised Signatory

C. J. F.

Authorised Signatory



ST ALBANS CITY AND DISTRICT COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE ST ALBANS CITY AND DISTRICT COUNCIL (MARKET PLACE AREA, ST ALBANS)(PAY AND DISPLAY PARKING PLACES) ORDER 2017

The St Albans City and District 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 2012 with the Hertfordshire County Council, and in exercise of powers conferred on that County under sections 32,35,45,46,47,49,51 and 53 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 and the provisions of Part 6 and Schedule 9 of the Traffic Management Act 2004 and of all other enabling powers, and after consultation with the Chief Officers of Police in accordance with Part III of Schedule 9 to the 1984 Act, makes the following Order:

Commencement

1. This Order shall come into operation on 1st July 2017 and may be cited as The St Albans City And District Council (Market Place Area, St Albans)(Pay and Display Parking Places) Order 2017 hereinafter referred to as "this Order";

Interpretation

2. In this Order:-

"the council" means St Albans City and District Council.

"Civil Enforcement Officer" is a Civil Enforcement Officer as defined by the Traffic Management Act 2004;

"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;

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

"handheld device" means Council approved equipment used by Civil Enforcement Officers that receives and displays information on valid and expired parking sessions;

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

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

"owner" in relation to a vehicle means the person by whom such vehicle is kept and used;

"Parking Place" means an area of highway designated by this Order for the waiting of vehicles of specified classes

"parking session" means a period of time for parking has been paid for;

"parking ticket" means a ticket issued by a ticket machine on payment of the specified charge;

"Pay by Phone Service" means the system of paying for purchasing parking by use of a phone or internet;

"payment card" means a bank credit or debit card, e-purse card, discount card, or pre-payment card as accepted by the Pay by Phone Service provider to enable the purchase of parking sessions in a parking place;

"permitted hours" means the period specified for each parking place in Schedule 1 column 5 during which waiting by vehicles is permitted.

"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 and showing the required information as defined in Article 13 of this order, 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;

"vehicle" means motor vehicle or motor cycle;

Designation of parking places

3. Each area of highway specified in Schedule 1 to this Order is hereby designated as a parking place.
4. No person shall cause or permit any vehicle to wait in a parking place during the permitted hours unless it is of the specified class as defined in Articles 6 and 7
5. Unless exempted by the provisions of this Order where in Article 3 of this Order a length of road is described as authorised for use as a parking place, the driver of a vehicle shall not permit the vehicle to wait in that parking place unless it is wholly parked within the marked limits of the parking place.

Vehicles for which parking places are designated

6. Subject to the provisions of this Order, parking places designated in Schedule 1 of this order may be used for the leaving during the permitted hours of vehicles of the following class, that is to say, motor vehicle or motor cycle (the overall height of which does not exceed 2.3 metres and the overall length of which does not exceed 5.25 metres) and disabled persons vehicles (on which must be displayed the relevant badge and disc).
7. Those parking places referred to in Schedule 1 to this Order, may be used for the leaving during the permitted hours of such vehicles of the class specified in Article 6 above;

On-Street Parking Places with Charges – Restrictions of waiting (Pay and Display)

8. Except as provided in Articles 22, 23 and 24 or upon the direction of a police constable in uniform or with the permission of a Civil Enforcement Officer no person shall cause or permit any vehicle to wait in a parking place specified in Schedule 1 to this order:-
 - a. without paying the specified charge upon causing or permitting the vehicle so to wait;
 - b. for longer than the time period for which the specified charge has been paid;
 - c. to wait in a parking place longer than that specified in Schedule 2 column 3;
 - d. if a period less than that specified in Schedule 2 column 4 as being a period during which the vehicle must not be left again in that parking place has elapsed.

Payment

9. The driver of a vehicle using a pay and display parking place shall, upon leaving the vehicle in the pay and display parking place, purchase a pay and display ticket or parking session at the level of charge and for the period required in accordance with the scale of charges specified within Schedule 2 to this order. The scale of charges is subject to variation at the Council's discretion giving notice in accordance with section 46A of the Act of 1984.

Means of payment

10. The charge referred to in the preceding Articles shall be payable by the insertion of an appropriate coin or coins together making up the amount of the charge into the pay and display ticket machine relative to the pay and display parking place or by the Pay by Phone Service as signed at the relevant parking place in which the vehicle has been left.
11. The charge referred to in Article 9 may be paid by payment card with the Pay by Phone service provider.
12. When a payment is made using the Pay by Phone Service using a payment card evidence shall be displayed on a Handheld Device of:
 - a. an indication of the correct payment has been made in respect of that vehicle together with details of the date and time of expiry of the parking session for which payment has been made,
 - b. an indication that the parking session for which payment has been made has not expired.

Display of ticket issued by a Ticket Machine

13. The driver of the vehicle shall:
 - a. display the pay and display ticket issued on payment of the charge in the relevant position in the vehicle in respect of which it was issued, With expiry time being shown so that it can be inspected by a Civil Enforcement Officer;
 - b. ensure that a pay and display ticket is displayed during the entire period that the vehicle is parked in the parking place.

14. When payment has been made using the Telephone Payment system there shall be no requirement to display a pay and display ticket.

Validity of Pay and Display Tickets

15. A pay and display ticket used in a parking place indicated in Column 2 of Schedule 1 shall only be a valid pay and display ticket if;
- a. it has been purchased from a ticket machine in the parking place where the vehicle is left. This is defined by the identification on the parking ticket machine located in respect of that parking place and the information printed on the pay and display ticket; and
 - b. it is continuously exhibited in the vehicle in a relevant position;
 - c. it has been purchased in accordance with the provision that one ticket per vehicle shall be valid and that the expiry time shown on the pay and display ticket has not expired; and
 - d. it has been purchased in accordance with the charges set out in schedule 2 and for the period indicated in Column 6 of Schedule 1;
16. A pay and display ticket is not transferable from one vehicle to another.
17. A parking session used in accordance with the charge specified in schedule 2 and for the period indicated in Column 6 of Schedule 1 shall only be a valid parking session if;
- a. it has been purchased from the pay by phone service provider in accordance with its instructions using the location number shown for that parking place and has resulted in a booking; and
 - b. it is shown on the hand held devices used by Civil Enforcement Officers; and
 - c. it has been purchased in accordance with the provision that one parking session per vehicle shall be valid for the number of hours or for the period specified in the booking commencing.

Ticket machine out of order

18. If at the time when a vehicle is left during the permitted hours in a pay and display parking place and the nearest ticket machine is out of order, then a pay and display ticket shall be obtained from another parking ticket machine relative to that parking place or payment should be made through the Pay by Phone Service.

Power to Suspend use of Parking Places

19. 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.

No Waiting in a Suspended Parking Place

- 20. No person shall cause or permit a vehicle to wait in a parking place or any part thereof during which such period as the Council has suspended that parking place or part thereof.
- 21. Nothing in Article 20 shall render it a contravention to cause or permit a vehicle to be left in a parking place which has been suspended, which displays in the relevant position a valid dispensation issued by the Council.

Exemptions to the provisions of this Order

- 22. It shall not contravene Articles 4, 5, 6, 7 and 8 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. the removal of any obstructions to traffic;
 - II. the maintenance, improvement or reconstruction of the said roads;
 - III. 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.
 - IV. 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.
 - V. the vehicle to be used for fire brigade, ambulance or police purposes;
 - VI. 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.

23. It shall not contravene Articles 4, 5, 6, 7 and 8 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.
24. Nothing in Articles 4, 5, 6, 7 and 8 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 without time limit in the lengths of road specified in Schedule1 to this Order.

Contraventions of this Order

25. Where a motor vehicle is parked in contravention of any of the Articles to this Order the driver of any such motor vehicle shall be issued with a penalty charge notice.
26. 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.
27. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
28. The provisions of the following Order are hereby revoked but only in so far as they are affected by the restrictions imposed by this Order;

The City and District of St Albans (Control of Parking) (Consolidation) Order 2013.
29. 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 1
Lengths of road designated as Parking Places – Pay and Display

Col 1	Col 2	Col 3	Col 4	Col 5
Col No.	Name Of Road	Side Of Road	Description	Permitted Hours
1	Market Place	Northwest	From a point 6 metres southwest of the northeastern flank wall of number 37 Market Place southwestwards for a distance of 26.5 metres	Monday, Tuesday, Thursday, Friday and Sunday 8am to 6:30pm
2	Market Place	Northwest	From a point 4 metres southwest of the northeastern flank wall of number 23 Market Place southwestwards for a distance of 21 metres	Monday, Tuesday, Thursday, Friday and Sunday 8am to 6:30pm
3	Market Place	Both	From a point 33 metres northeast of its junction with High Street northeastwards for a distance of 28 metres	Monday, Tuesday, Thursday, Friday and Sunday 8am to 6:30pm
4	Spencer Street	Southwest	From a point 11 metres southeast of the eastern kerbline of Cross Street southeastwards for a distance of 49 metres	Monday, Tuesday, Thursday, Friday and Sunday 8am to 6:30pm
5	Upper Dagnall Street	Northeast	From a point 13 metres southeast of it's the eastern kerbline of Cross Street southeastwards for a distance of 10 metres	Monday, Tuesday, Thursday, Friday and Sunday 8am to 6:30pm

SCHEDULE 2
Pay and Display Charges and limits

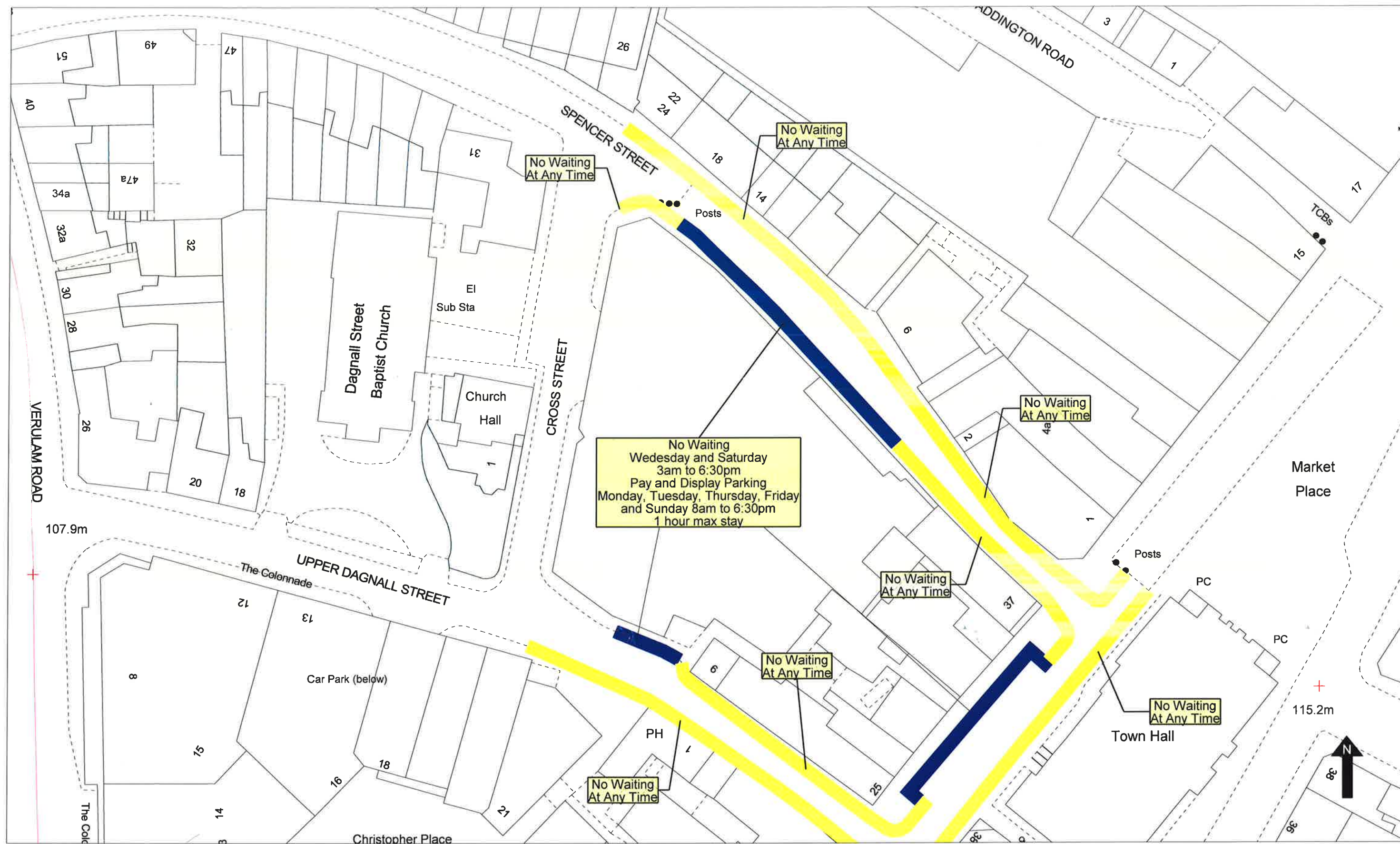
Col 1	Col 2	Col 3	Col 4
Up to 30 Minutes	Up to 1 Hour	Pay and Display Limited Waiting period	Pay and Display No return within
£0.60p	£1.30	1 Hour	1 Hour

The Common Seal of
St Albans City and District Council
was hereunto affixed on the 24/05 / 2017)
in the presence of:-)

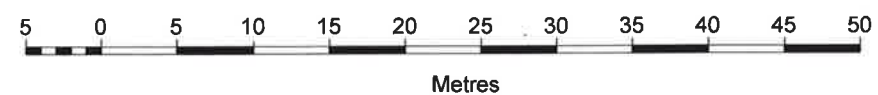
Sally C. Fawcett
.....
Authorised Signatory

A.S.T.
.....
Authorised Signatory





Proposed Traffic Regulation Order - Market Place, Spencer Street and Upper Dagnall Street - Map 1



Scale 1:500 when printed at A3



