

ST ALBANS CITY AND DISTRICT COUNCIL
ROAD TRAFFIC REGULATION ACT 1984

**THE ST ALBANS CITY AND DISTRICT COUNCIL (MENTMORE AREA, ST
ALBANS) (RESTRICTION OF WAITING) ORDER 2018**

The St Albans City and District 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 2012 with the Hertfordshire County Council, and in exercise of powers conferred on that County under sections 1, 2, and 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 (Mentmore Area, St Albans) (Restriction Of Waiting) Order 2018" and shall come into operation on 1 August 2018.
2. Save as provided in Articles 3, 4 and 5 of this Order no person shall cause or permit any vehicle to wait at any time in those lengths of Roads as specified in Schedule 1 to this Order.
3. (1) Nothing in Article 2 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") 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.

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	Cottonmill Lane	East	From a point 44 metres south of the common property boundary of Nos 25 and 27 Cottonmill Lane southwards for a distance of 221 metres
2	Cottonmill Lane	West	From a point in line with the northern kerbline of Leyland Avenue northwards for a distance of 10 metres.
3	Cottonmill Lane	West	From a point in line with the southern kerbline of Leyland Avenue southwards for a distance of 180 metres.
4	Leyland Avenue	Both	From its junction with Cottonmill Lane westwards for a distance of 12 metres
5	Mentmore Road	Both	From its junction with Cottonmill Lane eastwards for a distance of 15 metres

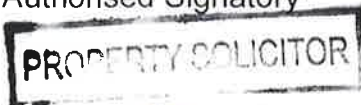
The Common Seal of
St Albans City and District Council
was hereunto affixed on the
in the presence of:-

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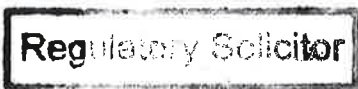
Sally U. P. G.

Authorised Signatory



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Authorised Signatory



ST ALBANS CITY AND DISTRICT COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE ST ALBANS CITY AND DISTRICT COUNCIL (MENTMORE ROAD AREA, ST ALBANS)(RESIDENTS PARKING AND SHARED USE PARKING PLACES) ORDER 2018

The St Albans City and District 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 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 1 August 2018 and may be cited as The St Albans City And District Council (Mentmore Road Area, St Albans)(Residents Parking And Shared Use Parking Places) Order 2018 hereinafter referred to as "this Order";

Interpretation

2. In this Order:-

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

"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;

"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;

"Civil Enforcement Officer" is a Civil Enforcement Officer as defined by the Traffic Management Act 2004 and appointed by St Albans City & District Council;

"Eligible Address" means any postal address which is listed in Schedule 3 to this Order and therefore indicates that the resident may apply for a Resident Permit and/or Visitor Parking Permits;

7. Those parking places referred to in Schedules 1 and 2 to this Order, may be used for the leaving during the permitted hours of such vehicles of the class specified in Article 6 above;

Restrictions on waiting

8. Except as provided in Articles 31, 32 and 33, no person shall, except upon the direction of a police constable in uniform or with the permission of a Civil Enforcement Officer, cause or permit any vehicle to wait during the permitted hours on any parking place specified in Schedule 1 unless a valid Resident Parking Permit or Visitor Parking Permit is displayed in the relevant position.
9. Except as provided in Articles 10, 31, 32 and 33, no person shall, except upon the direction of a police constable in uniform or with the permission of a Civil Enforcement Officer, cause or permit any vehicle to wait during the permitted hours on any parking place specified in Schedule 2,
 - a. for a period longer than that specified in Schedules 2 column 6,
 - b. if a period less than that specified in Schedules 2 column 7 as being a period during which the vehicle must not be left again in that parking place has elapsed.

Exemption to the time limit

10. Notwithstanding the forgoing provisions to this Order, where the limited waiting parking place is designated in Schedule 2 as exempting specified permit holders, any vehicle of the type specified in Article 6 may be left without time limit during the permitted hours in any part of the limited waiting parking place if the vehicle is lawfully displaying in the relevant position:
 - a. a valid Resident Parking Permit or Visitor Parking Permit.
 - b. a valid disabled persons badge

Eligibility for a Resident Parking Permit or Visitor Parking Permits

11. Any resident who is the owner of a motor vehicle or has access to a company 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 Resident Parking Permit allocation per household set out in Schedule 4 to this Order.
12. Any resident may apply to the Council for the issue of visitor parking permits, up to the maximum annual allocation per household of the number of books specified in Schedule 4 to this Order.

Application for a Resident Parking Permit or Visitor Parking Permits

13. Application for a Resident Parking Permit or Visitor Parking Permits 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 5 of this Order and by such documentary evidence of entitlement in respect of an application for a Resident Parking Permit or Visitor Parking Permits made to them as the Council may reasonably request to verify any particulars or information given to them.

20. The Council may by notice served 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 Resident Parking Permit or Visitor Parking Permits, if it appears to the Council that:-
 - (a) the Permit Holder has ceased to be eligible to hold a Resident Parking Permit or Visitor Parking Permits under the provisions of Articles 11 and 12 of this Order.
 - (b) the vehicle or motorcycle in respect of which a Resident Parking Permit was issued has been adapted or used in such a manner that it is no longer a vehicle for which a Resident Parking Permit can be issued;
 - (c) the details on the Resident Parking Permit or Visitor Parking Permits have been altered or defaced;
 - (d) the permit has been misused or any reason as stated in the notice.
21. A Resident Parking Permit will be valid only if displayed on the vehicle to which the Resident Parking Permit relates in the relevant position.
22. A Visitor Parking Permit will be valid only if displayed on a vehicle in the relevant position correctly marked in accordance with the instructions for validation on the front face.
23. A Resident Parking Permit shall cease to be valid at midnight on the specified expiry date or on the date the Council withdraws the Resident Parking Permit by notice, whichever is the earlier.
24. The Council will not make any refund for the withdrawal of a Resident Parking Permit or Visitor Parking Permits.
25. The Council will refund part of the cost of a Resident 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 5 to this Order and subject to an administration charge as specified in Schedule 5 to this Order.
26. The Council will refund the cost of whole unused/defaced books of Visitor Parking Permits which are surrendered.

Application for and the issue of a Duplicate Resident Parking Permit

27. The Council will issue a duplicate or replacement Resident Parking Permit in the following circumstances:
 - (a) If a Resident Parking Permit is mutilated or accidentally defaced or the figures or particulars on it have become illegible or the colour of the Resident Parking Permit has faded or altered, the Permit Holder shall surrender it to the Council. If the Resident Parking Permit is accompanied by an application for a replacement Parking Permit, a duplicate Resident Parking Permit shall be issued and the original Resident Parking Permit shall become invalid.
 - (b) If a Resident 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 on payment of the charge specified in Schedule 5.

- 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.
- (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.

- 32. It shall not contravene Articles 4, 5, 6, 7, 8 and 9 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.
- 33. Nothing in Articles 4, 5, 6, 7, 8 and 9 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 Schedule 1 of this Order.

Contraventions of this Order

- 34. 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.
- 35. 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.
- 36. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
- 37. 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.
- 38. 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 3
Eligible addresses for Permits

Parking Place Name	Parking Place Zone	Eligible addresses
Cottonmill Lane	MC	Odds 21 to 51, Evens 28 to 52
Mentmore Road	MC	All
Boleyn Drive	MC	All
Sadleir Road	MC	All
Nunnery Close	MC	All
Leyland Avenue	MC	All

SCHEDULE 4
Allocation of Parking Permits and vouchers

Resident Permits	Maximum 3 per property
Visitor Permits	120 (12 books) per year, additional 50% upon application.

SCHEDULE 5
Charges

Resident Permit for first car	£20.17 per annum
Resident Permit for second car	£70.04 per annum
Residents Permit for Third Car	£152.82 per annum
Residents Permit for Third Car	£38.20 quarterly
Visitor Permits:	£1.30 per days sold in books of 10 - £13.00
Refund of Resident Permit	Pro-rata for unexpired calendar months
Duplicate / replacement permit	£10.40

The Common Seal of)
St Albans City and District Council)
was hereunto affixed on the 2018)
in the presence of:-)

Sally G. B. W.

PROPERTY SOLICITOR

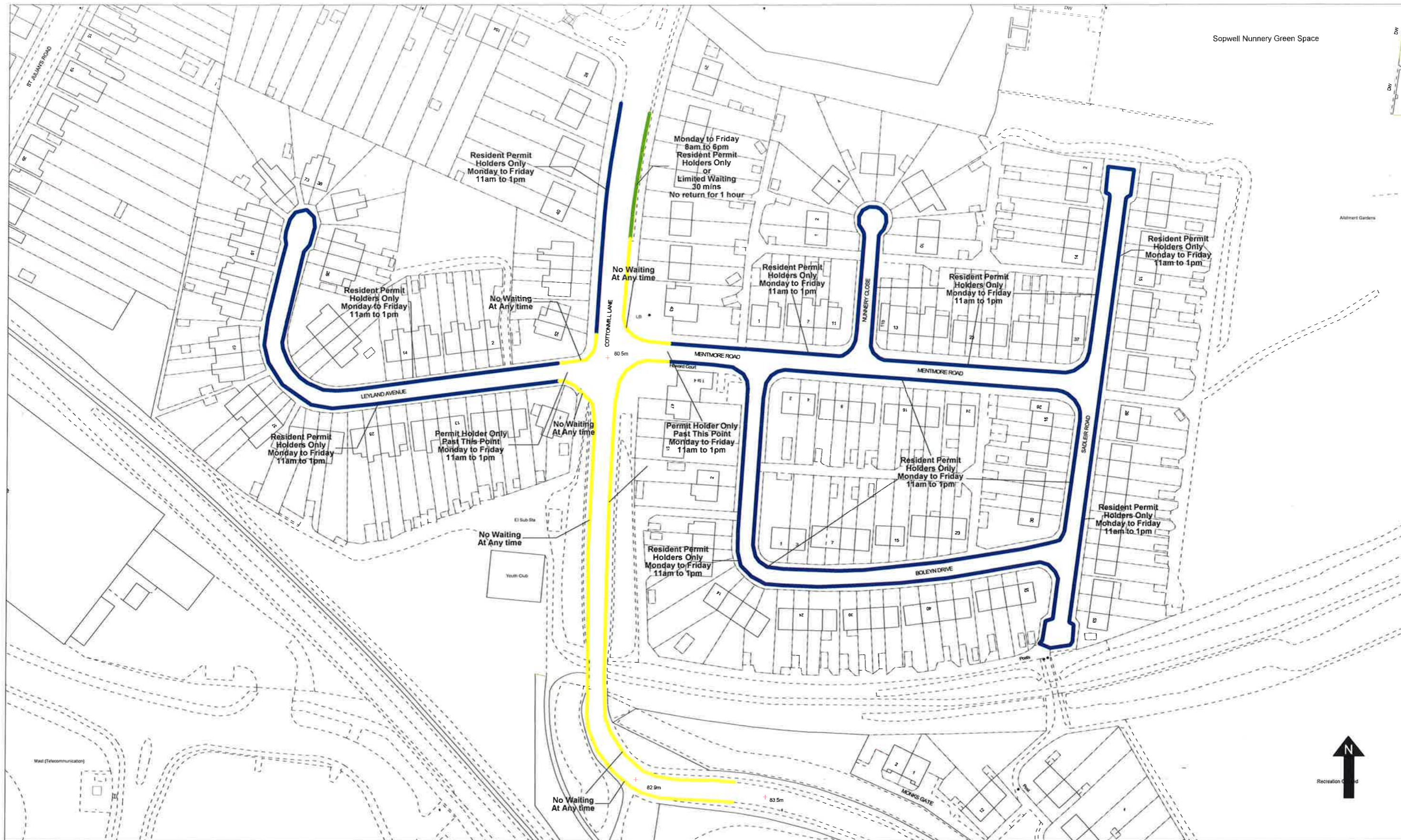
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Authorised Signatory

Reg. Property Solicitor





Mentmore Area - Residents Parking and Shared Use Parking Scheme

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