

BROXBOURNE BOROUGH COUNCIL

THE BOROUGH OF BROXBOURNE (CROSSBROOK STREET, CHESHUNT) (PARKING PLACES) ORDER 2024

Broxbourne Borough Council (“the Council”) pursuant to arrangements made under section 19 of the Local Government Act 2000 & the Local Authorities (Arrangements for the 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 the Act of 1984 and of all other enabling powers and after consultation with the Chief Officer of Police hereby make the following Order:-

1. This Order may be cited as “The Borough of Broxbourne (Crossbrook Street, Cheshunt) (Parking Places) Order 2024” and shall come into effect on
2. The Borough of Broxbourne (Crossbrook Street, Cheshunt) (Parking Places) Order 2024 Plan numbered **WSP00124P**, inclusive of the key, is incorporated into this Order, as listed in the Schedule to this Order.

3. **Interpretation** –

In this Order, except where the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them:

“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;

“disabled person’s vehicle” has the same meaning as in Section 142(1) of the Act of 1984;

“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;

“parking place” means any place where vehicles, or vehicles of any class, may wait as set out in s.32(4)(b) of the Act of 1984;

“penalty charge” shall have the same meaning as a charge set by the Council in accordance with The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 and the provisions of Part 6 and Schedule 9 of the Traffic Management Act 2004;

“penalty charge notice” shall mean a notice issued by a Civil Enforcement Officer in accordance with The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 and the provisions of Part 6 and Schedule 9 of the Traffic Management Act 2004;

“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;

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

“universal service provider” shall bear the same meaning as in Section 65 of the Postal Services Act 2011.

4. Those lengths of Crossbrook Street, Cheshunt as shown on plan WSP00124P and identified in the key to that plan as parking places are hereby authorised for use as parking places,

operating 1 hour limited waiting with no return within 2 hours, Monday to Saturday, 7am to 7pm.

5. Save as provided in Articles 6 and 7 of this Order, where in Article 4 of this Order a length of Crossbrook Street, Cheshunt is described as authorised for use as a parking place, operating 1 hour limited waiting with no return within 2 hours, Monday to Saturday, 7am to 7pm, the driver of a vehicle shall not permit the vehicle to wait in that parking place unless it is -
 - (a) wholly parked within the marked limits of that parking place; and
 - (b) waiting for no more than 1 hour (not being a period separated by an interval of less than 2 hours from a previous period of waiting by the same vehicle in the same length of road).
6. Nothing in Article 5 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 the 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.
7. Nothing in Article 5 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.
8. (1) If a vehicle (other than a vehicle otherwise exempted by this Order) is left in contravention of any provision of this Order a penalty charge shall be payable.
 - (2) In the case of a vehicle in respect of which a penalty charge is payable, a penalty charge notice may be issued in accordance with The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.
 - (3) The penalty charge shall be paid to the Council in accordance with the instructions and within the time limits specified on the penalty charge notice.
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.
10. The provisions of the following Order are hereby revoked only in so far as they are affected by the restrictions imposed by this Order:

The Borough of Broxbourne (Control of Parking) (Consolidation) Order 2022

11. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

SCHEDULE

Schedule	Plan – WSP00124P
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IN WITNESS whereof the Common Seal of the Council of the Borough of Broxbourne was hereunto affixed this

**The Common Seal of THE COUNCIL
OF THE BOROUGH OF BROXBOURNE
Was hereunto affixed in the presence of:**

Authorised Signatory