

# STEVENAGE BOROUGH COUNCIL

## ROAD TRAFFIC REGULATION ACT 1984

### **THE BOROUGH OF STEVENAGE (CUTTYS LANE, STEVENAGE) (PUBLIC SERVICE VEHICLES) (PARKING PLACES) ORDER 2026**

The STEVENAGE BOROUGH COUNCIL (hereinafter referred to as “the Council”) pursuant to arrangements made with the County Council of Hertfordshire under Section 19 of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000, in exercise of the powers of the said County Council under Sections 1, 2, 3, 19, 32-35, 45 and 49 and Parts III and V of Schedule 9, of the Road Traffic Regulation Act 1984 (hereinafter referred to as “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 of the Act of 1984, hereby makes the following Order:—

#### **Commencement and citation**

1. This Order may be cited as “The Borough of Stevenage (Cuttys Lane, Stevenage) (Public Service Vehicles) (Parking Places) Order 2026” and shall come into operation on **DD MMMM 202Y**.

#### **Interpretation**

2.

- 1) Save as otherwise defined within this Order each and every expression shall have the meaning assigned to it by the Traffic Signs Regulations and General Directions 2016.
- 2) In this Order, except where the context otherwise requires, the following meanings have the meaning hereby respectively assigned to them:

“Council” means Stevenage Borough Council and includes any parking service 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 and as defined by the Traffic Management Act 2004.

“Civil Enforcement Officer” has the same meaning as defined in the Traffic Management Act 2004, as appointed by or on behalf of Stevenage Borough Council.

“Designated Officer” means an Officer nominated by Stevenage Borough Council to carry out council functions under the provisions of this order.

“Disabled person” means a disabled person of a description prescribed by Regulation 4 of the Disabled Persons (Badge for Motor Vehicle) regulations 2000 SI 682.

“Disabled Person’s Vehicle” means a vehicle lawfully displaying a Disabled Person’s Badge in the relevant position 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 about to be driven by a Disabled Person or, as the case may be, has been or is to be used for carrying a Disabled Person or Persons as passengers.

“Driver” means the person driving or having control or charge of the vehicle at any given time and in particular in relation to the vehicle waiting in a parking bay or parking place the person driving it at the time when it was left in that parking place.

“Enactment” means any enactment, whether public general or local and includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment.

“Goods” means goods of any kind whether animate or inanimate and includes postal packets of any description; “delivering” and “collecting” in relation to goods includes checking the goods for the purpose of their delivery or collection.

“Goods Vehicle” means a motor vehicle that is constructed or adapted for use for the carriage of goods or burden of any description.

“Highway” has the same meaning as defined in section 328 of the Highways Act 1980.

“Hours of Operation” means between the hours of 8am and 5pm, Monday to Saturday.

“Motorcycle” has the same meaning as in section 185(1) of the Road Traffic Act 1988.

“Owner” in relation to a vehicle means the person by whom such a vehicle is kept and/or used.

“Parking Bay” means an area contained within a parking place which is designated for the leaving of one vehicle at a time, unless specifically provided for more than one vehicle, which is indicated by suitable markings on or comprising the surface of the parking place to show the extents of that individual parking bay.

“Parking disc” has the same meaning as in Regulation 85 of Local Authorities Traffic Orders (Exemptions for Disabled Persons)(England) Regulations 2000 SI 683.

“Parking Place” means an area of land that is designated by the Council in Article 3 of this Order for use as a parking place under Sections 19, 32 and 35 of the Act of 1984.

“Public Service Vehicle” has the same meaning as defined in section 1 of the Public Passenger Vehicles Act 1981.

“Penalty Charge Notice” has the same meaning as in the Regulations of 2022;

“The Regulations of 2022” means ‘The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022’;

“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 in relation to a Disabled Persons Badge in such a position as described in the the Disabled Persons (Badge for Motor Vehicle) regulations 2000 SI 682 and in all cases displayed in such a position as to be clearly visible from outside the vehicle’s front or near side.

“Scheduled Service” means a service operated to a schedule agreed from time to time by the Traffic Commissioners in consultation with the operators of public service vehicles for the operation of local services as defined in Section 2 of the Transport Act 1985.

“Vehicle” means motor vehicle, and “motor vehicle” has the same meaning as defined in Section 136 of the Act of 1984.

“Telecommunication system” has the same meaning as defined in the Telecommunications Act 1984.

“The Act of 1984” means The Road Traffic Regulation Act 1984.

“The Council” means Stevenage Borough Council.

“Universal Service Provider”, “Provision of a universal Postal Service” and “Postal Packed” have the same meanings as defined in the Postal Services Act 2011.

- 3) Any reference in this Order to a numbered Article or schedule shall unless the context otherwise requires be construed as a reference to the Article or schedule bearing that number in this Order.
- 4) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or having effect by virtue of any subsequent enactment.
- 5) The restrictions imposed by this Order shall be in addition to and not in derogation of 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 and other enactment.
- 6) Nothing in the provisions of this Order shall be taken as authorising anything which would be a contravention of any regulations made or having effect as if made under section 25 of the Act of 1984.
- 7) The provisions of the following Orders are hereby revoked only in so far as they are affected by the provisions of this Order: The Borough of Stevenage (Control of Parking) (Consolidation) Order 2017.
- 8) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

## Provisions of the Order

### Designation of parking places

3. Save as provided in Articles 5 and 6 of this Order, each area on a highway specified in the Schedule to this order is designated for use as a parking place for use by public service vehicles only during the hours of operation.
4. Save as provided in 5 and 6 of this Order, where in Article 3 a part of the highway is designated for use as a parking place for use by public service vehicles only, no person shall cause or permit any vehicle to stop or wait at any time within that parking place unless it is:
  - 1) a public service vehicle; and
  - 2) parked wholly within the marked limits of the parking place.

### Exceptional use of parking places

5.

- 1) Nothing in Articles 3 and 4 of this Order applies to the lengths of road restricted by those Articles (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 done with the permission of a Civil Enforcement Officer or Designated Officer;
  - (c) vehicle which is prevented from proceeding by circumstances beyond the driver’s 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 paragraph (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; or
  - (f) a vehicle which, whilst used by a Civil Enforcement Officer in the course of the enforcement of parking restrictions, is stationary only for so long as may be reasonably necessary for them to issue (or attempt to issue) a Penalty Charge Notice to a vehicle they believe to be parked in contravention of those restrictions or adjacent restrictions.
- 2) The “purposes” referred to in paragraph (1)(d) of this Article are:

- (a) any operation involving building, demolition or excavation;
  - (b) the removal of any obstruction to traffic;
  - (c) the maintenance, improvement or reconstruction of a road; (d) 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.
6. Nothing in Articles 3, 4 and 15 of this Order shall render it unlawful to cause or permit a disabled person's vehicle and 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 the Schedule of this Order for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same length of road).

### **Suspension of parking places**

7.

- 1) Any person authorised by the Council or a police constable in uniform may suspend the use of a parking place or any part thereof whenever they consider such a suspension reasonably necessary:
  - (a) for the purposes of facilitating the movement of traffic or promoting its safety; or
  - (b) for the purposes 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, piper or apparatus for the supply of gas, water or electricity or of any telecommunications system 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 to or from those premises; 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 places at times of weddings, funeral or on other special occasions; or
  - (f) for the purposes of facilitating the cleansing or other maintenance of the parking place.

- 2) Any person suspending the use of a parking place or any part thereof in accordance with the provisions of paragraph (1) of this Article shall thereupon place or cause to be placed in or adjacent to that parking place or part thereof a traffic sign indicating that waiting by vehicles is prohibited.
- 3) No person shall cause or permit a vehicle to wait in a parking place or any part thereof the use of which has been suspended during the period indicated by a traffic sign placed in pursuance of paragraph (2) of this Article provided that nothing in this paragraph shall apply:
  - (a) to any vehicle being used for ambulance, fire brigade or police purposes; or
  - (b) any vehicle which is waiting for the reason the bay was suspended; or
  - (c) to anything done with the permission of the person suspending the use of the parking place or part thereof in pursuance of paragraph (1) of this Article; or
  - (d) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond their control or to such waiting being necessary in order to avoid a crash.

### **Conditions on the use of parking places**

8. No person shall cause or permit any vehicle to:
  - 1) wait in an area designated as a parking place by this order during the hours of operation, unless authorised to do so by a provision of this order or with the permission of a designated constable or Civil Enforcement Officer or designated officer; or
  - 2) be left in an area designated as a parking place unless it is entirely within the confines of a marked parking bay.
9. During the hours of operation, no person shall cause or permit any vehicle to be left in a parking bay other than a public service vehicle, for the purpose of:
  - 1) the boarding and/or alighting of passengers; or
  - 2) waiting while making arrangements for the boarding and/or alighting of passengers.
10.
  - 1) No person shall use any parking place at any time or any vehicle while it is in a parking place in connection with the sale or offering or exposing for sale of any goods to any person in or near the parking place or in connection with the selling or offering for sale of their skill in handicraft or their services in any other capacity.
  - 2) Provided that nothing in this Article shall prevent the sale of goods from a vehicle:

- (a) if the vehicle is a passenger vehicle, a goods vehicle, a motorcycle or an invalid carriage and the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected; or
- (b) if the vehicle is one to which the provisions of Article 11(5) apply.

11. Notwithstanding the foregoing provisions of this order any vehicle may wait in any part of a parking place if the use of that part has not been suspended and if:

- 1) the vehicle is waiting for so long as may be necessary for the purpose of enabling any person to board or alight from the vehicle and load thereon or unload therefrom their personal luggage; or
- 2) the vehicle is being used for ambulance, fire brigade or police purposes; or
- 3) the vehicle, not being a passenger vehicle, is being used in the service of a local authority in pursuance of statutory powers or duties provided that it is reasonably necessary in the exercise of such powers or in the performance of such duties for the vehicle to so wait; or
- 4) the vehicle is waiting for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic; or
- 5) the vehicle is waiting:
  - 1. while postal packets addressed to premises adjacent to the parking place in which the vehicle is waiting are being unloaded from the vehicle or, having been unloaded therefrom, are being delivered; or
  - ii. while postal packets are being collected for loading on the vehicle from premises or or a post box or post boxes adjacent to the parking place in which the vehicle is waiting or, having been sol collected, are being loaded thereon; or
- 6) the vehicle, not being a passenger vehicle, is waiting only for so long as may be reasonably necessary to enable it to be used for a purpose specified in paragraph 7(1)(b); or
- 7) the vehicle is in actual use in connection with the removal of furniture to or from premises adjacent to the parking place in which the vehicle is waiting; or
- 8) in any other case the vehicle is waiting for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is waiting and the vehicle does not wait for a period exceeding twenty minutes or for such longer period as a police constable in uniform, a designated officer or a Civil Enforcement Officer may approve.

### **Alteration of the position of a vehicle in a parking place**

12. Where any vehicle is standing in a parking place in contravention of the provisions of this order, a Civil Enforcement Officer may cause the position of the vehicle to be altered such that its position shall comply with those provisions.

### **Removal of a vehicle from a parking place**

13. Where a Civil Enforcement Officer is of the opinion that any of the provisions contained in this order have been contravened or not complied with in respect of a vehicle left in any part of a parking place or restricted waiting area they may remove the vehicle or cause it to be removed, and where it is so removed shall provide for the safe custody of the vehicle and its contents.

### **Movement of a vehicle in a parking place in an emergency**

14. A police constable in uniform or a Civil Enforcement Officer may, in case of emergency, cause any vehicle left in a parking place to be moved to any place they think fit.

### **Maximum period a vehicle may be left in a parking place**

15. Where the schedule to this Order indicates that a maximum period of stay applies to a parking place, no vehicle shall be left in that parking place for longer than the maximum period of stay indicated on that traffic sign.

### **Interval before a vehicle may again be left in a parking place**

16. Where the schedule to this Order indicates that a period of no return applies to a parking place, no vehicle which has left that parking place, shall return to the parking place within the period of no return indicated on in the schedule.

### **Liability**

17. Vehicles are parked at the owner's risk and the Council shall not be liable for any damage to or theft of a vehicle or its content while the vehicle is left in the parking place.

## Penalty Charges

18.

- 1) If a vehicle (other than a vehicle otherwise exempted by this order) is left at any time 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 by a Civil Enforcement Officer in uniform in accordance with the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

19. The penalty charge shall be paid to Stevenage Borough Council in accordance with the instructions and within the time limits specified on the penalty charge notice.

20. The period for which a vehicle may be left in a parking place during the permitted hours after a penalty charge has been issued shall not exceed one hour.

21.

- 1) Where a penalty charge notice has been attached to a vehicle in accordance with the provisions of this order, no person, not being the driver of the vehicle, shall remove the notice from the vehicle unless authorised to do so by the driver of the vehicle.
- 2) Provided that nothing in this Article shall apply to a Civil Enforcement Officer or police constable in uniform or a person removing the vehicle in pursuance of an arrangement made by a police constable in uniform or under the regulations in pursuance of powers contained in sections 99, 100, 101 and 102 of the Act of 1984.

IN WITNESS whereof

The Common Seal of the                    )  
Stevenage Borough Council                )  
was hereunto affixed this                 )  
                                  day of                    )  
  202Y                    )  
in the presence of:—                        )

Authorised Signatory

## Schedule

### Designation of Public Service Vehicle Parking Places

#### 8am-5pm, Monday to Saturday

Item number	Name of road	Side of road	Description	Maximum period of stay	Period of no return
1	Cuttys Lane	North	From a point 34 metres east of its junction with St George's Way westwards for a distance of 36 metres	60 minutes	60 minutes