

THE COUNCIL OF THE LONDON BOROUGH OF BARNET

TRAFFIC MANAGEMENT ORDER

2016 No. 14

**The Barnet (Parking Places) (Charging Points for Electric Vehicles)
(Experimental) Traffic Order 2016**

Made: 9th June 2016

Coming into operation: 16th June 2016

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Schedule: Designated Parking Places for the Purpose of Recharging the Batteries of Electric Vehicles

The Council of the London Borough of Barnet, having consulted the Commissioner of Police of the Metropolis, in exercise of the powers conferred by Section 9 of the Road Traffic Regulation Act 1984^a and of all other enabling powers hereby make the following Order:-

a 1984 c.27

Citation and Commencement

1. This Order shall come into operation on 16th June 2016 and may be cited as The Barnet (Parking Places) (Charging Points for Electric Vehicles) (Experimental) Traffic Order 2016.

Interpretation

2. (1) In this Order, except where the context otherwise requires the following expressions have the meanings hereby respectively assigned to them:

"the Act of 1984" means the Road Traffic Regulation Act 1984^a

"ambulance" means a motor vehicle which is constructed or adapted for, and used for no other purpose than, the carriage of sick, injured or disabled people, or emergency medical equipment, to or from welfare centres, residential care homes or places where medical or dental treatment is given, and is readily identifiable as a vehicle used for the carriage of such people or equipment by virtue of being marked 'Ambulance' on both sides

"authorised agent" means any contractor which may be appointed by the Council to effect, supervise and enforce the provisions of this Order on its behalf

"charging post" means an installation adjacent to a parking place for the purposes of recharging the battery of an electric vehicle by way of a connecting lead

"civil enforcement officer" has the same meaning as in Section 76 of the Act of 2004, being a person authorised by or on behalf of the Council to supervise any parking place or parking area and enforce the provisions of this Order

"Council" means the Council of the London Borough of Barnet

"electric vehicle" means a vehicle in which the electrical motive power is derived from an electrical storage battery which is not connected to any source of power when the vehicle is in motion

"electronic communications apparatus" has the same meaning as in the Communications Act 2003^b

"goods" means goods of any kind, whether animate or inanimate, and includes postal packets of any description and "delivering" and

a 1984 c.27

b 2003 c.21

"collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection

"parking place", for the purposes of this Order, means an area of the carriageway defined in an item in the schedule which is provided for the recharging of electric vehicles' batteries by means of a recharging post

"postal packets" has the same meaning ascribed to it by the Postal Services Act 2000^a

"schedule" means the schedule to this Order

"traffic sign" has the same meaning as in section 64 of the Act of 1984

- (2) Any reference in this Order to:
- (a) any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.
 - (b) a numbered Article shall, unless the context otherwise requires, be construed as a reference to the Article bearing that number in this Order and, unless otherwise specified, shall be construed as referring to each sub-article or paragraph or sub-paragraph within the Article.
 - (c) The Interpretation Act 1978^b shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
 - (d) The restrictions, prohibitions and requirements imposed by this Order are in addition to and not in derogation of any restriction, prohibition or requirement imposed by any other enactment and any exception or exemption from the provisions of this Order are without prejudice to the provisions of any other enactment.
 - (e) For the purposes of this Order a vehicle shall be deemed to be waiting in a parking place if the vehicle is stationary and any point of the parking place is below the vehicle or its load.

Designation and Use of Parking Places

- 3 (1) Each area comprising the length of carriageway of a street specified in each item of the schedule and having a width

a 2000 c. 26

b 1978 c. 30

throughout of at least 1.8 metres is designated as a parking place.

- (2) Subject to the provisions of this Order, each parking place shall only be used for the waiting of electric vehicles.
- (3) At all times whilst an electric vehicle is waiting in a parking place, the driver shall cause that vehicle to be connected via a recharging lead to the charging post installed in respect of the parking place.
- (4) No person shall cause an electric vehicle to wait in a parking place for longer than four hours.
- (5) No person shall cause an electric vehicle which has been removed after waiting in a parking place to wait again in that parking place within a period of two hours of its removal.
- (6) The driver of a vehicle waiting in a parking place during the permitted hours in accordance with the foregoing provision of this Order shall cause it so to stand:
 - (a) in the case of a parking place in relation to which special provision as to the manner of standing of a vehicle in that parking place is specified in column 3 of any Schedule to this Order, in accordance with that provision;
 - (b) in the case of any other parking place –
 - (i) if the parking place is not in a one-way street, so that the left or near-side of the vehicle is adjacent to the left-hand edge of the carriageway;
 - (ii) so that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 300 millimetres;
 - (c) so that every part of the vehicle is within the limits of a parking place; and
 - (d) so that no part of the vehicle obstructs any vehicular means of ingress to or egress to from any premises adjacent to the side of the road on which the vehicle is waiting.

Penalty charge at parking places

4. If a vehicle is left in a parking place in contravention of the provisions of Article 3 a penalty charge shall be payable.

Alteration of the position of a vehicle in a parking place.

5. Where any vehicle is standing in a parking place in contravention of the provisions of Article 3, a civil enforcement officer may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

Removal of a vehicle from a parking place

6. Where a civil enforcement officer is of the opinion that any of the provisions contained in Articles 3 or 8(4) have been contravened or not complied with in respect of a vehicle left in a parking place he may remove or cause to be removed the vehicle from the parking place and, where it is so removed, shall provide for the safe custody of the vehicle.

Movement of a vehicle in a parking place in an emergency

7. A police constable, a traffic warden or a civil enforcement officer, may move or cause to be moved, in case of emergency, to any place he thinks fit any vehicle left in a parking place.

Power to Suspend the Use of Parking Places

- 8 (1) Any person, in uniform, duly authorised by the Council or the Commissioner of Police of the Metropolis may suspend the use of a parking place or loading place or any part thereof 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 adjacent to the parking place, the maintenance, improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the parking place, the laying, erection, alteration 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 system or the placing, maintenance or removal of any traffic sign;
 - (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture to or from one office or dwelling-house adjacent to the parking place from or to a depository, another office or dwelling house;
 - (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.
- (2) A police constable in uniform may suspend for not longer than twenty-four hours the use of a parking place or loading place or any part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (3) Any person or police constable suspending the use of a parking place or loading place or any part thereof in accordance with the provisions of this Article shall thereupon place or cause to be placed in or adjacent to that parking place or loading place or that part thereof, as the case maybe, a traffic sign indication that waiting by vehicles is prohibited.
- (4) No person shall cause or permit a vehicle to wait in any part of a parking place not being a parking space or loading place not being a loading space during such period as there is in or adjacent to that part of the parking place or loading place a traffic sign placed in pursuance of paragraph (3) of this Article;
- (5) Provided that nothing in this paragraph shall apply:
 - (a) in respect of any vehicle being used for fire brigade, ambulance or police purposes or any vehicle which is waiting for any reason specified in paragraphs (2)(ii), (2)(iv) or (2)(v) of Article 10; or
 - (b) to anything done with the permission of the person suspending the use of the parking place or loading place or part thereof in pursuance of paragraph (1) of this Article or a police constable in uniform or a civil enforcement officer.

Restriction On Use of a Parking Place

- 9 (1) No person shall use any vehicle while it is at a parking place in connection with the sale or offering or exposing for sale of any goods to any person in or near the recharging point or in connection with the selling or offering for sale of their skill in handicraft or their services in any other capacity.

Exemptions to Restrictions

- 10 (1) Notwithstanding the foregoing provisions of this Order, any vehicle may wait during the permitted hours at a parking place if its use has not been suspended and if:
- (a) the vehicle is waiting for a period not exceeding two minutes, or such longer period as a police constable in uniform or a civil enforcement officer may approve, to enable a person to board or alight from the vehicle or load thereon or unload therefrom their personal luggage. Provided that if the said person is a person suffering from any disability or injury which seriously impairs their ability to walk or who is blind, the vehicle may wait for as long as may be necessary to enable that person to board or alight from the vehicle or load thereon or unload therefrom their personal luggage.
 - (b) 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 an accident;
 - (c) the vehicle is being used for fire brigade, ambulance, police or medical practitioner purposes, or, not being a passenger vehicle, is being used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary for such duties for the vehicle to wait in the place in which it is waiting;
 - (d) the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;
 - (e) the vehicle is waiting:
 - (i) while postal packets addressed to premises adjacent to the parking place or parking area 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 posting boxes adjacent to the parking place or within the parking area in which the vehicle is waiting or, having been so collected, are being loaded thereon;
 - (f) 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 any purpose specified in Article 8 (1) (b)

- (g) in any other case the vehicle is waiting for the purposes of loading or unloading the vehicle or to deliver goods to or collect goods from premises adjacent to the parking place or to load or unload the vehicle and the vehicle does not wait for such purpose for a period exceeding twenty minutes or such longer period as may be approved by a police constable in uniform or a civil enforcement officer
- (3) Except as provided by this Order, the driver or person in charge of a vehicle shall not cause or permit a vehicle to wait at a recharging point.

Movement of a Vehicle from a Parking Place in an Emergency

- 11 (1) A police constable in uniform, a traffic warden or a civil enforcement officer may move or cause to be moved, in case of emergency, to any place he thinks fit, any vehicle left unattended at a recharging point.

Placement of Traffic Signs

- 12 (1) The Council shall maintain traffic signs in or in the vicinity of each parking place indicating the limits of the parking place and to convey that the parking place may only be used by electric vehicles.

Modification of Traffic Management Order

- 13 (1) Whilst this Order continues to be in force, any restrictions, parking places or loading places provided by The Barnet (Charged-for Parking Places) Consolidation Order 2014^a and The Barnet (Free Parking Places, Loading Places and Waiting, Loading and Stopping Restrictions) Consolidation Order 2014^b, and falling within the lengths of carriageway described in the Schedules to this Order, shall be revoked.

Power to modify or suspend

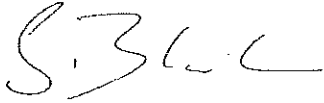
- 14 (1) In pursuance of section 10(2) of the Road Traffic Regulation Act 1984, the Council's Chief Executive, or some person authorised in that behalf by him may if it appears to him or that person essential in the interest of the expeditious, convenient and safe movement of

a LBB 2014 No. 121

b LBB 2014 No. 120

traffic, or of the provision of suitable and adequate parking facilities on the highway, or for preserving or improving the amenities of the area through which any road affected by this Order runs, modify or suspend this Order or any provisions thereof.

Dated this 9th June 2016

A handwritten signature in black ink, appearing to read 'J. Blake', written in a cursive style.

Jamie Blake
Commissioning Director, Environment

LONDON BOROUGH OF BARNET

The Barnet (Parking Places) (Electric Vehicle Recharging Points) (Experimental) Traffic Order 2016

The Barnet (Disabled Persons Parking Places) (Experimental) Traffic Order 2016

STATEMENT OF REASONS

The general effect of the Electric Vehicle Recharging Points Order will be to, on an experimental basis, introduce four Electric Vehicle Parking Places on-street for the purpose of allowing electric vehicles registered with the nominated provider, to be connected to an adjacent recharging point for a maximum period of four hours, with no return to that Parking Place within a time period of another two hours.

The Electric Vehicle Parking Places will operate at all times and will be provided by converting three existing Charged-For Pay by Phone Parking spaces and a Disabled Parking Place as follows:

Location	No. Electric Vehicle Parking Places	Conversion of Parking Places
High Road N2 (outside Nos. 118 and 120)	2	1 no. Charged-for Pay by Phone 1 no. Disabled Persons' Parking Place
Finchley Road NW11 (outside No. 832)	2	2 no. Charged-for Pay by Phone

The general effect of the Disabled Persons Parking Places Order will be to provide, on an experimental basis, a disabled persons' parking place outside No. 122 High Road N2, to replace the disabled persons parking place outside No.118 High Road which will be converted to an Electric Vehicle Parking Place.

The Disabled Parking Place will operate between the hours of 8am and 6.30pm, Mondays to Saturdays, and 12pm and 4pm on Sundays, and will allow a maximum stay of 30 minutes, and will provide a continued parking facility for disabled badge holders visiting East Finchley Town Centre.

LONDON BOROUGH OF BARNET

**The Barnet (Parking Places) (Electric Vehicle Recharging Points)
(Experimental) Traffic Order 2016**

EXPLANATORY NOTE

(This note is not part of the Order, but is intended to indicate its general purport)

The above Order provides Electric Vehicle parking places with certain conditions pertaining to its use in the London Borough of Barnet.

LONDON BOROUGH OF BARNET

**The Barnet (Parking Places) (Electric Vehicle Recharging Points)
(Experimental) Traffic Order 2016**

**STATEMENT OF REASONS
FOR PROCEEDING BY WAY OF EXPERIMENT
AND OF INTENTION TO MAKE PERMANENT ORDER**

Due to the nature of the amendments and their purpose it is considered appropriate that these changes shall be introduced experimentally due to conflicting concerns, and in order allow the Council to monitor the effects of the measures.

If the experimental scheme proves to be a success the Council intends to promote a Traffic Order under the relevant sections of the Road Traffic Regulation Act 1984 to make the scheme permanent