

HERTFORDSHIRE COUNTY COUNCIL

THE HERTFORDSHIRE (A4251 LONDON ROAD AND MAGENTA COURT, HEMEL HEMPSTEAD) (RESTRICTION OF WAITING and REVOCATION) ORDER 2019

NOTICE is given that the Hertfordshire County Council has made an Order under the Road Traffic Regulation Act 1984 to introduce waiting restrictions in parts of Hemel Hempstead, as specified in the Schedule to this Notice. The Order will come into effect on Monday 21 December 2020.

Documents giving more detailed particulars of the Order may be inspected, during normal office hours, from 16 December 2020 to 27 January 2021 at Main Reception, Hertfordshire County Council, County Hall, Pegs Lane, Hertford. However, due to the current COVID 19 emergency, in particular restrictions imposed on Social Distancing, the documents may be viewed online from 16 December 2020 at www.hertfordshire.gov.uk/trafficorders by selecting Dacorum and looking at Ref: D00219, or you may request a copy of the documents quote Ref D00219 by emailing tro.team@hertfordshire.gov.uk, or paper copies may be collected by prior arrangement, from Main Reception, Hertfordshire County Council, Pegs Lane, Hertford tel 01992 555553.

General enquiries relating to the proposals should be referred to the TRO Officer concerned Nichola Shaw tel: 01992 658364 or informalconsultationdm@hertfordshire.gov.uk

Any person wishing to question the validity of the Order, or of any provision contained in it, on the grounds that it is not within the powers conferred by the Road Traffic Regulation Act 1984, or on the grounds that any requirement of the Act or any Instrument made under it has not been complied with in relation to the Order, may within 6 weeks from the date of this Notice apply to the High Court for this purpose.

SCHEDULE: No waiting at any time – effecting those sections of road herein listed and as set out in the Order and accompanying plan - Parts of A4251 London Road and Magenta Court.

County Hall
Hertford
Herts SG13 8DN

16 December 2020
Mark Kemp
Director of Environment and Infrastructure

HERTFORDSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

Date of Order: 10/12/2020

Order No: 8393

THE HERTFORDSHIRE (A4251 LONDON ROAD AND MAGENTA COURT, HEMEL HEMPSTEAD) (RESTRICTION OF WAITING and REVOCATION) ORDER 2019

The Hertfordshire County Council in exercise of their powers under Sections 1, 2 and 3 of the Road Traffic Regulation Act 1984 (which said Act of 1984 is hereinafter referred to as “the Act of 1984”), and Part IV of Schedule 9 of 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 make the following Order:-

1. This Order may be cited as “The Hertfordshire (A4251 London Road and Magenta Court, Hemel Hempstead) (Restriction of Waiting and Revocation) Order 2019” and shall come into operation on Monday 21 December 2020.
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 A4251 London Road and Magenta Court, Hemel Hempstead as specified in the Schedule 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 Dacorum Borough 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 Section 65 of the Postal Services Act 2011.

- (2) The “purposes” referred to in sub-Article (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
 - (e) 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.
4. 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”) 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.
5. (1) Nothing in Article 2 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 the Schedule 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).
- (2) 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
- “relevant position” has the same meaning as given in Regulation 4 of The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000
6. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
7. The following Order and its provisions contained therein are hereby revoked;
- The Hertfordshire (A4251 London Road, Apsley, Hemel Hempstead) (Coach Parking Place) Order 2006
8. 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

lengths of A4251 London Road and Magenta Court, Hemel Hempstead – no waiting at any time

- | | |
|----------------------------------|--|
| London Road
(north east side) | (a) from a point in line with the projected north west kerblineline of Magenta Court north westwards for approximately 8 metres to a point 7 metres south east of a point in line with the north west fascia wall of Bunnings, Unit 1 Apsley Mills Retail Park, London Road. |
| | (b) from a point in line with the projected south east kerblineline of Magenta Court south eastwards for approximately 30.5 metres to a point 14.5 metres south east of a point in line with the north west fascia wall of Apsley Mills Cottage, London Road. |
| Magenta Court
(both sides) | from a point in line with the projected north east kerblineline of London Road north eastwards for 6 metres. |

Signed:



**Quentin Baker
Chief Legal Officer**

Dated: 10/12/2020

STATEMENT OF REASONS

THE HERTFORDSHIRE (A4251 LONDON ROAD AND MAGENTA COURT, HEMEL HEMPSTEAD) (RESTRICTION OF WAITING and REVOCATION) ORDER 2019

Hertfordshire County Council is proposing to improve road safety by introducing waiting restrictions in parts of Hemel Hempstead.

The proposals will comprise of –

- 'No waiting at any time' restrictions on parts of A4251 London Road and Magenta Court.

The restrictions are being proposed to protect the junction and for the safety of all Highway users following the approved new development. The waiting restrictions aim to ensure visibility sightlines are kept clear of vehicular parking at this new junction. As part of the implementation, the existing Coach Parking Place situated at the location, which was introduced by *The Hertfordshire (A4251 London Road, Apsley, Hemel Hempstead) (Coach Parking Place) Order 2006*, will be revoked.

Therefore, having also considered the duty imposed by Section 122 Road Traffic Regulation Act 1984, it appears to the Highway Authority that it is necessary and expedient to make an Order in the interests of; avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, for facilitating the passage on the road or any other road of any class of traffic (including pedestrians) and for preserving or improving the amenities of the area through which the road runs.

The proposal has been subject to consultation with local and County Councillors representing the area and Dacorum Borough Council. The local Police, Ambulance, Fire & Rescue Services, Hertfordshire County Council Passenger Transport Unit, Right to Ride, local businesses and residents will also be consulted.



BUNNINGS

UNIT 1
APSLEY
MILLS
RETAIL PARK


MAGENTA
COURT

El Sub Sta

A4251 LONDON ROAD

APSLEY
MILLS
COTTAGE

Key to new Road Markings subject to
regulation orders/notices

REF	DESCRIPTION
	New road markings to Diagram 1018.1 (No waiting at any time)

SCALE 1 : 500

0m 10 20 30 40 50

Project Title

MAGENTA COURT, LONDON ROAD

Drawing Title

TRO ADJUSTMENTS

Date	Dec18	Checked DO	Checked ENG	Sheet Size
Drawn	MS	MS	MS	A4
Scale	1:500@A4			

Project No.	Drawing No.	Rev.
486	2103	P03

P03	Drawing amended to suit TRO	MS	28.1.19	MS
P02	Officer comments	MS	17.1.19	MS
P01	Waiting restriction markings extended	MS	11.1.19	MS
	Waiting restriction markings indicated			
Rev.	Description	By	Date	Chk'd



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HERTFORDSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

Date of Order: 31 May 2007

Order No: 7121

THE HERTFORDSHIRE (A4251 LONDON ROAD, APSLEY, HEMEL HEMPSTEAD) (COACH PARKING PLACE) ORDER 2006

The Hertfordshire County Council in exercise of their powers under Sections 32 and 35 of the Road Traffic Regulation Act 1984 (which said Act of 1984 is 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:-

1. This Order may be cited as "The Hertfordshire (A4251 London Road, Apsley, Hemel Hempstead) (Coach Parking Place) Order 2006" and shall come into operation on Monday 18 June 2007.
2. Save as provided in Articles 3 and 4 of this Order that length of A4125 London Road, Apsley, Hemel Hempstead specified in the Schedule to this Order is authorised for use as a parking place between 8:30am and 7:00pm daily for a period not exceeding 10 minutes (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) for coaches operating an excursion or tour.

In this Order:

"coach" is defined as a passenger vehicle constructed or adapted for the carriage of passengers and their effects.

"excursion or tour" has the same meaning as that contained in Section 137 Transport Act 1985.

3. Save as provided in Article 4 of this Order where in Article 2 of this order a parking place 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;
 - (a) a coach operating an excursion or tour; and
 - (b) wholly parked within the marked limits of the parking bay.
- 4(1) Nothing in Articles 2 or 3 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 –
 - (i) a police officer in uniform;
 - (ii) in respect of any of the lengths of road in the restricted area which are in a special parking area designated under Part II of the Road Traffic Act 1991 or Schedule 3 to that Act, a parking attendant appointed under section 63A of the Act of 1984;
 - (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 2000.

(2) The "purposes" referred to in sub-Article (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
 - (e) 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. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
6. 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

length of A4251 London Road, Apsley, Hemel Hempstead – coach parking place.

London Road from a point 38 metres north west of its junction with the north west
(north east side) kerbline of Stationers Place north westwards for 44 metres.

IN WITNESS whereof the Common Seal of the Hertfordshire County Council was hereunto affixed this 31st day of May 2007.

The Common Seal of)
Hertfordshire County Council)
was hereunto affixed)
in the presence of:-)

County Secretary

