

HERTFORDSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

Date of Order: 26 January 2018

Order No: 8131

THE HERTFORDSHIRE (HIGH ROAD, HIGH CROSS, WARE) (RESTRICTION OF WAITING) ORDER 2017

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 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 (High Road, High Cross, Ware) (Restriction of Waiting) Order 2017" and shall come into effect on Monday 5 February 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 that length of High Road, High Cross, Ware as specified in the Schedule to this Order.
3. (1) Nothing in Article 2 of this Order applies to the length of road restricted by that Article (which said length of road is 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 East Hertfordshire 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 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 length of road restricted by that Article (which said length of road is 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 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 High Road, High Cross – no waiting at any time

High Road (south east side) from a point 8 metres south west of a point in line with the boundary between 1 and 2 Hazeldown Villas, High Road, south westwards for approximately 118 metres to a point 80 metres south west of a point in line with the projected south west kerbline of Arthur Martin-Leake Way.

IN WITNESS whereof the Common Seal of the Hertfordshire County Council was hereunto affixed this 26th day of January 2018.

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

Mary Cormack

Assistant Chief Legal Officer

16/8/18



Mary Cormack
Asst Chief Legal Officer

This drawing must be read in conjunction with the specification and all other relevant drawings.



NOT FOR CONSTRUCTION

P4	13.11.15	TRO extended.	DN	TG
P3	06.08.15	Graphic amendments.	DN	TG
P2	01.04.15	Extent of TRO revised.	DN	TG
P1	27.02.15	Issued for Information.	DN	TG
Rev	Date	Description	Drawn	Check

Drawing Status	Project No
INFORMATION	130489
Date	Drawn
FEB 2015	PM
Scale	Engineer
1:500 @ A3	DN
Revision	P4

SCALE 1:500

Project
CAMBRIDGE ROAD, HIGH CROSS,
WARE HERTFORDSHIRE

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Title
Proposed TRO Layout

No waiting at any time

LEGEND

HERTFORDSHIRE COUNTY COUNCIL

THE HERTFORDSHIRE (HIGH ROAD, HIGH CROSS, WARE) (RESTRICTION OF WAITING) ORDER 2017

NOTICE is given that the Hertfordshire County Council has made an Order under the Road Traffic Regulation Act 1984 to introduce waiting restrictions in part of High Cross, Ware, as specified in the Schedule to this Notice. The Order will come into effect on Monday 5 February 2018.

Documents giving more detailed particulars of the Order may be inspected from 1 February 2018 to 15 March 2018, during normal office hours, at the offices of East Hertfordshire District Council, Wallfields, Pegs Lane, Hertford and at Main Reception, Hertfordshire County Council, County Hall, Pegs Lane, Hertford, or may be viewed online at www.hertfordshire.gov.uk/trafficorders by selecting East Herts and looking at Ref: EH01217

Enquiries relating to the Order should be referred to the TRO Officer concerned Nichola Shaw tel: 01992 658364 or nichola.shaw@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 - Part of High Road, High Cross, in the vicinity of its junction with Arthur Martin-Leake Way.

County Hall
Hertford
Herts SG13 8DN

1 February 2018
John Wood
Chief Executive & Director of Environment

STATEMENT OF REASONS

THE HERTFORDSHIRE (HIGH ROAD, HIGH CROSS, WARE) (RESTRICTION OF WAITING) ORDER 2017

Hertfordshire County Council is proposing to improve road safety by introducing waiting restrictions in part of High Cross, Ware.

The proposals will comprise of –

- 'No waiting at any time' restrictions in part of High Road, High Cross – in the vicinity of its junction with Arthur Martin-Leake Way.

No waiting at any time restrictions are considered necessary to prevent vehicles obstructing the visibility splays at the junction of Arthur Martin-Leake Way. The restrictions are intended to prevent a danger arising to road users, in particular related to obstructed visibility for road users emerging from Arthur Martin-Leake Way onto High Road, caused by parked vehicles.

Therefore, it appears to the Highway Authority that it is necessary and expedient to make the 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 and for facilitating the passage on the road or any other road of any class of traffic (including pedestrians).

The proposal has been subject to consultation with local and County Councillors representing the area and East Herts District Council. The local Police, Ambulance, Fire and Rescue Services, Hertfordshire County Council Passenger Transport Unit, Ware Town Council, local businesses and residents have also been consulted.