

HERTFORDSHIRE COUNTY COUNCIL

ORIGINAL

ROAD TRAFFIC REGULATION ACT 1984

Date of Order: **11 FEB 2020**

Order No: 8317

**THE HERTFORDSHIRE (BYDE STREET, FANSHAWE STREET, FARQUHAR STREET,
CHURCH ROAD AND THE AVENUE, BENGELO, HERTFORD)
(RESTRICTION OF WAITING) 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 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 (Byde Street, Fanshawe Street, Farquhar Street, Church Road and The Avenue, Bengelo, Hertford) (Restriction of Waiting) Order 2019" and shall come into effect on Friday 21 February 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 Byde Street, Fanshawe Street, Farquhar Street, Church Road and The Avenue, Bengelo, Hertford, 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 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 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 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 Byde Street, Fanshawe Street, Farquhar Street, Church Road and The Avenue, Bengeo, Hertford – no waiting at any time

Byde Street (both sides)	from a point in line with the projected north east kerbline of Fanshawe Street north eastwards for approximately 12.5 metres to a point 11 metres south west of a point in line with the north east boundary of 40 Byde Street.
(north west side)	from a point in line with the projected south west kerbline of Fanshawe Street south westwards for approximately 11.5 metres to a point 6 metres north east of a point in line with the boundary between 38 and 38a Byde Street.
(south east side)	from a point in line with the projected south west kerbline of Farquhar Street south westwards for approximately 10 metres to a point 6 metres north east of a point in line with the boundary between 38 and 38a Byde Street.
Fanshawe Street (both sides)	from a point in line with the projected north west kerbline of Byde Street north westwards for approximately 10 metres to a point 28 metres south east of a point in line with the boundary between 1 and 3 Fanshawe Street.

Farquhar Street (both sides)	from a point in line with the projected south east kerbline of Byde Street south eastwards for approximately 10 metres to a point 15.5 metres north west of a point in line with the north west boundary of 18 Farquhar Street.
Church Road (north side)	from a point in line with the projected east kerbline of The Avenue eastwards for approximately 14 metres to a point 19.5 metres west of a point in line with the boundary between 21 and 23 Eleanor Road.
(south side)	from a point 18 metres west of a point in line with the boundary between 21 and 23 Eleanor Road westwards for approximately 22 metres to its end.
(west side)	from a point in line with the south boundary of 1 The Avenue southwards for 7 metres.
The Avenue (east side)	from a point in line with the projected north kerbline of Church Road northwards for approximately 13.5 metres to a point 11.5 metres south of a point in line with the boundary between 1 and 3 The Avenue.
(west side)	from a point in line with the south boundary of 1 The Avenue northwards for approximately 14.5 metres to a point 10 metres south of a point in line with the boundary between 1 and 3 The Avenue.

Signed:

Quentin Baker

**Quentin Baker
Chief Legal Officer**

Dated: 11 FEB 2020



Roslin

The Old Pest House

FANSHAWE STREET

BYDE STREET

Hillbanks

FB

FBS

33

14

Fanshawe Court

BYDE STREET

FARQUHAR STREET

18

38a

38

39

37

Key:

Denotes double yellow line
"No waiting at any time"



APPROVED



COUNTY HALL
Pegs Lane
Hertford, Herts
SG13 8DN
Phone: 01992 555555

© Crown copyright and database rights to 2019 Ordnance Survey EUL 100019606
You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.
(This restriction may not apply to HCC and its licensed contractors, agents & partners.)

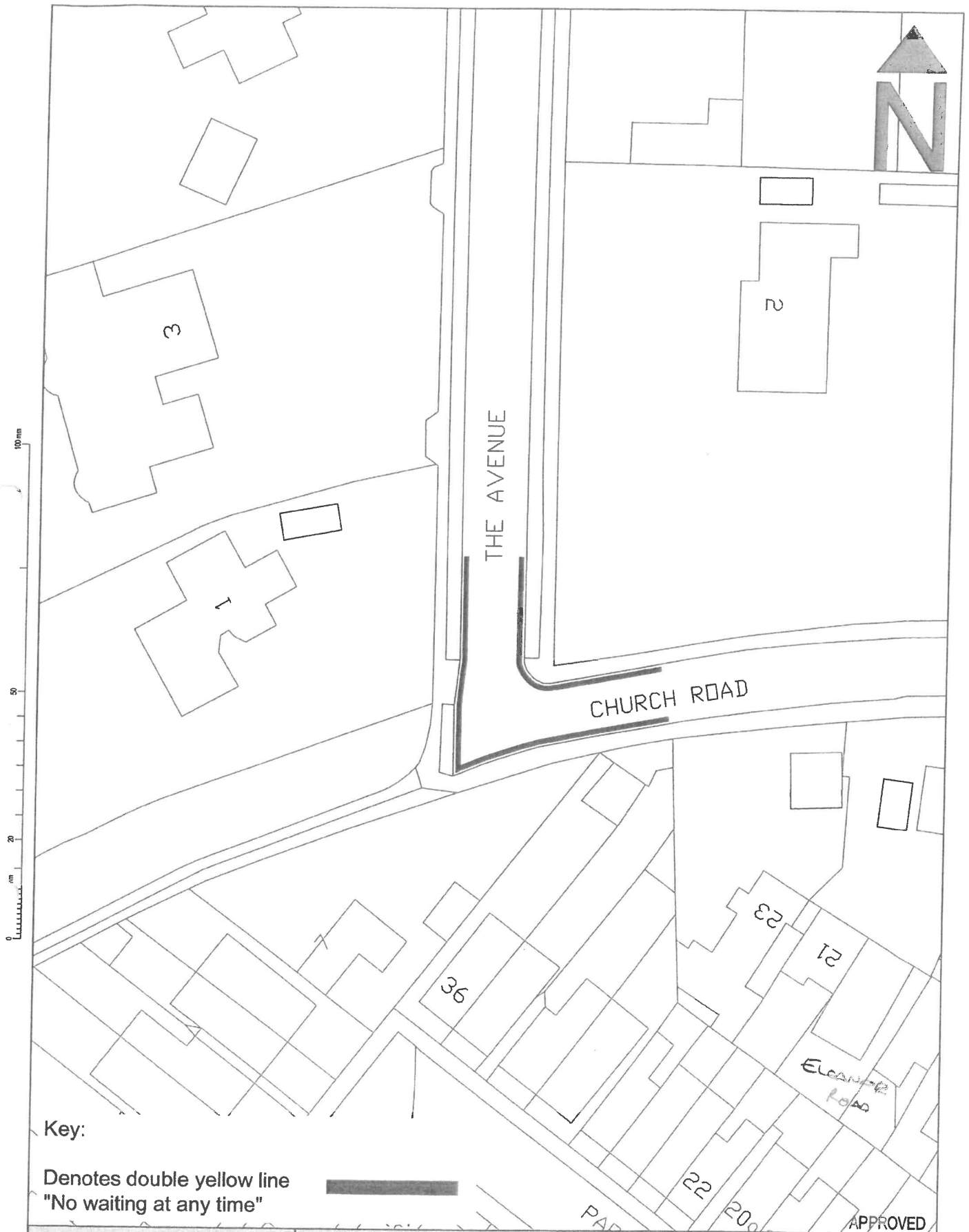
Designed	Approved	Approved Date
LHolman	PPatmore	Sep '19
Drawn	Scale	
LHolman	1:500	


Project
HLB 2019/20
Division 21 TRO

Sheet
Farquhar j/w Bye j/w Fanshawe
Waiting Restrictions

Project No.
HC\77000011\21\01

Sheet No.	Revision
01	R0



 <p>COUNTY HALL Pegs Lane Hertford, Herts SG13 8DN Phone: 01992 555555</p>	<small>© Crown copyright and database rights to 2019 Ordnance Survey EUL 100019506</small> <small>You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form. (This restriction may not apply to HCC and its licensed contractors, agents & partners.)</small>		Project HLB 2019/20 Division 21 TRO	
	Designed L.Holman		Approved P.Palmore	
	Drawn L.Holman		Approved Date Sep '19	
	Scale 1:500		Project No. HC\77000011\21\01	
		Sheet No. 02		Revision R0

Church Rd j/w The Avenue
Waiting Restrictions

HERTFORDSHIRE COUNTY COUNCIL

THE HERTFORDSHIRE (BYDE STREET, FANSHAWE STREET, FARQUHAR STREET, CHURCH ROAD AND THE AVENUE, BENGEO, HERTFORD) (RESTRICTION OF WAITING) 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 Bengeo, Hertford, as specified in the Schedule to this Notice. The Order will come into effect on Friday 21 February 2020.

Documents giving more detailed particulars of the Order may be inspected from 20 February 2020 to 2 April 2020 during normal office hours, at the offices of East Hertfordshire District Council, Wallfields, Pegs Lane, Hertford; Hertford Town Council, The Castle, 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: EH01319.

Enquiries relating to the Order should be referred to the Highways Engineer concerned Lance Holman tel: 01992 658313 or lance.holman@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 Bye Street, Fanshawe Street, Farquhar Street, Church Road and The Avenue.

County Hall
Hertford
Herts SG13 8DN

20 February 2020
Mark Kemp
Director of Environment and Infrastructure

STATEMENT OF REASONS

THE HERTFORDSHIRE (BYDE STREET, FANSHAWE STREET, FARQUHAR STREET, CHURCH ROAD AND THE AVENUE, BENGEO, HERTFORD) (RESTRICTION OF WAITING) ORDER 2019

Hertfordshire County Council is proposing to introduce waiting restrictions in parts of Bengoe, Hertford.

The proposals will comprise of –

- 'No waiting at any time' restrictions on parts of Byde Street, Fanshawe Street, Farquhar Street, Church Road and The Avenue.

Vehicles have been recorded parking close to the junctions obscuring oncoming traffic. These proposals are to prevent vehicles parking in contravention of the recommendations of the Highway Code (mainly clause 243), thereby ensuring visibility of vehicles and pedestrians is maintained, plus keeping the road clear so passage of vehicles is less restricted.

Therefore, having also considered the duty imposed under 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 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 Hertfordshire District Council. The local Police, Ambulance, Fire & Rescue Services, Hertfordshire County Council Passenger Transport Unit, Hertford Town Council and local residents are also being consulted.