

HERTFORDSHIRE COUNTY COUNCIL

THE HERTFORDSHIRE (FRAMPTON STREET, OLDHALL STREET AND THORNTON STREET, HERTFORD) (RESTRICTION OF WAITING) ORDER 2023

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 Hertford as specified in the Schedule to this Notice. The Order will come into effect on Monday 31 July 2023.

Documents giving more detailed particulars of the Order are held on deposit and may be viewed from 20 July 2023 to 31 August 2023 during normal office hours at Main Reception, Hertfordshire County Council, County Hall, Pegs Lane, Hertford or may also be viewed online from 20th July 2023 at www.hertfordshire.gov.uk/trafficorders by selecting East Herts and looking at Ref: EH00123

Enquiries relating to the Order should be referred to the Highways Engineer concerned Tess Dowdeswell tel: 07442 942884 or tess.dowdeswell@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 – those sections of road listed below and as set out in the Order and accompanying plan - Parts of Frampton Street, Oldhall Street and Thornton Street

County Hall
Hertford
Herts SG13 8DN

20 July 2023
Scott Crudgington
Deputy Chief Executive & Executive Director (Resources)

HERTFORDSHIRE COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984

Date of Order: 11/07/2023

Order No: 8560

THE HERTFORDSHIRE (FRAMPTON STREET, OLDHALL STREET AND THORNTON STREET, HERTFORD) (RESTRICTION OF WAITING) ORDER 2023

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 hereby make the following Order: -

1. This Order may be cited as “The Hertfordshire (Frampton Street, Oldhall Street and Thornton Street, Hertford) (Restriction of Waiting) Order 2023” and shall come into effect on 31 July 2023.
2. The Hertfordshire (Frampton Street, Oldhall Street and Thornton Street, Hertford) (Restriction of Waiting) Order 2023 Plan numbered **EH00123P** the (“waiting restrictions plan”) as listed in the Schedule to this Order is incorporated into this Order.

3. **Interpretation –**

In this Order, except where the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them;

“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

“postal packet” shall bear the same meaning as in Section 65 of the Postal Services Act 2011.

“provision of a universal postal Service” shall bear the same meaning as in Section 65 of the Postal Services Act 2011.

“relevant position” has the same meaning as given in Regulation 4 of The Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000

“universal service provider” shall bear the same meaning as in Section 65 of the Postal Services Act 2011.

“waiting restrictions plan” is the plan numbered **EH00123P** inclusive of its key, which is incorporated into this Order as set out in Article 2 and the Schedule;

4. Save as provided in Articles 5, 6 and 7 of this Order no person shall cause or permit any Vehicle to wait on areas of Road or sides of the Road, as shown on the “waiting restrictions plan”, where waiting is not allowed as identified and shown on the “waiting restrictions plan” and its key thereof.
5. Nothing in Article 4 of this Order applies 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.
 - (c) a vehicle which is being used for one or more of the following purposes and which cannot reasonably be used for such a purpose;
 - (i) any operation involving building, demolition or excavation;

- (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of a road;
 - (iv) constructing, improving, maintaining, or cleaning of any street furniture; or
 - (v) 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.
- (d) a marked vehicle which, whilst used by a universal service provider in the course of the provision of a universal postal service, is waiting only for long as is reasonably necessary to enable postal packets to be delivered or collected.
6. Nothing in Article 4 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
7. Nothing in Article 4 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 restricted by that Article 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).
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.
9. The provisions of the following Order are hereby revoked only in so far as they are affected by the restrictions imposed by this Order:
- The East Hertfordshire District Council (Control of Parking) (Consolidation) Order 2020
10. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

SCHEDULE

Schedule	the “waiting restrictions plan” – EH00123P
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Signed:

Charlotte McKay

Charlotte McKay
Assistant Chief Legal Officer
Environment Law / Legal Services

Dated: 11/07/2023

STATEMENT OF REASONS

THE HERTFORDSHIRE (FRAMPTON STREET, OLDHALL STREET AND THORNTON STREET, HERTFORD) (RESTRICTION OF WAITING) ORDER 2023

Hertfordshire County Council is proposing to introduce new restrictions in parts of Hertford.

The proposals will comprise of –

- 'No waiting at any time' restrictions in parts of Frampton Street, Oldhall Street and Thornton Street.

Vehicles have been recorded parking close to the junction. These proposals are to prevent vehicles parking in contravention of the recommendations of the Highway Code (mainly Rule 243), thereby ensuring visibility of vehicles and pedestrians is maintained whilst keeping the road clear so passage of vehicles is unrestricted.

Care has been taken to only restrict parking in locations where it is absolutely necessary to ensure safe passage of all road users, thereby maintaining parking for residents which it is possible to do so.

Parked vehicles in the vicinity of the junction causes issues of obstruction and visibility of pedestrians and vehicles. The proposed TRO will aim to secure the convenient and safe movement of vehicles and pedestrians. Minimum possible amount of parking being removed.

The expedient, convenient and safe movement of vehicular traffic and pedestrians is secured and improved. By imposing the restrictions, the affected junction will be kept clear, improving visibility. Adequate alternative parking is available.

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 and 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 and local residents are also being consulted.

