

HERTFORDSHIRE COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984

ORIGINAL

Date of Order:
Order No: 8338

26th February 2020

**THE HERTFORDSHIRE (PARK ROAD AND FANSHAWE CRESCENT, WARE)
(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 (Park Road and Fanshawe Crescent, Ware) (Restriction of Waiting) Order 2019" and shall come into effect on Monday 9 March 2020.
2. Save as provided in Articles 4, 5 and 6 of this Order no person shall cause or permit any vehicle to wait at any time in those lengths of Park Road and Fanshawe Crescent, Ware as specified in Schedule 1 to this Order.
3. Save as provided in Articles 4, 5 and 6 of this Order no person shall cause or permit any vehicle to wait between the hours of 8.00am to 6.00pm Monday to Saturday inclusive, in that length of Park Road, Ware as specified in Schedule 2 to this Order.
4. (1) Nothing in Articles 2 and 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 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 Herts 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.
5. 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") 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.
6. (1) Nothing in Articles 2 and 3 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 Schedules 1 and 2 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
7. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
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 1

lengths of Park Road and Fanshawe Crescent, Ware – no waiting at any time

Park Road (south west side)	from a point 13.5 metres west of a point in line with the projected west kerbline of Roman Court westwards for 23 metres to a point 4.5 metres east of a point in line with the boundary between 64 and 66 Park Road.
Fanshawe Crescent (both sides)	from a point 10.5 metres north of a point in line with the north kerbline of Park Road northwards for approximately 10 metres to a point 14 metres south of a point in line with the north boundary of 56 Fanshawe Crescent.

SCHEDULE 2

length of Park Road, Ware – no waiting 8.00am to 6.00pm Monday to Saturday

Park Road (south west side)	from a point 5.5 metres west of a point in line with the boundary between 92 and 94 Park Road eastwards for approximately 111 metres to a point 4.5 metres east of a point in line with the boundary between 64 and 66 Park Road.
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Signed:

Quentin Baker
Chief Legal Officer

Quentin Baker

Dated:

26/02/2020



KEY:

- Proposed Double Yellow Lines
- - - Proposed Single Yellow Lines, No Waiting Mon-Sat 8am-6pm

Notes
 Any restrictions that are within the vicinity of the scope shown but have not been highlighted will not be altered.



PLANNING PERMISSIONS

Application No.	23/11/18
PP	
ZI	
ZI	

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STATUS

PARK ROAD / FANSHAWE CRESCENT, WARE
 PROPOSED WAITING RESTRICTIONS
 HC/225449/PR01
 1 OF 1 REV

HERTFORDSHIRE COUNTY COUNCIL

THE HERTFORDSHIRE (PARK ROAD AND FANSHAWE CRESCENT, WARE) (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 on parts of Park Road and Fanshawe Crescent, Ware, as specified in the Schedules to this Notice. The Order will come into effect on Monday 9 March 2020.

Documents giving more detailed particulars of the Order may be inspected from 5 March 2020 to 16 April 2020 during normal office hours, at the offices of East Hertfordshire District Council, Wallfields, Pegs Lane, Hertford; Ware Town Council, The Priory, High Street, Ware 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: EH00819.

Enquiries relating to the Order should be referred to the Highways Engineer concerned Ian Hollinrake tel: 01992 658153 or ian.hollinrake@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 1: No waiting at any time – effecting those sections of road herein listed and as set out in the Order and accompanying plan - Parts of Park Road (opposite No's 58 to 64) and Fanshawe Crescent (adjacent to No's 56 and 79)

SCHEDULE 2: No waiting 8.00am to 6.00pm Monday to Saturday – effecting that section of road herein listed and as set out in the Order and accompanying plan – Part of Park Road. (opposite No's 64 to 94).

County Hall
Hertford
Herts SG13 8DN

5 March 2020
Mark Kemp
Director of Environment and Infrastructure

STATEMENT OF REASONS

THE HERTFORDSHIRE (PARK ROAD AND FANSHAWE CRESCENT, WARE) (RESTRICTION OF WAITING) ORDER 2019

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

The proposals will comprise of –

- 'No waiting at any time' restrictions on parts of Park Road and Fanshawe Crescent.
- 'No waiting 8.00am to 6.00pm Monday to Saturday' restrictions on part of Park Road.

The TRO is being proposed to prevent parking in the footway / carriageway to avoid visibility issues and make the accesses clear following the road layout change which has arisen due to the new housing development

Therefore, it appears to the Highway Authority, having also considered the duty imposed under Section 122 Road Traffic Regulation Act 1984, 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 East Herts District Council. The local Police, Ambulance, Fire & Rescue Services, Hertfordshire County Council Passenger Transport Unit are also being consulted.