

HERTFORDSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

Date of Order: 02/03/2021

Order No: 8418

THE HERTFORDSHIRE (MARSH LANE, WARE) (PARKING BAY) ORDER 2020

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 (Marsh Lane, Ware) (Parking Bay) Order 2020” and shall come into effect on Monday 29 March 2021.
2. **Interpretation –**
In this Order, the following expressions have the meaning as assigned to them –
“parking bay” means an area indicated by contrasting road surfacing or white road markings to show the position in which a vehicle may be parked.
“penalty charge” has the same meaning as a charge set by the Council in accordance with The Civil Enforcement of Parking Contraventions (Guidelines on levels of charges) (England) Order 2007 and the provisions of Part 6 and Schedule 9 of the Traffic Management Act 2004;
“Penalty Charge Notice” has the same meaning as given in The Road Traffic Act 1991 s66(1);
3. That length of Marsh Lane, Ware as specified in the Schedule to this Order is hereby authorised for use as parking bay effective between 8.00am to 6.00pm Monday to Saturday inclusive, limited to 15 minutes waiting with no return within the next 1 hour.
4. Save as provided in Articles 5 and 6 of this Order where in Article 3 of this Order a length of Marsh Lane, Ware is described as authorised for use as a parking bay between 8.00am to 6.00pm Monday to Saturday inclusive, limited to 15 minutes waiting with no return within the next 1 hour the driver of a vehicle shall not permit the vehicle to wait in that parking bay unless it is -
 - (a) wholly parked within the marked limits of the parking bay; and
 - (b) waiting for no more than 15 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).
- 5 (1) Nothing in Article 4 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.

6. (1) Nothing in Article 4 sub section (b) 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

7. (1) A vehicle left in a Parking Bay in contravention of Articles 3 or 4 of this Order or left otherwise in accordance with the provisions of this Order shall incur a penalty charge.

(2) That charge shall be payable to East Hertfordshire District Council in accordance with the instructions contained on the Penalty Charge Notice.

8. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the Interpretation of an Act of Parliament.

9. 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 any other enactment.

SCHEDULE

length of Marsh Lane, Ware – parking bay effective 8.00am to 6.00pm

Monday to Saturday (inclusive) limited to 15 minutes waiting with no return within 1 hour

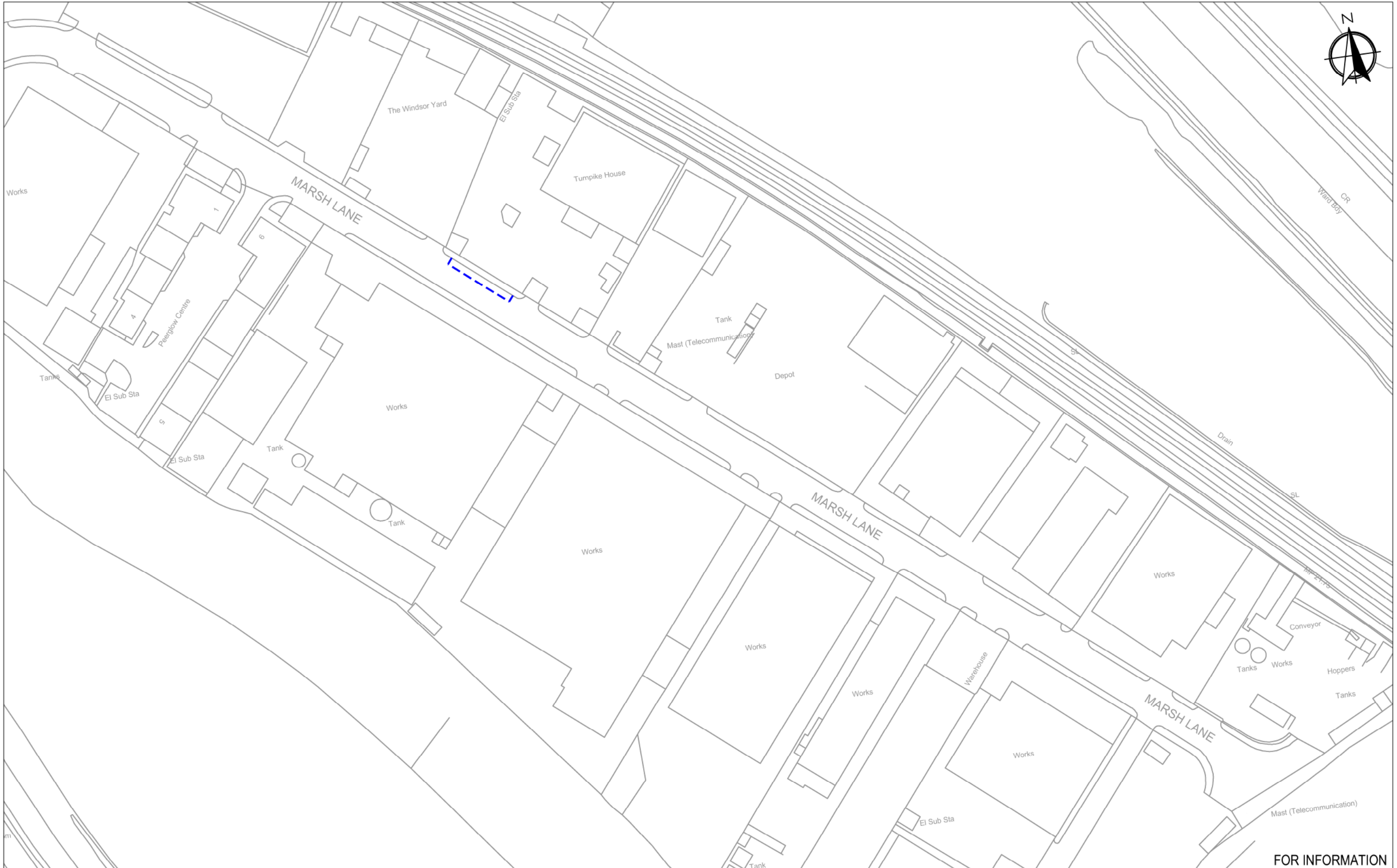
Marsh Lane from a point 2.5 metres south east of a point in line with the boundary between (north east side) The Windsor Yard and Turnpike House south eastwards for approximately 20 metres to a point 24 metres north west of a point in line with the boundary between Plumb Centre and Turnpike House, Marsh Lane.

Signed:



Quentin Baker
Chief Legal Officer

Dated: 02/03/2021



FOR INFORMATION

Key:

Proposed Limited Waiting Parking Bays - 15 Mins
No Return Within 1 Hour
Mon - Sat (8am - 6pm)

1:1000
@ A3

Revision	Amendment	Approved	Revision Date
RB	Limited Time Parking Bays Added	DH	16/10/19

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

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Designed	Approved	Approved Date
GC	CH	15/01/20
Drawn	Scale	
GC	1:1000	

Project
HERTFORDSHIRE COUNTY COUNCIL
HIGHWAY LOCALITY TEAM
MARSH LANE, WARE

Sheet
**MARSH LANE PARKING PLACES
PROPOSED TRAFFIC REGULATION ORDER**

Project No	Sheet No	Revision
G-HLB09.Y5	06	RB