

HERTFORDSHIRE COUNTY COUNCIL

THE HERTFORDSHIRE (ALBATROSS WAY, HATFIELD) (BUS GATE) ORDER 2023

NOTICE is given that the Hertfordshire County Council has made an Order under the Road Traffic Regulation Act 1984 (1984 Act) to introduce new bus gate restrictions in part of Hatfield as specified in the Schedule to this Notice. The Order will come into effect on Monday 12 August 2024.

Documents giving more detailed particulars of the Order may be viewed from 31 July 2024 to 11 September 2024 during office hours at Main Reception, County Hall, Hertford or online at www.hertfordshire.gov.uk/trafficorders by selecting Welwyn Hatfield and looking at Ref: WH00523.

Enquiries relating to the Order should be referred to the Highways Engineer concerned Ross Corben tel: 0300 123 4047 or ross.corben@hertfordshire.gov.uk

Any person wishing to question the validity of the Order, or any of its provisions, on the grounds that it is not within the powers conferred by the 1984 Act, or that any requirement of the 1984 Act or any Instrument made under it has not been complied with may, within 6 weeks from the date of this Notice, apply to the High Court for this purpose.

SCHEDULE: Bus Gate – that section of road listed below and as set out in the Order and scheme plan - Part of Albatross Way near its junction with A1057 St Albans Road West.

County Hall
Hertford
Herts SG13 8DN

31 July 2024
Mark Doran
Executive Director, Growth and Environment

HERTFORDSHIRE COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984

Date of Order: 24/07/2024
Order No: 8663

THE HERTFORDSHIRE (ALBATROSS WAY, HATFIELD) (BUS GATE) 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 (Albatross Way, Hatfield) (Bus Gate) Order 2023” and shall come into effect on Monday 12 August 2024.
2. The Hertfordshire (Albatross Way, Hatfield) (Bus Gate) Order 2023 Plan numbered **WH00523P**, inclusive of its key, is incorporated into this Order, as listed in the Schedule to this Order.

3. Interpretation –

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

“authorised vehicle” means those vehicles on an approved list managed and maintained by the Council;

“bus” shall have the same meaning as given in The Traffic Signs Regulations and General Directions 2016 Part 2, Schedule 1;

“bus gate” means a road or part of a road with access permitted only for buses, pedal cycles and authorised vehicles as indicated on Plan **WH00523P**;

“civil enforcement officer” shall have the same meaning as given in Section 76 Traffic Management Act 2004;

“council” means Hertfordshire County Council;

“motor vehicle” shall have the same meaning as given in Section 136 Road Traffic Regulation Act 1984;

“pedal cycle” shall have the same meaning as given in The Traffic Signs Regulations and General Directions 2016 Part 2, Schedule 1;

“penalty charge” shall have the same meaning as a charge set by the Council in accordance with The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 and the provisions of Part 6 and Schedule 9 of the Traffic Management Act 2004;

4. Save as provided in Article 5 to this Order no person shall cause or permit any motor vehicle to enter or be in that section of bus gate as shown on Plan **WH00523P**.
5. Nothing in Article 4 of this Order shall apply in respect of –
 - (a) a “bus”.
 - (b) a “pedal cycle”
 - (c) an “authorised vehicle”
 - (d) a vehicle being used for Fire and Rescue, Ambulance or Police purposes during the course of an emergency.

- (e) anything done with the permission of or at the direction of a Police Constable in uniform or with the permission of a Civil Enforcement Officer.
 - (f) a vehicle which is being used for one or more of the following purposes and which cannot reasonably be used for such a purpose without entering or being in the Bus Gate;
 - (i) any operation involving building, demolition or excavation;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance (including winter gritting), improvement or repair of the 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.
6. The Council in making this Order are satisfied that this Order is required for avoiding danger to persons using that length of road and to facilitate the passage of buses, pedal cycles and authorised vehicles using that length of road, as specified in Article 4 of this Order.
7. Where a person contravenes any of the restrictions set out in the provisions of this Order, or enters, or is within a Bus Gate, otherwise than in accordance with the provisions of this Order, the Owner of the Vehicle in question shall incur a penalty charge in accordance with The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.
8. The provisions of the following Order are hereby revoked: -
The Hertfordshire (Albatross Way, Hatfield) (Prohibition of Entry Except Buses) Order 2009
9. 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	Plan – WH00523P
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Signed:

Charlotte McKay

Charlotte McKay
Assistant Chief Legal Officer
Environment Law / Legal Services

Dated: 24/07/2024

STATEMENT OF REASONS

THE HERTFORDSHIRE (ALBATROSS WAY, HATFIELD) (BUS GATE) ORDER 2023

Hertfordshire County Council is proposing to introduce a new restriction in part of Hatfield.

The proposals will comprise of –

- Implementation of a Bus Gate on part of Albatross Way.

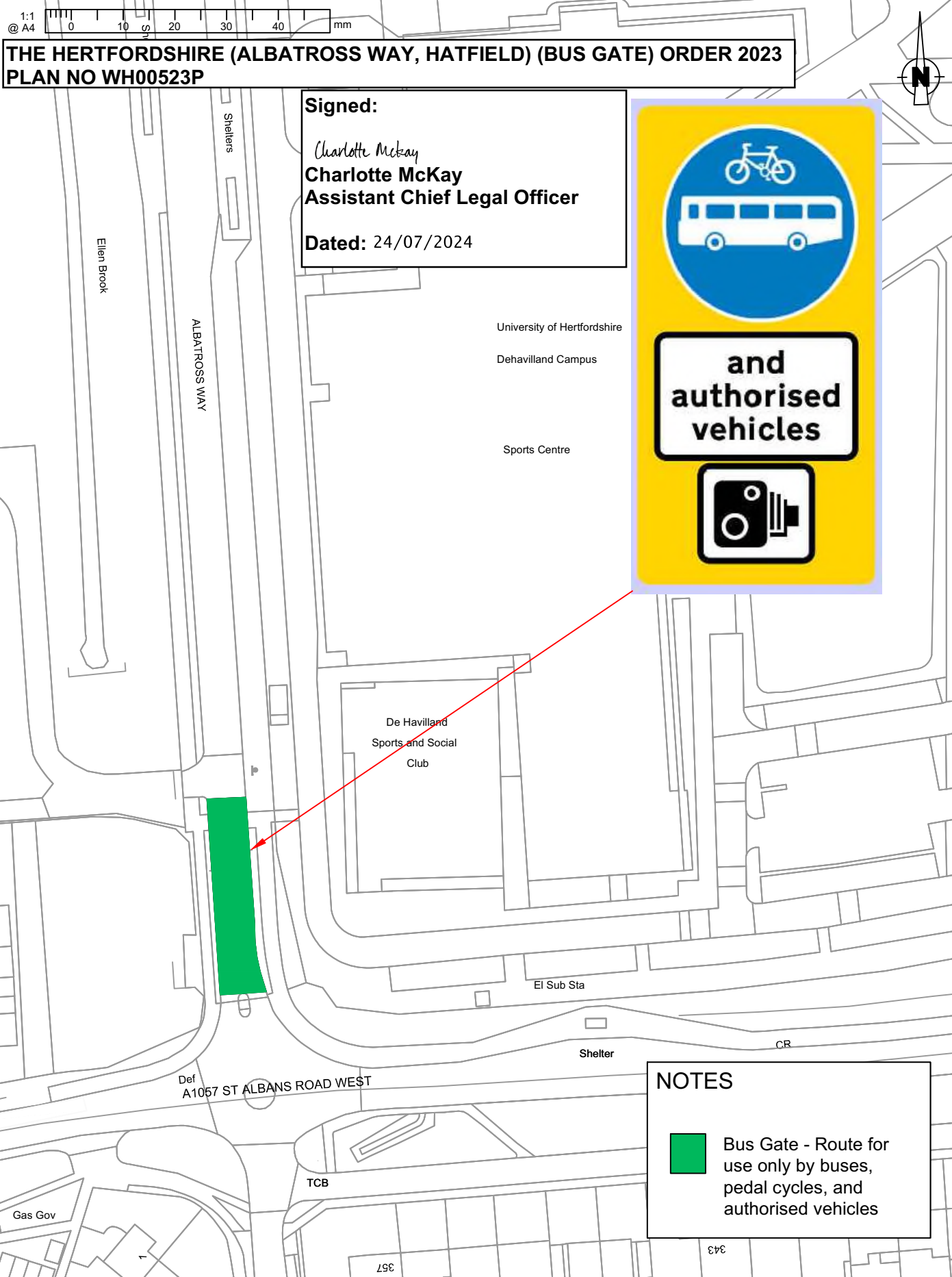
The restrictions are proposed to provide a route for use only by buses, pedal cycles and authorised vehicles. The restrictions are to be enforced using unattended camera enforcement.

These measures are necessary in order to promote and maintain road safety, prevent congestion, discourage inconsiderate and dangerous parking whilst ensuring the effectiveness and efficiency of public service vehicle operations.

This Order prevents through traffic in both directions and will be used only by buses, pedal cycles and authorised vehicles and is considered to be updating the existing No Entry Except local buses Order with more up to date signage., it does not materially alter the operation of Albatross Way.

Therefore, having also considered the duty imposed under Section 122 of the 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; preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property.

The proposal has been subject to consultation with local and County Councillors representing the area and Welwyn Hatfield Council. The local Police, Ambulance, Fire & Rescue Services, Hertfordshire County Council Passenger Transport Unit Council and Hatfield Town Council have also been consulted..




**THE HERTFORDSHIRE (ALBATROSS WAY, HATFIELD) (BUS GATE) ORDER 2023
PLAN NO WH00523P**


Signed:
Charlotte McKay
Charlotte McKay
Assistant Chief Legal Officer

Dated: 24/07/2024



NOTES

 Bus Gate - Route for use only by buses, pedal cycles, and authorised vehicles

 <p>County Hall Pegs Lane Hertford, Herts SG13 8DN www.hertfordshire.gov.uk/highways</p>		<p>Notes</p> <p>N1. 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.)</p> <p>N2. © Crown copyright and database right to 2022 Ordnance Survey 100019606.</p>			<p>Project</p> <p>TMA230001-1 Albatross Way Bus Gate Camera Enforcement Albatross Way Hatfield</p>																											
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