

HERTSMERE BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

Date of Order: 24 August 2021

Order No: 339

THE HERTSMERE BOROUGH COUNCIL (VARIOUS ROADS, RADLETT) (RESTRICTION OF WAITING) ORDER 2021

Hertsmere Borough Council (hereinafter referred to as "the Council") pursuant to arrangements made with Hertfordshire County Council ("the County Council") under Section 19 Local Government Act 2000 and Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 in exercise of the powers on the said County Council by Sections 1, 2 and 3 of the Road Traffic Regulation Act 1984 (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 in accordance with Part III of Schedule 9 to the Act of 1984, hereby make the following Order:

1. This Order may be cited as "The Hertsmere Borough Council (Various Roads, Radlett) (Restriction of Waiting) Order 2021" and shall come into operation on 4 October 2021.
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 The Drive, Watford Road, Scotsraig and Gills Hill Lane, Radlett as specified in the Schedule to this Order.
3. (1) Nothing in Article 2 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; or with the permission of a Civil Enforcement Officer appointed by Hertsmere Borough Council and as defined by the Traffic Management Act 2004.
 - (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 reasonably be necessary for postal packets to be delivered or collected;

In this Article;

The expression “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 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 reasonably be 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” means a disabled person of a description prescribed by Regulation 4 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

“disabled persons badge”, has the same meaning as given in Regulation 3(1) of The Local Authorities’ Traffic Orders (Exemption for the Disabled Persons) (England) Regulations 2000;

“driver” means the person driving or having control or charge of the vehicle at any given time and in particular in relation to the vehicle.

“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;

“Penalty Charge” shall have the meaning as a charge set by the Council in accordance with The Civil Enforcement of Parking Contraventions(Guidelines on Levels and Charges)(England) Order 2007 and the provisions of part 6 and Schedule 9 of the Traffic Management Act 2004

“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 regulations made or having effect as if made under the Act of 1984 or by any other enactment.
8. The provisions of the following Order are hereby revoked but only in so far as they are affected by the restrictions imposed by this Order;

The Borough of Hertsmere (Control of Parking) (Consolidation) Order 2012

SCHEDULE

NO WAITING AT ANYTIME

Name of Road	Description
Gills Hill Lane (East side)	From a point in line with the eastern kerbline of Watford road southwest wards for a distance of 52.8 metres
Gills Hill Lane (West side)	From a point 9 metres west of the western kerbline of Watford Road southwards for a distance of 52 metres
Gills Hill Lane (East side)	From a point 7 metres of the eastern kerbline of Gills Hill Lane northeast wards for a distance of 16.2 metres
The Drive (northwest side)	From a point 23 metres in line with the projected eastern kerbline of Beech Avenue northeast wards for 53 metres

IN WITNESS where of the Common Seal of the Hertsmere Borough Council was hereunto
affixed

This 24th day of August 2021.

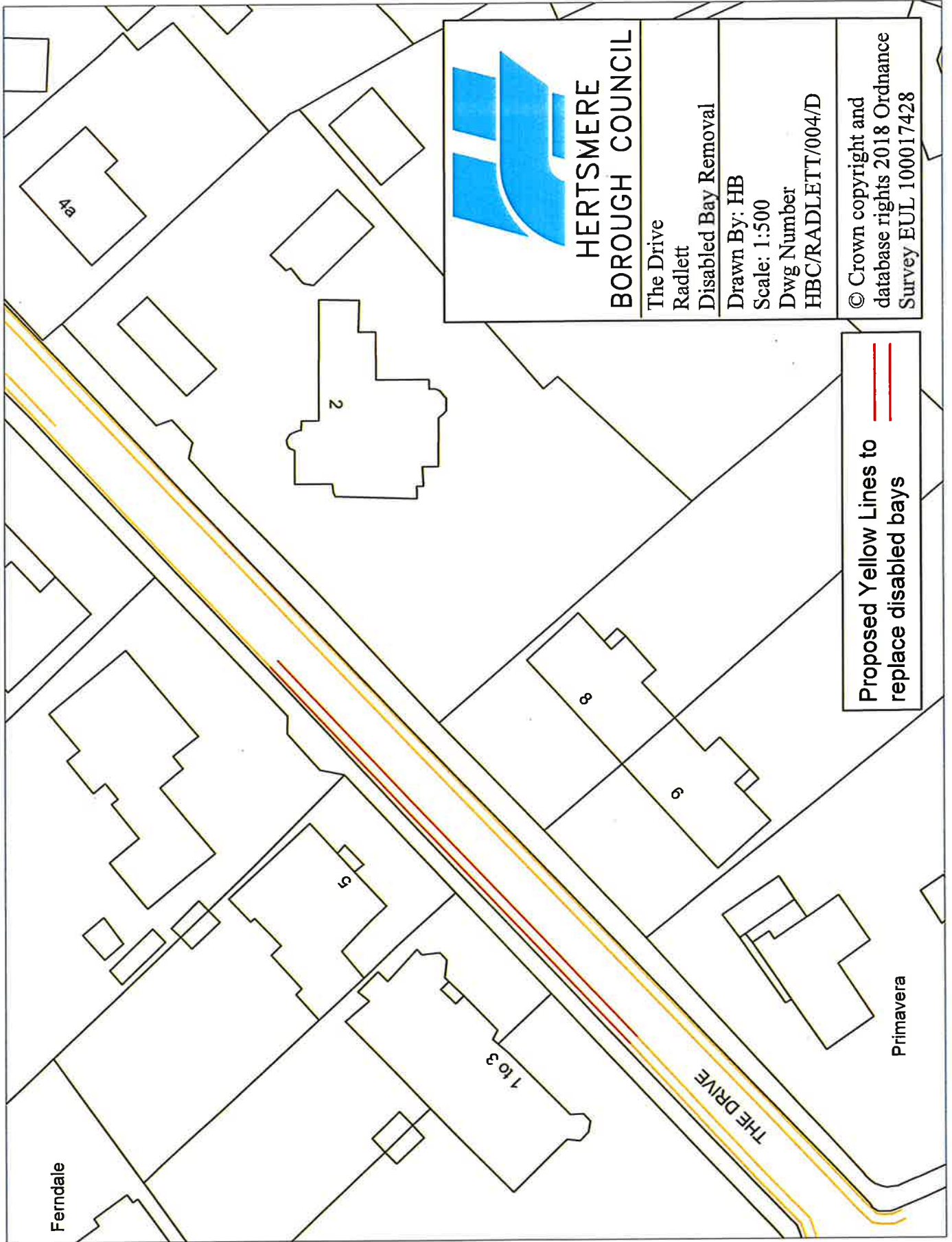
7204

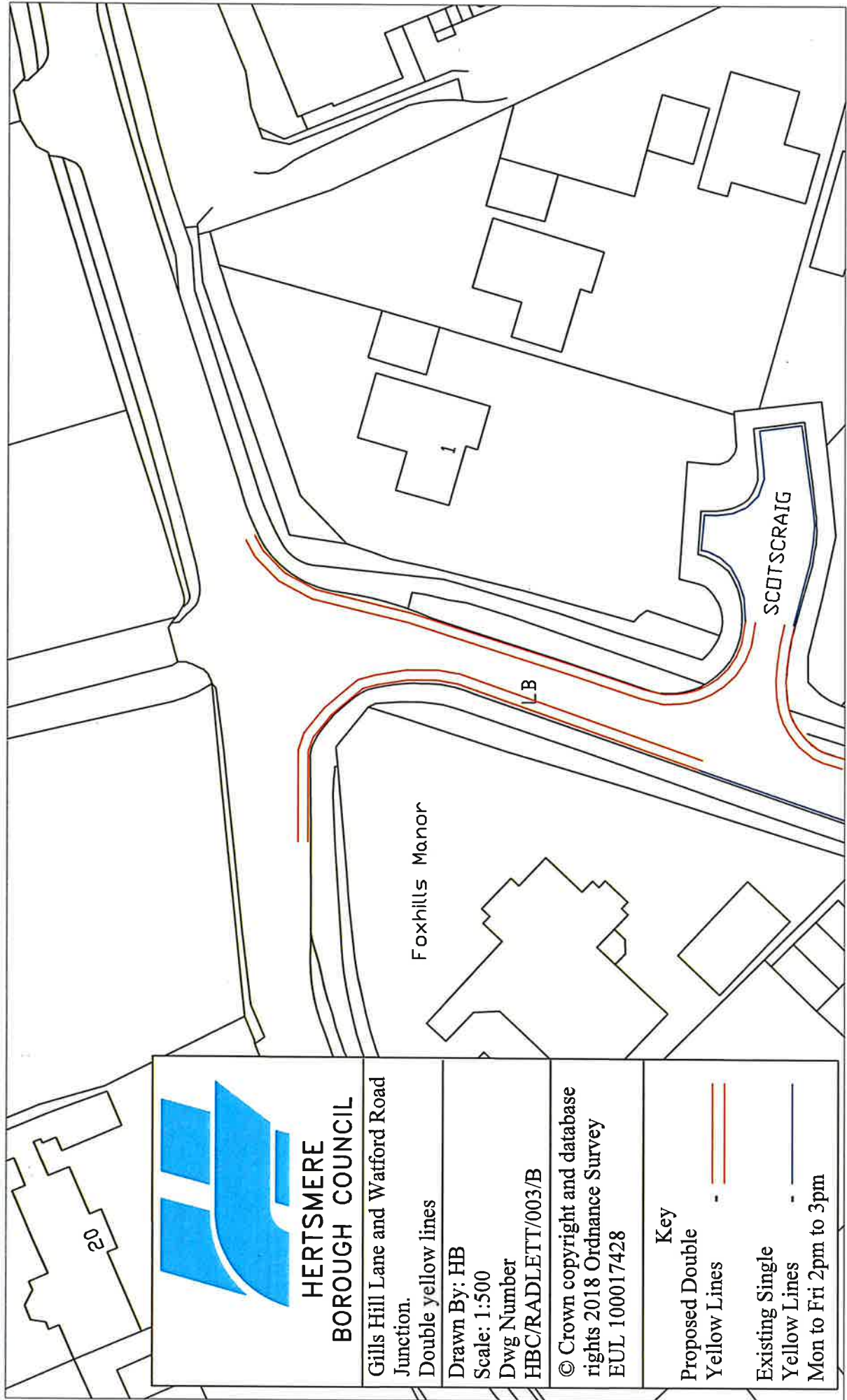
The Common Seal of the
Hertsmere Borough Council
was hereunto affixed in the
presence of :-



Head of Legal and Democratic Services







PUBLIC NOTICE

THE HERTSMERE BOROUGH COUNCIL (VARIOUS ROADS, RADLETT) (RESTRICTION OF WAITING) ORDER 2021

NOTICE IS HEREBY GIVEN that the Hertsmere Borough Council, pursuant to arrangement made with Hertfordshire County Council under Section 19 of the Local Government Act 2000 and the Local Government (Arrangement for Discharge of Functions) (England) Regulations 2000, proposes to make the above Order under the Road Traffic Regulation Act 1984.

The general effect of the Order would be to introduce waiting restrictions on parts of those roads listed within the schedule to this Notice, to improve road safety and to reduce instances of inappropriate or inconsiderate parking.

Documents giving more detailed particulars of the proposals are held on deposit at the Central Reception, Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood WD6 1WA. Due to the current COVID 19 emergency, in particular the restrictions imposed on population movement, the documents may be viewed online from 15th July 2021 at www.hertsmere.gov.uk by selecting transport, streets and parking or you may request a copy of the documents by emailing parking.policy@hertsmere.gov.uk

General enquiries relating to the proposals should be referred to Tunde Ogunro, Traffic Engineer, Tel 0208 207 2277 or Email: parking.policy@hertsmere.gov.uk

Objections to the proposals should be made in writing to Traffic Engineer, Parking Policy, Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood, WD6 1WA by 13th August 2021, quoting reference WR-Radlett 21 and stating the grounds on which they are made. Letters of support will also be received during this time.

SCHEDULE - No waiting at any time - Sections of The Drive, Watford Road, Scotsraig and Gills Hill Lane, Radlett as set out in the Order and shown on the plan(s) to that Order.

Consulting on this scheme is a statutory duty of the Borough Council. Any personal data you provide in responding to this Notice will be treated as confidential but will be shared with Borough Council Officers; Borough Councillors and contracted third parties who are involved in the statutory process. We will not share identifiable data with third parties outside of the statutory process. Guidance on your rights in respect of personal data are published in the Privacy Policy on our website, <https://www.hertsmere.gov.uk/Transport-Streets-and-Parking/Parking-consultation-and-Traffic-Orders/Parking-privacy-policy.aspx>

Sajida Bijle
Managing Director
15th July 2021

HERTSMERE BOROUGH COUNCIL

STATEMENT OF REASONS

THE HERTSMERE BOROUGH COUNCIL (VARIOUS ROADS, RADLETT) (RESTRICTION OF WAITING) ORDER 2021

Hertsmere Borough Council proposes to introduce waiting restrictions in parts of The Drive, Watford Road, Scotsraig and Gills Hill Lane, Radlett.

The proposals will comprise of -

- Implementation of 'No waiting at any time' restrictions in parts of The Drive, Gills Hill Lane, Scotsraig and Watford Road.
- Removal of two Disable Persons Parking Place and replace with 'no waiting at any time'.

These measures are considered necessary to prevent inappropriate parking, to keep the road clear at all times, to improve visibility at the locations and to improve road safety.

The proposals have been developed following consultation with Residents, Businesses, District Councillors, the Highway Authority, Hertfordshire Constabulary and all other statutory consultees, taking into account Section 122 of the Road Traffic Regulation Act 1984.

July 2021

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July 2021

HERTSMERE BOROUGH COUNCIL

REPORT TO: Ian Kershaw – Head of Waste and Street Scene

DATE: 17th August 2021

THE HERTSMERE BOROUGH COUNCIL (VARIOUS ROADS, RADLETT) (RESTRICTION OF WAITING) ORDER 2021

WARD: Aldenham East, Aldenham West

PORTFOLIO HOLDER: Councillor Jean Heywood

CONTACT OFFICER: Tunde Ogunro, Traffic Engineer Parking Services

1. Purpose of Report

- 1.1 The purpose of this report is to seek approval to Make the above Orders following their advertisement on 15th July 2021.

2. Recommendations

- 2.1 It is the officer's recommendation that the Portfolio Holder overrules the objections received and that the officer be authorised to make the above Orders.

3. Background

- 3.1 Following complaints and concerns relating to obstructive and inconsiderate parking in the area, the Council proposed to introduce waiting restrictions to re-enforce the Highway Code not to park within 10 metres of a junction, stop inappropriate parking and to help improve road safety.

4. Consultation

4.1 Interim Consultation –

Gills Hill Lane -We carried out an informal consultation with residents in April 2021 and asked residents if they agreed with the proposal to introduce waiting restrictions to the area. From the responses received, majority were in support of introducing the restrictions and suggested extending the proposed restriction to Gills Hill Lane junction with Scotsraig. An objection was received by a resident who claimed visitors, workmen and gardeners will not be able to park when visiting their property. The proposed double yellow lines were extended to protect vehicles accessing Scotsraig and to improve visibility splay.

The Drive – As a result of proposed re-development of Nos. 1 – 3 The Drive, the disable parking bays outside of the development is no longer required and vehicles parked in the bays obstruct the flow of traffic. Residents agreed to the proposal to remove the disable bays and replace with no waiting restriction. No objection was received following an informal consultation with residents of the area in June 2021.

- 4.2 **Formal Proposal to Make Traffic Regulation Orders (TROs)** – The Council advertised its proposal to make the Traffic Regulation Orders on 15th July 2021 and received one objection from a resident of Gills Hill Lane stating their visitors and workmen will be unable to park if the restrictions were implemented.

The resident was advised that the restrictions were necessary to improve road safety and to re-enforce The Highway Code rule 243 'not to park within 10 meters of a junction and opposite of a junction. The existing restrictions within other parts of the road will still provide ample parking for visitors and workmen.

Other residents were in support of the proposal. We consulted with Hertfordshire County council, Hertfordshire Police, Ward Councillors and other relevant statutory bodies.

5. Ward and County Councillor Comments

- 5.1 Ward Councillor commented in support of the scheme.

6. Planned Timetable for Implementation

- 6.1 If the portfolio holder agrees with the recommendations made the scheme is likely to be implemented during September 2021 subject to weather.

7. Finance

- 7.1 All costs will be from the CPZ Implementation and Design budget. No additional funding is required.

8. Legal Powers Relied on and any Legal Implications

- 8.1 The legislation relating to the TRO process is contained under the Road Traffic Regulations Act 1984 and The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

9. Efficiency Gains and Value for Money

- 9.1 None

10. Risk Management Implications

- 10.1 None

11. Personnel Implications

- 11.1 The traffic engineer will complete any work during his existing work programme.

12. Corporate Plan & Policy Framework Implications

- 12.1 Community Strategy Objective – Better use of the highway network

13. Asset Management Plan Implications

13.1 None

14. Health and Safety Implications

14.1 None

15. Appendices / Further Information

15.1 Appendix A: Final copies of the Order for sealing

16. Background Papers

16.1 Road Traffic Regulation Act 1984

Report Sign Off

Agree to Make Traffic Regulation Orders / Agree to Abandon Scheme

*(Delete as appropriate)

Head of Service or delegated decision maker

Name IAN HERSHMAN

Signature [Signature]

Date 18 / 8 / 21

Portfolio Holder Housing and Transport

Name Cllr. J. E. Heywood

Signature J. E. Heywood

Date 18 / 08 / 21

HERTSMERE BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

Date of Order: XXXXXXXXX 2021
Order No.XXX

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Name of Road	Description
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Head of Legal and Democratic Services

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