

WELWYN HATFIELD BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE BOROUGH OF WELWYN HATFIELD (VARIOUS ROADS, HANDSIDE, WELWYN GARDEN CITY) (PROHIBITION OF STOPPING AND WAITING ON VERGES AND FOOTWAYS) ORDER 2016

Welwyn Hatfield Borough Council (hereinafter referred to as "the Council") pursuant to arrangements made with the County Council of Hertfordshire under Section 19 Local Government Act 2000 and Section 101 of The Local Government Act 1972, in exercise of the powers of the said County Council under Sections 1, 2, 3 and 4 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 of the Act of 1984, hereby makes the following Order:-

1. The Order shall come into operation on 20th March 2017 and may be cited as **"The Borough of Welwyn Hatfield (Various Roads, Handside, Welwyn Garden City) (Prohibition of Stopping and Waiting on Verges and Footways) Order 2016** hereinafter referred to as 'this Order'

2. In this order:-

"carriageway" has the meaning as given in the Highways Act 1980 but does not include lay-bys.

"verge" means any part of a road not being a carriageway and includes road margins, central reservations, areas where the verge has been lowered to the edge of the carriageway to assist vehicles leaving the carriageway and access off-road parking; and areas laid for ornamental purposes maintained by Welwyn Hatfield Borough Council, but does not include lay-bys.

"footway" means any paved or hardened area separated from the highway carriageway for use by pedestrians.

3. Save as provided in Article 4 of this Order no person shall cause or permit any vehicle to stop or wait at any time with two or more wheels on any part of the verge or footway in those lengths of road in Welwyn Garden City specified in the Schedule to this Order.
4. (1) Nothing Article 3 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") in relation to -
 - (a) vehicle being used for Fire and Rescue, Ambulance or Police purposes;
 - (b) anything done with the permission of or at the direction of -
 - (i) a police constable in uniform
 - (ii) a Civil Enforcement Officer as defined by the Traffic Management Act 2004 and appointed by Welwyn Hatfield Borough Council

- (c) a vehicle which is prevented from proceeding by circumstances beyond the driver's 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", "the 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, upgrading, improvement to, or reconstruction of a road;
- d) construction, 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. The interpretation Act 1978 shall apply for interpretation of this Order as it applies for the interpretation of an Act of Parliament.
- 6. The provisions of the following Order(s) are hereby revoked only in so far as they are affected by the restrictions imposed by this Order and the relevant Schedule –

The Borough of Welwyn Hatfield (Control of Parking) (Consolidation) Order 2012

SCHEDULE	
Prohibition of Stopping and Waiting on Verges and Footways	
Longcroft Lane	For its entire length including its cul-de-sacs
Parkfields	For its entire length
Lytton Gardens	For its entire length
Birdcroft Road	For its entire length
Longcroft Gardens	For its entire length
Wilkins Grove	For its entire length
Rooks Close	For its entire length
Fordwich Road	For its entire length
Rooks Hill	For its entire length

Given under the Common Seal of the Welwyn Hatfield Borough Council this
9th day of February 2017

THE COMMON SEAL of the WELWYN)
HATFIELD BOROUGH COUNCIL)
was hereunto affixed in the presence of: -)

P.A. Mabbott
Mayor
[Signature]
Authorised Officer



WELWYN HATFIELD BOROUGH COUNCIL

THE BOROUGH OF WELWYN HATFIELD (VARIOUS ROADS, HANDSIDE, WELWYN GARDEN CITY) (PROHIBITION OF STOPPING AND WAITING ON VERGES AND FOOTWAYS) ORDER 2016

NOTICE IS HEREBY GIVEN that the Welwyn Hatfield Borough Council (pursuant to arrangement made with Hertfordshire County Council) has made an Order under the Road Traffic Regulation Act 1984 to introduce waiting restrictions in parts of **Longcroft Lane, Parkfields, Lytton Gardens, Birdcroft Road, Longcroft Gardens, Wilkins Grove, Rooks Close, Fordwich Road and Rooks Hill, Welwyn Garden City** as specified in the Schedule to this Notice. The Order will come into effect on 20th March 2017.

Full details of the proposals are contained in the Order, the plans and the statement of reasons which may be inspected from 15th February 2017 during normal office hours at the offices of Welwyn Hatfield Borough Council, The Campus, Welwyn Garden City, or viewed at www.welhat.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 stopping or waiting at any time on verge or footway

Parts of Longcroft Lane, Parkfields, Lytton Gardens, Birdcroft Road, Longcroft Gardens, Wilkins Grove, Rooks Close, Fordwich Road and Rooks Hill, Welwyn Garden City.

Ka Ng, Executive Director, Resources, Environment and Cultural Services,
Council Offices, The Campus, Welwyn Garden City, Herts AL8 6AE
10th February 2017.

WELWYN HATFIELD BOROUGH COUNCIL
STATEMENT OF REASONS FOR PROPOSING
THE BOROUGH OF WELWYN HATFIELD (VARIOUS ROADS, HANDSIDE, WELWYN
GARDEN CITY) (PROHIBITION OF STOPPING AND WAITING ON VERGES AND
FOOTWAYS) ORDER 2016

Welwyn Hatfield Borough Council is proposing to introduce restrictions in parts of Longcroft Lane, Parkfields, Lytton Gardens, Birdcroft Road, Longcroft Gardens, Wilkins Grove, Rooks Close, Fordwich Road and Rooks Hill, Welwyn Garden City consisting of a prohibition of stopping and waiting on verges and footways.

Due to problems associated with unnecessary obstruction and damage being caused by vehicle parking on verges and footways; consultation has taken place with the residents in the above named roads. The results of the consultation showed that a clear majority were in favour of the proposed restriction.

Having considered the duty imposed by Section 122 Road Traffic Regulation Act 1984, it appears to Welwyn Hatfield Borough Council that it is necessary and expedient to make Orders for the following reasons:-

- **For the purposes of relieving or preventing congestion of traffic.**
- **For the avoidance of danger to persons or other traffic using the road and preventing the likelihood of any such danger arising.**

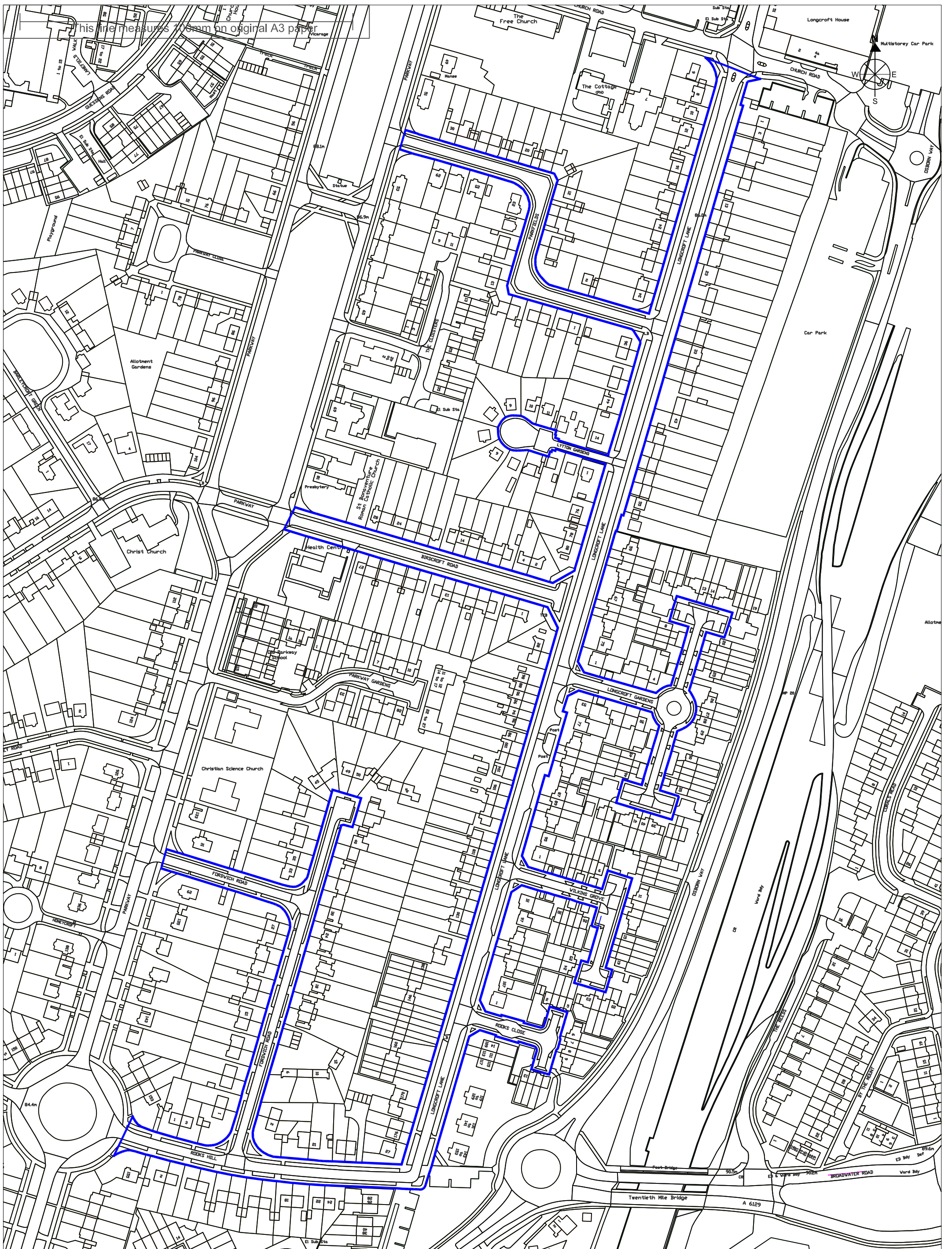
The proposed new restrictions are as follows;

In parts of Longcroft Lane, Parkfields, Lytton Gardens, Birdcroft Road, Longcroft Gardens, Wilkins Grove, Rooks Close, Fordwich Road and Rooks Hill, Welwyn Garden City

1. No stopping or waiting at any time on verge or footway

Consultation has been carried out with local residents, Hertfordshire County Council, Hertfordshire Constabulary, Fire and Ambulance Services and local Councillors representing the area.

Ka Ng
Director of Finance and Operations
Welwyn Hatfield Borough Council
Council Offices, The Campus, Welwyn Garden City, Herts AL8 6AE
1st November 2016



Title - HANDSIDE WARD - AREA 1 - VERGE PROTECTION ORDER

Scale - 1: 2000 on A3
 Drawn - 05/10/2016
 By - Jack Carson
 Drawing - 1 of 1



Key  - No Stopping or Waiting at any time on footway or verge

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