

WELWYN HATFIELD BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

**THE BOROUGH OF WELWYN HATFIELD (BRADMORE GREEN, BROOKMANS PARK,
HATFIELD) (PARKING PLACES) ORDER 2016**

The Welwyn Hatfield Borough Council (hereinafter referred to as "the Council") pursuant to arrangements made with Hertfordshire County Council ("the County Council") under Section 19 of the Local Government Act 2000 and the Local Government (Arrangements for Discharge of Functions) (England) Regulations 2000 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 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. This Order may be cited as **"The Borough of Welwyn Hatfield (Bradmore Green, Brookmans Park, Hatfield) (Parking Places) Order 2016"** and shall come into effect on 30th August 2016
2. Save as provided in Articles 5, 6 and 7 of this Order those lengths of road specified in the Schedule 1 to this Order are hereby designated for use as parking places effective between 8am and 6.30pm Monday to Saturday inclusive and limited to 1 hour waiting with no return within the next 1 hour.
3. Save as provided in Articles 5, 6 and 7 of this Order those lengths of road as specified in the Schedule 2 to this Order are hereby designated for use as parking places effective between 8am and 6.30pm Monday to Saturday inclusive and limited to 2 hours waiting with no return within the next 1 hour
4. Save as provided in Article 5 of this Order the driver of a vehicle shall not permit the vehicle to wait in a parking place designated by Articles 2 and 3 to this Order, unless it is wholly parked within the marked limits of the parking place.
- 5 (1) Nothing in Articles 2, 3 and 4 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 Welwyn Hatfield Borough 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 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. 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") 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.

7. (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, to wait at any time in the lengths of road specified in Schedules 1 and 2 of this Order.

(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

8. A vehicle left in a parking place in contravention of Articles 2, 3 or 4 of this Order or otherwise in accordance with the provisions of this Order shall incur a penalty charge.
9. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the Interpretation of an Act of Parliament.
- 10.(1) The following Order is hereby revoked;
The Borough of Welwyn Hatfield (Bradmore Green, Brookmans Park, Hatfield) (Parking Places) Order 2014.
- (2) 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 Welwyn Hatfield (Control of Parking) (Consolidation Order) 2012

11. 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 | | |
|--|---|---|
| Parking limited to 1 hour waiting with no return within the next 1 hour between 8am and 6.30pm Monday to Saturday. | | |
| Bradmore Green (Northeast side) | | From a point 1 metre northwest of a point in line with the boundary between numbers 58 and 59, northwest for a distance of 15 metres (marked as 3 individual bays) |
| Bradmore Green (North side) | a | From a point in line with the boundary between numbers 36 and 37, east for a distance of 18 metres (marked as 7 individual bays) |

| | | |
|--|---|---|
| | b | From a point 4 metres west of a point in line with the boundary between numbers 36 and 37, west for a distance of 3 metres (marked as 1 individual bay) |
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| Schedule 2 | | |
|---|---|--|
| Parking limited to 2 hours waiting with no return within the next 1 hour between 8am and 6.30pm Monday to Saturday. | | |
| Bradmore Green (Northwest side) | | From a point 1.5 metres northeast of a point in line with the southwest property wall of numbers 1 and 2, northeast for a distance of 26 metres. |
| Bradmore Green (Northeast side) | a | From a point 5 metres northwest of a point in line with the boundary between numbers 28 and 29, southeast for a distance of 23 metres (marked as 4 individual bays) |
| | b | From a point 1 metre northwest of a point in line with the boundary between numbers 58 and 59, northwest for a distance of 15 metres (marked as 3 individual bays) |
| | c | From a point 23 metres northwest of a point in line with the boundary between numbers 56 and 57, northwest for a distance of 25 metres. |
| Bradmore Green (Southeast side) | a | From a point 1.5 metres northeast of a point in line with the boundary between numbers 18 and 19, southwest for a distance of 18 metres. |
| | b | From a point 12 metres northeast of a point in line with the boundary between numbers 50 and 51, southwest for an approximate distance of 33 metres, to a point 7.5m southwest of a point in line with the boundary between numbers 54 and 55 (marked as 6 individual bays) |
| Bradmore Green (Service road fronting numbers 87-98, South side) | | From a point 4.5 metres northwest of a point in line with the boundary between numbers 86 and 87, southwest and west for an approximate distance of 37 metres, to a point in line with the western property wall of numbers 97 and 98. |
| Bradmore Green (South side) | | From a point 25 metres west of a point in line with the boundary between numbers 48 and 49, west for a distance of 21 metres (marked as 4 individual bays) |

GIVEN under the Common Seal of the Welwyn Hatfield Borough Council this
4th day of August 2016.

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

P. A. Marshall

Mayor

Robert Bullock

Authorised Officer



WELWYN HATFIELD BOROUGH COUNCIL
STATEMENT OF REASONS FOR PROPOSING

THE BOROUGH OF WELWYN HATFIELD (BRADMORE GREEN, BROOKMANS PARK, HATFIELD) (PARKING PLACES AND REVOCATION) ORDER 2016

Welwyn Hatfield Borough Council is proposing to introduce restrictions in parts of **Bradmore Green, Brookmans Park**, consisting of waiting restrictions.

Acting upon the responses from a general parking survey in Brookmans Park, in 2015 the Council implemented a longer waiting period in the parking bays outside the shops and businesses in Bradmore Green. Subsequent to this, some businesses have now requested a return to the shorter 1 hour waiting period, citing loss of trade. To facilitate this, the existing restrictions will need to be revoked.

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:-

- **In order to provide suitable and adequate parking facilities**
- **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;

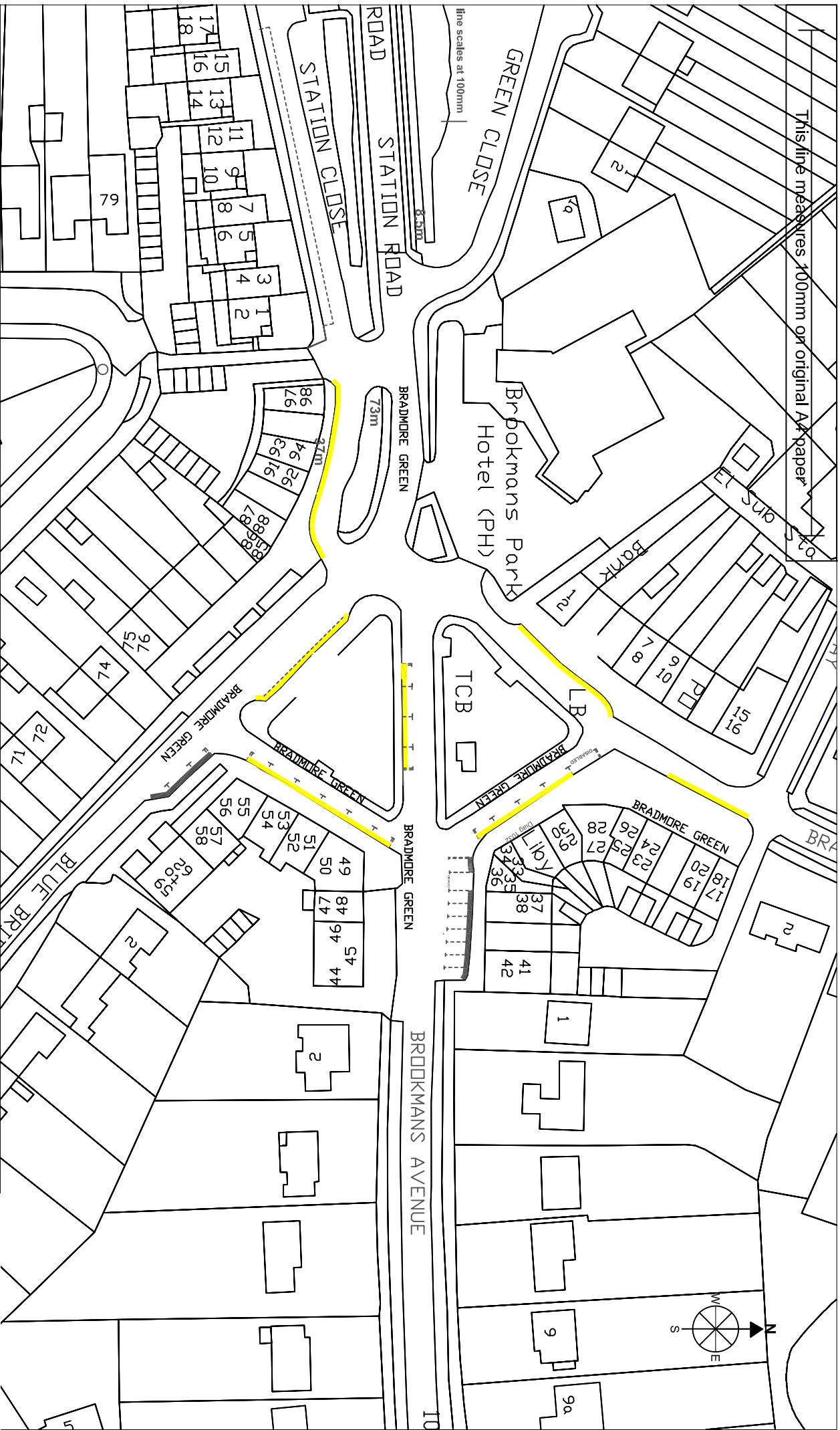
In parts of **Bradmore Green, Brookmans Park**

1. Parking limited to 1 hour with no return within 1 hour, Monday to Saturday, 8.am to 6.30pm.
2. Parking limited to 2 hours with no return within 1 hour, Monday to Saturday, 8.am to 6.30pm

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

Pam Kettle
Director of Finance and Operations
Welwyn Hatfield Borough Council
Council Offices, The Campus, Welwyn Garden City, Herts AL8 6AE
18th May 2016

This line measures 100mm on original A4 paper



Title - Bradmore Green, Brookmans Park - Parking Places Amendment Order 2016

- Key**
- Parking place, limited to 1hr, No return within 1hr
 - Parking place, limited to 2hrs, No return within 1hr

Scale - 1:1000 on A4

Drawn - 30/03/2016

By - JC

Drawing - 1 of 1

