

WELWYN HATFIELD BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE BOROUGH OF WELWYN HATFIELD (VARIOUS ROADS, WELWYN GARDEN CITY)
(RESTRICTION OF WAITING) ORDER 2019

The Welwyn Hatfield Borough Council (herein 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 Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 in exercise of the powers conferred on the said County Council by 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 in accordance with Part III of Schedule 9 of the Act of 1984, hereby make the following the Order :-

1. This Order may be cited as "**The Borough of Welwyn Hatfield (Various Roads, Welwyn Garden City) (Restriction of Waiting) Order 2019**" and shall come into effect on 1st August 2019
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 Stanborough Close, Stanborough Road, Lemsford Lane, Amethyst Walk and Sefton Court as specified in the Schedule to this Order.
3. (1) Nothing in Article 2 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) 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 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”, “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 lengths of road restricted by that Article (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.

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’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.

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

	d	From a point 1.5 metres southeast of a point in line with the common boundary between Nos 102 and 104 Lemsford Lane, northwest for a distance of 21.5 metres, to a point in line with the projected southeast kerbline of Amethyst Walk
	e	From a point in line with the projected northwest kerbline of Amethyst Walk, northwest for a distance of 14.5 metres
	f	From a point 3.5 metres northwest of a point in line with the common boundary between No 96 Lemsford Lane and No 18 Stacklands, northwest for an approximate distance of 32 metres, to a point in line with the projected southeast kerbline of Sefton Court
	g	From a point in line with the projected northwest kerbline of Sefton Court, northwest for a distance of 20 metres
Access road to WHBC Car Park - Both sides		From a point in line with the projected southwest kerbline of Lemsford Lane, southwest for 7.5 metres.
Access road to School Car Park – Southeast side		From a point in line with the projected southwest kerbline of Lemsford Lane, southeast for a distance of 6 metres.
Amethyst Walk Southeast side		From a point in line with the projected southwest kerbline of Lemsford Lane, southwest for a distance of 6.5 metres
Amethyst Walk Northwest side		From a point in line with the projected southwest kerbline of Lemsford Lane, southwest for a distance of 7.5 metres
Sefton Court Both sides		From a point in line with the projected southwest kerbline of Lemsford Lane, southwest for a distance of 7 metres

GIVEN under the Common Seal of the Welwyn Hatfield Borough Council this
11th day of July 2019

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

S. Saunders

Authorised Officer



7. 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 Welwyn Hatfield Borough Council (Control of Parking) (Consolidation) Order 2017

8. 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

Lengths of Stanborough Road, Stanborough Close, Lemsford Lane, Amethyst Walk and Sefton Court, Welwyn Garden City – No waiting at any time

Stanborough Road Northwest side	a	From a point in line with the projected southwest kerbline of Stanborough Close, southwest for a distance of 15 metres.
	b	From a point in line with the projected southeast kerbline of Stanborough Close, northeast for a distance of 15 metres.
Stanborough Close Southwest side		From a point in line with the northwest property wall of No 3 Stanborough Close, northwest and southwest for a distance of 13 metres
Stanborough Close Northeast side		From a point 5.5 metres northwest of a point in line with the common boundary between Nos 17 and 18 Stanborough Close, southeast, southwest, then southeast for an approximate distance of 24.5 metres
Stanborough Close Northwest side		From a point in line with the common boundary between Nos 12 and 13 Stanborough Close, northeast for a distance of 9 metres.
Stanborough Close Both sides		From a point in line with the projected northwest kerbline of Stanborough Road, northwest for a distance of 12.5 metres.
Lemsford Lane Northeast side	a	From a point 6.5m northwest of a point in line with the southeast property boundary of No 134 Lemsford Lane, northwest for a distance of 14 metres.
	b	From a point 8 metres northwest of a point in line with the common boundary between Nos 130 and 132 Lemsford Lane, northwest for an approximate distance of 62 metres, to a point 1.5 metres southeast of a point in line with the common boundary between Nos 118 and 120 Lemsford Lane
Lemsford Lane Southwest side	a	From a point 3.5 metres northwest of a point in line with the projected northwest kerbline of Stanborough Green, northwest for an approximate distance of 51 metres, to a point in line with the projected southeast kerbline of the access road to the school car park.
	b	From a point 1.5 metres southeast of a point in line with the common boundary between Nos 130 and 132 Lemsford Lane, northwest for an approximate distance of 69 metres, to a point 4 metres northwest of a point in line with the common boundary between Nos 120 and 122 Lemsford Lane
	c	From a point 2.5 metres northwest of a point in line with the common boundary between Nos 104 and 108 Lemsford Lane, northwest for a distance of 9 metres.

WELWYN HATFIELD BOROUGH COUNCIL
STATEMENT OF REASONS FOR PROPOSING

**THE BOROUGH OF WELWYN HATFIELD (VARIOUS ROADS, WELWYN GARDEN CITY)
(RESTRICTION OF WAITING) ORDER 2019**

Welwyn Hatfield Borough Council is proposing to introduce waiting restrictions in various roads, Stanborough, Welwyn Garden City.

Residents in Lemsford Lane were consulted in Spring 2018 on proposed restrictions to prevent parking on junctions and congestion. Residents expressed concerns relating to weekday school run journeys and sporting activities held over the weekend, causing congestion and obstruction to residents' properties; extensive consultation has since been carried out with officers, residents, Stanborough School and local councillors.

Residents have also reported difficulties in manoeuvring and access issues due to inconsiderate parking in parts of Stanborough Close.

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

- **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:

No Waiting at any time

- In parts of Stanborough Close, Stanborough Road, Lemsford Lane, Amethyst Walk and Sefton Court.

The proposal has been subject to consultation with local and county councillors representing the area and Hertfordshire County Council. The local Police, Ambulance, Fire and Rescue Services, Officers from Hertfordshire County Council, local residents and businesses have also been consulted.

Ka Ng

Executive Director, Resources, Environment and Cultural Services

Welwyn Hatfield Borough Council

Council Offices, The Campus, Welwyn Garden City, Herts AL8 6AE

1st April 2019

WELWYN HATFIELD BOROUGH COUNCIL

**THE BOROUGH OF WELWYN HATFIELD (VARIOUS ROADS, WELWYN GARDEN CITY)
(RESTRICTION OF WAITING) ORDER 2019**

NOTICE IS HEREBY GIVEN that the Welwyn Hatfield Borough Council (pursuant to arrangement made with Hertfordshire County Council) has made the above Order under the Road Traffic Regulation Act 1984 to introduce restrictions in various roads, Welwyn Garden City as specified in the Schedule(s) to this Notice.

Full details of the proposals are contained in the Order, the plans and the statement of reasons which may be inspected during normal office hours at the offices of Welwyn Hatfield Borough Council, The Campus, Welwyn Garden City or viewed at www.welhat.gov.uk from 17th July 2019.

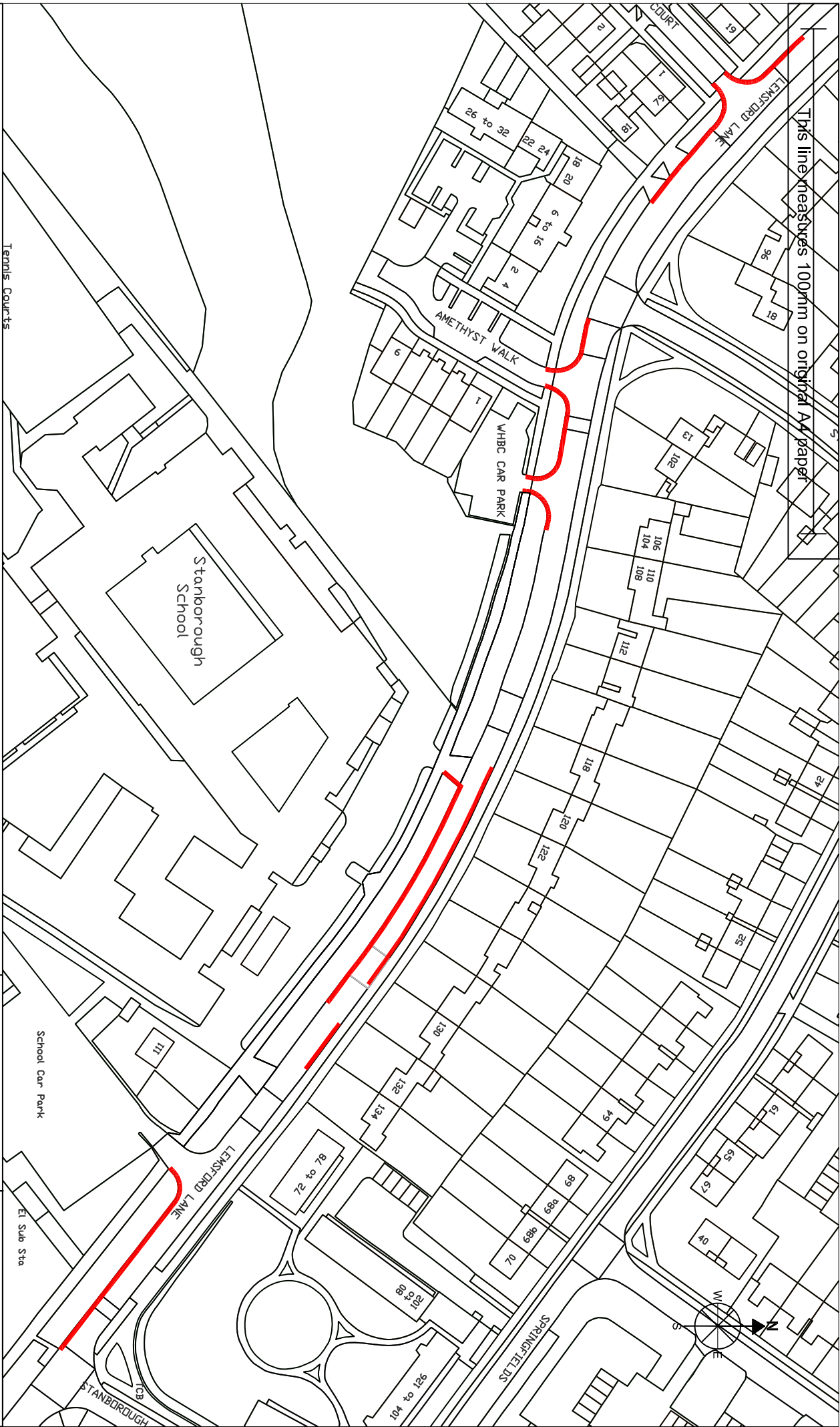
Any person wishing to question the validity of the Orders, or of any provision contained in them, on the grounds that it is not within the powers conferred by the Road traffic Regulation Act 1984, or on the grounds that any requirement of the Act or any instrument made under it has not been complied with in relation to the Orders, may within 6 weeks from the date of this Notice apply to the High Court for this purpose.

SCHEDULE 1: No waiting at any time - those sections of roads listed below as set out in the Order and accompanying plans

Parts of Stanborough Road, Stanborough Close, Lemsford Lane, Amethyst Walk and Sefton Court.

Ka Ng, Executive Director, Resources, Environment and Cultural Services,
Council Offices, The Campus, Welwyn Garden City, Herts AL8 6AE
1st April 2019.

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Title

The Borough of Welwyn Hatfield (Various Roads, Welwyn Garden City) (Restriction of Waiting) Order 2019

Key

Double yellow lines, No waiting at any time



**WELWYN
HATFIELD**

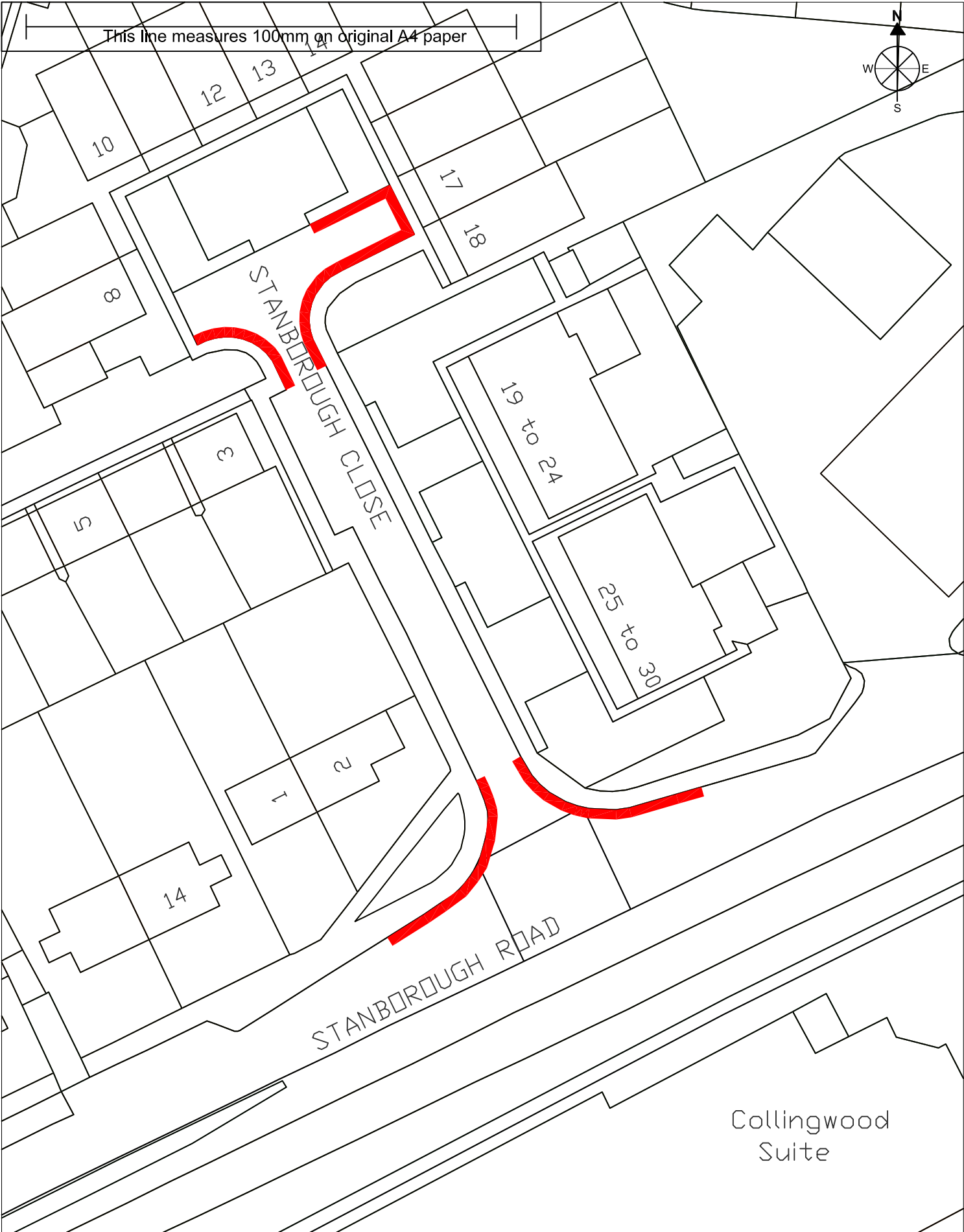
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Drawn - 07/06/2019

By - JC of Parking Services

Drawing - 1 of 2

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Title The Borough of Welwyn Hatfield (Various Roads, Welwyn Garden City) (Restriction of Waiting) Order 2019	Scale - 1: 500 on A4 Drawn - 23/03/2019 By - Parking Services - JC Drawing - 2 of 2	 WELWYN HATFIELD
Key  - Proposed double yellow lines, No waiting at any time	© Crown Copyright All rights reserved Welwyn Hatfield Borough Council License No. LA 100019547 2019	