

HERTFORDSHIRE COUNTY COUNCIL

THE HERTFORDSHIRE (SWALLOWFIELDS, WELWYN GARDEN CITY) (RESTRICTION OF WAITING) ORDER 2019

NOTICE is given that the Hertfordshire County Council has made an Order under the Road Traffic Regulation Act 1984 to introduce waiting restrictions in Swallowfields, Welwyn Garden City as specified in the Schedule to this Notice. The Order will come into effect on Monday 16 September 2019.

Documents giving more detailed particulars of the Order may be inspected from 21 August 2019 to 2 October 2019 during normal office hours, at the offices of Welwyn Hatfield Council, Council Offices, The Campus, Welwyn Garden City and at Main Reception, Hertfordshire County Council, County Hall, Pegs Lane, Hertford, or may be viewed online at www.hertfordshire.gov.uk/trafficorders by selecting Welwyn Hatfield and looking at Ref: WH00419.

Enquiries relating to the Order should be referred to the Highways Engineer concerned Martin Nevill tel: 01992 658272 or martin.nevill@hertfordshire.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: No waiting at any time – effecting those sections of road herein listed and as set out in the Order and accompanying plan – Swallowfields, in the vicinity of the access road to B & Q Store.

County Hall
Hertford
Herts SG13 8DN

21 August 2019
Mark Kemp
Director of Environment and Infrastructure

STATEMENT OF REASONS

THE HERTFORDSHIRE (SWALLOWFIELDS, WELWYN GARDEN CITY) (RESTRICTION OF WAITING) ORDER 2019

The Hertfordshire County Council is proposing to introduce waiting restrictions in order to improve road safety in part of Swallowfields, Welwyn Garden City.

The proposals include:

- 'No waiting at any time' restrictions in Swallowfields - located in the vicinity of the access road to B&Q Store.

The restrictions are proposed to improve the visibility for vehicles exiting the access from the B & Q store. Due to historical parking on the verges the double yellow lines will be a preventative measure to ensure is no re-occurrence of future verge parking.

Therefore, having also considered the duty imposed by Section 122 Road Traffic Redgulation Act 1984, it appears to the Highway Authority that it is necessary and expedient to make an Order in the interests of avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, for facilitating the passage on the road or any other road of any class of traffic (including pedestrians) and for preserving or improving the amenities of the area through which the road runs.

The proposal has been subject to consultation with local and County Councillors representing the area and Welwyn Hatfield Council. The local Police, Ambulance, Fire and Rescue Services, local businesses and residents have also been consulted.

HERTFORDSHIRE COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984

ORIGINAL

Date of Order: 16 August 2019

Order No: 8280

**THE HERTFORDSHIRE (SWALLOWFIELDS, WELWYN GARDEN CITY)
(RESTRICTION OF WAITING) ORDER 2019**

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 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 Order:-

1. This Order may be cited as “The Hertfordshire (Swallowfields, Welwyn Garden City) (Restriction of Waiting) Order 2019” and shall come into effect on Monday 16 September 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 Swallowfields, Welwyn Garden City 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 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 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 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.

7. 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 Swallowfields, Welwyn Garden City – no waiting at any time

Swallowfields (north west side)	(a) from a point in line with the projected south west kerbline of the access road into B&Q Store south westwards for approximately 19 metres to a point 22 metres north east of a point in line with the projected north east kerbline of Bridge Road East.
	(b) from a point in line with the projected north east kerbline of the access road into B&Q Store north eastwards for approximately 15 metres to a point 1 metre north east of a point in line with the north east fascia wall of 73 Bridge Road East.
(south east side)	from a point 18 metres south west of a point in line with the projected south west kerbline of the access road into B&Q Store north eastwards for approximately 43 metres to a point 18 metres north east of a point in line with the projected north east kerbline of the access road into B&Q Store.
Access Road into B&Q store (both sides)	from a point in line with the projected north west kerbline of Swallowfields north westwards for 3.5 metres.

Signed:

Quentin Baker

**Quentin Baker
Chief Legal Officer**

Dated: 16 August 2019