

**WELWYN HATFIELD BOROUGH COUNCIL
ROAD TRAFFIC REGULATION ACT 1984**

**THE BOROUGH OF WELWYN HATFIELD (WELFIELD ROAD, HATFIELD) (PARKING
PLACES AND LOADING BAY) ORDER 2019**

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 Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 in exercise of the powers conferred under Sections 32 and 35 of the Road Traffic Regulation Act 1984 ("the Act of 1984"), and Part IV of Schedule 9 of the Act of 1984, and 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. (a) This Order may be cited as "The Borough of Welwyn Hatfield (Wellfield Road, Hatfield) (Parking Places and Loading Bay) Order 2019" and shall come into effect on Monday 2nd March 2020
(b) In this Order-
"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; 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.
2. That length of Wellfield Road, Hatfield as specified in Schedule 1 to this Order is authorised for use as a parking place at any time, for disabled persons vehicles which display in the relevant position a disabled persons badge.
3. Save as provided in Article 8 of this Order, where in Article 2 of this Order a length of road is described as authorised for use as a parking place at any time, for disabled persons vehicles which display in the relevant position, a disabled persons badge, the driver of a vehicle shall not permit the vehicle to wait in that parking bay unless it is;
(a) a disabled persons vehicle on which is displayed in the relevant position a disabled persons badge; and
(b) the vehicle is wholly parked within the marked limits of the parking place.
4. Those lengths of road specified in Schedule 2 of this Order are hereby authorised for use as parking places effective between 9am and 5pm Monday to Saturday inclusive, limited to 2 hours waiting with no return within the next 2 hours.
5. Save as provided in Article 8, 9, and 10 of this Order, the driver of a vehicle shall not permit the vehicle to wait in a parking place authorised by Article 4 to this Order, unless it is -
(a) wholly parked within the marked limits of the parking place; and
(b) waiting for no more than 2 hours (not being a period separated by an interval of less than 2 hours from a previous period of waiting by the same vehicle in the same length of road).
6. That length of Wellfield Road, Hatfield as specified in Schedule 3 to this Order is authorised for use as a loading bay at any time for any vehicle for the purpose of loading and unloading goods.
7. Save as provided in Article 8 of this Order where in Article 6 of this Order a loading bay is described as designated for use as a loading bay at any time for any vehicle for the purpose

of loading or unloading goods, the driver of a vehicle shall not permit the vehicle to wait in that loading bay unless it is;

- (a) a vehicle being used to load or unload goods; and
- (b) wholly parked within the marked limits of the loading bay

8. (1) Nothing in Articles 3, 5 and 7 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 the 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 Section 65 of the Postal Services Act 2011.

8. (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.

9. Nothing in Articles 4 and 5 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.

10. Nothing in Articles 4 and 5 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.

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

12. 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 2017

13. 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:		
Disabled Badge Holders Only at any time		
Road & Side		Length and description
Wellfield Road Southwest Side		From a point 3 metres southeast of a point in line with the boundary between 28 and 30 Town Centre north-westwards for 6.7 metres

Schedule 2:		
Parking Limited to 2 hours waiting with no return within the next 2 hours Monday-Saturday 9am-5pm		
Road & Side		Length and description
Wellfield Road Northeast Side		From a point 14 metres southeast of a projected point in line with boundary between 28 and 30 Town Centre south-eastwards for 22 metres

Schedule 3:		
Designated loading bay at any time		
Road & Side		Length and description
Wellfield Road Southwest Side		From a point 14.5 metres northwest of a point in line with the boundary between 28 and 30 Town Centre north-westwards for 6.5 metres

GIVEN under the Common Seal of the Welwyn Hatfield Borough Council this Tuesday of 26th November 2019

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

S. Saunders

Authorised Officer

Legal Services Manager



NOTICE OF MAKING

WELWYN HATFIELD BOROUGH COUNCIL

THE BOROUGH OF WELWYN HATFIELD (WELFIELD ROAD, HATFIELD) (PROHIBITION AND RESTRICTION OF WAITING, LOADING AND UNLOADING) ORDER 2019

THE BOROUGH OF WELWYN HATFIELD (WELFIELD ROAD, HATFIELD) (PARKING PLACES AND LOADING BAY) ORDER 2019

NOTICE IS HEREBY GIVEN that the Welwyn Hatfield Borough Council (pursuant to arrangements made with Hertfordshire County Council) has made an Order under the Road Traffic Regulation Act 1984 to introduce restrictions in **Wellfield Road**, Hatfield, as specified in the Schedules to this Notice. The Order will come into effect on Monday 2nd March 2020.

Full details of the restrictions are contained in the Order, the plans and the statement of reasons which may be inspected from Wednesday 27th November 2019 to Friday 10th January 2020 during normal office hours at the offices of Welwyn Hatfield Borough Council, The Campus, Welwyn Garden City AL8 6AE, or viewed at www.welhat.gov.uk

General enquiries relating to the Order should be referred to Mr. Matthew McCann, Senior Parking Services Officer, Council Offices, Welwyn Garden City, AL8 6AE (01707 357000); email parking@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: Loading Ban and Double Yellow Lines – No Waiting or Loading/Unloading at any time

Parts of Wellfield Road

SCHEDULE 2: Parking limited to 2 hours waiting with no return within the next 2 hours – Monday to Saturday 9am to 5pm

Parts of Wellfield Road

SCHEDULE 3: Disabled Badge Holders only at any time

Parts of Wellfield Road

SCHEDULE 4: Loading Only at any time

Parts of Wellfield Road

Ka Ng, Corporate Director
Resources Environment and Cultural Services
Council Offices, The Campus, Welwyn Garden City, Herts AL8 6AE

27th November 2019

WELWYN HATFIELD BOROUGH COUNCIL

STATEMENT OF REASONS FOR PROPOSING

**THE BOROUGH OF WELWYN HATFIELD (WELFIELD ROAD, HATFIELD)
(PROHIBITION AND RESTRICTION OF WAITING, LOADING AND UNLOADING) ORDER
2019**

**THE BOROUGH OF WELWYN HATFIELD (WELFIELD ROAD, HATFIELD) (PARKING
PLACES AND LOADING BAY) ORDER 2019**

Welwyn Hatfield Borough Council is proposing to introduce parking restrictions in **Wellfield Road, Hatfield.**

The proposed restrictions in parts of Wellfield Road are as follows;

- **Prohibition of Loading and Unloading (“No Loading”) at any time & Double Yellow Lines**
- **Loading Only Bays**
- **Parking Limited to 2 hours with no return within the next 2 hours Monday to Saturday 9am to 5pm (2 hours free)**
- **Disabled Badge Holders Only at any time**

As part of the ongoing regeneration works in Hatfield, some car parking would be lost from off street car parks. To provide additional parking spaces for shoppers and visitors to the town centre, and to give better provision for the benefit of local businesses the above restrictions are proposed.

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 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 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, and local residents and businesses have also been consulted.

Ka Ng
Corporate Director
Resources, Environment and Cultural Services
Council Offices, The Campus, Welwyn Garden City, Herts AL8 6AE

28th August 2019

