

WELWYN HATFIELD BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

**THE BOROUGH OF WELWYN HATFIELD (PINE GROVE, BROOKMANS PARK,  
HATFIELD)(PROHIBITION OF STOPPING AND RESTRICTION OF WAITING) ORDER  
2015**

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 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 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 (Pine Grove, Brookmans Park, Hatfield) (Prohibition of Stopping and Restriction of Waiting) Order 2015**" and shall come into operation on 30th November 2015
2. (1) Save as provided in Article 4 of this Order, no person shall cause or permit any vehicle to stop or wait between the hours of 8.00am to 5.00pm Monday to Friday during school term time on the school keep clear markings on those lengths of Pine Grove, Brookmans Park as specified in Schedule 1 to this Order.  
  
(2) In this Article  
'school term time' has the meaning – as those days of the year which have been determined by the education authority as school days in accordance with the provisions of Section 32 of The Education Act 2002
3. Save as provided in Articles 4, 5 and 6 of this Order no person shall cause or permit any vehicle to wait between the hours of 8.00am to 5.00pm Monday to Friday during school term time in that length of Pine Grove, Brookmans Park as specified in Schedule 2 to this Order.
4. (1) Nothing in Articles 2 and 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) 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 the Postal Services Act 2000.

(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.

5. Nothing in Article 3 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.

6. (1) Nothing in Article 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 and a parking disc, to wait at any time in the lengths of road specified in Schedule 2 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.

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

<b>Schedule 1</b>		
Lengths of Pine Grove, Brookmans Park - No stopping or waiting on the 'School Keep Clear Markings' 8.00am to 5.00pm Monday to Friday during school term time		
Pine Grove (northwest kerbline)		From a point 3 metres northwest of a point in line with the southeast property boundary of No 63, northwest for a distance of 25.5 metres, to a point 3 metres northwest of a point in line with the common boundary between Nos 65 and 67.
Pine Grove (southeast kerbline)		From a point 5 metres southeast of a point in line with the northwest property boundary of No 61, southeast for a distance of 25.5 metres, to a point 4.5 metres northwest of a point in line with the common boundary between Nos 57 and 59.

<b>Schedule 2</b>		
Length of Pine Grove, Brookmans Park – No waiting 8.00am to 5.00pm Monday to Friday during school term time		
Pine Grove (northeast kerbline)		From a point 5 metres northwest of a point in line with the common boundary between Nos 62 and 64, northwest for an approximate distance of 85 metres, to a point 4.5 metres northwest of a point in line with the common boundary between Nos 74 and 76.

GIVEN under the Common Seal of the Welwyn Hatfield Borough Council this  
19th day of November 2015

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



Mayor



Authorised Officer

