

HERTFORDSHIRE COUNTY COUNCIL

THE HERTFORDSHIRE (LEMSFORD VILLAGE, LEMSFORD) (RESTRICTION OF WAITING) ORDER 2015

NOTICE is given that the Hertfordshire County Council has made an Order under the Road Traffic Regulation Act 1984 to introduce waiting restrictions in part of Lemsford as specified in the Schedule to this Notice. The Order will come into effect on Monday 15 February 2016.

Documents giving more detailed particulars of the Order may be inspected from 10 February 2016 to 23 March 2016 during normal office hours at the offices of Welwyn Hatfield Borough Council, Council Offices, The Campus, Welwyn Garden City or at Main Reception, Hertfordshire County Council, County Hall, Pegs Lane, Hertford or viewed on line at www.hertsdirect.org/trafficorders by clicking on PTRO's and looking in Welwyn Hatfield BC (Under Ref: WH/008/15)

Enquiries relating to the Order should be referred to the Highways Engineer concerned Martin Sears tel: 01992 658269 or martin.sears@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 that section of road herein listed and as set out in the Order and accompanying plan – a 27 metre length of Lemsford Village to the north east of St Johns JMI School.

County Hall
Hertford
Herts SG13 8DN

10 February 2016
John Wood
Chief Executive & Director of Environment

STATEMENT OF REASONS FOR PROPOSING

THE HERTFORDSHIRE (LEMSFORD VILLAGE, LEMSFORD) (RESTRICTION OF WAITING) ORDER 2015

Hertfordshire County Council is proposing to introduce a waiting restriction in part of Lemsford.

The proposal will comprise of –

- A 'No waiting at any time' restriction on part of Lemsford Village to the north east of St Johns JMI School.

The section of 'no waiting at any time' will create a passing place where currently there is none and traffic congestion is causing vehicles to mount the footway to pass and this is compromising the safe journey to school for pupils. It also leads to driver frustration which is compromising safety on surrounding roads. It will also facilitate the improved flow of public service vehicles using Lemsford Village.

St Johns Church of England School has a 'walking bus' to encourage sustainable travel by pupils and this is well used, however it would be better used if driver behaviour on Lemsford Village were improved.

Therefore, 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 and facilitating the passage on the road or any other road of any class of traffic (including pedestrians).

The proposal has been subject to consultation with local and County Councillors representing the area and Welwyn Hatfield Borough Council. The local Police, Ambulance, Fire and Rescue Services, Hatfield Town Council and St Johns Church of England School have also been consulted.

HERTFORDSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

Date of Order: 5 February 2016.

Order No: 7979

**THE HERTFORDSHIRE (LEMSFORD VILLAGE, LEMSFORD)
(RESTRICTION OF WAITING) ORDER 2015**

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 (Lemsford Village, Lemsford) (Restriction of Waiting) Order 2015" and shall come into effect on Monday 15 February 2016.
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 that length of Lemsford Village, Lemsford as specified in the Schedule to this Order.
3. (1) Nothing in Article 2 of this Order applies to the length of road restricted by that Article (which said length of road is 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 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 length of road restricted by that Article (which said length of road is 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 length 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

length of Lemsford Village, Lemsford – no waiting at any time

Lemsford Village from a point approximately 139 metres south west of a point in line with the
 (south east side) north east boundary of 57 Lemsford Village south westwards for 27 metres.

IN WITNESS whereof the Common Seal of the Hertfordshire County Council was hereunto affixed this 5th day of February 2016.

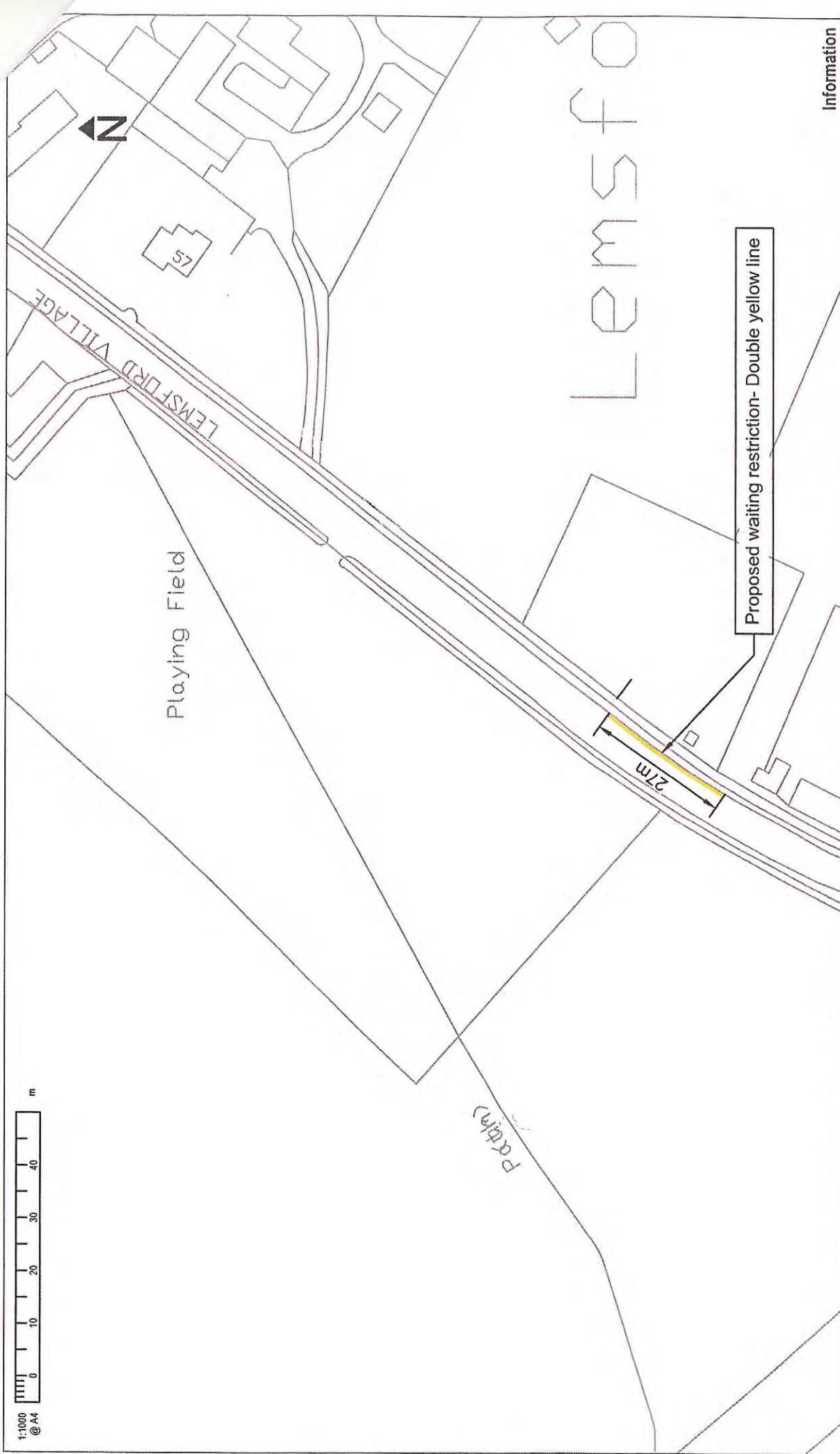
The Common Seal of)
 Hertfordshire County Council)
 was hereunto affixed)
 in the presence of:-)

11/16



Chief Legal Officer

K Pettitt
 Kathryn Pettitt
 Chief Legal Officer



Proposed waiting restriction- Double yellow line

1:1000
@ A4



Information

Project: COM 15004 Safer Routes to School Lemsford Village		© Crown copyright and database right to 2015 Ordnance Survey 100016506	
Sheet: Proposed Waiting Restrictions		You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form. (This restriction may not apply to HCC and its licensed contractors, agents & partners.)	
Drawn: SR	Checked: BB	Approved: BB	Approved date: Sep 2015
Scale: 1:1000 @ A4	Project No: G-11500.43		
Sheet No: SR013	Revision: R0		

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