

WELWYN HATFIELD BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE BOROUGH OF WELWYN HATFIELD (THE COMMON, HATFIELD) (PARKING PLACES FOR ELECTRIC VEHICLES) ORDER 2016

The Borough of Welwyn Hatfield (hereinafter referred to as "the Council") pursuant to arrangements made under Section 19 of the Local Government Act of 2000 and the Local Government (Arrangements for Discharge of Functions) (England) Regulations 2000 with Hertfordshire County Council ("the County Council") in exercise of the powers conferred by Sections 32 and 35, and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the 1984 Act") and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act hereby make the following Order,

1. This Order may be cited as "The Borough of Welwyn Hatfield (The Common, Hatfield) (Parking Places for Electric Vehicles) Order 2014" and shall come into operation on 31st October 2016.
2. Interpretation.
In this Order;
"electric vehicle" means a vehicle which uses electricity as a source of power for propulsion which is derived from an electric storage battery which is not connected by an exterior charging lead to any power source whilst the vehicle is in motion and includes a vehicle which in addition uses, or is capable of using, other sources of power for propulsion;

"plug in – electric hybrid vehicle" is a vehicle equipped with an electric traction system which is powered by an electric storage battery which is not connected by an exterior charging lead to any power source whilst the vehicle is in motion and includes a vehicle which in addition uses and at least another energy source for traction purposes.

"recharging post" means a device designed for the re-charging of electric vehicles or plug in electric hybrid vehicles; and

"recharging lead" means a device designed for connecting the re-charging post to an electric vehicle or plug in electric hybrid vehicle
3. That length of The Common, Hatfield as specified in the Schedule to this Order and shown by green shading on plan no OA/COM13034/S2/CON which is attached to this Order, is designated for use at any time as 2 parking bays for electric vehicles or plug in - electric hybrid vehicles for the purpose of charging via an external charging lead, limited to waiting for that purpose for up to a maximum of 4 hours with no return within the next 4 hours.
4. Save as provided in Article 5 and 6 of this Order where in Article 3 of this Order a length of The Common, Hatfield is designated for use at any time as 2 parking bays for electric vehicles or plug in - electric hybrid vehicles for the purpose of charging via an external charging lead, the driver of a vehicle shall not permit the vehicle to wait in those parking bays unless it is;
 - (a) an electric vehicle or plug in electric hybrid vehicle; and
 - (b) the electric vehicle or plug in electric hybrid vehicle is connected to the recharging post and actively re-charging, via the charging lead; and
 - (c) is wholly parked within the marked limits of a parking bay; and
 - (d) is waiting for a period of not more than 4 hours (not being a period separated by an interval of less than 4 hours from a previous period of waiting by the same vehicle in the same length of road) for the purpose of charging that vehicle.
- 5(1) Nothing in Articles 3 and 4 of this Order applies to the length of road restricted by those Articles (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;

(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.

6. (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 to this Order.

(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. A vehicle left in a parking place in contravention of Articles 3 or 4 of this Order or otherwise in accordance with the provisions of this Order shall incur a penalty charge.

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. (1) The following Order is hereby revoked;

The Borough of Welwyn Hatfield (The Common, Hatfield) (Parking Places for Electric Vehicles) Order 2014

(2) 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

9. 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 any other enactment.

SCHEDULE

Length of The Common, Hatfield – designated parking places for electric vehicles
and plug in hybrid vehicles

The Common from a point 10 metres south west of a point in line with the south west kerbline of the access road to Maynard House south westwards for 12 metres, consisting of 2 marked bays.

GIVEN under the Common Seal of the Welwyn Hatfield Borough Council this 13th day of October 2016.

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

P. A. Mabbott

Mayor

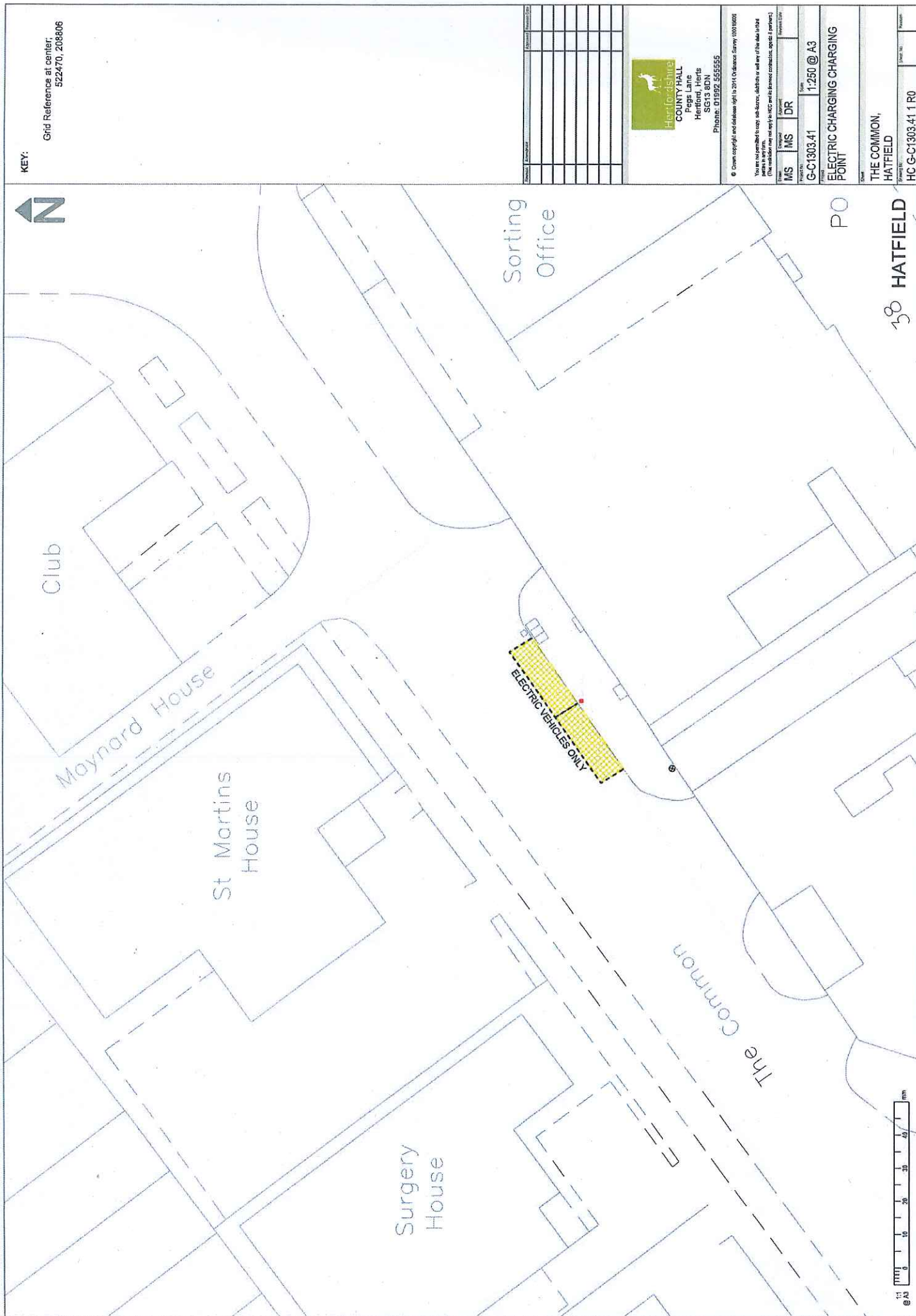
Robert Bullock

Authorised Officer



KEY:

Grid Reference at center:
522470, 208806



Area	Area No.	Area Name

Herts for Airshire
COUNTY HALL
 Pegs Lane
 Hatfield, Herts
 SG13 8DN
 Phone: 01792 505555

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MS MS DR
 PROJECT: G-C-1303.41
 DATE: 1:250 @ A3
 ELECTRIC CHARGING POINT

THE COMMON,
 HATFIELD
 HC G-C-1303.41 1 R0

130 HATFIELD PO

WELWYN HATFIELD BOROUGH COUNCIL
STATEMENT OF REASONS FOR PROPOSING

**THE BOROUGH OF WELWYN HATFIELD (THE COMMON, HATFIELD)
(PARKING BAYS FOR ELECTRIC VEHICLES) ORDER 2016**

The Welwyn Hatfield Borough Council pursuant to arrangements made with Hertfordshire County Council have prepared an Order to replace The Borough of Welwyn Hatfield (The Common, Hatfield) (Parking Places for Electric Vehicles) Order 2014 which implemented on street parking facilities for electric vehicles or plug in hybrid vehicles in Hatfield. This Order has been identified as having an administrative error and in need of updating. There will be no change to the restrictions currently in place.

It is proposed to implement the following:-

- 2 on Street Parking Bays in The Common, Hatfield, designated at any time for use by 'electric vehicles' or 'plug in electric hybrid vehicles' for the purpose of electrically charging, but limited to a maximum of 4 hours waiting with no return within the next 4 hours.

It is intended that these measures will enable enforcement by preventing any non-electric/ plug in hybrid vehicles using the electric car charging bays which would restrict electric car charging facility.

All the proposed measures have been subject of consultation with local and County Councillors representing the area. The local Police and local residents and businesses have also been consulted.

Pam Kettle
Director of Finance and Operations
Welwyn Hatfield Borough Council
Council Offices, The Campus, Welwyn Garden City, Herts AL8 6AE
3rd August 2016