

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

**THE BOROUGH OF WELWYN HATFIELD (OLDINGS CORNER, HATFIELD)
(PARKING PLACES) 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 on the said County Council under Sections 32 and 35 of the Road Traffic Regulation Act 1984 (“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 to the Act of 1984 hereby makes the following Order:-

- 1) This Order may be cited as “The Borough of Welwyn Hatfield (Oldings Corner, Hatfield) (Parking Places) Order 2019” and shall come into effect on Monday 10th June 2019
- 2) **Interpretation**
In this Order -
“motor car” has the meaning as assigned to it in Section 136(2) of “the Act of 1984”
“motor cycle” has the meaning as assigned to it in Section 136(4) of “the Act of 1984”
“parking bay” means any area of a parking place which is provided for the leaving of one vehicle and indicated by white markings to indicate the position in which the vehicle must be parked.
- 3) Save as provided in Articles 5 and 6 of this Order that length of Oldings Corner, Hatfield specified in the Schedule to this Order is designated for use as a parking place for motor cars and motorcycles between the hours of 7am and 10pm Monday to Sunday inclusive, limited to 8 hours waiting with no return within the next 4 hours.
- 4) Save as provided in Articles 5 and 6 of this Order where in Article 3 of this Order a parking place is described as designated for use as a parking place for motor cars and motorcycles, between the hours of 7am and 10pm Monday to Sunday, limited to 8 hours waiting with no return within the next 4 hours, the driver of a vehicle shall not permit the vehicle to wait in that parking place unless it is;
 - (a) a motor car or motorcycle; and
 - (b) wholly parked within the marked limits of a parking bay; and
 - (c) waiting for no more than 8 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)
- 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 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

(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) Notwithstanding the forgoing provisions to this Order, nothing 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 length of road specified the Schedule to this Order, provided that the vehicle is wholly parked within the marked limits of a parking bay.

In this Article-

"Disabled Person" means a disabled person of a description prescribed by regulation 4 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 SI 682;

"Disabled Person's Badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 SI 682;

"Disabled Person's Vehicle" means a vehicle lawfully displaying a disabled person's badge and which is a vehicle which, immediately before or after any period of waiting allowed by virtue of a provision of a kind required by regulation 8 of The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 SI 683, has been or is to be driven by a disabled person, or as the case may be, has been or is to be used for carrying disabled persons as passengers;

"Relevant Position" means on the dashboard or fascia of the vehicle or where the vehicle is not fitted with a dashboard or fascia in a conspicuous position on the nearside of the vehicle, or if the vehicle is one being used by a disabled person 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 of 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:		
Parking limited to 8 hours with no return within the next 4 hours 7am to 10pm Monday to Sunday – Motor Cars and Motorcycles only		
Road & Side		Length and description
Oldings Corner Southeast side		From a point 3 metres southwest of a point in line with the projected west kerbline of the service access to Tesco Stores Ltd south-westwards for approximately 92 metres to a point approximately 30 metres northeast of a point in line with the projected east kerbline of Access Road to Retail Park (15 parking bays)

GIVEN under the Common Seal of the Welwyn Hatfield Borough Council this 16th day of APRIL 2019

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

B. A. Fitzsimon
Mayor



Authorised Officer