

WELWYN HATFIELD BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE BOROUGH OF WELWYN HATFIELD (VARIOUS ROADS, ROE GREEN, HATFIELD) (PROHIBITION OF STOPPING AND WAITING ON VERGE OR FOOTWAY) ORDER 2018

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 Local Government Act 2000 and The Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 in exercise of the powers of the said County Council under Sections 1(1), 2(1) to (3), 3(2), 4(1) and 4(2) of the Road Traffic Regulation Act 1984 (herein referred to as "the Act of 1984") and Part IV of Schedule 9 of the Act of 1984 and of all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Paragraph 20 of Schedule 9 to the Act of 1984, hereby makes the following Order:-

1. (a) This Order shall come into operation on 17th June 2019 and may be cited as **"The Borough of Welwyn Hatfield (Various Roads, Roe Green, Hatfield) (Prohibition of Stopping and Waiting on Verge or Footway) Order 2018** hereinafter referred to as 'this Order'

(b) The Borough of Welwyn Hatfield (Various Roads, Roe Green, Hatfield) (Prohibition of Stopping and Waiting on Verge or Footway) Order Plans 2018 – RG/VPO/001/2018, RG/VPO/002/2018 and RG/VPO/003/2018 (hereinafter referred to as the "accompanying plans") are incorporated into this Order.

2. (1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-

"the Act of 1984" means the Road Traffic Regulation Act 1984;

"the Council" means Welwyn Hatfield Borough Council;

"accompanying plans" means the plans RG/VPO/001/2018, RG/VPO/002/2018 and RG/VPO/003/2018 as incorporated into The Borough of Welwyn Hatfield (Various Roads, Roe Green, Hatfield) (Prohibition of Stopping and Waiting on Verge or Footway) Order Plans 2018.

"carer" means a family member or paid helper who regularly looks after a child or a sick, elderly or disabled person

"carriageway" has the same meaning as in Section 329 of the Highways Act 1980, but does not include lay-bys;

"driver", in relation to a vehicle waiting in a parking place, means the person driving the vehicle at the time it was left in the parking place;

"footway" has the same meaning as in Section 329 of the Highways Act 1980;

"legally qualified medical practitioner" has the same meaning as 'fully registered medical practitioner' in the Medical Act 1983;

"medical practitioner" has the same meaning as 'legally qualified medical practitioner';

"Midwife, District Nurse or Health Visitor" means a person registered as such with the Nursing and Midwifery Council.

"parking attendant" has the same meaning as in Section 63A of the Road Traffic Regulation Act 1984 and by virtue of Section 76 Traffic Management Act 2004, a parking attendant appointed under Section 63A of the Road Traffic Regulation Act 1984 is a civil enforcement officer in relation to parking contraventions;

"provision of a universal postal service", "universal service provider" and "postal packet" shall bear the same meanings as in section 65 of the Postal services Act 2011;

"road" means the full width – including any footway or verge – of any length of highway or of any other road to which the public has access, and includes bridges over which a road passes;

"traffic sign" means a sign of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under section 64 of the Act of 1984;

"vehicle crossover" means a metalled surface constructed specifically as a means of access across a verge from the carriageway of a road, to a private driveway or private parking place;

"verge" means any land forming part of the road which is neither carriageway nor footway.

(2) In this Order, except where the context otherwise requires:-

- (a) Any reference to a numbered article or a numbered Schedule is a reference to the Article or Schedule bearing that number in this Order;
- (b) Any reference to a numbered or lettered paragraph or sub-paragraph is a reference to the paragraph or sub-paragraph bearing that number or letter in the Article or Schedule or (in the case of a sub-paragraph) paragraph in which the reference occurs; and
- (c) Any reference to a Table, or to a numbered Table, is a reference to the Table, or to the Table bearing that number, in the Article or Schedule in which that reference occurs.

(3) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment;

(4) The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made under or having effect as if made under the Road Traffic Regulation Act 1984, or by or under any other enactment;

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

3. Save as provided in Articles 4, 5 and 6 of this Order no person shall, except upon the direction of, or with the permission of a Police Constable in uniform, or with the permission of a parking attendant, cause or permit any vehicle to stop or wait at any time with two or more wheels on any part of the verge, vehicle crossover or footway, where stopping and waiting is prohibited as shown in the "accompanying plans" and indicated in the key to those plans and as listed in the Schedule to this Order.

4. (1) Nothing in Article 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; if the observance of that provision would be likely to hinder the use of that vehicle for the purpose for which is being used on that occasion
 - (b) 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;
 - (c) 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;
 - (d) 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) (c) of this Article are -

 - a) any operation involving building, demolition or excavation;
 - b) the removal of any obstruction to traffic;
 - c) the maintenance, upgrading, improvement to, or reconstruction of a road;
 - d) construction, 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 a vehicle to stop or wait on any vehicle crossover for so long as may be 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.
 - (c) To enable a medical practitioner, or to enable a Midwife, a District Nurse or a health Visitor registered with the Nursing and Midwifery Council or a carer to make a house call on a patient;
 - (d) To enable the vehicle to be used in connection with the removal of furniture from one office or dwelling house to another, or the removal of furniture from such premises to a depository or to such premises from a depository;

(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.

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 to stop or wait any time on a vehicle crossover where stopping and waiting is prohibited as shown in the "accompanying plans" to this Order and identified in the key to that plans as no stopping or waiting, 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 stopping or waiting by the same vehicle on the same vehicle crossover

(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. (1) Where a person contravenes any of the restrictions set out in the provisions of this Order, or a vehicle is left on any verge, vehicle crossover, or footway, otherwise than in accordance with the provisions of this Order, the Owner of the Vehicle in question shall incur a penalty charge.

(2) That charge shall be payable to Welwyn Hatfield Borough Council in accordance with the instructions contained on the Penalty Charge Notice.

8. The provisions of the following Order is hereby revoked but only in so far as they are affected by the restrictions imposed by this Order and the relevant Schedule –

The Borough of Welwyn Hatfield (Control of Parking) (Consolidation) Order 2017

SCHEDULE	
No Stopping and Waiting at any time on Verge or Footway Order Plans 2018	
Plan No	RG/VPO/001/2018
Plan No	RG/VPO/002/2018
Plan No	RG/VPO/003/2018

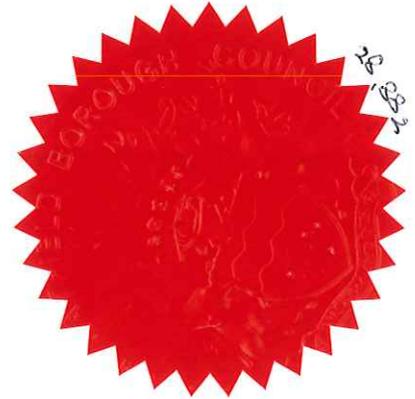
GIVEN under the Common Seal of the Welwyn Hatfield Borough Council this 9th day of May 2019

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

D. A. Fitzsimon

Mayor

Authorised Officer



WELWYN HATFIELD BOROUGH COUNCIL

**THE BOROUGH OF WELWYN HATFIELD (VARIOUS ROADS, ROE GREEN, HATFIELD)
(RESTRICTION OF WAITING AND PERMIT PARKING ZONES) ORDER 2018**

**THE BOROUGH OF WELWYN HATFIELD (VARIOUS ROADS, ROE GREEN, HATFIELD)
(PROHIBITION OF STOPPING AND WAITING ON VERGE OR FOOTWAY) ORDER 2018**

NOTICE IS HEREBY GIVEN that the Welwyn Hatfield Borough Council (pursuant to arrangement made with Hertfordshire County Council) in order to improve road safety proposes to make the above Orders under the Road Traffic Regulation Act 1984 to introduce restrictions in various roads, Hatfield as specified in the Schedule(s) to this Notice.

Full details of the proposals are contained in the draft Orders, the plans and the statement of reasons which may be inspected during normal office hours at the offices of Welwyn Hatfield Borough Council, The Campus, Welwyn Garden City or viewed at www.welhat.gov.uk from 16th January 2019.

General enquiries relating to the proposals should be referred to Mr Jack Carson, Parking Services, Council Offices, Welwyn Garden City, AL8 6AE (01707 357000); email contact-parking@welhat.gov.uk

Objections to the proposals should be made in writing to Ka Ng, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE by 6th February 2019, stating the grounds on which they are made.

SCHEDULE 1: No Stopping and Waiting at any time on verge or footway

Parts of Alban Court, Burfield Close, Comet Road, Coombe Close, Days Close, Days Mead, De Havilland Close, Ely Close, Fiddlebridge Lane, Harmony Close, Haven Close, Jasmine Gardens, Lemsford Road, Malvern Close, Meadow Croft, Meadow Dell, Middlefield Road, Oak Tree Close, Orchard Mead, Pond Croft, Queensway, Roe Green Lane, St. Albans Road West, St. Lukes Court, St. Peters Close, Stockbreach Close, Stockbreach Road, The Common, The Minims, The Paddock, Town Fields, Walsingham Close, Wellfield Road, Wenham Place and Worcester Road.

SCHEDULE 2: No waiting at any time - those sections of road(s) listed below as set out in the Order and accompanying plans

Parts of Burfield Close, Ely Close, Harmony Close, Jasmine Gardens, Lemsford Road, Malvern Close, Stockbreach Close, Stockbreach Road, The Common, The Minims, Town Fields, Wellands, Wellfield Close, Wellfield Road, Wenham Place and Worcester Road.

SCHEDULE 3: No waiting, Monday to Saturday, 8am to 6pm, those sections of road(s) listed below as set out in the Order and accompanying plans

Parts of Burfield Close.

SCHEDULE 4: Permit Parking Places, Zone B 13, Monday to Saturday, 8am to 6pm, those sections of road(s) listed below as set out in the Order and accompanying plans

Parts of Ely Close, Jasmine Gardens, Malvern Close, Middlefield, Oak Tree Close, The Paddock and Worcester Road.

SCHEDULE 5: Permit Parking Places, Zone B 14, Monday to Saturday, 8am to 6pm, those sections of roads listed below as set out in the Order and accompanying plans

Parts of Stockbreach Close, Stockbreach Road, Town Fields, Wellfield Close and Wenham Place.

SCHEDULE 6: Parking Zone

Parking Zone Name	PZ Code	Eligible addresses
Ely Close	B 13	Numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72A, 72B, 74 and 76.
Jasmine Gardens	B 13	Numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80 and 81.
Malvern Close	B 13	Numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14.
Middlefield	B 13	Numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 54, 56, 58 and 60.
Oak Tree Close	B 13	Numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90 and 92.
The Paddock	B 13	Numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58 and 60.
Worcester Road	B 13	Numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 1, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44 and 46.
Parking Zone Name	PZ Code	Eligible addresses
Stockbreach Close	B 14	Numbers 1, 1A, 2, 2A, 2B, 3, 4, 5A, 5B, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 55a, 55B, 55C, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 84, 86, 88, 90, 92, 94, 96, 98, 100, 102, 104 and 106.

Stockbreach Road	B 14	Numbers 1, 2, 2a, 2B, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 52A, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108 and 109
Town Fields	B 14	Numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26.
Wellfield Close	B 14	Numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 33.
Wenham Place	B 14	Numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53 and 55.

SCHEDULE 7: Allocation of Parking Permits and Parking Vouchers

Permit Type	Limit
Resident Permit	No limit
Resident Permit for motorcycle	No limit
Business Permit	1 permit with a maximum of 2 vehicle registration numbers
Visitor Voucher	Books of 20 Daily Vouchers only Maximum purchase 240 days per year.
Doctors/Health Visitor Permit	Allocated at Council's discretion
Special Permit	Allocated at Council's discretion

SCHEDULE 8: Charges for Parking Permits and Parking Vouchers*

Application Type	Charges
Resident Permit for disabled driver	First permit Free
Resident Permit for motorcycle	£10 per annum
Resident Permit for first car	£25 per annum
Resident Permit for second car	£40 per annum
Resident permit for third or subsequent cars	£60 per annum
Business permit	£225 per annum
Visitor Voucher	50p per day or 25p per day to residents receiving state pension sold in whole books of Daily Vouchers only.
Doctors/Health Visitor Permit	£20 per annum
Special Permit	Charged at council's discretion
Administration Type	Charges
Refund Parking Permit and Vouchers	£5
Duplicate/replacement Parking Permit	£5
Duplicate/replacement Parking Voucher	£5 whole books only

*The charges may be amended by the Local Authority giving notice in accordance with section 46A of the Road Traffic Regulation Act 1984.

SCHEDULE 9: Refunds

Permit Type	Refund
Resident permit for motorcycle	Pro rata to the nearest month on amounts above £5
Resident permit for first car	Pro rata to the nearest month on amounts above £5
Resident permit for second car	Pro rata to the nearest month on amounts above £5
Resident permit for third or subsequent cars	Pro rata to the nearest month on amounts above £5
Business permit	Pro rata to the nearest month on amounts above £5
Visitor Voucher	Cost of whole books only
Doctors/Health Visitor Permit	Pro rata to the nearest month on amounts above £5
Special Permit	Pro rata to the nearest month on amounts above £5

Ka Ng, Corporate Director, Resources, Environment and Cultural Services,
Council Offices, The Campus, Welwyn Garden City, Herts AL8 6AE
14th January 2019.

WELWYN HATFIELD BOROUGH COUNCIL

STATEMENT OF REASONS FOR PROPOSING

THE BOROUGH OF WELWYN HATFIELD (VARIOUS ROADS, ROE GREEN, HATFIELD) (PROHIBITION OF STOPPING AND WAITING ON VERGE OR FOOTWAY) ORDER 2018

Welwyn Hatfield Borough Council is proposing to introduce restrictions in various roads, Hatfield, consisting of a prohibition of stopping and waiting on any verge, vehicle crossover or footway.

Parking on verges and footways is an unnecessary obstruction, inconvenience to other road users and causes damage to the highway and underground services; consultation has taken place with the residents in the below named roads. The results of the consultation showed that a clear majority were in favour of the proposed restriction.

Existing bye laws in force prohibit parking on grass verges, however current legislation does not allow their enforcement by parking attendants.

Having considered the duty imposed by Section 122 Road Traffic Regulation Act 1984, it appears to Welwyn Hatfield Borough Council that it is necessary and expedient to make Orders for the following reasons:-

- **For the avoidance of danger to persons or other traffic using the road and preventing the likelihood of any such danger arising.**
- **For preventing the use of the road by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property**

The proposed new restriction applies to the following roads;

In parts of Alban Court, Burfield Close, Comet Road, Coombe Close, Days Close, Days Mead, De Havilland Close, Ely Close, Fiddlebridge Lane, Harmony Close, Haven Close, Jasmine Gardens, Lemsford Road, Malvern Close, Meadow Croft, Meadow Dell, Middlefield Road, Oak Tree Close, Orchard Mead, Pond Croft, Queensway, Roe Green Lane, St. Albans Road West, St. Lukes Court, St. Peters Close, Stockbreach Close, Stockbreach Road, The Common, The Minims, The Paddock, Town Fields, Walsingham Close, Wellfield Road, Wenham Place and Worcester Road

Consultation has been carried out with local residents, Hertfordshire County Council, Hertfordshire Constabulary, Fire and Ambulance Services and local Councillors representing the area.

Ka Ng, Corporate Director, Resources, Environment and Cultural Services,
Welwyn Hatfield Borough Council
Council Offices, The Campus, Welwyn Garden City, Herts AL8 6AE
14th January 2019

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Title **The Borough of Welwyn Hatfield (Various Roads, Roe Green, Hatfield)
(Prohibition of Stopping and Waiting on Verge or Footway) Order Plans 2018**

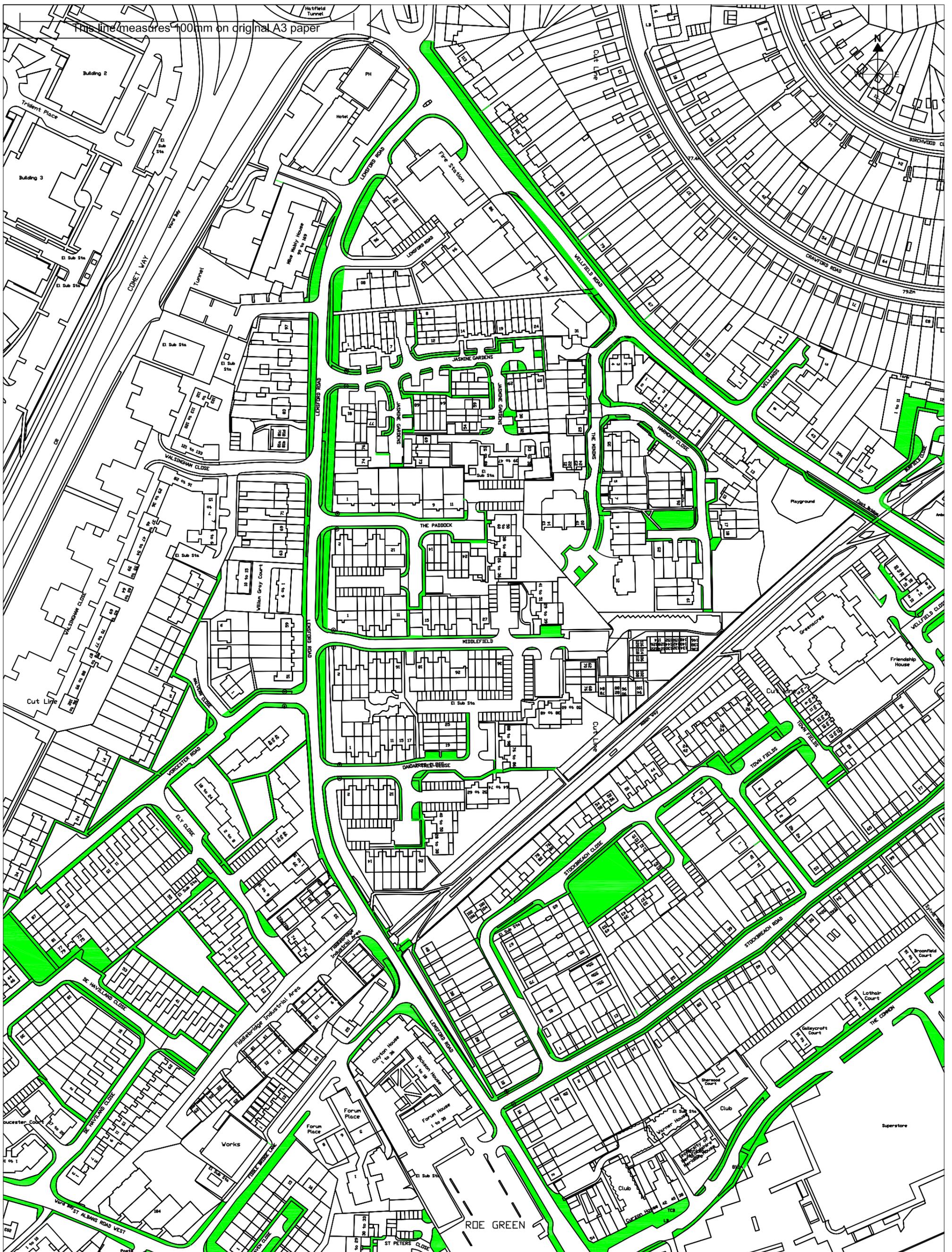
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Drawn - 25/01/2018
By - JC of Parking Services
Drawing - RG/PO/001/2018



Key  - No Stopping or Waiting at any time on verge or footway

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