

WELWYN HATFIELD BOROUGH COUNCIL

**THE BOROUGH OF WELWYN HATFIELD (DELLSOME LANE, WELHAM GREEN)
(PARKING PLACES) ORDER 2014**

**THE BOROUGH OF WELWYN HATFIELD (DELLSOME LANE, WELHAM GREEN)
(DISABLED PERSONS PARKING PLACES) ORDER 2014**

NOTICE IS HEREBY GIVEN that the Welwyn Hatfield Borough Council (pursuant to arrangement made with Hertfordshire County Council) has made the above Orders under the Road Traffic Regulation Act 1984 to amend waiting restrictions in Dellsome Lane, Welham Green as outlined in the Schedule(s) to this Notice. These Orders will come into effect on Tuesday 7 October 2014.

Full details of the waiting restrictions are contained in the 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 1 October 2014.

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 1 Parking bays - Monday to Friday 10am-4pm limited to 1 hour no return within 1 hour except bank holidays- those sections of roads listed below as set out in the Order and accompanying plans – Dellsome Lane in part

SCHEDULE 2 Parking bays - Monday to Friday 10am-4pm limited to 3 hours no return within 1 hour except bank holidays- those sections of roads listed below as set out in the Order and accompanying plans – Dellsome Lane in part

SCHEDULE 3 Disabled Persons Parking bays - Monday to Friday 10am-4pm limited to 3 hours no return within 1 hour except bank holidays- those sections of roads listed below as set out in the Order and accompanying plans – Dellsome Lane in part

1 October 2014

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

WELWYN HATFIELD BOROUGH COUNCIL

STATEMENT OF REASONS FOR PROPOSING

THE BOROUGH OF WELWYN HATFIELD (DELLSOME LANE, WELHAM GREEN) (PARKING PLACES) ORDER 2014

THE BOROUGH OF WELWYN HATFIELD (DELLSOME LANE, WELHAM GREEN) (DISABLED PERSONS PARKING PLACES) ORDER 2014

Consultation with local businesses has identified the need for changes to the existing short term parking bays in Dellsome Lane, Welham Green. The existing parking bays operate Monday to Saturday between 10am and 12 noon, limited to 40 minutes with no return before noon. This restriction is considered to be too short for some customers. Businesses have requested longer parking times for customers and the removal of restrictions on Saturdays and bank holidays. The two existing disabled parking bays will be moved to more suitable locations within the shopping parade.

Welwyn Hatfield Borough Council's reasons for proposing to modify the existing Order are as follows:-

- Providing suitable and adequate parking facilities

The Council therefore proposes to revoke the parking restrictions in the existing bays and replace them with three new restrictions;

- Disabled parking bays – Monday to Friday 10am-4pm limited to 3 hours no return within 1 hour except bank holidays
- Parking bays - Monday to Friday 10am-4pm limited to 3 hours no return within 1 hour except bank holidays
- Parking bays - Monday to Friday 10am-4pm limited to 1 hour no return within 1 hour except bank holidays

Consultation has been carried out with the businesses in Dellsome Lane and with the Police, Hertfordshire County Council and local councillors.

28 May 2014

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

WELWYN HATFIELD BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

**THE BOROUGH OF WELWYN HATFIELD (DELLSOME LANE, WELHAM GREEN)
(PARKING PLACES) ORDER 2014**

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 their powers under Sections 32 and 35 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 makes the following Order:-

1. This Order may be cited as "The Borough of Welwyn Hatfield (Dellsome Lane, Welham Green) (Parking Places) Order 2014" and shall come into operation on 7 October 2014.
2. Save as provided in Articles 3, 6, 7 and 8 of this Order those lengths of road as specified in the Schedule 1 to this Order are authorised for use as parking places limited to 1 hour waiting with no return within the next 1 hour between 10am and 4pm Monday to Friday except bank holidays.
3. Save as provided in Article 6 of this Order wherein Article 2 of this Order a parking place is described as authorised for use as a parking place limited to 1 hour waiting with no return within the next 1 hour between 10am and 4pm Monday to Friday except bank holidays, the driver of a vehicle shall not permit the vehicle to wait in that parking place unless it is wholly parked within the marked limits of the parking place.
4. Save as provided in Articles 5, 6, 7 and 8 of this Order those lengths of road as specified in the Schedule 2 to this Order are authorised for use as parking places limited to 3 hours waiting with no return within the next 1 hour between 10am and 4pm Monday to Friday except bank holidays.
5. Save as provided in Article 6 of this Order wherein Article 4 of this Order a parking place is described as authorised for use as a parking place limited to 3 hours waiting with no return within the next 1 hour between 10am and 4pm Monday to Friday except bank holidays, the driver of a vehicle shall not permit the vehicle to wait in that parking place unless it is wholly parked within the marked limits of the parking place.
6. (1) Nothing in Articles 2, 3, 4 and 5 of this Order applies to the lengths of road restricted by those Articles (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 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 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.

7. Nothing in Article 2 and 4 of this Order applies to the lengths of road restricted by this 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.
8. (1) Nothing in Article 2 and 4 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 wait at any time in the lengths of road specified in Schedule 1 and 2 of 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

9. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the Interpretation of an Act of Parliament.
10. The following Orders are hereby revoked but only in so far as they are affected by the restrictions imposed by this Order –

The Borough of Welwyn Hatfield (Control of Parking) (Consolidation Order) 2012

11. 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 1		
parking limited to 1 hour waiting with no return within the next 1 hour between 10am and 4pm Monday to Friday except bank holidays		
Dellsome Lane The shopping parade (northeast side)	a	From a point 6.5 metres southeast of a point in line with the boundary between numbers 55 and 57 Dellsome Lane south eastwards for approximately 30 metres to a point 10.5 metres southeast of a point in line with the boundary of numbers 35 and 37 Dellsome Lane (Marked as 9 individual spaces)
	b	From a point 2.5 metres northwest of a point in line with the boundary between numbers 23 and 25 Dellsome Lane south eastwards for approximately 28 metres to a point 1.5 metres southeast of a point in line with the boundary of numbers 7 and 9 Dellsome Lane (Marked as 8 individual spaces)
	c	From a point in line with the boundary between numbers 7 and 9 Dellsome Lane in a south eastwards for 13 metres
Dellsome Lane The shopping parade (southwest side)	a	From a point 3.5 metres northwest of a point in line with the boundary between numbers 55 and 57 Dellsome Lane south eastwards for approximately 31.5 metres to a point 1.5 metres southeast of a point in line with the boundary of numbers 35 and 37 Dellsome Lane

	b	From a point 3.5 metres northwest of a point in line with the boundary between numbers 23 and 25 Dellsome Lane south eastwards for approximately 24 metres to a point 3.5 metres northwest of a point in line with the boundary of numbers 7 and 9 Dellsome Lane
	c	From a point 3.5 metres southeast of a point in line with the north western flank wall of number 3 Dellsome Lane south eastwards for 10 metres

SCHEDULE 2		
parking limited to 3 hours waiting with no return within the next 1 hour between 10am and 4pm Monday to Friday except bank holidays		
Dellsome Lane (southwest side)	a	From a point 6.5 metres southeast of a point in line with the boundary between numbers 55 and 57 Dellsome Lane south eastwards for approximately 29 metres to a point 9.5 metres southeast of a point in line with the boundary of numbers 35 and 37 Dellsome Lane
	b	From a point 3 metres northwest of a point in line with the boundary between numbers 23 and 25 Dellsome Lane south eastwards for approximately 45 metres to a point 18 metres southeast of a point in line with the boundary of numbers 7 and 9 Dellsome Lane

GIVEN under the Common Seal of the Welwyn Hatfield Borough Council this 30th day of September 2014.

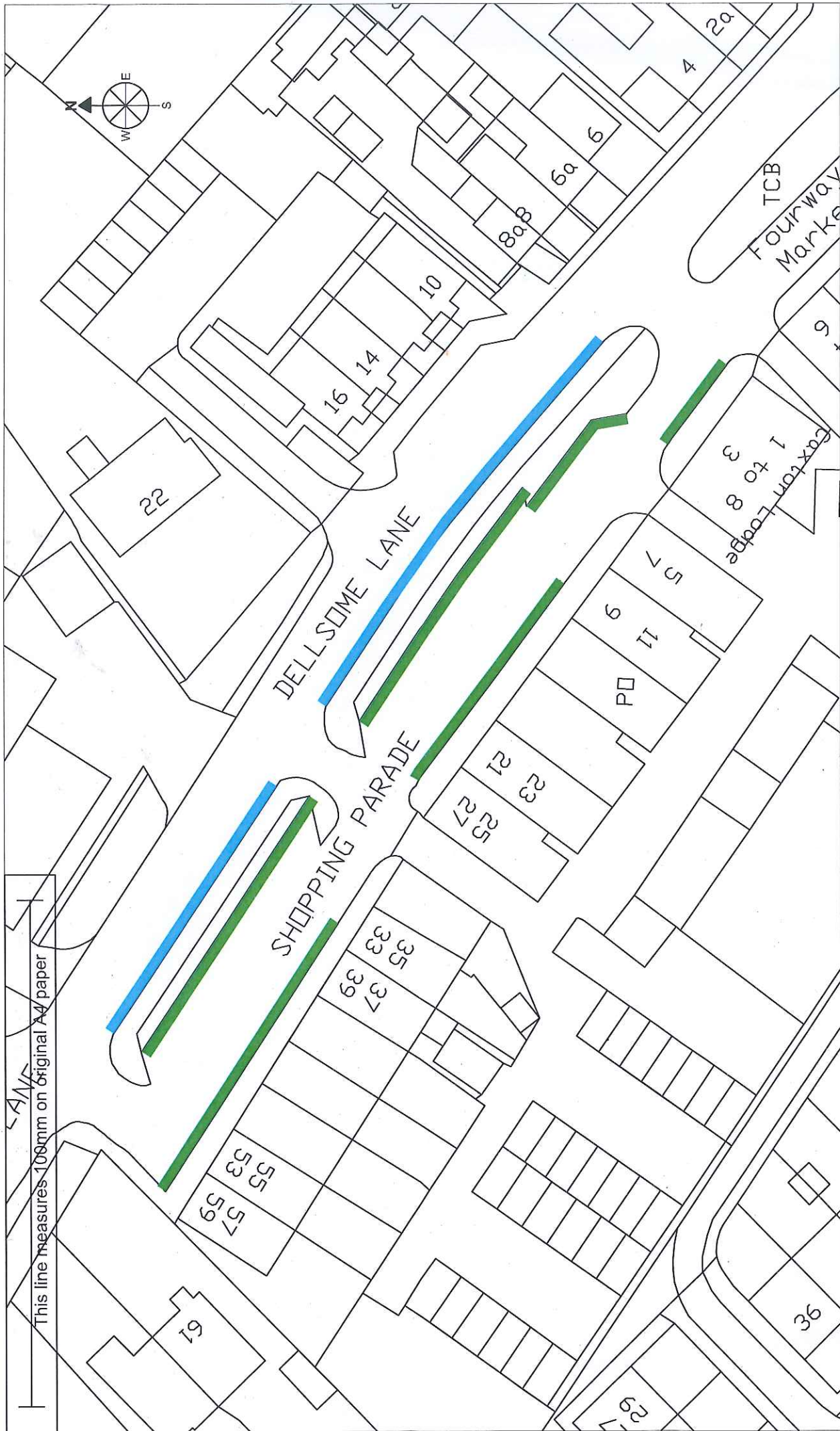
The COMMON SEAL of the WELWYN)
HATFIELD BOROUGH COUNCIL was)
hereunto affixed in the presence of:-)


Mayor

Authorised Officer

Robert Burch





 WELWYN HATFIELD BOROUGH COUNCIL	
Scale - 1:500 on A4 Drawn - 02/05/2014 By - Martin Donohoe Drawing - 1 of 1	Reproduced from an Ordnance Survey map with the permission of the Controller of her Majesty's Stationary Office. Crown Copyright/License No. LA 100019547 2014
Title - Dellsome Lane, Welham Green	
Key	- proposed restriction Parking Monday to Friday 10am to 4pm 1 hour no return within 1 hour except bank holidays - proposed restrictions Parking Monday to Friday 10am to 4pm 3 hours no return within 1 hour except bank holidays