

**THE BOROUGH OF WELWYN HATFIELD (DOG KENNEL LANE CAR PARK, HATFIELD) (OFF-STREET PARKING PLACES) ORDER 2026**

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 2000 in exercise of the powers conferred on the said County Council by Sections 32 and 35 of the Road Traffic Regulation Act 1984 ("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 Part III of Schedule 9 to the Act of 1984 hereby makes the following Order:-

Commencement

- 1) (a) This Order shall come into operation on **DDMMYYYY** and may be cited as "The Borough of Welwyn Hatfield (Dog Kennel Lane Car Park, Hatfield) (Parking Places) Order 2026" herein after referred to as "this Order".
- (b) The Borough of Welwyn Hatfield (Dog Kennel Lane Car Park, Hatfield) (Parking Places) Order 2026 Plan HAT/DKL/02 inclusive of the key is incorporated into this Order, as set out in the Schedule to this Order.

Interpretation

- 2) In this Order :-

"Civil Enforcement Officer" has the same meaning as in Section 76 of the Traffic Management Act 2004;

"Council" means Welwyn Hatfield Borough Council;

"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 bay" means an area contained within a parking place delineated by white markings to indicate the position in which a vehicle may be parked;

"parking place" means any place where vehicles, or vehicles of any class, may wait as set out in s.32(4)(b) of the 1984 Act;

"penalty charge" shall have the same meaning as a charge set by the Council in accordance with The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 and the provisions of Part 6 and Schedule 9 of the Traffic Management Act 2004;

"penalty charge notice" shall mean a notice issued by a Civil Enforcement Officer in accordance with The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 and the provisions of Part 6 and Schedule 9 of the Traffic Management Act 2004;

"postal packet" shall bear the same meaning as in Section 65 of the Postal Services Act 2011;

"provision of a universal postal service" shall bear the same meaning as in Section 65 of the Postal Services Act 2011;

"relevant position" has the same meaning as given in Regulation 4 of The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"universal service provider" shall bear the same meaning as in Section 65 of the Postal Services Act 2011

- 3) That parking place shown on plan HAT/DKL/02 and identified in the key to that plan as a parking place is hereby authorised for use as a parking place, operating 7am to 6pm Monday to Saturday inclusive, limited to two hours waiting with no return within four hours.
- 4) Save as provided in Articles 5, 6 and 7 this Order, where in Article 3 of this Order that parking place shown on plan HAT/DKL/02 is described as authorised for use as a parking place, the driver of a vehicle shall not permit the vehicle to wait in that parking place unless it is –
  - (a) wholly parked within the marked limits of a parking bay; and
  - (b) waiting for no more than two hours (not being a period separated by an interval of less than four hours from a previous period of waiting by the same vehicle in the same parking bay or parking place).
- 5) Nothing in Article 4 of this Order applies 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 the Council.
  - (c) a vehicle which is being used for one or more of the following purposes and which cannot reasonably be used for such a purpose; (i) any operation involving building, demolition or excavation; (ii) the removal of any obstruction to traffic; (iii) the maintenance, improvement or reconstruction the parking place; (iv) constructing, improving, maintaining, or cleaning of any street furniture; or (v) 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.
  - (d) a marked vehicle which, whilst used by a universal service provider in the course of the provision of a universal postal service, is waiting only for long as is reasonably necessary to enable postal packets to be delivered or collected.
- 6) (1) If a vehicle (other than a vehicle otherwise exempted by this Order) is left in contravention of any provision of this Order a penalty charge shall be payable. (2) In the case of a vehicle in respect of which a penalty charge is payable, a penalty charge notice may be issued in accordance with The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022. (3) The penalty charge shall be paid to the Council in accordance with the instructions and within the time limits specified on the penalty charge notice.
- 7) Nothing shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a valid disabled person's badge, to wait at any time in that parking place shown on plan HAT/DKL/02, provided that the vehicle is wholly parked within the marked limits of a parking bay.
- 8) The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.
- 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 provisions of the following Order(s) are hereby revoked but only as far as they are affected by the restrictions imposed by this Order –  
*The Borough of Welwyn Hatfield (Various Car Parks, Hatfield) (Off-Street Parking Places) Order 2021*

#### **SCHEDULE**

Schedule	Plan HAT/DKL/02
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GIVEN under the Common Seal of the Welwyn Hatfield Borough Council this **DD MM YYYY**

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

Authorised Officer