

THE BOROUGH OF WELWYN HATFIELD (VARIOUS ROADS, HOWLANDS (SOUTH), WELWYN GARDEN CITY) (RESTRICTION OF WAITING) ORDER 202X

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 under Sections 1, 2, 3 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 hereby make the following Order:-

1. This Order may be cited as "**The Borough of Welwyn Hatfield (Various Roads, Howlands (South), Welwyn Garden City) (Restriction of Waiting) Order 202X**" and shall come into effect on DD MM YYYY

2. The plans numbered HWSDDL-01, HWSDDL-02, HWSDDL-03 inclusive of their key, are incorporated into this Order, as listed in the Schedule to this Order.

3. **Interpretation –**

In this Order, except where the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them;

"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 4 of The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

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

"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; and

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

4. Save as provided in Articles 5, 6, and 7 of this Order no person shall cause or permit any vehicle to wait in the lengths of road identified in the Schedule and shown on plans HWSDDL-01, HWSDDL-02 and HWSDDL-03.
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 Welwyn Hatfield Borough Council.
 - (c) a vehicle which is being used for one or more of the following purposes and which cannot be reasonably used for such a purpose without stopping in the lengths of road restricted by that Article;
 - (i) any operation involving building, demolition or excavation;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of a road;
 - (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.
 - (vi) the provision of a parking enforcement service on behalf of the Council.
- (d) a marked vehicle which, whilst being used by a universal service provider in the course of the provision of a universal postal service, is waiting only for so long as is reasonably necessary to enable postal packets to be delivered or collected.
6. Nothing in Article 4 of this Order applies to the lengths of road restricted by that Article, as identified on plans HWSDDL-01, HWSDDL-02, HWSDDL-03, so as to render it unlawful to cause or permit any vehicle to wait only for as 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.
7. Nothing in Article 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 and a parking disc, to wait at any time in the lengths of road restricted by that Article 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 waiting by the same vehicle in the same length of road).
8. 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 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.

SCHEDULE	
Plan number	HWSDDL-01, HWSDDL-02, HWSDDL-03

GIVEN under the Common Seal of the Welwyn Hatfield Borough Council this **DD MM YY OF SEALING**

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

Authorised Officer