

THE BOROUGH OF WELWYN HATFIELD (ROBIN HOOD LANE, HATFIELD) (PROHIBITION OF WAITING AND LOADING AND LOADING BAYS) ORDER 2023

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 1, 2, 3, 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 ~~XXXXXXXXXXXX~~ and may be cited as **The Borough of Welwyn Hatfield (Robin Hood Lane, Hatfield) (Prohibition of Waiting and Loading and Loading Bays) Order 2023** herein after referred to as "this Order".

(b) **The Borough of Welwyn Hatfield (Robin Hood Lane, Hatfield) (Prohibition of Waiting and Loading and Loading Bays) Order Plan 2023** – SHPZ-01-2023, (hereinafter referred to as the "accompanying plans") are incorporated into this order.

Interpretation

2) In this Order :-

"accompanying plan" means the plans SHPZ-01-2023 as incorporated into **The Borough of Welwyn Hatfield (Robin Hood Lane, Hatfield) (Prohibition of Waiting and Loading and Loading Bays) Order Plan 2023**

"goods vehicle" has the meaning of a motor vehicle or trailer constructed or adapted for use for the carriage or haulage of goods or burden of any description.

"universal service provider" and "universal postal service" shall bear the meanings as in Section 65 of the Postal Services Act 2011.

3) Save as provided in Article 6 of this Order no person shall cause or permit any vehicle to wait, load or unload any any time in the lengths of Robin Hood Lane as shown in the plan to this Order marked "no waiting or loading at any time"

4) That lengths of Robin Hood Lane as specified in the plan marked "Goods Vehicles loading at any time" to this Order is authorised as a loading bay at any time for goods vehicles, for the purposes of loading or unloading goods.

5) Save as provided in Article 6 of this Order where in Article 4 of this Order a loading bay is described as authorised for use as a loading bay at any time for goods vehicles, the driver of a vehicle shall not permit the vehicle to wait in that loading bay unless it is:

- a) a goods vehicle being used to load or unload goods; and
- b) wholly parked within the marked limits of the loading bay

6) (1) Nothing in Article 3, 4 and 5 of this Order applies to the lengths of road restricted by those Articles (which said length of road is referred to in this Acticle as "the restricted lengths") 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 purposes specified in sub-Article (2) of this Article and which cannot reasonably be used for such purpose without stopping in the restricted lengths;
- 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 and collected;

(2) The purposes referred to in sub-Article (1) d) of this Acticle are –

- a) any operation involving building, demolition or excavation;
- b) the removal of any obstruction to traffic;
- c) the maintenance, improvement or constriction of the road;
- d) constructing, improving, maintaining or cleaning any street furniture; or
- e) the laying, erection, alteration, repair or cleaning of any sewer or of any main pipe or apparatus of the supply of gas, water, electricity, or of any telecommunications code system or apparatus lawfully kept installed in any position.

- 7) A vehicle left in contravention of Articles 3, 4 and 5 of this Order, or left otherwise than in accordance with the provisions of this Order shall incur a Penalty Charge Notice.
- 8) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies as an Interpretation of an Act of Parliament
- 9) The Provisions of the following Order is hereby revoked but only so far as they are affected by the restrictions imposed by this Order:
- 10) The restrictions to 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 it was made under the Road Traffic Regulation Act 1984 or by any other enactment.

SCHEDULE	
The Borough of Welwyn Hatfield (Robin Hood Lane, Hatfield) (Prohibition of Waiting and Loading and Loading Bays) Order 2023	
Plan Number	RHL01

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:-)
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Authorised Officer