

**WELWYN HATFIELD BOROUGH COUNCIL
ROAD TRAFFIC REGULATION ACT 1984**

**THE BOROUGH OF WELWYN HATFIELD (VARIOUS ROADS, CUFFLEY) (PROHIBITION
AND RESTRICTION OF WAITING, LOADING AND UNLOADING) ORDER 2019**

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 2012 in exercise of the powers conferred under Sections 1, 2, and 3 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 of the Act of 1984, hereby makes the following Order:-

1. This Order may be cited as "The Borough of Welwyn Hatfield (Various Roads, Cuffley) (Prohibition and Restriction of Waiting, Loading and Unloading) Order 2019" and shall come into effect on Monday 10th June 2019.

2. In this Order:-

"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.

3. Save as provided in Article 6 of this Order, no person shall, cause or permit any vehicle to load or unload between the hours 8am to 6:30pm Monday to Saturday on the sides or in the lengths of road as specified in Schedule 1 to this Order.

4. Save as provided in Articles 5, 6 and 7 of this Order no person shall, cause or permit any vehicle to wait at any time on the sides or in the lengths of road specified in Schedule 2 to this Order.

5. Nothing in Article 4 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") 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.

6. (1) Nothing in Articles 3 and 4 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 the 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 Section 65 of the Postal Services Act 2011.

6. (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 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 specified in the Schedule 2 of this Order 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 provisions of 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 (Various Roads, Cuffley) (Restriction of Waiting) Order 2015
The Borough of Welwyn Hatfield (Control of Parking) (Consolidation) Order 2017
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 prohibitions and 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 :		
No Loading and Unloading Monday-Saturday 8am-6:30pm		
Road & Side		Length and description
Station Road Southeast side	a	From a point in line with the projected kerbline of Theobalds Road eastwards for 5 metres
	b	From a point in line with the projected kerbline of Theobalds Road westwards for 6 metres
Theobalds Road Both Sides		From a point in line with the southeast kerbline of Station Road southwards for approximately 28 metres to a point 7 metres north of point in line with the north boundary of number 2

Schedule 2 :		
No waiting at any time		
Road & Side		Length and description
Maynard Place West Side		From a point in line with the boundary between numbers 5 and 6 Maynard Place north-westwards and then north-eastwards for approximately 16 metres
Maynard Place East Side		From a point 7 metres northwest of a point in line with the northwest kerbline of Station Road north-westwards for approximately 33.5 metres a point in line with the north facing boundary wall of 17 to 23 Maynard Place
Station Road Northwest Side	a	From a point 10.5 metres southwest of a point in line with the southwest kerbline of Tolmers Road south-westwards for 10 metres
	b	From a point 5 metres northeast of a point in line with the east kerbline of Maynard Place north-eastwards for approximately 21.5 metres to a point in line with the northeast facing wall of Number 31
	c	From a point in line with the northeast facing wall of numbers 45-55 south-eastwards for 6.5 metres
	d	From a point 5 metres southwest of a point in line with the west kerbline of Maynard Place south-westwards for approximately 22 metres
Station Road Southeast Side	a	From a point in line with the northeast kerbline of access driveway of Telephone Exchange north-eastwards for 14 metres to a point in line with the boundary between numbers 2 and 4
	b	From a point 5 metres southwest of a point in line with the west kerbline of Theobalds Road south-westwards for 16 metres to a point 1 metre northeast of a point in line with the boundary between numbers 20 and 22
Colesdale Northeast side		From a point 1 metres southeast of a point in line with the boundary between numbers 6 and 8 north-westwards for 10 metres to a point 1 metre northwest of a point in line with the boundary between numbers 8 and 10

Brookside Crescent Northeast side	From a point 6.5 metres southeast of a point in line with the south facing boundary wall of number 48 following the kerbline south-eastwards and then north-eastwards for 22 metres to a point 11.5 metres southwest of a point in line with the southwest facing boundary wall of number 46
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GIVEN under the Common Seal of the Welwyn Hatfield Borough Council this 16th day of APRIL 2019

The COMMON SEAL of the WELWYN HATFIELD BOROUGH COUNCIL was hereunto affixed in the presence of:-)
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B. A. Stojanow
 Mayor

Authorised Officer