

HERTSMERE BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

Date of Order: 8th August 2019

Order No. 325

THE HERTSMERE BOROUGH COUNCIL (HIGH STREET AND OAKMERE LANE, POTTERS BAR) (RESTRICTION OF WAITING) ORDER 2019

Hertsmere 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 Authorities (Arrangements for Discharge of Functions) (England) Regulations 2012 in exercise of the powers on the said County Council by Sections 1, 2 and 3 of the Road Traffic Regulation Act 1984 (hereinafter referred to as “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 make the following Order:

1. This Order may be cited as “The Hertsmere Borough Council (High Street and Oakmere Lane, Potters Bar) (Restriction of Waiting) Order 2019” and shall come into operation on 16th September 2019.
2. Save as provided in Articles 3, 4 and 5 of this Order no person shall cause or permit any vehicle to wait at any time in those lengths of High Street, Potters Bar as specified in the Schedule 1 to this Order.
3. (1) Nothing in Article 2 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”) 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 appointed by Hertsmere Borough Council and as defined by the Traffic Management Act 2004.
 - (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 reasonably be necessary for postal packets to be delivered or collected;

In this Article;

The expression “universal service provider”, “provision of a universal postal service” and “postal packet” shall bear the same meanings as in the Postal Services Act 2011.

(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.

4. Nothing in Article 2 of this Order applies to the lengths of road restricted by that Article (which said lengths of road are referred 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 reasonably be 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.

5. (1) Nothing in Article 2 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 Schedule 1 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).

(2) In this Article –

“disabled person’s vehicle” has the same meaning as in Section 142(1) of the Act of 1984;

“disabled person” means a disabled person of a description prescribed by Regulation 4 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 SI 682;

“disabled persons badge”, “Blue Badge” have the same meaning as given in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 SI 682;

“driver” means the person driving or having control or charge of the vehicle at any given time and in particular in relation to the vehicle.

“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;

“Penalty Charge” shall have the meaning as a charge set by the Council in accordance with The Civil Enforcement of Parking Contraventions(Guidelines on Levels and Charges)(England) Order 2007 and the provisions of part 6 and Schedule 9 of the Traffic Management Act 2004

“Relevant position” has the same meaning as given in Regulation 4 of The Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000.

6. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament:
7. Where a motor vehicle is parked in contravention of any of the Articles to this Order the driver of any such vehicle shall be issued with a penalty charge notice.
8. The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulations made or having effect as if made under the Act of 1984 or by any other enactment.
9. The provisions of the following Order are hereby revoked but only in so far as they are affected by the restrictions imposed by this Order;

The Borough of Hertsmere (Control of Parking) (Consolidation) Order 2012

SCHEDULE 1

NO WAITING AT ANYTIME

| Location | Description |
|---|--|
| High Street (west side) | From a point 10 metres south of the southern flank wall of number 240 High Street southwards for a distance of 154.7 metres |
| High Street (east side) | From a point in line with the common property boundary of numbers 193 and 195 High Street southwestwards for a distance of 5.5 metres |
| High Street (east side) (outside Latimar House) | From its junction with High Street southeastwards for a distance of 13.5 metres |
| High Street (east side) | From a point in line with the common property boundary of numbers 193 and 195 High Street southwards for a distance of 13 metres |
| High Street (east side) | From a point 5 metres north of the southern flank wall of the Health Centre eastwards for a distance of 11.5 metres |
| High Street (east side) | From a point 3 metres south of the common property boundary of numbers 165 and 167 High Street northwards then eastwards for a distance of 55 metres |
| High Street (east side) | From a point in line with the common property boundary of numbers 165 and 167 High Street southwards the northeastwards for a distance of 111.2 metres |
| Oakmere Lane (north side) | From a point in line with the western edge of numbers 2 and 4 Oakmere Lane northwestwards and then northwards for a distance of 85 metres |

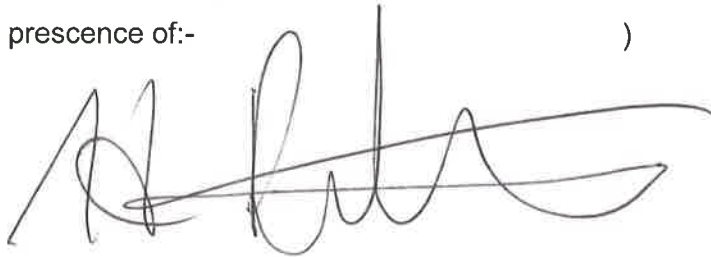
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IN WITNESS where of the Common Seal)

Hertsmere Borough Council was hereunto affixed)

This 8th day of August 2019)

In the presence of:-)



Head of Legal and Democratic Services



HERTSMERE BOROUGH COUNCIL

NOTICE OF PROPOSAL

THE HERTSMERE BOROUGH COUNCIL (HIGH STREET AND OAKMERE LANE, POTTERS BAR) (RESTRICTION OF WAITING) ORDER 2019

NOTICE is given that the Hertsmere Borough Council, (pursuant to arrangements made with Hertfordshire County Council) proposes to make the above named Order under the Road Traffic Regulation Act 1984 to introduce parking changes in High Street and Oakmere Lane, Potters Bar.

The general effect of the order will be to introduce waiting restrictions to improve road safety and reduce instances of inappropriate and inconsiderate parking.

Documents giving more detailed particulars of the proposals may be inspected from 26th June 2019 during normal office hours at Central Reception, Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood WD6 1WA, or viewed at www.hertsmere.gov.uk

General enquiries relating to the proposals should be referred to Tunde Ogunro, Traffic Engineer, Tel 0208 207 2277 or Email: parking.policy@hertsmere.gov.uk

Objections to the proposals should be made in writing to Traffic Engineer, Parking Policy, Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood, WD6 1WA by 19th July 2019, quoting reference WR-HIGH STR and stating the grounds on which they are made. Letters of support will also be received during this time.

Donald Graham
Chief Executive
24th June 2019

HERTSMERE BOROUGH COUNCIL

STATEMENT OF REASONS

THE HERTSMERE BOROUGH COUNCIL (HIGH STREET AND OAKMERE LANE, POTTERS BAR) (RESTRICTION OF WAITING) ORDER 2019

Hertsmere Borough Council proposes to introduce waiting restrictions in parts of High Street and Oakmere Lane, Potters Bar.

It is intended that these measures will:

- Reduce instances of inappropriate or inconsiderate parking;
- Improve visibility at road junctions
- Improve access to adjacent properties
- Reduce congestion and
- Improve road safety

The proposals have been developed following consultation with Residents, Businesses, District Councillors, the Highway Authority, Hertfordshire Constabulary and all other statutory consultees, taking into account Section 122 of the Road Traffic Regulation Act 1984.

24th June 2019



HERTSMERE BOROUGH COUNCIL

REPORT TO: Steve Burton – Head of Street Scene

DATE: 5th August 2019

THE HERTSMERE BOROUGH COUNCIL (HIGH STREET AND OAKMERE LANE, POTTERS BAR) (RESTRICTION OF WAITING) ORDER 2019

WARD: Potters Bar Parkfield

PORTFOLIO HOLDER: Councillor Jean Heywood

CONTACT OFFICER: Tunde Ogunro, Traffic Engineer Parking Services

1. Purpose of Report

- 1.1 The purpose of this report is to seek approval to Make the above Orders following their advertisement on Monday 27th June 2019.

2. Recommendations

- 2.1 It is recommended that the above Orders are made with any changes summarised below.

3. Background

- 3.1 Following complaints and concerns relating to inappropriate and inconsiderate parking on the High Street, the Council proposed to alter existing single yellow lines to double yellow lines to improve road safety. This area was considered appropriate for such a proposal.

4. Consultation

- 4.1 **Interim Consultation** – In May 2019 we carried out an initial consultation with residents and businesses asking if they agreed with the proposed changes to the area. The businesses that responded were concerned that the new restrictions could impact on deliveries and affect trade on the High Street.
- 4.2 **Formal Proposal to Make Traffic Regulation Orders (TROs)** – The Council advertised its proposal to make the Traffic Regulation Order on 27th June 2019 and no objections were received. We consulted with Hertfordshire County council, Hertfordshire Police, Ward Councillors and other relevant statutory bodies.

5. Ward and County Councillor Comments

- 5.1 Ward Councillors consulted.

6. Planned Timetable for Implementation



6.1 If the portfolio holder agrees with the recommendations made the scheme is likely to be implemented during in or September 2019 subject to weather.

7. Finance

7.1 All costs will be from the CPZ Implementation and Design budget. No additional funding is required.

8. Legal Powers Relied on and any Legal Implications

8.1 The legislation relating to the TRO process is contained under the Road Traffic Regulations Act 1984 and The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

9. Efficiency Gains and Value for Money

9.1 None

10. Risk Management Implications

10.1 None

11. Personnel Implications

11.1 The traffic engineer will complete any work during his existing work programme.

12. Corporate Plan & Policy Framework Implications

12.1 Community Strategy Objective – Better use of the highway network

13. Asset Management Plan Implications

13.1 None

14. Health and Safety Implications

14.1 None

15. Appendices / Further Information

15.1 Appendix A: Final copies of the Orders for sealing

16. Background Papers

16.1 Road Traffic Regulation Act 1984



Report Sign Off

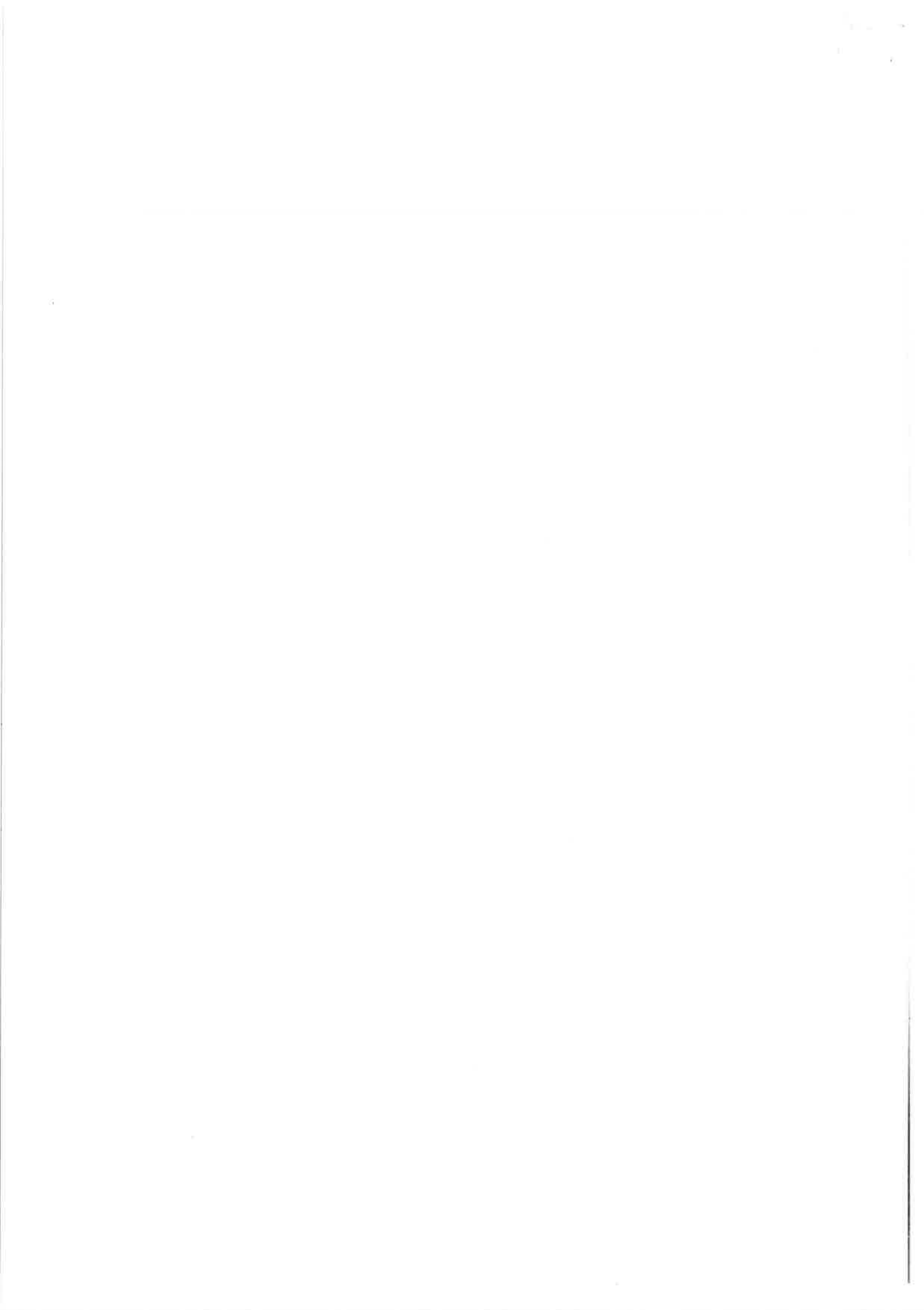
Agree to Make Traffic Regulation Orders / ~~Agree to Abandon Scheme~~
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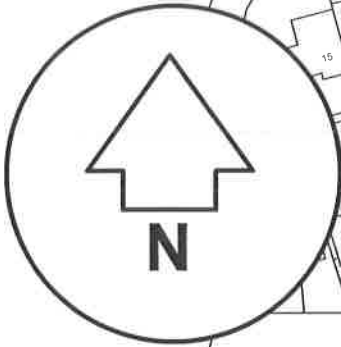
Head of Service or delegated decision maker

↑↓
Name Sturki
Signature [Signature]
Date 7 / 8 / 2019

Portfolio Holder Housing and Transport

Name J. E. Heywood
Signature [Signature]
Date 8 / 8 / 2019






Existing Pay and Display Bays
Mon - Sat
8am - 6:30pm
1 Hour No Return Within 2 Hours

Key
Existing Yellow Lines: ———
Proposed Double Yellow Lines (No waiting at any time): ———

Existing Pay and Display Bays
Mon - Sat
8am - 6:30pm
1 Hour No Return Within 2 Hours



**HERTSMERE
BOROUGH COUNCIL**

High Street,
Potters Bar
Double Yellow Lines

Drawn By: HB
Scale: 1:1250
Dwg Number
HBC/POTTERS/001/D

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