



## 6. EXPLANATION/BACKGROUND

Parking Services had previously consulted (2018/19) with residents in this area on possible parking restrictions. At that time, it was identified that no restrictions were necessary due to concerns it would displace vehicles, with no suitable alternative parking provision. However, it was recommended to introduce double yellow lines within 10 metres of junctions to highlight Highway Code Rules, which is a standard offering as part of all recent and reviews.

Following a now withdrawn Experimental Traffic Regulation Order (ETRO) the Parking Services team advertised proposals which purely focused on installing double yellow lines on junctions along with any yellow lines to remedy access issues and extending the hours of operation for the single yellow line on West End Lane. This was presented to CPPP on 10<sup>th</sup> December where Panel members discussed the report and voted unanimously in favour of the introduction of the TRO and relevant restrictions.

### 5.1 Legal Implications:

TROs are created under the Road Traffic Regulation Act 1984. Consultations follow a statutory legal process as set out in The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 and as amended by The Traffic Orders Procedure (Coronavirus) (Amendment) (England) Regulations 2020. No other legal implications are inherent in relation into the proposals in this report.

### 5.2 Financial Implications:

The cost of Traffic Regulation Order advertisements and associated costs, such as any signage and lining works, will be funded through existing Parking Services revenue and capital budgets.

### 5.3 Risk Implications:

Changing the parking conditions in these areas could generate negative publicity. Some parking may be displaced into nearby roads.

It is standard procedure to monitor new parking restrictions for the first 6 months after any are implemented. During this period all reports of safety issues or parking displacement will be recorded. If any significant safety issues are discovered during the monitoring period, Parking Services will investigate and carry out the appropriate remedial action. Many of the adjacent roads are also contained within the current parking services works programme and residents there will be consulted in due course.

### 5.4 Communication and Engagement

When making any changes to parking restrictions there is a statutory consultation process set out in The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 and as amended by The Traffic Orders Procedure (Coronavirus) (Amendment) (England) Regulations 2020. which the Council needs to adhere to. This includes consulting directly with all affected parties and several statutory consultees, such as the Police and Hertfordshire County Council.

In addition, Notices are required to be erected within all roads affected and advertised in the local newspaper, in this case the Welwyn Hatfield Times.

Ward and County Councillors have been consulted and no objections have been received regarding these proposals.

The relevant residents have also been consulted and informed of the proposals. One objection was received and considered at CPPP.

This process has been carried out and there are no known implications in relation to the proposals in this report.

#### 5.5 Equality and Diversity

I confirm that an Equality Impact Assessment (EqIA) has been carried out.

- The EqIA found that there is potential for a negative impact on age, pregnancy, and disability. The double yellow lines will prevent road users from parking which may cause some motorists to park further away from their destination. Parking Services believe that the benefits gained from double yellow lines far outweigh any drawbacks as it enhances the safe navigation of the highway for all.

#### 5.6 Alternative options considered and reasons for their rejection (if any):

No alternative options were considered.

#### 7. **BACKGROUND PAPERS USED TO INFORM THE DECISION**

Notice of intent, traffic regulation order, plan and statement of reasons advertised on 14<sup>th</sup> October 2020.

#### 8. **DETAILS OF ANY MEMBERS OR OFFICERS WHO HAVE DECLARED AN INTEREST IN THIS MATTER AND NATURE OF ANY SUCH INTEREST AND ANY DISPENSATIONS GRANTED**

Councillors S. Boulton and P. Zukowskyj declared a non-pecuniary interest in items on the agenda as appropriate by virtue of being Members of Hertfordshire County Council.

#### 9. **ADDITIONAL CONFIDENTIAL OR EXEMPT INFORMATION CONSIDERED**

9.1. None

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## WELWYN HATFIELD BOROUGH COUNCIL

### ROAD TRAFFIC REGULATION ACT 1984

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#### THE BOROUGH OF WELWYN HATFIELD (VARIOUS ROADS, ESSENDON) (RESTRICTION OF WAITING) ORDER 2020

The Welwyn Hatfield Borough Council (herein 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 on the said County Council by Sections 1, 2 and 3 of the Road Traffic Regulation Act 1984 (which said Act of 1984 is hereinafter referred to as “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 make the following the Order :-

1. (a) This Order shall come into operation on **DAY MONTH YEAR** and may be cited as **The Borough of Welwyn Hatfield (Various Roads, Essendon) (Restriction of Waiting) Order 2020** herein after referred to as “this Order”.  
  
(b) **The Borough of Welwyn Hatfield (Various Roads, Essendon) (Restriction of Waiting) Order Plan 2020** – ESSNW/01/2020 (hereinafter referred to as the “accompanying plan”) are incorporated into this order.
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 on any part of a road where waiting is prohibited as shown in the labels and Key to the accompanying plan as specified in the Schedule 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 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 driver’s 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 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 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.
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 the Schedule 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’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.
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. 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 or under any other enactment.
8. The provisions of the following Order is hereby revoked but only in so far as they are affected by the restrictions imposed by this Order –

*The Borough of Welwyn Hatfield (Control of Parking) (Consolidation) Order 2017*

<b>Schedule</b> <b>THE BOROUGH OF WELWYN HATFIELD (VARIOUS ROADS, ESSENDON) (RESTRICTION OF WAITING) ORDER PLAN 2020</b>	
Plan Number	ESSNW/01/2020

GIVEN under the Common Seal of the Welwyn Hatfield Borough Council this **DAY** of **MONTH** **YEAR**

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

Authorised Officer