

HERTFORDSHIRE COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984

Date of Order: 17 August 2012
Order No: 7676

**THE HERTFORDSHIRE (ELM DRIVE, ASHDOWN CRESCENT AND MORLAND WAY,
CHESHUNT) (RESTRICTION OF WAITING) ORDER 2012**

The Hertfordshire County Council in exercise of their powers under 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 Order:-

1. This Order may be cited as "The Hertfordshire (Elm Drive, Ashdown Crescent and Morland Way, Cheshunt) (Restriction of Waiting) Order 2012" and shall come into operation on Monday 3 September 2012.
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 Elm Drive, Ashdown Crescent and Morland Way, Cheshunt 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 Broxbourne 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 the Postal Services Act 2000.
- (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 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.

SCHEDULE

lengths of Elm Drive, Ashdown Crescent and Morland Way, Cheshunt – no waiting at any time

- | | |
|--------------------------|--|
| Elm Drive
(west side) | (a) from a point in line with the projected north kerbline of Ashdown Crescent (north east arm) northwards for approximately 13 metres to a point 1 metre north of a point in line with the boundary between 47 and 49 Elm Drive. |
| | (b) from a point in line with the projected south kerbline of Ashdown Crescent (north east arm) southwards for approximately 17 metres to a point 9 metres north of a point in line with the boundary between 72 and 74 Elm Drive. |
| (north west side) | (a) from a point in line with the projected north east kerbline of Morland Way north eastwards for approximately 16 metres to a point 12 metres south west of a point in line with the south west boundary of 15 Elm Drive. |
| | (b) from a point in line with the projected south west kerbline of Morland Way south westwards for approximately 16 metres to a point 19 metres north east of a point in line with the north east boundary of 13 Elm Drive. |
| | (c) from a point in line with the projected north east kerbline of Ashdown Crescent (south west arm) north eastwards for approximately 20 metres to a point 3 metres south west of a point in line with the boundary between 9 and 11 Elm Drive. |
| | (d) from a point in line with the projected south west kerbline of Ashdown Crescent (south west arm) south westwards for approximately 20 metres to a point 13 metres north east of a point in line with the south west boundary of 1 Elm Drive. |
| (both sides) | from a point 14 metres north east of its junction with the north east kerbline of Cadmore Lane north eastwards for approximately 5 metres to a point 13 |

metres south west of a point in line with the south west boundary of 2 Elm Drive.

Ashdown Crescent (north east arm) (both sides) from its junction with the west kerbline of Elm Drive westwards for approximately 10 metres to a point 20 metres east of a point in line with the west boundary of 47 Elm Drive.

(south west arm) (both sides) from its junction with the north west kerbline of Elm Drive north westwards for approximately 10 metres to a point 21 metres south east of a point in line with the north west boundary of 7 Elm Drive.

Morland Way (both sides) from its junction with the north west kerbline of Elm Drive north westwards for approximately 10 metres to a point 5 metres south east of a point in line with the boundary between 19 and 20 Morland Way.

IN WITNESS whereof the Common Seal of the Hertfordshire County Council was hereunto affixed this 17th day of August 2012.

The Common Seal of Hertfordshire County Council was hereunto affixed in the presence of:-))))

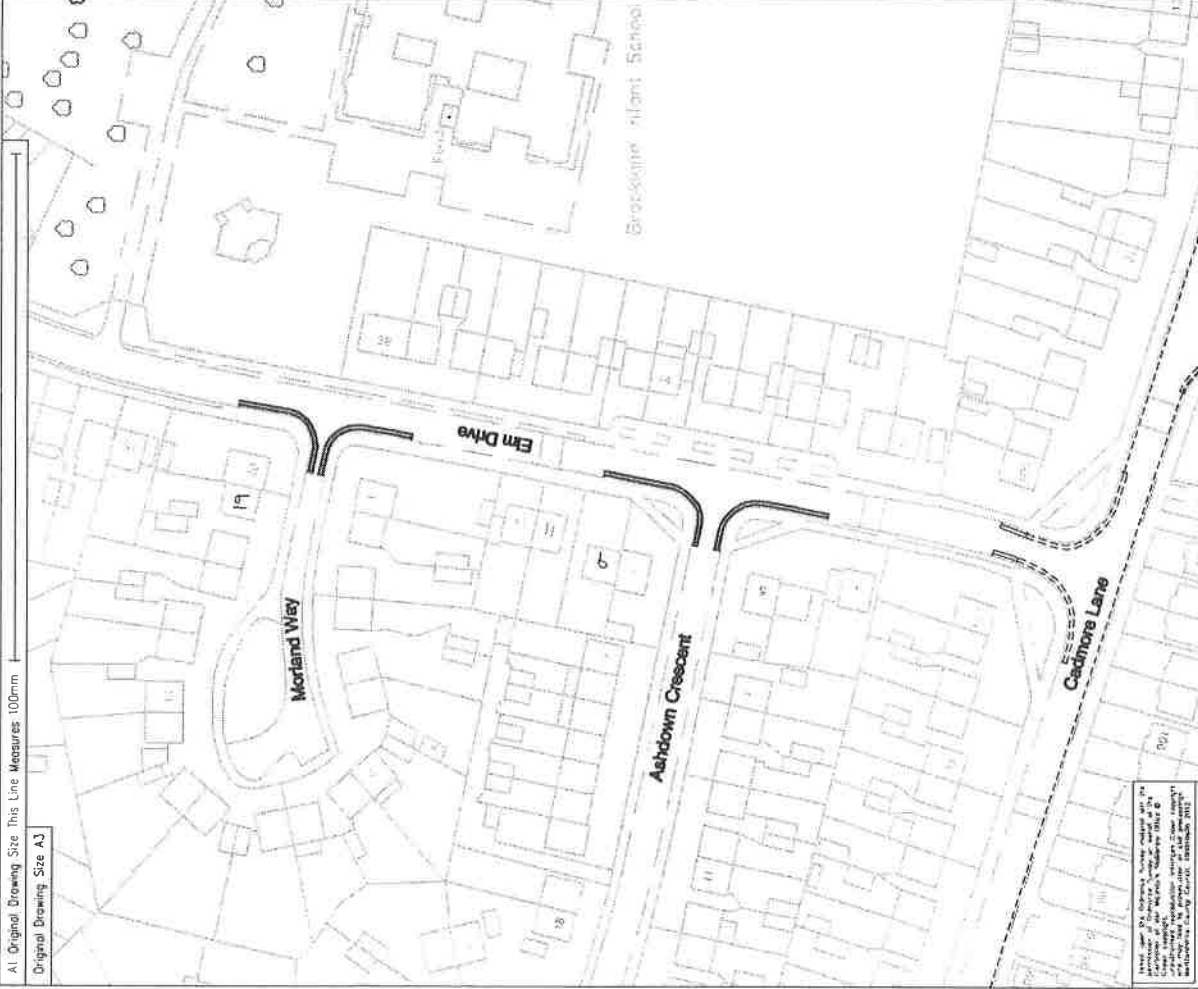
1058/12



Geraldine Newbold

**Assistant
Chief Legal Officer**

Geraldine Newbold
Assistant Chief
Legal Officer



Notes

Proposed Double Yellow Line
 No waiting at any time

Existing Double Yellow Line

Existing Single Yellow Line

Revision with Dates

A	10/05/12	RN	Existing restrictions on Causton Lane as per plan, also show extension of Double Yellow Line to Elm Drive
B	06/06/12	RN	Final design approval submitted for Causton Lane

Project No.
 1045461/005

Code	Drawn	Checked	Approved
1045461/005	RN	RN	RN

Project Title
 Elm Drive

Drawing Title
 Waiting Restrictions

Scale
 1:1000

Hertfordshire Highways
 Hertfordshire Highways (North & East Area)
 Hertford House
 Hertford Road
 Hemel Hempstead
 Herts SG9 6DT
 Tel: 0300 123 4047
 Fax: 01438 757650
 Reference Ref U 601 287

HERTFORDSHIRE COUNTY COUNCIL

THE HERTFORDSHIRE (ELM DRIVE, ASHDOWN CRESCENT AND MORLAND WAY, CHESHUNT) (RESTRICTION OF WAITING) ORDER 2012

NOTICE is given that the Hertfordshire County Council has made an Order under the Road Traffic Regulation Act 1984 to introduce waiting restrictions in Cheshunt as outlined in the Schedule to this Notice. The Order will come into effect on Monday 3 September 2012.

Documents giving more detailed particulars of the Order may be inspected from 23 August 2012 to 4 October 2012 during normal office hours at the offices of Broxbourne Borough Council, Bishops College, Churchgate, Cheshunt and at Main Reception, Hertfordshire County Council, County Hall, Pegs Lane, Hertford or viewed at www.hertsdirect.org/trafficorders by clicking on the relevant local area (Quoting Ref: B/004/12)

Enquiries relating to the Order should be referred to the Hertfordshire Highways Engineer concerned Robert Nicholson tel: 01438 757835 or robert.nicholson@hertshighways.org.uk

Any person wishing to question the validity of the Order, or of any provision contained in it, on the grounds that it is not within the powers conferred by the Road Traffic Regulation Act 1984, or on the grounds that any requirement of the Act or any Instrument made under it has not been complied with in relation to the Order, may within 6 weeks from the date of this Notice apply to the High Court for this purpose.

SCHEDULE: No waiting at any time – those sections of road listed below and as set out in the Order and accompanying plan –
Parts of Elm Drive, Ashdown Crescent and Morland Way, Cheshunt.

County Hall
Hertford
Herts SG13 8DN

23 August 2012
John Wood
Chief Executive & Director of Environment

STATEMENT OF REASONS FOR PROPOSING

THE HERTFORDSHIRE (ELM DRIVE, ASHDOWN CRESCENT AND MORLAND WAY, CHESHUNT) (RESTRICTION OF WAITING) ORDER 2012

The Hertfordshire County Council is currently implementing measures to improve road safety by introducing new waiting restrictions in Cheshunt.

The proposals will comprise of –

- 'No waiting at any time' restrictions on parts of Elm Drive, Ashdown Crescent and Morland Way.

These measures are intended to address safety and access concerns arising as a result of the current road parking behaviours. Vehicles, especially at school times, cause blocking of the junctions, restricted visibility and difficulty for vehicles turning. It is intended that these restrictions will improve road safety by improving the visibility and remove instances of inconsiderate parking at the junctions.

It therefore appears to the Highway Authority having considered the duty imposed by Section 122 Road Traffic Regulation Act 1984 that it is necessary and expedient to make an Order for avoiding danger to persons or other traffic using the road or for preventing the likelihood of any such danger arising and facilitating the passage on the road of any class of traffic, including pedestrians.

All of the proposed measures have been subject to consultation with, local and County Councillors representing the area and Broxbourne Borough Council. The local Police, Ambulance, Fire and Rescue Services, Hertfordshire County Council Passenger Transport Unit and local residents have also been consulted.