

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

**THE BOROUGH OF WELWYN HATFIELD (ALBATROSS WAY, HATFIELD)
(CLEARWAY) ORDER 2020**

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 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. (1) This Order may be cited as “The Borough of Welwyn Hatfield (Albatross Way, Hatfield) (Clearway) Order 2019” and shall come into effect on **DAY DATE MONTH YEAR**
 - (2) The Borough of Welwyn Hatfield Council (Albatross Way) Clearway Plan – plan reference WHBC/AW/CWAY/01 (“the Clearway Plan”) is incorporated into this Order.
2. In this Order:

“local service” has the meaning given in Section 2 in the Transport Act 1985

“made up carriageway” has the meaning as given in the Highways Act 1980 but does not include laybys.
3. Save as provided in Article 4 of this Order no person shall cause or permit any vehicle stop or wait at any time on those lengths of made up carriageway on Albatross Way, Hatfield, as specified shown in the labels and Key to the accompanying plan as specified in the Schedule to this Order.
- 4(1) Nothing in Article 3 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;
 - (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 maintenance vehicle operated by a bus operator in order to maintain a bus on local service
 - (e) 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;

(2) The “purposes” referred to in sub-Article (1)(e) 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.
 - (f) use by or on behalf of a local authority whilst engaged in the undertaking of a statutory duty.
5. A vehicle stopped or waiting in contravention of Article 3 of this Order, or left otherwise than in accordance with the provisions of this Order shall incur a penalty charge.
6. For the avoidance of doubt where a length of road is described within Article 3 and the Schedule to this Order and shown as a Clearway on “the Clearway Plan”, that restriction (unless stated to the contrary within the Schedule) shall apply to the whole width of the road so described and in all directions along those said lengths of road.

7. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
8. 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 and the relevant Schedule –
9. *The Borough of Welwyn Hatfield (Control of Parking) (Consolidation) Order 2017*

THE BOROUGH OF WELWYN HATFIELD (ALBATROSS WAY, HATFIELD) (CLEARWAY) ORDER PLAN 2020		
Plan number		WHBC/AW/CWAY/01

GIVEN under the Common Seal of the Welwyn Hatfield Borough Council this **DATEth** day of **MONTH, YEAR.**

The COMMON SEAL of the WELWYN)
HATFIELD BOROUGH COUNCIL was)
here unto affixed in the presence of:-)

Authorised Officer