

STATEMENT OF REASONS

FOR PROPOSING TO MAKE THE ORDERS PROHIBITING USE BY SPECIFIED VEHICLES OF ROUTES AT GREAT MUNDEN 13 AND OTHERS, ARDELEY 10 AND OTHERS AND CLOTHALL 12 AND WESTON 39

1. Hertfordshire County Council ("HCC") has received complaints from District and Parish Councils and local residents that damage has been caused to the surface of the above routes; that the routes are dangerous for use by horseriders, amongst others; and that the routes are not suitable for use by motorised vehicles.
2. In the case of the Great Munden routes an order was proposed in 1990, but because a legal technicality was not confirmed. Nevertheless, the signs indicating closure of the route to vehicles used by the public remained and use of the routes by vehicles causing damage has been reduced. It is therefore proposed to make and confirm an order.
3. HCC has conducted a consultation exercise starting on 20 January 1995. Parish and District Councils, landowners and user groups were consulted. The response to the consultation exercise was extensive and varied. Further evidence was also provided on use of the routes. On the basis of the evidence available to HCC and the support expressed for the proposals, HCC has decided to publish the proposed orders.

The Hertfordshire County Council, in exercise of their powers under Sections 1(1), 2(1) to (3) and 3(2) of the 1984 Act, 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 1984 Act, hereby made the following Order:-

1. Save as provided in Article 3 of this Order no person shall cause any Specified Vehicle (which for the purposes of this Order means any vehicle except any non-motorised bicycle) to enter or proceed at any time along the Routes (which are specified in the Schedule to this Order) except at such times as any gates are left in the open position.
2. In accordance with Section 92 of the 1984 Act, on the coming into operation of this Order, locked gates and bollards will be placed on the Routes so as to prevent the entry and passage of any Specified Vehicle, except those referred to in Article 3 of this Order.
3. Nothing in Article 1 or 2 of this Order shall prevent any person from causing or permitting a Specified Vehicle to enter or proceed in the Routes if that Specified Vehicle is being used:-
 - (a) for fire brigade, ambulance or police purposes.
 - (b) where necessary for access to adjoining land for agricultural purposes

The background to this matter is that the above routes are identified on the Definitive Map for Hertfordshire as Byways Open to All Traffic or Roads Used as Public Paths. The County Council has received complaints from Parish Councils, local residents and North Hertfordshire District Council regarding the routes. The 1984 Act provides that the County Council may make a Traffic Regulation Order where it appears to it expedient for

- (a) avoiding danger; or
- (b) preventing damage; or
- (c) facilitating passage of any class of traffic including pedestrians; or
- (d) preventing traffic which is unsuitable with respect to the existing character of the road; or
- (e) preserving the character of the road where this is especially suitable for persons on horseback or on foot; or

Anyone who wishes to object to the order or make any other representation relating to the order must do so in writing specifying the grounds on which the objection/representation is made by writing to:-

W J Church
Director of Law & Administration
Hertfordshire County Council
County Hall
HERTFORD SG13 8DE

by 25 April 1995. Any objection/representation received after this date will not be considered.

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HERTFORDSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984("the 1984 Act")
ORDER UNDER SECTION 2(1)

DATE OF ORDER: 24th May 1995
ORDER NO:

**THE HERTFORDSHIRE (PROHIBITION OF USE OF CLOTHALL 12 AND
WESTON 39 BY ALL VEHICLES EXCEPT WHEELCHAIRS AND NON
MOTORISED BICYCLES) ORDER 1995**

The Hertfordshire County Council, in exercise of their powers under Sections 1(1), 2(1) to (3) and 3(2) of the 1984 Act, 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 1984 Act, hereby made the following Order:-

1. Save as provided in Article 3 of this Order no person shall cause any Specified Vehicle (which for the purposes of this Order means any vehicle except any wheelchair or non-motorised bicycle) to enter or proceed at any time along the Routes (which are specified in the Schedule to this Order) except at such times as any gates are left in the open position.
2. In accordance with Section 92 of the 1984 Act ,on the **coming into operation** of this Order, locked gates and bollards will be placed on the Routes so as to prevent the entry and passage of any Specified Vehicle, **except those referred to in Article 3 of this Order.**
3. Nothing in Article 1 or 2 of this Order shall prevent any person **from causing or permitting a Specified Vehicle to enter or proceed in the Routes if that Specified Vehicle is being used:-**
 - (a) for fire brigade, ambulance or police purposes.
 - (b) to any premises situated on or adjacent to the Routes
 - (c) where necessary for access to adjacent land for **agricultural purposes**
4. This Order shall come into operation from 2 June 1995 and may be **cited as "The Hertfordshire (Prohibition of Use of Clothall 12 and Weston 39 by any Specified Vehicle) Order 1995.**

SCHEDULE

The entire lengths of routes known as:-

Clothall 12 from GR 263325 to GR 290283 for a distance of 5160 metres; and

Weston 39 from GR 265322 to GR 290283 distance of 4740 metres

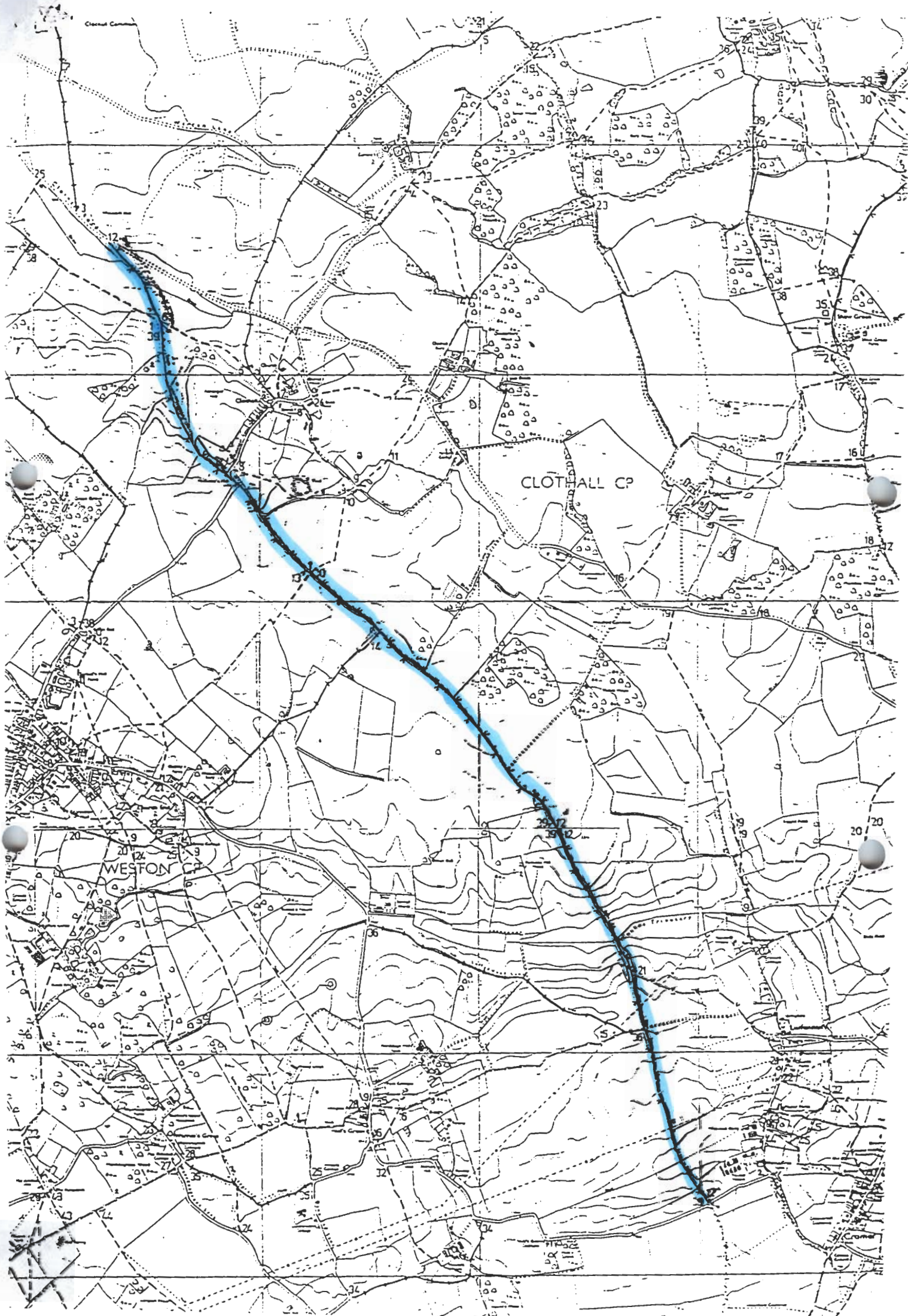
IN WITNESS whereof the Common Seal of the Hertfordshire County Council was hereunto affixed this 24th day of May 1995

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


Director of Law & Administration

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HERTFORDSHIRE COUNTY COUNCIL

**ROAD TRAFFIC REGULATION ACT 1984
ORDER UNDER SECTION 14 (1)**

Date of Order :14 July 1995
Order No. 4744

**THE HERTFORDSHIRE (TEMPORARY CLOSING OF FOOTPATHS,
BRIDLEWAYS, BY WAYS OPEN TO ALL TRAFFIC AND ROAD USED AS A
PUBLIC PATH IN CLOTHALL AND WESTON) ORDER 1995**

WHEREAS by Section 14, sub-section (1) of the Road Traffic Regulation Act 1984, subject to the provisions of the section if a Highway Authority are satisfied that pedestrian and vehicular traffic on any highway should by reason of any works being executed or proposed to be executed on or near the highway be restricted or prohibited they may by Order restrict or prohibit the use of the highway or any part thereof by vehicles or by vehicles of any particular class or description and persons on foot, to such an extent and subject to such conditions or exceptions they may consider necessary.

AND WHEREAS the Hertfordshire County Council are the Highway Authority for the footpaths,bridleways,by ways and road used as a public path hereinafter mentioned which are situated in the North Hertfordshire District Council Area within the County of Hertfordshire.

AND WHEREAS work in connection with repairing these rights of ways is necessary.

AND WHEREAS the Council are satisfied that all vehicular and pedestrian traffic on the highways hereinafter described should by reason of the said work being required and being in progress on the said highways be prohibited and that suitable alternative routes for traffic and pedestrians are available.

In this Order

“BOAT” Byway open to all Traffic has the same meaning as in Section 66 of the Wildlife and Countryside Act 1981.

“RUPP” Road used as a Public Path has the same meaning as in Section 27(6) of the National Parks and Access to the Countryside Act 1949.

“pedal cycle” means a cycle powered only by foot or hand.

NOW the Council do hereby Order as follows:-

1. All traffic including pedestrians, persons in wheel chairs and persons riding or propelling non motorised pedal cycle are prohibited from using the following rights of ways :-
 - (i) that length of Footpath 6 Clothall from its junction with BOAT 12 Clothall eastwards for an approximate distance of 100metres,
 - (ii) that length of Footpath 10 Clothall from its junction with BOAT12 Clothall north eastwards for an approximate distance of 100metres,

- (iii) that length of RUPP 21 Clothall from its junction with BOAT 12 Clothall eastwards for an approximate distance of 100metres,
- (iv) that length of Footpath 13 Weston from its junction with BOAT12 Clothall south westwards for an approximate distance of 100metres,
- (v) that length of Bridleway 14 Weston from its junction with BOAT12 Clothall south westwards for an approximate distance of 100metres,
- (vi) that length of Bridleway 36 Weston from its junction with BOAT12 Clothall westwards for an approximate distance of 100metres,
- (vii) that length of Footpath 1 Weston from its junction with BOAT12 Clothall north westwards for an approximate distance of 100metres,
- (viii) that length of BOAT 12 Clothall/BOAT 39 Weston from its junction with Clothall Road south eastwards to its junction with C14 Maiden Street.

- 2. Persons and their vehicles associated or involved with undertaking highway remedial works to the rights of ways detailed above, are exempt from the provisions of this Order whilst the remedial works are in progress.
- 3. This Order shall come into operation from 15 July 1995 or from the date of the works necessitating the closure commences, for a period of up to six months.

IN WITNESS whereof the Common Seal of the Hertfordshire County Council was hereunto affixed this 14 day of July 1995.

The Common Seal of the Hertfordshire County Council was hereunto affixed in the presence of:-)
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WJ Curran
 Director of Law and Administration