

**HERTFORDSHIRE COUNTY COUNCIL**  
**ROAD TRAFFIC REGULATION ACT 1984**

Date of Order: 24 August 2018  
Order No: 8186

**THE HERTFORDSHIRE (OU274/20 and OU274/30 FOXES LANE, WELHAM GREEN,  
HATFIELD AND NORTH MYMMS BOAT 042, WELHAM GREEN)  
(PROHIBITION OF DRIVING) ORDER 2018**

The Hertfordshire County Council in exercise of their powers under Sections 1, 2, 3 and 4 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 of the Act of 1984 hereby make the following Order:-

1. This Order may be cited as "The Hertfordshire (OU274/20 and OU274/30 Foxes Lane, Welham Green, Hatfield and North Mymms BOAT 042, Welham Green) (Prohibition of Driving) Order 2018" and shall come into effect on Monday 3 September 2018.

2. **Interpretation**  
In this Order;

The expression "motor vehicle" – shall have the same meaning as given in Section 136 Road Traffic Regulation Act 1984.

The expression "motor cycle" shall have the same meaning as given in Section 136 Road Traffic Regulation Act 1984.

The expression "solo motor cycle" shall have the meaning as given in The Traffic Signs Regulations and General Directions 2016, Part 2 (Traffic Signs Regulations 2016) Schedule 1 Regulation 2, that is to say a "motor cycle" without a side car.

The expression "permit holder" shall have the meaning as any person who is the holder of a permit issued by Hertfordshire County Council which entitles a motor vehicle being used by the holder to enter or be in those lengths of OU274/20 and OU274/30 Foxes Lane, Welham Green, Hatfield and North Mymms BOAT 042, Welham Green, restricted by Article 3 of this Order.

"permit" shall have the meaning as a written permit in a form prescribed by Hertfordshire County Council issued by an Authorised Officer of that Council, which entitles a motor vehicle being used by a permit holder to enter or be in those lengths of OU274/20 and OU284/30 Foxes Lane, Welham Green, Hatfield and North Mymms Boat 042, Welham Green restricted by Article 3 of this Order.

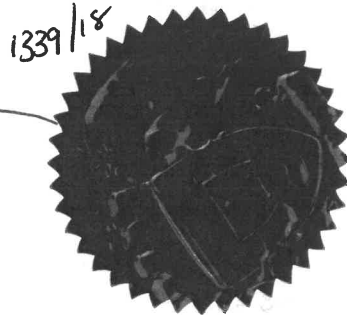
3. Save as provided in Article 4 to this Order, no person shall cause or permit any "motor vehicle" other than a "solo motor cycle" to enter or be in those lengths of -
  - (i) the OU274/20 and OU274/30 Foxes Lane, between a point 456 metres north west of the junction of Foxes Lane with Bulls Lane and a point 100 metres south east the junction of the OU274/30 with Dixons Hill Road, as indicated by the dotted line on plan DG/29/06/17 which is attached to and incorporated into this Order; and
  - (ii) North Mymms BOAT 042, Welham Green, between its junction with OU274/20 Foxes Lane and its junction with A1000 Great North Road, Hatfield, as indicated by the dotted line on plan DG/29/06/17 which is attached to and incorporated into this Order.

4. Nothing in Article 3 to this Order shall apply to so as to prohibit a motor vehicle being used by a permit holder, who holds a valid permit issued by Hertfordshire County Council which entitles the user thereof, to enter or be in those lengths of OU274/20 and OU274/30 Foxes Lane, Welham Green, Hatfield and North Mymms BOAT 042, Welham Green restricted by Article 3.
5. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
6. The provisions of the following Order are hereby revoked:  
  
The Hertfordshire (OU274/20 and OU274/30 Foxes Lane, Welham Green, Hatfield and North Mymms BOAT 042, Welham Green) (Prohibition of Driving) (Experimental) Order 2018
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 is made under the Act of 1984 or by or under any other enactment.

IN WITNESS whereof the Common Seal of the Hertfordshire County Council was hereunto affixed this 24<sup>th</sup> day of August 2018.

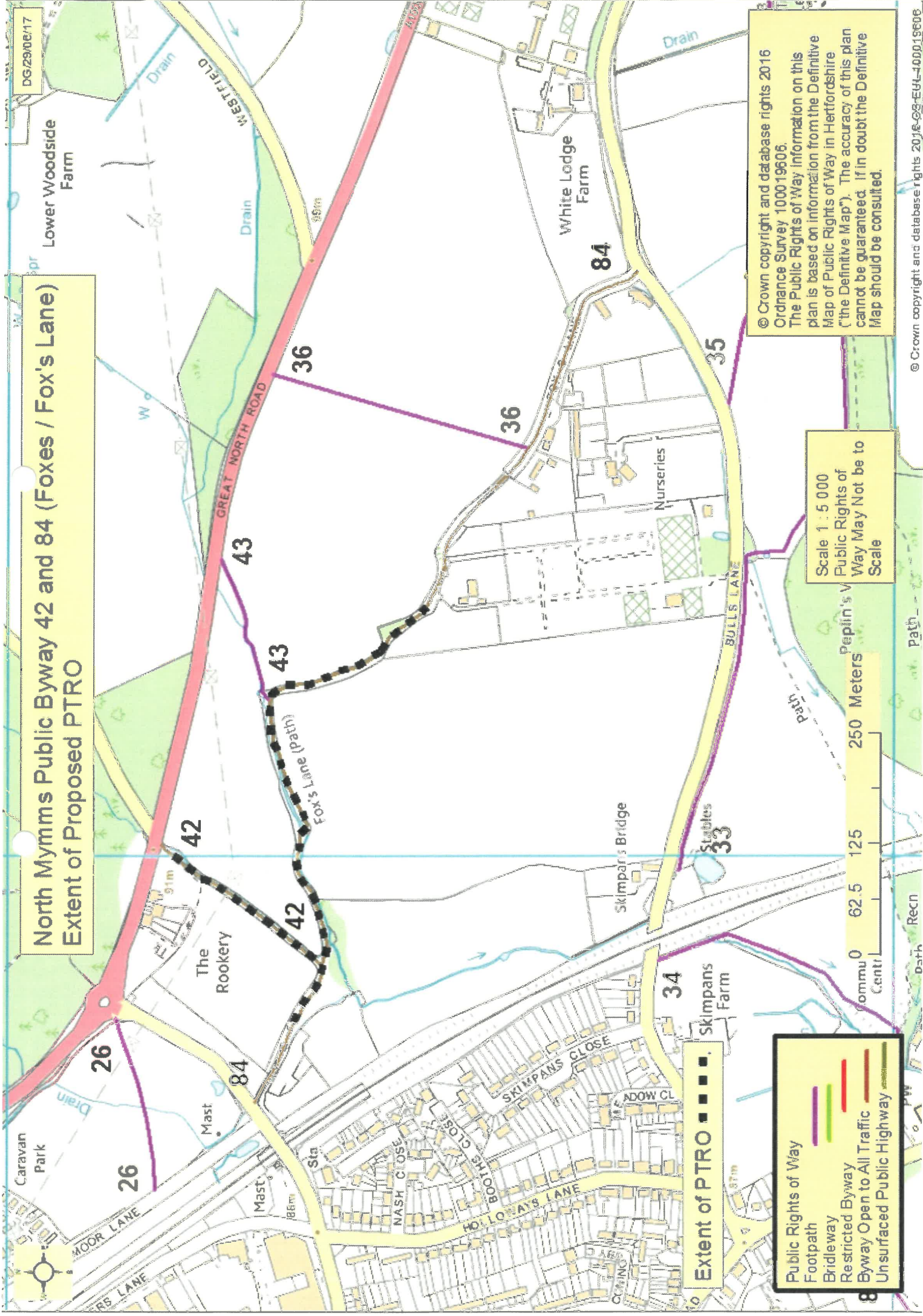
The Common Seal of the Hertfordshire County Council was hereunto affixed in the presence of:-

)  
)  
)  
)  
  
Simon Banks  
Assistant  
Chief Legal Officer



**Assistant Chief Legal Officer**

**North Mymms Public Byway 42 and 84 (Foxes / Fox's Lane)  
Extent of Proposed PTRO**



© Crown copyright and database rights 2016  
Ordnance Survey 100019606.  
The Public Rights of Way information on this plan is based on information from the Definitive Map of Public Rights of Way in Hertfordshire ("the Definitive Map"). The accuracy of this plan cannot be guaranteed. If in doubt the Definitive Map should be consulted.

Scale 1 : 5 000  
Public Rights of Way May Not be to Scale

**Extent of PTRO**

- Public Rights of Way
- Footpath
- Bridleway
- Restricted Byway
- Byway Open to All Traffic
- Unsurfaced Public Highway



## HERTFORDSHIRE COUNTY COUNCIL

### THE HERTFORDSHIRE (OU274/20 and OU274/30 FOXES LANE, WELHAM GREEN, HATFIELD AND NORTH MYMMS BOAT 042, WELHAM GREEN) (PROHIBITION OF DRIVING) ORDER 2018

NOTICE is given that the Hertfordshire County Council has made an Order under the Road Traffic Regulation Act 1984 to introduce a prohibition of driving motor vehicles - except solo motor cycles and permit holders on parts of OU274/20 and OU274/30 Foxes Lane, Welham Green, Hatfield and North Mymms BOAT 042, Welham Green. The Order makes permanent the previous experimental restrictions which have been effective since 5 February 2018 and will come into effect on Monday 3 September 2018.

Documents giving more detailed particulars of the Order may be inspected from 29 August 2018 to 10 October 2018 during normal office hours, at the offices of Welwyn Hatfield Council, Council Offices, The Campus, Welwyn Garden City and at Main Reception, Hertfordshire County Council, County Hall, Pegs Lane, Hertford, or may be viewed online at [www.hertfordshire.gov.uk/trafficorders](http://www.hertfordshire.gov.uk/trafficorders) by selecting Welwyn Hatfield and looking at Ref: WH00317

Enquiries relating to the Order should be referred to the Highways Engineer concerned Dawn Grocock tel: 01992 555235 or [dawn.grocock@hertfordshire.gov.uk](mailto:dawn.grocock@hertfordshire.gov.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.

County Hall  
Hertford  
Herts SG13 8DN

29 August 2018  
John Wood  
Chief Executive

# HERTFORDSHIRE COUNTY COUNCIL

## STATEMENT OF REASONS

### **THE HERTFORDSHIRE (OU274/20 and OU274/30 FOXES LANE, WELHAM GREEN, HATFIELD AND NORTH MYMMS BOAT 042, WELHAM GREEN) (PROHIBITION OF DRIVING) ORDER 2018**

The Hertfordshire County Council, for the purpose of carrying out an experimental scheme of traffic control, trailed a Prohibition of Driving Experimental Order on parts of OU274/20 and OU274/30 Foxes Lane, Welham Green, Hatfield and North Mymms BOAT 042, Welham Green.

The Experimental Order came in to effect on Monday 2 February 2018 and trailed:

- A Prohibition of Driving Motor vehicles – prohibiting motor vehicles except solo motor cycles and permit holders vehicles from entering or being in those sections of -
  - (a) OU274/20 and OU274/30 Foxes Lane, Welham Green, Hatfield, between a point 456 metres north west of Bulls Lane and a point 100 metres south east of Dixons Hill Road; and
  - (b) North Mymms BOAT 042, Welham Green from its junction with OU274/20 Foxes Lane, Hatfield to its junction with A1000 Great North Road, Hatfield.

The Experimental Order tested the effectiveness of such a prohibition in preventing danger to persons or other traffic using the road or for preventing the likelihood of any such danger arising, preventing the anti-social behaviour, fly tipping, deliberate damage from driving in the ditches (breaking the revetment and causing flooding) and trespass activities which have been prevalent on land beside the road. It also tested the effectiveness in preventing damage to the road and preventing the damage associated with misuse by vehicles to the edges of the lane and the drainage features, which were being damaged by overruns. The trial also aimed to prevent damage occurring to the road surface as a consequence of misuse and fly-tipping activity and its subsequent necessary removal.

North Mymms Byway 42 runs from the Great North Road, near Welham Green alongside the Rookery Café car park, in a generally south westerly direction, to the junction with North Mymms Byway 84. North Mymms Byway 84 runs from Dixons Hill Road, near Welham Green in a generally south easterly direction to Bulls Lane. The route is known as Foxes / Fox's Lane, but the section included in this Order, is the unsurfaced / untarmacked section.

As part of the trial a permit system was used to only allow access for vehicles falling into the prohibited category, whose drivers are members of an officially recognised off road driving organisation, with a responsible Code of Conduct, and access will be by drop down lockable bollards. The trial restricted the use by "All MPV's (mechanically propelled vehicles) except solo motorcycles and permit holders".

The trial subsequently demonstrated a positive effect of preserving the local area's character and amenity from fly tipping, preventing access for fly tipping, dangerous driving and preserving the edges of the lane and the drainage features, which are being damaged by overruns. The trial confirmed to the Authority that by banning motor vehicles other than permit holders, the preventative measures of the experimental Order secured, as far as practical, the expedient, convenient and safe movement of other traffic (including motorcycles, horses & carriages, horses, cycles and pedestrians), which are affected by the blockages caused by vehicles damaging the drainage systems and access for fly tipping, to the extent of being impassable.

During the first 6 months of the trial Hertfordshire County Council worked in conjunction with Hertfordshire Police to assess, monitor and where appropriate enforce the prohibition of driving. A review of the effectiveness of the Experiment and the results of the information gathered, indicated that the Order was successful in achieving the preventative measures desired and the Authority consider the Order should now be made permanent, to prevent danger to persons or other traffic using the road or for preventing the likelihood of any such danger arising, prevent the anti-social behaviour, fly tipping, deliberate damage from driving in the ditches (breaking the revetment and causing flooding) and trespass.

All the above measures have been the subject of consultation with the local and County Councillors representing the area and North Herts District Council. The local Police, Ambulance, Fire & Rescue Services, North Mymms Parish Council, North Mymms District Green Belt Society, RoW Statutory User Group Consultees and local residents have also been consulted.