

DACORUM BOROUGH COUNCIL

TRAFFIC REGULATION ORDER

**THE BOROUGH OF DACORUM (HIGH STREET, BERKHAMSTED) (RESTRICTED ZONE)
(AMENDMENT) ORDER 2018**

Dacorum Borough Council, pursuant to arrangements made under Section 101 of the Local Government Act 1972 with the Hertfordshire County Council, and in exercise of the powers conferred on that County under Sections 1, 2, 4, 45, 46, 47, 49 and 53 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984¹ 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 makes the following Order:

1. This Order shall come into operation on 16 April 2018 and may be cited as "The Borough of Dacorum (High Street, Berkhamsted) (Restricted Zone) (Amendment) Order 2018"
2. Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into force of this Order, the Hertfordshire (High Street, Berkhamsted) (Restricted Zone) Order 2014² shall have effect as though:

(a) there were added to Article 2(1) of that Order the following definitions:

"electronic payment system" means a system to facilitate and monitor the payment of parking charges using telephone or internet enabled devices (including a ticket parking meter so enabled) via communication with the service provider, in accordance with the instructions indicated on signs located at or in the vicinity of each parking place;

"hand-held device" means a wireless hand-held computer used by a civil enforcement officer, or other designated officer, which is programmed to interface with the council's parking permits management system and electronic payment system;

"parking charge" means an amount specified in this Order which is payable, subject to the provisions of this Order, in respect of a vehicle left in a Pay and Display parking bay, as identified in the 'restricted zone plans' attached to this Order;

"parking period" means a period of time for which payment of the parking charge is or has been made in respect of a vehicle and during which, subject to the provisions of this Order, that vehicle may be left in a Pay and Display parking bay, as identified in the 'restricted zone plans' attached to this Order;

"service provider" means the company authorised and appointed by the Council to operate and administer the payment of parking charges using the electronic payment system;

"ticket parking meter" means an apparatus or device which for the purposes of this Order is designed to communicate to the electronic payment system the payment of the parking charge and the parking period in respect of which the parking charge has been paid.";

(b) for Article 17(b) of that Order, there were substituted the following:

"(b) Payment of the parking charge shall be made:
a. by the driver of the vehicle, or some person authorised by the driver to act on their behalf, instructing the service provider to accept payment of the parking charge for a specified parking period by use of the electronic payment system and by the service provider accepting such payment; or

¹ 1984 c. 27

² HCC Order No. 7822

b. by any other method of payment and indication of payment offered from time to time by the Council;”;

(c) Articles 18 and 19 of that Order were omitted;

(d) for Article 20 of that Order and the heading to that Article, there were substituted the following:

“Indication of payment of parking charge

20. (1) Payment of the parking charge in respect of a vehicle left in a P&D parking place shall be indicated by the appearance on a hand-held device of an indication that the parking charge has been paid in respect of that vehicle by the electronic payment system and an indication of the date and time of expiry of the parking period for which that parking charge has been paid.

(2) the expiry of the parking period in respect of a vehicle left in a P&D parking place shall be indicated when there is displayed on the hand-held device an indication that the parking period for which payment of the parking charge has been made, has expired.”;

(e) for Article 21 of that Order and the heading to that Article, there were substituted the following:

“Hand-held device indications as evidence

21. If at any time while a vehicle is left in a P&D parking bay during the permitted hours either no indication appears on a hand-held device that payment of the parking charge has been made in accordance with the provisions of Article 17(b), or an indication appears on a hand-held device showing that the parking charge has been paid but that the parking period has expired, it shall be presumed that the the parking charge has not been duly paid.”;

(f) for Article 22 of that Order and the heading to that Article, there were substituted the following:

“No additional payment to be made

22. After initial payment of the parking charge no person shall make any additional payment by whatever means in order to extend the parking period in respect of a vehicle left in a P&D parking bay identified in the ‘restricted zone plans’ attached to this Order.”;

(g) in Article 23 of that Order for the words “Articles 17, 18, 19, 20, 21 and 22” there were substituted the words “Articles, 17, 20, 21 and 22”.

Given under the Common Seal of Dacorum Borough Council the 5 day of April 2018

SEAL REGISTER
BOOK 11
ENTRY 9078

THE COMMON SEAL of DACORUM)
BOROUGH COUNCIL was hereunto)
affixed on the 5 day of April 2018)



in the presence of:

A handwritten signature in black ink, written over a dotted horizontal line.

Authorised Signatory

A handwritten signature in black ink, written over a dotted horizontal line.

Authorised Signatory

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