

HERTSMERE BOROUGH COUNCIL
ROAD TRAFFIC REGULATION ACT 1984

Date of Order: 10 November 2020
Order No: 334

THE HERTSMERE BOROUGH COUNCIL
(CONTROL OF PARKING) (CONSOLIDATION) ORDER 2012
(AMENDMENT No.1) ORDER 2020

The Hertsmere Borough Council (hereinafter referred to as “the Council”) in accordance with Regulation 21 (1)(b) of The Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996 and pursuant to arrangements made under Section 19 of the Local Government Act of 2000 and the Local Government (Arrangements for Discharge of Functions) (England and Wales) Regulations 2000 with Hertfordshire County Council (“the County Council”) in exercise of the powers conferred by Sections 1, 2, 3, 4, 32, 45, 46, 47, 49 and 53 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (“the 1984 Act”) (as amended by the Road Traffic Regulation (Parking) Act 1986) and Section 43 and Schedule 3 of the Road Traffic Act 1991 (“the 1991 Act”) and the provisions of Part 6 of The Traffic Management Act 2004 (“the 2004 Act”) and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act hereby make the following Order.

1. This order shall come into operation on 6th November 2020 and may be cited as “The Hertsmere Borough Council (Control of Parking) (Consolidation) Order 2012 (Amendment No.1) Order 2020” hereinafter referred to as “this Order”.
2. The provisions of The Hertsmere Borough Council (Control of Parking) (Consolidation) Order 2012 shall be amended by inserting into Article 4(1) (the interpretation section) of that Order the following definitions;

“Pay by Phone” means payment by telephone whether mobile or otherwise or by any other electronic device capable of making payment. Instructions for pay by phone shall be displayed at ticket machine points. A record of pay by phone will be made electronically and no ticket will be required to be displayed.

“Service Provider” means the contractor appointed by the Council to operate the Pay by Phone Service;

3. The provisions of The Hertsmere Borough Council (Control of Parking) (Consolidation) Order 2012 shall be amended as follows;
 1. By replacing Article 57 of that Order with the following;
 - 57 (a) Where an initial charge shall be paid by the insertion into the ticket machine provided in the parking place of a coin or coins of denominations specified in Schedules to this Order dependent on the period for which payment is being made and the class of vehicle, provided that if any payment is made over the

appropriate charge, the charge together with the amount of the overpayment shall be deemed to be the charge.

- (b) The alternative acceptable payment shall be made by purchasing a parking session using the pay by phone services in accordance with the scale of charges specified by the Council and subject to variation at the Council's discretion giving notice in accordance with section 46A of the Act of 1984 and the payment shall be payable at that time".

2. By replacing Article 59 (2) of that Order with the following;

59 (2) (a) The expiry of the initial period for which the initial charge has been paid in respect of a vehicle left in a parking bay as shown in a parking bay as shown in the 'On Street Plans' shall be indicated when there is displayed on the vehicle a ticket issued by a ticket parking meter relating to that parking bay showing the day and time by which the initial period for which payment was made by the initial charge will expire, and the day so shown is the day on which the vehicle is so left and the time shown on the clock of the said ticket parking meter is later than the time shown on the ticket.

- (b) Where the parking charge has been paid to the service provider by debit card or credit card by way of pay by phone services the parking period shall commence on receipt by the Council of the details specified in Article 57 and expire at the end of the period for which payment has been made.

3. By replacing Article 55 of that Order with the following;

55 (b) Where a Parking Ticket is not displayed in the Relevant Position it will be deemed not to have been paid. Where a ticket is displayed the amount of the charge shall be deemed to be that shown on the ticket.

- (i) Where the Council is unable to confirm that a payment has been made using the pay by phone services in accordance with Article 57 it shall be deemed that no parking charge has been paid.
- (ii) A record of pay by phone will be made electronically and no ticket will be required to be displayed.

4. 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.

5. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

IN WITNESS where of the Common Seal)
Hertsmere Borough Council was hereunto affixed)
This ^{10th} day of November 2020)
In the presence of:-)



Managing Director

A handwritten signature in black ink is written over a horizontal line. The signature is stylized and appears to be 'John [unclear]'. A second horizontal line is drawn below the signature.

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NOTICE IS HEREBY GIVEN that the Hertsmere Borough Council (pursuant to arrangement made with Hertfordshire County Council) proposes to make the above Order under the Road Traffic Regulation Act 1984. The general effect of the Order would be to permit and allow parking charge payments to be made by debit card and credit card by way of telephone (including mobile telephone, online or through an app).

Location List (Pay by Phone)

Street / Road	Area
Clarendon Road	Borehamwood
Cardinal Avenue	Borehamwood
Drayton Road	Borehamwood
Glenhaven Avenue	Borehamwood
Grosvenor Road	Borehamwood
Maxwell Road	Borehamwood
Shenley Road	Borehamwood
Station Road	Borehamwood
Whitehouse Avenue	Borehamwood
Greatham Road	Bushey
High Road	Bushey Heath
Baker Street	Potters Bar
Barnet Road	Potters Bar
Billy Lows lane	Potters Bar
Byng Drive	Potters Bar
Cotton Road	Potters Bar
Darkes Lane	Potters Bar
Hatfield Road	Potters Bar
Heather Way	Potters Bar
High Street	Potters Bar
Kemble Parade	Potters Bar
Mutton Lane	Potters Bar
Parkside	Potters Bar
Princes Parade	Potters Bar
Southgate Road	Potters Bar
St Johns Close	Potters Bar
The Broadway Darkes Lane	Potters Bar
The Drive	Potters Bar
The Walk	Potters Bar
Whaley Road	Potters Bar
Wyllyotts Place	Potters Bar
Aldenham Avenue	Radlett
Newberries Parade	Radlett
Watling Street	Radlett

Documents giving more detailed particulars of the proposals may be viewed online from 11th September 2020 at www.hertsmere.gov.uk by selecting transport, streets and parking or you may request a copy of the documents by emailing parking.policy@hertsmere.gov.uk

Persons wishing to object or make comments to these proposals must do so in writing to: Tunde Ogunro, Senior Traffic Engineer, Parking Services, Hertsmere Borough Council, Civic Offices, Elstree Way, Borehamwood WD6 1WA or by email to parking.policy@hertsmere.gov.uk quoting reference *Amend 01* by **9th October 2020**

Sajida Bijle
Managing Director
11th September 2020