

WELWYN HATFIELD BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

**THE BOROUGH OF WELWYN HATFIELD (VARIOUS CAR PARKS, HATFIELD)
(OFF-STREET PARKING PLACES) ORDER 2021**

The Council of The Borough of Welwyn Hatfield (hereinafter referred to as "the Council") pursuant to arrangements made under Section 19 of the Local Government Act of 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 with Hertfordshire County Council ("the County Council") in exercise of the powers conferred by Sections 32, 33, 34, 35, 44, 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.

PART I - GENERAL

Commencement and Citation

1. (a) This Order shall come into operation on **Monday 17th May 2021** and may be cited as "The Borough of Welwyn Hatfield (Various Car Parks, Hatfield) (Off-Street Parking Places) Order 2021" hereinafter referred to as "this Order".

(b) The Borough of Welwyn Hatfield (Various Car Parks, Hatfield) (Off-Street Parking Places) Order Plans 2021 (hereinafter referred as the accompanying plans") is incorporated into this Order.

Revocations

2. (a) The provisions of the following Orders are hereby revoked but only in so far as they are affected by the restrictions imposed by this Order;

The Borough of Welwyn Hatfield (Town Centre Car Parks, Hatfield) (Off Street Parking Places) Order 2012 (Amendment) (No.1) Order 2014

The Borough of Welwyn Hatfield (Various Car Parks, Hatfield) (Off-Street Parking Places) Order 2020

- (b) The provisions of the following Orders are hereby revoked;

The Borough of Welwyn Hatfield (Town Centre Car Parks, Hatfield) (Off-Street Parking Places) Order 2012 (Amendment) (No.2) Order 2014

The Borough of Welwyn Hatfield District Council (Off-Street Parking Places) Order 1995 (Amendment No. 6) Order 2010

Interpretation

3. (a) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

- (b) Save as otherwise defined within this Order each and every expression shall have the meaning assigned to it by the Traffic Signs Regulations and General Directions 2016, SI No.362.

- (c) In this Order, except where the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them:

"Accompanying Plans" means The Borough of Welwyn Hatfield (Various Car Parks, Hatfield) (Off-Street Parking Places) Plans 2021 including the Key and the Schedules, and listed in Schedule 1 of this Order which are incorporated into this Order pursuant to Article 1(b) hereof;

"Act of 1984" means the Road Traffic Regulation Act 1984;

"Approved method of payment" means payment by credit, debit, pre-paid or any other electronic card or payment by phone through a scheme organised through the Council;

"bay markings" means any white or yellow lines marked on the surface of a parking place to indicate the limits of each individual parking bay;

"Charging Days and Hours" in relation to a parking place means the period during which a charge for parking is made as specified in Schedule 2 of this Order.

"Civil Enforcement Officer" means a Civil Enforcement officer appointed by Welwyn Hatfield Borough Council under Section 76 of the Act of 2004;

"Council" means Welwyn Hatfield Borough Council and includes any parking services contractor or authorised agent appointed by or acting on behalf of the Council for the purpose of any function under the provisions of this order;

"Delivering" and "Collecting" in relation to any goods include checking the goods for the purpose of their delivery or collection;

"Disabled Parking Bay" means an area contained within a Parking Place marked by yellow road markings to indicate the position in which a vehicle may be parked, for use by a disabled person's vehicle displaying in the relevant position a disabled persons badge

"Disabled Person's Badge" and "Parking Disc" have the same meaning as in the Local Authorities Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000

"Disabled Person's Vehicle" means a Vehicle lawfully displaying a Disabled Person's Badge and is a Vehicle which, immediately before or after any period of waiting allowed by virtue of a provision of a kind required by Regulation 8 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 SI 683, has been or is to be driven by a Disabled Person or, as the case may be, has been or is to be used for carrying Disabled Persons as passengers;

"Driver" means the person driving or having control or charge of the Vehicle at any given time and in particular in relation to a Vehicle waiting in a Parking Place the person driving at the time it was left in that Parking Place;

"Electric Vehicle" means a vehicle which uses electricity as a source of power for propulsion which is derived from an electric storage battery which is not connected by an exterior charging lead to any power source whilst the vehicle is in motion and includes a vehicle which in addition uses, or is capable of using, other sources of power for propulsion;

"Electric Vehicle Charging Bay" means an area contained within a Parking Place delineated by painted road markings to indicate the marked limits of the bay and the position in which an Electric Vehicle may be parked and as identified in the key and shown on the accompanying plans;

"Goods" means goods or burden of any description and includes postal packets of any description;

"Hand-held Device" means a wireless hand-held computer used by Civil Enforcement Officer which is programmed to interface with the Telephone Payment System to receive and display information on valid and expired parking sessions.

"Key" means the Key attached to the Accompanying plans to be read in conjunction with those Accompanying plans;

"Motor Cycle Parking Bay" means an area contained within a Parking Place delineated by painted road markings to indicate the marked limits of the bay and the position in which a Motor Cycle may be parked and as identified in the key and shown in the Off-Street Plans;

"Motor Cycle" has the meaning as given by Section 136(4) of the Act of 1984;

"Motor Vehicle" has the meaning as given by Section 136(1) of the Act of 1984;

"Operational Days and Hours" in relation to a car park means the period during which the car park open for use by the public as specified in Schedule 2

"Owner" has the meaning assigned to it by s.82 (2) and (3) of the Road Traffic Act 1991;

"Paperless Season Ticket" means a permit issued electronically by the service provider;

"Parking Bay" means an area contained within a Parking Place delineated by painted road markings to indicate the marked limits of the Parking Bay and the position in which a Vehicle or Vehicle of any specified class may be parked and as identified in the key and shown in the accompanying plans;

"Parking Place" means an area of land or building, where vehicles, or vehicles of a specified class, may wait within Parking Bays marked out for the purpose as set out in s.32(4)(b) of the 1984 Act and as shown in the Key and Off-Street Plans;

"Passenger Vehicle" means a motor vehicle constructed solely for the carriage of passengers and their effects and adapted to carry not more than sixteen passengers exclusive of the Driver, and not drawing a trailer;

"Parking Ticket" means a ticket issued by a Parking Ticket Machine for the pay and display parking places shown in the accompanying plans of this Order.

"Parking Ticket Machine" means an apparatus to indicate the time of expiry, the payment of the initial charge and the periods in respect of which the charge has been paid.

"Payment card" means a bank credit or debit card, e-purse card, discount card, or pre-payment card to be used where such facility is advertised and provided in a parking place;

"Penalty Charge" means an amount set and published by the Council in accordance with The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 and the provisions of Part 6 and Schedule 9 the Traffic Management Act 2004.

"Penalty Charge Notice" means the notification of a Penalty Charge pursuant to the provisions of Section 78 of the Traffic Management Act 2004 and has the same meaning as in the Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

"Permit" means for the purpose of this Order either a season ticket, staff permit or councillor permit;

"Permit holder" means a person to whom a permit has been issued;

"Plug in – Electric Hybrid Vehicle" is a vehicle equipped with an electric traction system which is powered by an electric storage battery which is not connected by an exterior recharging lead to any power source whilst the vehicle is in motion and includes a vehicle which in addition uses at least another energy source for traction purposes.

"Recharging Post" means a device designed for the recharging of electric vehicles or plug in electric hybrid vehicles;

"Recharging Lead" means a device designed for connecting the recharging post to an electric vehicle or plug in electric hybrid vehicle

"Relevant Position" means on the dashboard or fascia of the Vehicle or where the Vehicle is not fitted with a dashboard or fascia in a conspicuous position on the Vehicle as described in the Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations 2000 SI 682;

"Restricted area" means an area within the parking place boundaries as shown in the relevant plans to this Order that is not marked as a parking bays, e.g. access road, turning area, grassed areas, raised or lowered kerb or areas of landscaping;

"Road" means any length of highway or of any other road to which the public has access, and includes bridges over which a road passes as set out in s142 (1) of the 1984 Act;

"Service Provider" is a service administering parking transactions, records of permits and records of paperless permits;

"Season ticket" means a ticket that is valid in the designated car park it is issued for

"Staff" means any person employed by Welwyn Hatfield Borough Council and includes any parking services contractor or authorised agent appointed by or acting on behalf of the Council for the purpose of any function under the provisions of this Order;

"Telephone Payment Service Provider" means the contractor authorised by the Council to accept payment of the initial charge by telephone or by internet on its behalf and to keep a record of the details recorded by the Telephone Payment System

"Telephone Payment System" means an electronic system, using a telephone connection or internet connection set up and maintained by the Telephone Payment Service Provider, whereby:

- (a) the driver of a vehicle, or some other person authorised by that driver on their behalf, uses a telephone or the internet to communicate with the Telephone Payment Service Provider and make payment of the initial charge or the charge and any additional Transaction, Fee in respect of a specified vehicle in a specified Parking Place for a specified period by use of a payment card; and
- (b) (i) the Telephone Payment Service Provider, on behalf of the Council, accepts payment of the parking charge by the method referred to in paragraph (a) of this definition and records such payment together with the details that appear on a parking ticket as set out in Article 21, the registration mark of the vehicle in respect of which payment has been made and details of the parking place in respect of which payment has been made; or
(ii) the Telephone Payment Service Provider, on behalf of the Council, accepts payment of the parking charge by the method referred to in paragraph (a) of this definition and records such payment together with the details that appear on a parking receipt as set out in Article 19, the registration mark of the vehicle in respect of which payment has been made and details of the parking place in respect of which payment has been made.

"Transaction Fee" means a fee payable to the Telephone Payment Service Provider in respect of a payment paid by means of the Telephone Payment System and indicated on a Traffic Sign or Ticket Machine

"Traffic Sign" means a device or object as prescribed or authorised under, or having effect as though prescribed or authorised under Section 64 of the Act of 1984;

"Universal Service Provider", "Provision of a universal Postal Service" and "Postal Packet" shall bear the same meaning as in the Postal Services Act 2011.

"Vehicle" has the same meaning as that assigned to "motor vehicle" in s.136 (1) of the 1984 Act;

Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

PART II DESIGNATION OF PARKING PLACES and PARKING BAYS

4. Each area as shown on the Off-Street Plans and indicated in the key on the accompanying plans as a parking place is authorised as a parking place and may be used subject to the conditions and restrictions imposed by this Order for the parking of motor vehicles.
5. Within a parking place no person shall, cause or permit any motor vehicle to wait at any time in any part of the parking place unless that vehicle is waiting wholly parked within the marked limits of a parking bay as shown on the Off-Street Plans and indicated in the Key on the accompanying plans.

6. Within a parking place no person shall, cause or permit any motor vehicle to wait at any time in a disabled parking bay as shown on the Off-Street Plans and indicated in the key on the accompanying plans unless it is a disabled persons vehicle on which is displayed in the relevant position a valid disabled person's badge.
7. Within a parking place no person shall, cause or permit any motor vehicle to wait at any time in a motor cycle parking bay as shown on the Off-Street Plans and indicated in the key on the accompanying plans unless it is a motor cycle.
8. Within a parking place no person shall, cause or permit any motor vehicle to wait at any time in an electric vehicle bay as shown on the Off-Street Plans and indicated in the key on the accompanying plans unless it is;
 - (a) an electric vehicle or plug in electric hybrid vehicle; and
 - (b) the electric vehicle or plug in electric hybrid vehicle is connected to the recharging post and actively recharging, via the recharging lead, for a period of up to 4 hours with no return within 4 hours during the car park charging days and hours

Application for and Issue of Season Tickets for use in Parking Places

- 9.(a) Application for a Season Ticket will be made on a paper form or electronic application form issued by and obtainable from the Council. The form must be completed and returned accompanied by a payment for the charge set by the Council and by such documentary evidence of entitlement in respect of an application for a Season Ticket made to them as the Council may reasonably request to verify any particulars or information given to them.
 - (b) On receipt of a properly completed application and fee where appropriate the Council shall issue to the appropriate applicant a Season Ticket provided that the applicant qualifies for the Season Ticket
 - (c) Where a Season Ticket is issued to any person upon receipt of a cheque or credit/debit card details and the payment is subsequently dishonoured, the Season Ticket shall immediately cease to be valid.
 - (d) The Council will serve notice by recorded delivery on the person to whom the Season Ticket was issued at the address shown by the applicant on the application form or at any other address believed to be the applicant's place of abode, requiring that person to surrender the Season Ticket, to the Council within 48 hours of the receipt of the notice.
10. The issue of a season ticket does not entitle the permit holder's vehicle to a reserved parking bay, nor can a parking bay be guaranteed.

Charges for Season Tickets

11. The charges for Season Tickets are shown in Schedule 2 to this Order but may be amended by the Council giving notice in accordance with section 46A of the Act of 1984.

Form of Permits

12. A Permit shall include the following particulars and displayed either on paper or electronically via the service provider:
 - (a) a serial number by which the Permit Holder may be identified;
 - (b) the registration number of the vehicle for which the Permit is issued
 - (c) the expiry date;
 - (d) a paper season ticket shall include an authentication that the Season Ticket has been issued by the Council;

- (e) an alphanumeric code to identify the car park assigned.

Surrender, Withdrawal and Validity of a Permit

13. (a) A Permit Holder may surrender a Permit to the Council at any time.
- (b) The Council may by notice served by recorded delivery on the Permit holder at the address shown by that person on the application form or at any other address believed to be that person's place of abode, withdraw a Permit, if it appears to the Council that:-
- i) the vehicle or motorcycle in respect of which a Permit was issued has been adapted or used in such a manner that it is no longer a vehicle for which a Permit can be issued;
 - ii) the details on the Permit as described in Article 12 of this Order have been deliberately altered.
- (c) A Season Ticket will be valid only if displayed on or linked electronically to the vehicle or motorcycle to which the Parking Permit relates in the relevant position.
- (d) A Season Ticket shall cease to be valid at midnight on the specified expiry date or on the date the Council withdraws the Season Ticket by notice, whichever is the earlier.
- (e) The Council will not make any refund for the withdrawal of a Season Ticket.
- (f) The Council will refund part of the cost of a Season Ticket which has been surrendered, if not less than one month before the expiry date, the amount of refund subject to administration charge as specified in Schedule 4 of this Order.

Application for and the issue of a Duplicate Season Ticket

14. The Council will issue a duplicate or replacement Parking Permit in the following circumstances:
- (a) If a paper Season Ticket is mutilated or accidentally defaced or the figures or particulars on it have become illegible or the colour of the Permit has faded or altered, the Permit Holder shall surrender it to the Council. If the Permit is accompanied by an application for a replacement Season Ticket, a duplicate Season Ticket shall be issued and the original Season Ticket shall become invalid.
 - (b) If a paper Season Ticket is lost or destroyed, the Permit Holder may apply to the Council for the issue of a duplicate. If the Council is satisfied as to the loss or destruction of the Season Ticket, a duplicate will be issued.
 - (c) If a Permit Holder acquires a new vehicle or motorcycle, the Permit Holder shall make an application for a change of vehicle registration details, a updated Season Ticket will be issued upon acceptance and the Season Ticket shall become invalid for the previous vehicle registration.
 - (d) The Council will make an administration charge for the issue of a duplicate Season Ticket as shown in Schedule 3 to this Order.

Parking tickets to be displayed on vehicles left in pay and display parking places

15. (a) At all times during which a vehicle of any class (other than a vehicle otherwise exempted by this Order) is left in a parking place specified in Schedule 1 during the charging hours, the driver thereof, before leaving the vehicle, shall cause to be displayed in the relevant position a valid parking ticket unless payment has been made by telephone in accordance with article 18; and
- (b) A valid parking ticket shall indicate on the obverse face, in accordance with such instructions as may appear on the reverse face, the month, the date in the month, the day of the week, the time at which the ticket was purchased and the

time at which the ticket ceases to be valid.

Amount of Initial Charge for pay and display parking places

16. The initial charge for a vehicle (other than a vehicle otherwise exempted by this Order) left in a parking place during the charging day and hours shall be as specified in Schedule 2 of this Order. The amount of the initial charge may be varied in future by a notice of variation under section 46A of the Act of 1984.

Payment of the initial charge in connection with the use of parking tickets at pay and display parking places

17. (a) The Driver of a Vehicle (other than a vehicle exempted by the provisions of Articles 21 and 24 or otherwise exempted by this Order) who leaves that Vehicle in a Parking Place specified in Schedule 1 during the charging days and hours shall obtain a ticket from the Parking Ticket Machine following the instructions thereon and immediately display it in the relevant position on the vehicle, even when the first period of parking is free of charge, or shall immediately make payment of the initial charge by telephone in accordance with article 18.
- (b) Payment of the initial charge for a vehicle (other than a vehicle otherwise exempted by this Order) shall be indicated by the display of one valid parking ticket bearing the indication that an initial charge has been paid in accordance with the provisions of Article 15, or by the appearance on a Hand-held Device of the information that would appear on such a ticket together with the registration mark of the vehicle in respect of which payment has been made and details of the parking place in respect of which payment has been made.
- (c) Where a parking ticket is not displayed in the relevant position and the information that would appear on such a ticket together with the registration mark of the vehicle in respect of which payment has been made and details of the parking place in respect of which payment has been made does not appear on a Hand-held Device the initial charge will be deemed not to have been paid.
- (d) The amount of the initial charge that has been paid shall be deemed to be that shown on the parking ticket or is recorded in the Telephone Payment System.
- (e) No refund shall be payable by the Council in respect of the initial charge but may be given at the discretion of the Council.
- (f) No person shall leave any vehicle (other than a vehicle otherwise exempted by this Order) in a parking place during the charging days and hours for longer than the initial period for which payment was made by the initial charge except when paying by telephone as set out in article 18.
- (g) Any parking ticket is not transferable between one vehicle and another.

Payment of initial charge by telephone payment system for pay and display parking places

18. (a) Where indicated on the Parking Ticket Machine or Traffic Sign associated with a parking place payment of the initial charge may be made by telephone using the Telephone Payment System.
- (b) Where payment of the initial charge has been made by telephone using the Telephone Payment System, additional payments may be made by that same means to increase the amount of initial charge that has been paid prior to the expiration of the period already paid for, if the technical abilities of the Telephone Payment System so allows, provided that under no circumstances may the total initial charge paid exceed that specified in Schedule 2.

Restriction on the removal of a Parking Permit or Parking Ticket

19. Where a Season Ticket or Parking Ticket, has been displayed on or attached to a motor vehicle in accordance with the provisions of Article 15 of this Order, no person other than the driver of the motor vehicle or a Civil Enforcement Officer shall remove the Parking Permit or Parking Ticket from the motor vehicle unless authorised to do so by the driver of the motor vehicle.

Power to Suspend use of Parking Places

20. Any person authorised by the Council may suspend the use of a parking place or parking bay whenever he considers such suspension reasonably necessary:
- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
 - (b) for the purpose of any building operation, demolition or excavation in or adjacent to the parking place or the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, removal or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus or traffic sign; or
 - (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion for the removal of furniture from one office or dwelling house to another place; or
 - (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
 - (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals or on other special occasions; or
 - (f) for the purpose of facilitating the cleansing of the parking place.

Restrictions on the use of a parking place

21. (a) During the operational hours no person shall use any parking place or any vehicle while it is in a parking place in connection with the sale or offering or exposing for sale of any goods to any person in or near the parking place or in connection with the selling of offering for sale of his skill in handicraft or his services in any other capacity.
- (b) Provided that nothing in this Article shall prevent the sale of goods from a vehicle:
- (i) if the vehicle is a passenger vehicle, a goods carrying vehicle, a motorcycle, or an invalid carriage and the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected; or
 - (ii) if the vehicle is one to which the provisions of Article 24 (b) apply.
- (c) During the operational hours no person shall use any parking place in connection with the sale or offering or exposing for sale any vehicle.
22. No person shall use any part of a parking place or any vehicle left in a parking place:
- (a) for sleeping, camping, cooking or eating
 - (b) for the purpose of servicing or washing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from the parking place
23. In a parking place no person shall:
- (a) erect of permit to be erected any tent, booth, or other structure without written consent of the Council; or
 - (b) light of cause or permit to be lit any fire

- (c) wantonly shout or otherwise make any loud noise to the disturbance or annoyance of users of the parking places or residents or premises in the neighbourhood
- (d) engage in pedal cycling, skateboarding, roller-skating, ball games, or games of any description unless authorised by the Council in writing
- (e) except with the permission of the Council, drive any vehicle in a Parking Place other than for the purpose of leaving that vehicle in that Parking Place in accordance with the provisions of this Order or for the purpose of departing from that Parking Place

Exemptions to the provisions of this Order

24. Notwithstanding the foregoing provisions of this Order any vehicle may wait in any part of a parking place not being a marked parking bay if: -
- (a) The vehicle is waiting for as long as may be reasonably necessary to enable a person to board or alight from the vehicle or load thereon or unload therefrom the vehicle occupants personal luggage and that activity is taking place at the vehicle;
 - (b) The vehicle is waiting for as long as may be reasonably necessary to load or unload goods to or from that vehicle into or out of premises directly adjacent to the parking place;
 - (c) The vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or such waiting is necessary in order to avoid an accident;
 - (d) The vehicle is being used for fire brigade, ambulance or police purposes, or, not being a passenger vehicle, is being used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary for such duties for the vehicle to wait in the place in which it is waiting;
 - (e) The vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;
 - (f) The vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely: -
 - i) building, industrial or demolition operations;
 - ii) the removal of any obstructions to traffic;
 - iii) the maintenance, improvement or reconstruction of the said roads;
 - iv) 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.
 - (g) The vehicle if it cannot conveniently be used for such purpose in any other road to be used in the service of a local authority or water authority in pursuance of statutory powers or duties.
 - (h) the vehicle to be used by a universal service provider in the course of the provision of a universal postal service for the purpose of delivering or collecting postal packets.
 - (i) The vehicle is in actual use in connection with the removal of furniture to or from one office or dwelling-house adjacent to the parking place.

Liability for a penalty charge

25. (a) If a vehicle (other than a vehicle otherwise exempted by this Order) is left during the operational hours in contravention of any provision of this Order a penalty charge shall be payable.
- (b) In the case of a vehicle in respect of which a penalty charge is payable, a penalty charge notice may be issued by a Civil Enforcement Officer in uniform in accordance with the Civil Enforcement of Parking Contraventions (England) General Regulations 2007.

Manner of payment of the penalty charge

26. The penalty charge shall be paid to Welwyn Hatfield Borough Council in accordance with the instructions and within the time limits specified on the penalty charge notice.

Alteration of position of a vehicle in a parking place

27. Where any vehicle is standing in a parking place in contravention of the provisions of Article 35, a Police Constable in uniform or a Civil Enforcement Officer may cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

Removal of a vehicle from a parking place

28. Where a Police Constable in uniform or a Civil Enforcement Officer is of the opinion that any of the provisions contained in Articles 5, 6, 7, 8, 17, 21 and 31 have been contravened or not complied with in respect of a vehicle left in a parking place he may cause the vehicle to be removed from the parking place and, where it is so removed, shall provide for the safe custody of the vehicle.

Movement of a vehicle in a parking place in an emergency

29. A Police Constable in uniform or a Civil Enforcement Officer may cause to be moved, in case of emergency, to any place he thinks fit any vehicle left in a parking place.

PART III - SUPPLEMENTARY PROVISIONS

Restrictions on the removal of Penalty Charge Notices

- 30.(a) Where a Penalty Charge Notice has been attached to a vehicle in accordance with the provisions of Article 25 no person other than the driver of the vehicle, a Civil Enforcement Officer or a Police Constable in uniform shall remove the Penalty Charge Notice from the vehicle unless authorised to do so by the driver of the vehicle.
- (b) Provided that nothing herein shall apply to a Civil Enforcement Officer or a Police Constable in uniform or a person removing the vehicle in pursuance of an arrangement made by a Police Constable or a Civil Enforcement Officer by or under regulations in pursuance of powers contained in Sections 99, 100, 101 and 102 of the Road Traffic Regulation Act 1984.

Manner of standing in a parking place

31. Every vehicle left in a parking place in accordance with the foregoing provisions of this Order as shown in the Off-Street Plans shall stand in that parking place so that every part of the vehicle is within the marked limits of a parking bay.

Installation of and placing of traffic signs, etc

32. The Council shall:-

- (a) Place and maintain traffic signs indicating the limits of each parking bay; and place and maintain in or in the vicinity of each parking bay as shown in the 'Off - Street Plans' traffic signs indicating that such parking place may be used during the operational hours for the leaving of the vehicles specified in Article 4; and
- (b) Carry out such other work as is reasonably required for the purposes of the satisfactory operation of a parking place.

33. 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.

SCHEDULE 1: The Borough of Welwyn Hatfield (Various Car Parks, Hatfield) (Off-Street Parking Places) Order Plans 2021

Plan Number	HAT/DKL/01
Plan Number	HAT/KL/01
Plan Number	HAT/KL/02
Plan Number	HAT/MSCP/LevelG/01
Plan Number	HAT/MSCP/Level1-2/01
Plan Number	HAT/MSCP/Level3/01
Plan Number	HAT/MSCP/LevelG/02
Plan Number	HAT/MSCP/10

SCHEDULE 2: Parking Charges – for pay and display car parks as set out in the Order and accompanying plans

Daily Parking	Operational Days and Hours	Charging Days and Hours	Duration	Charges*
Dog Kennel Lane Car Park	All days and all hours	Monday - Saturday 7am - 6pm	3 month season ticket – town centre worker / resident	£50.00
			1 year season ticket – town centre worker / resident	£200.00
Kennelwood Lane Car Park	All days and all hours	Monday - Saturday 7am - 6pm	0 - 3 hours	Free – when displaying a ticket
			3 hours – 4 hours	£3.50
			All Day – above 4 hours	£6.50
			3 month season ticket – town centre worker / resident	£50.00
			1 year season ticket – town centre worker / resident	£200.00
The Common Multi Storey Car Park	All days and all hours	Monday - Saturday 7am - 6pm	0 - 3 hours	Free – when displaying a ticket
			3 hours – 4 hours	£3.50
			All Day – above 4 hours	£6.50
			3 month season ticket – town centre worker / resident	£50.00
			1 year season ticket – town centre worker / resident	£200.00

SCHEDULE 3: Administration charges as set out in the Order and the accompanying plans

Administration Type	Charges
Duplicate/replacement Season Ticket Permit	£15
Change of vehicle details on Season Ticket	No Charge

SCHEDULE 4: Refunds as set out in the Order and the accompanying plans

Permit Type	Refund
Refund Season Ticket	£15

GIVEN under the Common Seal of the Welwyn Hatfield Borough Council this 17th day of March 2021.

THE COMMON SEAL of the WELWYN
HATFIELD BOROUGH COUNCIL was
hereunto affixed in the presence of:-

Authorised Officer *S. Saunders*



