

HERTSMERE BOROUGH COUNCIL
ROAD TRAFFIC REGULATION ACT 1984

Date of Order: xxxxxxxx
Order No: XXX

THE HERTSMERE BOROUGH COUNCIL
(CONTROL OF PARKING) (CONSOLIDATION) ORDER 2012
(AMENDMENT No.3) ORDER 2024

The Hertsmere Borough Council (hereinafter referred to as “the Council”) pursuant to arrangements made under Section 19 of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 with the Hertfordshire County Council, and in exercise of powers conferred on that County under Sections 1, 2, 3, 4, 32, 45, 46, 47, 49, 51 and 53 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 and the provisions of Part 6 and Schedule 9 of the Traffic Management Act 2004 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 makes the following Order:

1. This order may be cited as “The Hertsmere Borough Council (Control of Parking) (Consolidation) Order 2012 (Amendment No.4) Order 2024”, and shall come into operation on **TBC**
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;

“Electronic Permits System” means a computerised system operated by or on behalf of the Council or its authorised agent, for the purpose of keeping a record of the registration marks of the vehicles in respect of which permits have been granted, the parking places in which such vehicles may be left and whether such permits are valid;

"Enactment" means any enactment, whether public general or local, and includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;

“Hand-held device” means Council approved equipment used by Civil Enforcement Officers which can transmit data to and receive data from the electronic permits system for the purpose of verifying if valid permits have been granted or issued in respect of vehicles waiting in any parking place specified in the On-Street Plans;

“Permit Parking Place” means any place where vehicles of the classes specified within the Orders contained within this Consolidated Order, display in the relevant position a valid permit under the provisions of this Consolidation Order or there is an indication a permit has been granted in form of a virtual parking permit may wait as set out in s.45 (2) of the 184 Act:

“Virtual Parking Permit” means a permit issued by the council in electronic format, not requiring same to be displayed in a vehicle.

3. The provisions of The Hertsmere Borough Council (Control of Parking) (Consolidation) Order 2012 shall be amended as follows;

(1) By replacing Article 13 of that Order with the following;

13. Subject the provisions of this Order, Permit Parking Place may be used for the leaving during the permitted hours of vehicles of the following class, that is to say, passenger vehicles (the overall height of which does not exceed 2.3 metres and the overall length of which does not exceed 5.25 metres), goods carrying vehicles (the overall height of which does not exceed 2.3 metres and the overall length of which does not exceed 5.25 metres), motorcycles and disabled persons vehicles (on which must be displayed the relevant parking disc) and which is parked in accordance with Article 6(2) of this Order and

- (a) displays a valid parking permit in the relevant position, or
- (b) there shall be an indication by hand-held device that a valid Parking Permit has been granted in respect of that vehicle.

(2) In Article 26 of that Order, after the words “A Resident Permit shall be in writing” there were inserted the words “or recorded on the electronic permits system”;

(3) In Article 27 of that Order, after the words “A Resident Visitor Permit shall be in writing” there were inserted the words “or recorded on the electronic permits system”;

(4) In Article 28 of that Order, after the words “A Residents’ Annual Visitor Permit shall be in writing” there were inserted the words “or recorded on the electronic permits system”;

(5) In Article 29 of that Order, after the words “A Business Permit shall be in writing” there were inserted the words “or recorded on the electronic permits system”;

(6) In Article 30 of that Order, after the words “A Special Permit shall be in writing” there were inserted the words “or recorded on the electronic permits system”;

(7) In Article 31 of that Order, after the words “A School Permit shall be in writing” there were inserted the words “or recorded on the electronic permits system”;

(8) There were added to Article 44 the following;

44 (6) where a parking permit has been issued as a printed document a permit holder should not apply for the issue of a duplicate virtual parking permit and vice versa. Upon such application the original parking permit will become invalid;

(9) By replacing Article 45 of that Order with the following;

45. At all times during which a vehicle is left in a parking place as shown on the On-Street plans and identified and defined in the key to the On-Street plans, must display a valid parking permit in respect of that vehicle in the relevant position, or there shall be an indication by hand-held device that a valid parking permit has been granted in respect of that vehicle.

3. 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.
4. 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.....day of 2024)
In the presence of:-)

Head of Legal and Democratic Services