

DACORUM BOROUGH COUNCIL

THE BOROUGH OF DACORUM (OFF-STREET PARKING PLACES) (AMENDMENT NO. 1) ORDER 2017

Dacorum Borough Council, pursuant to arrangements made under section 19 of the Local Government Act 2000^a and the Local Government (Arrangements for Discharge of Functions) (England) Regulations 2012^b with the Hertfordshire County Council, and in exercise of the powers conferred on that County Council under sections 32 and 35 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984^c ("the Act of 1984") and of all other enabling powers, and after consulting with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following Order:

1. This Order may be cited as "The Borough of Dacorum (Off-Street Parking Places) (Amendment No. 1) Order 2017" and shall come into force on 16 April 2018.
2. (1) In this Order:-
 - "Council" means Dacorum Borough Council;
 - "enactment" means any enactment, whether public general or local, and includes any order, bye-law, rule, regulation, scheme or other instrument having effect by virtue of an enactment; and
 - "the Order of 2017" means The Borough of Dacorum (Off-Street Parking Places) Order 2017^d.
- (2) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.
- (3) Unless the context otherwise requires, any expression used in this Order which is also used in the Order of 2017 shall be construed as having the same meaning as given in that Order.
- (4) The Interpretation Act 1978^e shall apply for the interpretation of this Order as it applies for the Interpretation of an Act of Parliament.

^a 2000 c.22

^b SI 2012/1019

^c 1984 c.27

^d Dacorum BC (10th April 2017)

^e 1978 c.30

3. Without prejudice to anything done or any liability incurred in respect of any act or omission before the coming into force of this Order, the Order of 2017 shall have effect as though:-

(a) in Article 3(3) of that Order, for the definitions of "parking period" and "ticket machine" there were substituted the following:-

""parking period" means a period of time specified in column 8 of the Schedule under the sub-heading "Parking period and parking charge", for which payment of the parking charge specified in relation thereto 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 parking place during the charging hours:

Provided that, where any one parking period in respect of which payment of the parking charge has been made extends beyond the end of the charging hours on that day, that parking period shall be deemed to terminate at 4 am on the following day, and no such parking period or part thereof may be carried forward in lieu of payment or part-payment of the parking charge in respect of a parking period to take place during the changing hours of the next day, irrespective of the amount of over-payment of the parking charge;"; and

""ticket machine" means an apparatus or device installed in a parking place in accordance with section 35(3) of the Act of 1984 and Article 5 of this Order, which is either: designed to accept payment of the parking charge and to issue a ticket, or designed or adapted to accept payment of the parking charge via the telephone or electronic payments system, or both;";

(b) for paragraph (a)(i) of Article 8 of that Order there were substituted the following:-

"(i) Provided that where the telephone or electronic payment system is available for use in the parking place, or where payment of the parking charge via the telephone or electronic payments system is available at a ticket machine in the parking place, the requirement for the vehicle to clearly display a valid ticket shall not apply if the driver of that vehicle or a person authorised by the driver to act on their behalf, has paid the parking charge using the telephone or electronic payment system, including by way of a ticket machine so designed or adapted;";

(c) in sub-paragraphs (a)(i) and (b)(i) of Article 9(2) of that Order, where there occurs the wording "provided it displays the ticket issued by a ticket machine", that wording were omitted; and


(d) the proviso to sub-paragraph (b) of Article 9(3) of that Order were omitted.

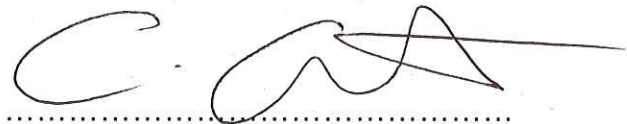
THE COMMON SEAL of DACORUM)
BOROUGH COUNCIL was hereunto)

affixed on the 5 day of April 2018
in the presence of:



SEAL REGISTER
BOOK " "
ENTRY 9077


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Authorised Signatory


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Authorised Signatory

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