

EAST HERTFORDSHIRE DISTRICT COUNCIL
EAST HERTFORDSHIRE DISTRICT COUNCIL
(BISHOP'S STORTFORD) (OFF-STREET PARKING PLACES) ORDER 2014
(AMENDMENT) (NO 1) ORDER 2022

The East Hertfordshire District Council with the consent of Hertfordshire County Council under Section 39 of the Road Traffic Regulation Act 1984 ("the 1984 Act") and under arrangements made with Hertfordshire County Council pursuant to Section 19 of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 and in accordance with the provisions of Part 6 of The Traffic Management Act 2004 ("the 2004 Act") under the powers conferred by Sections 1, 2, 4, 32, 35, 46 and Parts IV and V of Schedule 9 of the 1984 Act and Section 74 of the Road Traffic Act 1991 (as modified by the Road Traffic (Permitted Parking Area and Special Parking Area) (County of Hertfordshire) (East Hertfordshire District Council) Order 2005 and of all other enabling powers, after consultation with the Chief Officer of Police hereby makes the following Order:-

1. This Order shall come into operation on 13th June 2022 and may be cited as "East Hertfordshire District Council (Bishop's Stortford) (Off-Street Parking Places) Order 2014 (Amendment) (No 1) Order 2022".
2. This Order amends the 'East Hertfordshire District Council (Bishop's Stortford) (Off-Street Parking Places) Order 2014' (herein after referred to as 'the Bishop's Stortford 2014 Order') as follows;
 - (a) It removes the Off-Street Plans identified as BSCP 12/03, BSCP 13/03 and BSCP 14/03 from the Bishop's Stortford 2014 Order, replaces them with a new Off-Street Plan identified as BSCP 12/04 and inserts BSCP 15/01, BSCP 16/01, BSCP 17/01, BSCP 18/01, BSCP 19/01 and BSCP 20/01 incorporating the plans into the Bishop's Stortford 2014 Order.
 - (b) It removes Article 1 (b) and replaces it with a new Article 1 (b) as follows:

'The East Hertfordshire District Council Bishop's Stortford Off-Street Parking Place Plans
(“the Off-Street Plans”) identified as BSCP 01/03, BSCP 02/03, BSCP 03/04, BSCP 04/03, BSCP 05/03, BSCP 06/03, BSCP 07/01, BSCP 08/01, BSCP 09/02, BSCP 10/02, BSCP 11/02, BSCP 12/04, BSCP 15/01, BSCP 16/01, BSCP 17/01, BSCP 18/01, BSCP 19/01 and BSCP 20/01 are incorporated into this Order.'
 - (c) It removes the definition for "charging hours" within Article 3 (3) and replaces it with a new definition as follows:

"charging hours" means the period of time, where payment is required to park, specified in relation to a parking place or part thereof in column 5 of Schedule 1;'
 - (d) It inserts definitions for "disabled person's electric vehicle", "disabled person's plug-in hybrid vehicle", "electric vehicle parking place", "plug-in hybrid vehicle" and "town council" into Article 3 (3) as follows:

"disabled person's electric vehicle" means an electric vehicle displaying in the relevant position a valid disabled person's badge;

"disabled person's plug-in Hybrid vehicle" means a plug-in hybrid vehicle displaying in the relevant position a valid disabled person's badge;

"electric vehicle parking place" means an area within a parking place provided for the recharging of electric vehicles, plug-in hybrid vehicles, disabled person's

electric vehicles or disabled person's plug-in hybrid vehicles and is specified by name in column 1 of Schedule 1;

"plug-in hybrid vehicle" means a vehicle that uses either electrical energy from rechargeable batteries or another energy storage device, or a fuel based power source, for vehicle propulsion and is capable of recharging that electrical energy via a plug-in electrical lead;

"town council" means the Bishop's Stortford Town Council;'

- (e) It removes the definition for "market trader" within Article 3 (3) and replaces it with a new definition as follows;

"market trader" means a person authorised under a licence issued by the Town Council to run a market stall;'

- (f) It removes the definition for "market trader's vehicle" within Article 3 (3) and replaces it with a new definition as follow;

"market trader's vehicle" means a vehicle which is being used in connection with the setting up, running or dismantling of a market stall authorised by the Town Council;'

- (g) It removes the definition for "non-charging hours" within Article 3 (3) and replaces it with a new definition as follows;

"non-charging hours" means the period of time, where no payment is required to park, specified in relation to a parking place or part thereof in column 5 Schedule 1;'

- (h) It removes the definition for "permit" within Article 3 (3) and replaces it with a new definition as follows;

"permit" means any permit to park, issued under the terms of this Order and validated by the Council, a person authorised on behalf of the Council or, in the case of a market traders permit by the Town Council and includes car club permit, councillors permit, market traders permit, contractors permit, special permit, staff permit, residents permit and virtual permit;'

- (i) It removes the definitions for "tenant lease permit holder" and "tenant permit holder" within Article 3 (3).

- (j) It inserts into Article 6 new paragraphs (r), (s) and (t) as follows;

(r) where, within a parking place, there is a sign or surface marking which indicates that a parking bay or area is reserved for the leaving of a market trader's vehicle, a vehicle shall not be left in that parking bay or area unless it is a market traders vehicle authorised under a licence issued by the Town Council;

(s) where, within a parking place, there is a sign or surface marking which indicates that a parking bay is available only for an electric vehicle or a plug-in hybrid vehicle, the driver of a vehicle shall not permit it to wait in that parking bay unless such vehicle is an electric vehicle or plug-in hybrid vehicle and that vehicle is plugged-in;

(t) where, within a parking place, there is a sign or surface marking which indicated that a parking bay is available only for a disabled person's electric vehicle or a disabled person's plug-in hybrid vehicle, the driver of a vehicle shall not permit it to wait in that parking bay unless such vehicle is an

electric vehicle or plug-in hybrid vehicle, that vehicle is plugged-in and is displaying a valid disabled person's badge in the relevant position.'

- (k) It removes Articles 7 (h), 7 (i) and 7 (j).
- (l) It removes Article 11 and replaces it with a new Article 11 as follows:

'Notwithstanding the provisions of Articles 8(1), 8(3), 10(1) and 10(2), a vehicle left in a parking place during the charging hours and displaying in accordance with the proviso to Article 7(a) either a valid disabled person's badge or a valid permit issued in respect of that vehicle and that parking place, may be left therein without payment of the parking charge.'
- (m) It removes Article 15 (1)(b) and replaces it with a new Article 15 (1)(b) as follows:

'any market trader licensed by the Town Council to run a market stall may apply to the Town Council for a market traders permit for use in certain parking places on market days only shown in column 1 of Schedule 1 denoted by (MT). Market trader's vehicles are exempt from parking wholly within the marked bay restriction as specified in column 2 of Schedule 1 and are also exempt from the class of vehicle restriction specified in column 3 of Schedule 1.'
- (n) It removes Articles 15 (1)(d) and 15 (1)(g).
- (o) It removes Article 17 and replaces it with a new Article 17 as follows:

'A permit holder who surrenders a permit to the Council before it becomes valid will receive a full refund less any administration charge set by the Council or if after it has become valid shall receive a pro-rata refund equal to the wholly unexpired months remaining less an administration charge set by the Council.'
- (p) It removes Article 21 (2) and replaces it with a new Article 21 (2) as follows:

'The Council may, by notice in writing served on the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's place of abode, withdraw a permit if it appears to the Council that any of the events set out in paragraph (3) of this Article has occurred.'
- (q) It removes Article 21 (3)(f) and replaces it with a new Article 21 (3)(f) as follows:

'a market trader permit holder ceasing to be licensed by the Town Council to run a market stall.'
- (r) It removes Article 21 (3)(g).
- (s) It removes Article 24 (17) and replaces it with a new Article 24 (17) as follows:

'if a vehicle left in a parking place specified in column 1 of Schedule 1 to this Order specifically reserved for market trader vehicles is not a market traders vehicle authorised under a licence issued by the Town Council a penalty charge shall be payable.'
- (t) It inserts into Article 24 new paragraphs (20) and (21) as follows:

'(20) if a vehicle left in a parking bay in a parking place specified in column 1 of schedule 1 to this Order specifically reserved for an electric vehicle of plug-in hybrid vehicle is not an electric vehicle or plug-in hybrid vehicle or is an electric vehicle or plug-in hybrid vehicle but is not plugged-in a penalty charge shall be payable.

(21) if a vehicle left in a parking bay in a parking place specified in column 1 of schedule 1 to this Order specifically reserved for a disabled person's

electric vehicle or disabled person's plug-in hybrid vehicle is not an electric vehicle or plug-in hybrid vehicle, is not plugged-in and is not displaying a valid disabled person's badge in the relevant position a penalty charge shall be payable.'

- (u) It removes Article 32 and replaces it with a new Article 32 as follows;

'The driver of a vehicle displaying a valid disabled person's badge shall be exempt from any limitation of time specified in Article 8 above, this exemption shall not apply to electric vehicle parking places.'

- (v) It removes Rows 4 and 5 of Section one (relating to Charrington's car park zones A and B) of the Schedule 1 table;
- (w) It removes Row 2 of Section three (relating to Northgate End car park) of the Schedule 1 table and replaces it with a new Row as follows;

Northgate End	Wholly within a parking bay	Cars, Light vans and motor cycles Permits issued at Council's discretion	All Days	Mondays to Sundays inclusive 7.30 am to 8.00 pm Excluding Bank Holidays	12.5 hours
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- (x) It removes Row 3 of Section three (relating to Link Road car park) of the Schedule 1 table and replaces it with a new Row as follows;

Link Road (MT)	Wholly within a parking bay	Cars, light vans, motor cycles and commercial vehicles used by market traders on Thursdays and Saturdays	All Days	Mondays to Sundays inclusive 7.30 am to 8.00 pm Excluding Bank Holidays	5 hours Monday to Saturday No return allowed in same chargeable period 12.5 hours Sunday and Market Traders' vehicles
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- (y) It inserts new rows into Section three of the Schedule 1 table as follows;

Northgate End (Electric vehicle and plug-in Hybrid vehicle parking bays)	Wholly within a parking bay	Plugged-in Electric Vehicles and plug-in Hybrid vehicles	All Days	Charging hours: Mondays to Sundays inclusive 7.30 am to 8.00 pm Non-charging hours: Mondays to Sundays inclusive 8.00 pm to 7.30 am Excluding Bank Holidays	5 hours Monday to Sunday No return allowed in same chargeable period or non-chargeable period
Northgate End (Disabled Person's Electric vehicle and plug-in Hybrid vehicle parking bays)	Wholly within a parking bay	Plugged-in Disabled person's Electric vehicles and Disabled Persons plug-in Hybrid vehicles	All Days	Non-charging hours: Mondays to Sundays at all times	5 hours Monday to Sunday No return allowed in same non-chargeable period

- (z) It removes Schedule 2 and replaces it with a new Schedule 2 as follows;

SCHEDULE 2

PERMITS

Type	Eligibility	Location
Staff/ Councillor	The Council's staff and Councillors	Elm Road and Grange Paddocks A & B car parks
Car Club	East Herts Electric car club vehicles	Link Road and The Causeway car parks
Market Traders	Market Traders	Apton Road and Link Road car parks
Resident	Eligible Addresses in: Crown Terrace Rye Street	Crown Terrace B car park Grange Paddock A car park
Contractor	Contractors working on behalf of The Council	Any Car Park
Special	At the Council's discretion	Car Park specified by EHDC
Dispensation	At the Council's discretion	At the Council's discretion

The charge for a permit referred to in this Schedule shall be the amount set by the Council or, in the case of a Market Trader's Permit, by the Town Council and may be varied by the Council or, in the case of Market Trader's Permit by the Town Council at their discretion in relation to the parking place or part thereof in respect of which the permit is to be issued.

3. The provisions of the following Orders are hereby revoked but only in so far as they are affected by this Order;

East Hertfordshire District Council (Bishop's Stortford) (Off-Street Parking Places) Order 2014 (Amendment) Order 2020

East Hertfordshire District Council (Bishop's Stortford) (Off-Street Parking Places) Order 2014 (Amendment) (No 2) Order 2021

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

Given under the Common Seal of East Hertfordshire District Council this 13th day of May 2022

THE COMMON SEAL of EAST HERTFORDSHIRE DISTRICT COUNCIL

was hereunto affixed on the13th May.....2022)
in the presence of:


.....
James Ellis

Head of Democratic and Legal Support Services
East Hertfordshire District Council, Wallfields,
Pegs Lane, Hertford, SG13 8EQ



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