

STATEMENT OF REASONS

THE BOROUGH OF DACORUM (MARLOWES, HEMEL HEMPSTEAD) (ON STREET CHARGING AND WAITING AND LOADING RESTRICTIONS) ORDER 2022 (AMENDMENT NO.1) ORDER 2023

Proposals

It is proposed to make a minor amendment to the existing THE BOROUGH OF DACORUM (MARLOWES, HEMEL HEMPSTEAD) (ON STREET CHARGING AND WAITING & LOADING RESTRICTIONS) ORDER 2022 ("The Order of 2022") to incorporate recently introduced enforcement legislation.

Article 21 of The Order of 2022 is to be amended by the substitution of the wording "The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007" by the wording "The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022".

Reasons

To ensure that all recently introduced restrictions at Marlowes are covered by the most up to date and current enforcement legislation.

Road Traffic Regulation Act 1984

The specific grounds with which the Council are using for the implementation of the proposed Order as above are detailed in the following section of the Road Traffic Regulation Act 1984;

Part IV of Schedule 9 of the Road Traffic Regulation Act 1984

Traffic Signs Regulations and General Directions 2016 and Traffic Signs Manual Chapter 3

N/A as this Order is simply being proposed to update the enforcement legislation quoted in the 2022 Order.

Equality Act 2010

Thorough consideration has been given to the equalities duty of the Council under Section 149 of the Equality Act 2010.

Residents and Statutory Consultations

N/A as this Order is simply being proposed to update the enforcement legislation quoted in the 2022 Order.

A Public Consultation (Notice of Proposal) process is now due to take place, hence the publication of these documents.

Dan Rodger,
Parking Services Team Leader, Dacorum Borough Council

11th January 2023

**DACORUM BOROUGH COUNCIL TRAFFIC REGULATION ORDER THE BOROUGH OF DACORUM
(MARLOWES, HEMEL HEMPSTEAD)
(ON STREET CHARGING AND WAITING & LOADING RESTRICTIONS) ORDER 2022 (AMENDMENT
NO.1) ORDER 2023**

NOTICE is given that DACORUM BOROUGH COUNCIL pursuant to arrangements made under Section 19 Local Government Act 2000 and 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, 5, 45, 46, 47, 49, 51 and 53 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 and the Traffic Management Act 2004 and of all other enabling powers, and after consultation with the Chief Officers of Police in accordance with Part III of Schedule 9 to the aforementioned 1984 Act, proposes to make the above Order:

The effect of the Order is to update the enforcement legislation quoted in Article 21 of The Borough of Dacorum (Marlowes, Hemel Hempstead) (on street charging and waiting & loading restrictions) Order 2022; from “The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007” to the latest Regulations; “The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022”.

All other provisions of The Borough of Dacorum (Marlowes, Hemel Hempstead) (on street charging and waiting & loading restrictions) Order 2022 will remain unchanged.

Documents giving more detailed particulars of the proposals may be inspected at the offices of Dacorum Borough Council, The Forum, Marlowes, Hemel Hempstead, Hertfordshire HP1 1DN, during normal office hours. Electronic copies of the proposed Order, a statement of reasons for proposing to make the Order and drawings showing details of the proposals are available for inspection online at <https://www.dacorum.gov.uk/home/community-living/parking-and-travel/waiting-restrictions> under the title “New DBC Traffic Regulation Orders” or on request by contacting parking@dacorum.co.uk until the end of six weeks from the date on which the Order is made or, as the case may be, the Council decides not to make all or part of the Order.

General enquiries relating to the proposal should be referred to the Traffic Management Team at ADL Traffic and Highways Ltd (Tel: 01454 332100). Objections to the proposal together with the grounds on which they are made must be sent in writing to the Traffic Management Team, ADL Traffic and Highways Ltd, ADL House, Oaklands Business Park, Armstrong Way, Yate, Bristol BS37 5NA, or by email to info@adltraffic.co.uk. The deadline for the receipt of objections is **Wednesday 1st February 2023**. Representations of support will also be received during this time.

Consulting on this scheme is a statutory duty of the Borough Council. Data from this consultation will be collected and held and processed by ADL Traffic and Highways Ltd and Dacorum Borough Council and may be shared with DBC Officers and Borough Councillors. The data will be used to produce a consultation report and to provide feedback to Councillors. Individual respondents will not be identified in the consultation report without permission. The consultation report will be a public document. Link to view Dacorum Council’s privacy policy: <http://www.dacorum.gov.uk/home/open-data/personal-information>

Dan Rodger,
Parking Services Team Leader, Dacorum Borough Council,
The Forum, Marlowes, Hemel Hempstead, HP1 1DN

11th January 2023

DACORUM BOROUGH COUNCIL

TRAFFIC REGULATION ORDER

**THE BOROUGH OF DACORUM
(MARLOWES, HEMEL HEMPSTEAD)
(ON STREET CHARGING AND WAITING & LOADING RESTRICTIONS)
ORDER 2022 (AMENDMENT NO.1) ORDER 2023**

Drafted: 22ND November 2022
Coming into Operation: 2023

The Borough of Dacorum
(Marlowes, Hemel Hempstead) (On Street Charging and Waiting & Loading Restrictions) Order 2022
(Amendment No.1) Order 2023

Dacorum Borough Council, pursuant to arrangements made under Section 19 Local Government Act 2000 and 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, 5, 45, 46, 47, 49, 51 and 53 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 and the Traffic Management Act 2004 and of all other enabling powers, and after consultation with the Chief Officers of Police in accordance with Part III of Schedule 9 to the aforementioned 1984 Act, makes the following Order:

1. This Order shall come into operation on2023 and may be cited as THE BOROUGH OF DACORUM (MARLOWES, HEMEL HEMPSTEAD) (ON STREET CHARGING AND WAITING & LOADING RESTRICTIONS) ORDER 2022 (AMENDMENT NO.1) ORDER 2023.
2. In this Order, the expression “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 and 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. Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order, the borough of Dacorum (Marlowes, Hemel Hempstead) (on street charging and waiting & loading restrictions) order 2022, “The Order of 2022”, shall have effect as though:
 - (a) Article 21 of the Order of 2022 were amended by the substitution of the wording “The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007” by the wording “The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022”.