

STEVENAGE BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE BOROUGH OF STEVENAGE (DITCHMORE LANE, STEVENAGE) (PAY-BY-PHONE AND PAY-BY-PLATE PARKING PLACES) ORDER 2026

The STEVENAGE BOROUGH COUNCIL (hereinafter referred to as “the Council”) pursuant to arrangements made with the County Council of Hertfordshire under Section 19 of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000, in exercise of the powers of the said County Council under Sections 32-35A, 45-47, 49 and 53, and Parts III and IV of Schedule 9, of the Road Traffic Regulation Act 1984 (hereinafter referred to as “the Act of 1984”) and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of of Schedule 9 of the Act of 1984, hereby makes the following Order:—

Commencement and citation

1. This Order may be cited as “The Borough of Stevenage (Ditchmore Lane, Stevenage) (Pay-By-Phone and Pay-By-Plate Parking Places) Order 2026” and shall come into operation on **DD MMMM 202Y**.

Interpretation

2.
 - 1) Save as otherwise defined within this Order each and every expression shall have the meaning assigned to it by the Traffic Signs Regulation and General Directions 2016.
 - 2) In this order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

“Civil Enforcement Officer” has the same meaning as defined in the Traffic Management Act 2004, as appointed by or on behalf of Stevenage Borough Council;

Disabled person” means a disabled person of a description prescribed by Regulation 4 of the Disabled Persons (Badge for Motor Vehicle) regulations 2000 SI 682;

“Disabled Person’s Badge” has the same meaning as in Disabled Persons (Badge for Motor Vehicle) regulations 2000 SI 682;

“Disabled Person’s Vehicle” means a vehicle lawfully displaying a Disabled Person’s Badge in the relevant position and which 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 about to be driven by a Disabled Person or, as the case may be, has been or is to be used for carrying a Disabled Person or Persons as passengers;

“Driver” means the person driving or having control or charge of the Vehicle at any given time;

“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;

“Goods” means goods of any kind whether animate or inanimate and includes postal packets of any description; “delivering” and “collecting” in relation to goods includes checking the goods for the purpose of their delivery or collection;

“Hand-held device” means a wireless hand-held computer which is programmed to interface with the telephone payment system and allow a Civil Enforcement Officer to interrogate its records;

“Initial charge” means a fee for parking that is paid to the Council via either a Parking Machine or the Telephone Payment System;

“Motorcycle” has the same meaning as in the Road Traffic Act 1988;

“Owner” in relation to a Vehicle means the person by whom the said vehicle is owned and or used;

“Parking Bay” means an area contained within a Parking Place in which a vehicle of any class, not larger than 2.3m in height and 5.25m in length may be parked, marked in accordance with The Traffic Signs Regulations & General Directions 2016 as designated in Article 3 of this Order and listed in schedule two of this order;

“Parking Machine” means an apparatus of a type and design that allows the driver of a vehicle to register a parking session when that parking session is free of charge, and indicate the registration number of their vehicle in order that the registration mark of their vehicle together with such details as may be appropriate to allow a Civil Enforcement Officer to determine that a valid parking session has been registered and has not expired can be communicated via the Parking Machine System and displayed on a Hand Held Computer;

“Parking Machine System” means an information technology system allow details of vehicles and parking sessions to be

communicated between a Parking Machine and a Hand Held Computer;

“Parking Place” means any place where a vehicle, or vehicles, of any class no larger than 2.3m in height and 5.25m in length may be parked, marked in accordance with The Traffic Signs Regulations & General Directions 2016 as designated in Article 3 of this Order and listed in schedule two of this order;

“Parking session” means a period of time when a vehicle may be parked in a parking place, subject to the appropriate initial fee, recorded in the Telephone Payment System or Parking Machine System;

“Passenger Vehicle” means a motor vehicle constructed or adapted solely for the carriage of passengers and their effects and constructed or adapted to carry not more than twelve passengers exclusive of the driver and not drawing a trailer;

“Penalty Charge” means a charge set by the Council in accordance with ‘the Regulations of 2022’;

“Penalty Charge Notice” has the same meaning as in the Regulations of 2022;

“Permitted hours” means the hours and days of the week specified in schedule two of this Order;

“Relevant Position” has the same meaning as in the the Disabled Persons (Badge for Motor Vehicle) regulations 2000 SI 682;

“Telecommunications system” has the same meaning as in the Telecommunications Act 1984;

“Telephone payment system” means an electronic system, accessible by telephone or via the internet, or via a machine or apparatus provided by the Council for that purpose, whereby a person can register a parking session and make payment of the appropriate initial charge in respect of a specified vehicle in a specified parking place for a specified period of time by use of a credit or debit card or other means of payment, and this payment and these specifics are recorded together the registration mark of the vehicle in question, and such details as may be appropriate to allow a Civil Enforcement Officer to determine that a valid parking session has been registered and has not expired can be communicated to and displayed on a Hand Held Computer;

“The Council” means Stevenage Borough Council and includes any parking service contractors or authorised agent appointed by and acting on behalf of the Council for the purposes of any function under the provisions of this Order and as defined by the Traffic Management Act 2004;

“The Regulations of 2022” means ‘The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines

and General Provisions) (England) Regulations 2022';

“Universal Service Provider”, “Provision of a universal Postal Service” and “Postal Packet” have the same meanings as in the Postal Services Act 2011; and

“Vehicle” means motor vehicle and “motor vehicle” has the same meaning as in section 136 of the Act of 1984.

- 3) Any reference in this Order to a numbered Article or Schedule shall unless the context otherwise requires be construed as a reference to the Article or Schedule bearing that number in this Order.
- 4) 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 having effect by virtue of any subsequent enactment.
- 5) 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.
- 6) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Designation of parking places

3.

- 1) Each area on a road specified in schedule two of this Order is hereby designated as a parking place.
- 2) Each area on a road comprised within a parking place and marked out for the purpose of parking in accordance with the provisions of this Order is hereby designated as a parking bay.
- 3) No person shall cause or permit any vehicle to wait in an area designated as a parking place or parking bay during permitted hours unless authorised by a subsequent provision of this Order or with the permission of a police constable or a Civil Enforcement Officer.

Leaving of vehicles in parking places

4. Subject to the provisions of this Order, parking places may be used for the leaving of vehicles of the following classes:
 - 1) 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;
 - 2) goods vehicles the overall height of which does not exceed 2.3 metres and the overall length of which does not exceed 5.25 metres;
 - 3) motorcycles; and
 - 4) disabled person's vehicles.

5. Every vehicle left in a parking place described in the schedule of this Order, in accordance with the provisions of this Order, shall so stand that:
- 1) the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 50 centimetres;
 - 2) the whole of the vehicle is within a marked parking bay; and
 - 3) no part of the vehicle obstructs any vehicular means of ingress to or egress from premises adjacent to the side of the road on which the vehicle is waiting, other than premises to or from which the vehicle is being used to deliver or collect furniture or goods.

Movement of vehicles left in parking places

6. Where any vehicle is standing in a parking place in contravention of the provisions of article 5, a Civil Enforcement Officer may cause the position of the vehicle to be altered in order that its position shall comply with those provisions.
7. Where a Civil Enforcement Officer is of the opinion that any of the provisions of this Order have been contravened or not complied with in respect of a vehicle left in any part of a parking place they may remove that vehicle, or cause it to be removed, and where it is so removed shall provide for the safe custody of the vehicle and its contents.
8. A police constable or a Civil Enforcement Officer may cause to be moved, in case of emergency, to any place they think fit any vehicle left in a parking place.

Power to suspend the use of a parking place

- 9.
- (1) Any person authorised by the Council or a police constable in uniform may suspend the use of a parking place or any part thereof whenever they consider such a suspension reasonably necessary:
 - (a) for the purposes of facilitating the movement of traffic or promoting its safety; or
 - (b) for the purposes 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 telecommunications system 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 to or from those premises; 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 places at times of weddings, funeral or on other special occasions; or
 - (f) for the purposes of facilitating the cleansing or other maintenance of the parking place.

- (2) Any person suspending the use of a parking place or any part thereof in accordance with the provisions of paragraph (1) of this Article shall thereupon place or cause to be placed in or adjacent to that parking place or part thereof a traffic sign indicating that waiting by vehicles is prohibited.
- (3) No person shall cause or permit a vehicle to wait in a parking place or any part thereof the use of which has been suspended during the period indicated by a traffic sign placed in pursuance of paragraph (2) of this Article provided that nothing in this paragraph shall apply:
 - (a) to any vehicle being used for ambulance, fire brigade or police purposes; or
 - (b) any vehicle which is waiting for the reason the bay was suspended; or
 - (c) to anything done with the permission of the person suspending the use of the parking place or part thereof in pursuance of paragraph 1) of this Article; or
 - (d) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond their control or to such waiting being necessary in order to avoid a crash.

Other uses of a parking place

- 10.
 - 1) 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 or offering for sale of their skill in handicraft or their services in any other capacity.
 - 2) Provided that nothing in this article shall prevent the sale of goods from a vehicle if the vehicle is a passenger vehicle, goods vehicle, motorcycle or invalid carriage and the goods are immediately delivered or taken into premises adjacent to the vehicle from which the sale is effected, or if the vehicle is one to which the provisions of article 11 apply.
- 11.
 - 1) Notwithstanding the foregoing and subsequent provisions of this Order any vehicle may wait during the permitted hours in any part of a parking place if the use of that part has not been suspended and if that vehicle is:
 - (a) a vehicle that is waiting only for so long as may be necessary for the purpose of enabling any person to board or alight from the vehicle and or load thereon or unload therefrom their personal luggage; or
 - (b) a vehicle being used for Fire and Rescue, Ambulance or Police purposes; or
 - (c) anything done with the permission or at the direction of a police constable in uniform, or done with the explicit permission of a Civil Enforcement Officer; or
 - (d) a vehicle which is prevented from proceeding by circumstances beyond the driver's control or which has stopped in order to avoid injury or damage to persons or property or when required to do so by law; or
 - (e) a vehicle which is stationary in order that it may be used for one or more of the purposes specified in sub-Article (2) of this article and which cannot reasonable be used for such a purpose without stopping in the restricted area; or

- (f) a marked vehicle which, whilst used by a universal service provider in the course of the provision of a universal postal service, is stationary only for so long as may be reasonably necessary for postal packets to be delivered or collected; or
 - (g) a vehicle in actual use in connection with the removal of furniture to or from premises adjacent to the parking place;
 - (h) a vehicle which is waiting for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the parking place and does not wait for a period exceeding twenty minutes or such longer period as a police constable in uniform or Civil Enforcement Officer may approve;
 - (i) a vehicle which, whilst in use by a Civil Enforcement Officer in the course of the enforcement of parking restrictions, is stationary only for so long as may be reasonably necessary for them to issue (or attempt to issue) a Penalty Charge Notice to a vehicle they believe to be parked in contravention of those restrictions or other restrictions in the street.
- 2) The “purposes” referred to in sub-Article 1)(e) of this Article are:
- (a) any operation involving building, demolition or excavation;
 - (b) the removal of any obstruction to traffic;
 - (c) the construction, maintenance, improvement or reconstruction of a road;
 - (d) the construction, maintenance, improvement, or cleaning of any street furniture; and
 - (e) the laying, erection, alteration, repair, maintenance, improvement 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 system or any other telecommunications apparatus lawfully installed in any position.

Payment for parking

12.

- 1) Any driver who parks their vehicle (other than a vehicle otherwise exempted by this Order) in parking place during the permitted hours shall either:
 - a) immediately register a parking session for that vehicle via the telephone payment system, if that period of parking is not free of charge, and shall immediately make payment of the initial charge via the telephone payment system; or
 - b) immediately register a parking session for that vehicle via the Parking Machine System, by using a Parking Machine, including when the first period of parking is free of charge, and shall immediately make payment of the initial charge via that Parking Machine.
- 2) The initial charge for a vehicle (other than a vehicle otherwise exempted by this Order) left in a parking place during permitted hours shall be as specified in schedule one of this Order. The amount of the initial charge may be varied in future by notice of variation under section 46A of the Act of 1984.
- 3) The amount of the initial charge that has been paid and duration of the parking session shall be deemed to be that shown or recorded in the telephone payment system or Parking Machine System.
- 4) Where payment of the initial charge has been made by telephone using a telephone payment system additional payments may be made by the 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 capabilities of the telephone payment system so allow, provided that under no circumstances may the total initial charge paid exceed that specified in schedule one.

- 5) No refund of the initial charge shall be payable by the Council, but a refund may nevertheless be given at the discretion of the Council in such circumstances as the Council may determine from time to time.
13. Payment of the initial charge for a vehicle (other than a vehicle otherwise exempted by this Order), and the existence of a valid parking session, shall be indicated by the appearance on a Civil Enforcement Officer's hand-held device of the vehicle's registration mark together with such other details as may be appropriate to allow the Civil Enforcement Officer to determine that the initial charge has been paid for that vehicle in respect of that parking place and that the relevant period of maximum stay has not expired.
14. Where the vehicle's registration mark together with such other details as may be appropriate to allow the Civil Enforcement Officer to determine that the initial charge has been paid, and that a valid parking session exists, for that vehicle in respect of that parking place and that the relevant period of maximum stay has not expired does not appear on a Civil Enforcement Officer's hand-held device the initial charge shall be deemed not to have been paid.
15. No person shall leave any vehicle (other than a vehicle otherwise exempted by this Order) in a parking place during the permitted hours for longer than the period for which the initial payment has been made.

Exemptions from payment for parking

16. Nothing in articles 12 to 15 shall apply to a disabled person's vehicle on which is displayed in the relevant position a disabled person's badge.

No return period

17. No vehicle which has departed from a parking place during permitted hours, after a parking session has been registered, shall return to the same parking place or another parking place in the same length of road, within a period of two hours after leaving.

Penalty Charges

18.
 - (1) If a vehicle (other than a vehicle otherwise exempted by this Order) is left during the permitted hours in contravention of any provision of this Order a penalty charge shall be payable.
 - (2) 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 Regulations of 2022.
 - (3) The penalty charge shall be paid to Stevenage Borough Council in accordance with the instructions and within the time limits specified on the penalty charge notice.

- (4) The period for which a vehicle may be left in a parking place during the permitted hours after a penalty charge notice has been issued shall not exceed one hour.
- (5) Where a penalty charge notice has been attached to a vehicle no person, not being the driver of the vehicle, shall remove the notice from the vehicle unless authorised to do so by the driver of the vehicle - notwithstanding that nothing herein shall apply to a police constable or a Civil Enforcement Officer or a person removing the vehicle in pursuance of an arrangement made by the police constable or under the regulations in pursuance of powers contained in sections 99 to 102 of the Act of 1984.

19. The provisions of the following Orders are hereby revoked only in so far as they are affected by the restrictions imposed by this Order:
The Borough of Stevenage (Control of Parking) (Consolidation) Order 2017.

IN WITNESS whereof

The Common Seal of the)
Stevenage Borough Council)
was hereunto affixed this)
 day of)
 202Y)
in the presence of:—)
 Authorised Signatory

Schedule One
Amount of initial charges

Maximum period of stay	Amounts of initial charges Monday to Saturday 7am to 6.30pm Excluding bank holidays and public holidays No return within two hours
30 minutes	£0
1 hour	£0
2 hours	£0
3 hours	£3
4 hours	£4.50
5 hours	£6
All day	£14
Blue badge holders	Free, without time limit

Schedule Two
Pay and display and pay by phone parking places

Item number	Name of road	Side of road	Description	Permitted hours	Maximum stay
1	Ditchmore Lane	East	From a point 10 metres south of its junction with Gates Way and High Street, southwards for a distance of 95 metres.	Monday - Saturday 7am-6.30pm	In accordance with the initial charge paid.