LONDON BOROUGH OF HARINGEY

TRAFFIC MANAGEMENT ORDER

2021 No. 64

The Haringey (Off Street Parking Places) (Amendment No. 2) Traffic Order 2021

Made: 9th March 2021

Coming into force: 12th April 2021

The Council of the London Borough of Haringey, after consulting the Commissioner of Police of the Metropolis, in exercise of powers conferred by section 35 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984(a), as amended and of all other powers thereunto enabling, hereby make the following Order: -

1. This Order shall come into force on 12th April 2021 and may be cited as the Haringey (Off Street Parking Places) (Amendment No. 2) Traffic Order 2021.

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 Haringey (Off-Street Parking Places) Order 2017(b) the Haringey (Off Street Parking Places) (No.1) Order 2011(**b**) shall have effect as though:-

(a) for the expression “season ticket holder” in Article 2(1) to that Order there were substituted the expression set out below:-

"season ticket holder" means a person to whom a hard copy season ticket or virtual season ticket has been issued;

(b) the following expression was added to Article 3(1) to that Order:-

"hard copy season ticket" means a hard copy season ticket issued under the provisions of Article 23;

“surrenders” in the case of a virtual permit means that the permit holder notifies the Council that that the virtual permit is no longer required;

“virtual season ticket” means a season ticket issued under the provisions of Article 23 to this Order, which although not in actual form, is nevertheless a permit, by virtue of the vehicle’s registration mark appearing on a list of vehicles authorised by the Council;

(a) 1984 c.27 (b) L.B.H. 2017/92

(c) for Article 12 to that Order there were substituted the Article similarly numbered and set out below:-

12. No person shall permit any vehicle to wait in a parking bay that has been reserved by means of a sign or surface marking specifically for use by vehicles displaying a hard copy season ticket issued in respect of that parking place.or have had a virtual permit issued in respect of that vehicle and that the permit is valid at the time of its use.

(d) for Article 13 to that Order there were substituted the Article similarly numbered and set out below:-

Season tickets to be displayed on or payment of the parking charge to have been accepted via the telephone or electronic payment system in respect of vehicles left in a parking place

13. At all times whilst a vehicle, other than a solo motor cycle or a vehicle displaying a "disabled person's badge" in the relevant position, is left in a parking place during the chargeable hours, the vehicle must:

(a) display either on the windscreen, dashboard or facia of that vehicle, or where the vehicle does not have a dashboard, facia or windscreen, in a conspicuous position on the front or nearside of the vehicle, a valid hard season ticket issued in respect of that parking place, in accordance with the provisions of Article 25 or a valid parking voucher, so that all the particulars on that hard copy season ticket are readily visible from the front or nearside of that vehicle; or

(b) have had a virtual permit been issued in respect of that vehicle and that the permit is valid at the time of its use.

(c) have had payment of the parking charge accepted via the telephone or electronic payment system in respect of that vehicle and that parking place.

(e) for Article 25 to that Order there were substituted the Article similarly numbered and set out below:-

25. On receipt of an application for a season ticket made under the foregoing provisions of this Order and upon receipt of the charge specified in Article 27, the Council or authorised agent, upon being satisfied that the applicant is the owner of a vehicle of the class specified to in Article 4, shall issue to the applicant therefor a hard copy season ticket, or virtual season ticket, for the leaving during the chargeable hours in a parking place in respect of which the season ticket is valid of the vehicle to which such season ticket relates.

(d) for Article 26 to that Order there were substituted the Article similarly numbered and set out below:-

26. The Council or authorised agent may from time to time issue a hard copy season ticket, or virtual season ticket, to any person, firm or corporation approved by the Council permitting the leaving of any approved vehicle in a specified parking bay or parking place.

(e) for Article 29 to that Order there were substituted the Article similarly numbered and set out below:-

Surrender, withdrawal and validity of season tickets

29. (1) A season ticket holder may surrender a season ticket to the Council or authorised agent at any time and shall surrender a season ticket to the Council or authorised agent on the occurrence of any one of the events set out in paragraph (3) of this Article or in accordance with the provisions of paragraph (5) of this Article.

(2) The Council or authorised agent may, by notice in writing served on the season ticket holder by sending the same by the recorded delivery service or otherwise to the season ticket holder at the address shown by that person on the application for the season ticket or at any other address believed to be that person's place of abode, withdraw a season ticket if it appears to the Council or authorised agent that any one of the events set out in paragraph (3)(a) or (d) of this Article has occurred and the season ticket holder shall surrender the season ticket to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice. In the event that it has not been possible for the Council to contact the permit holder, no formal notification may be given.

(3) The events referred to in the foregoing provisions of this Article are:

(a) the user of a vehicle ceasing to be such;

(b) the withdrawal of such season ticket by the Council or authorised agent under the provisions of paragraph (2) of this Article;

(c) the vehicle in respect of which such season ticket was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 4;

(d) the issue of a duplicate season ticket by the Council or authorised agent under the provisions of Article 30;

(e) the season ticket ceasing to be valid pursuant to the provisions of paragraph (4) of this Article;

(f) the season ticket being transferred by the season ticket holder to another person for that person's use.

(4) Without prejudice the foregoing provisions of this Article, a season ticket shall cease to be valid at the expiration of the period specified thereon or on the occurrence of any one of the events set out in paragraph (3)(a), (c), (d), (e) or (f) of this Article, whichever is the earlier and on the occurrence of the event set out in paragraph (3) (f) of this Article the council may permanently suspend or cancel a permit holders account and will not provide either a full, or partial, refund where a permit had been cancelled in these circumstances

(5) Where a season ticket is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the season ticket shall cease to be of any effect and the Council or authorised agent shall by notice in writing served on the person to whom such season ticket was issued by sending the same by recorded delivery service or otherwise to them at the address shown by the person on the application for the season ticket or at any other address shown by that person on the application for the season ticket or at any other address believed to be that persons place of abode, require that person to surrender the season ticket to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice. In the event that it has not been possible for the Council to contact the permit holder, no formal notification may be given.

Dated 9th March 2021

Ann Cunningham
Head of Highways and Parking