

CHESHIRE EAST BOROUGH COUNCIL (OFF STREET PARKING PLACES) (CONSOLIDATED) ORDER 2015 (VARIATION NO.8) ORDER 2022

The Cheshire East Borough Council (hereinafter called "the Council") in exercise of its powers under Sections 32 and 35 of the Road Traffic Regulation Act 1984 ("the Act") and Part IV of Schedule 9 to the Act and of all other enabling powers, the Traffic Management Act 2004 ("the 2004 Act") and all other enabling powers and after consulting the Chief Officer of Police in accordance with Part III of Schedule 9 of the Act, hereby makes the following Order:-

1. This Order shall come into operation on 16th June 2022 and may be cited as the Cheshire East Borough Council (Off Street Parking Places)(Consolidated)Order 2015(Variation No.8) Order 2022.
2. The Cheshire East Borough Council (Off Street Parking Places)(Consolidated)Order 2015 is hereby amended as follows:
 - (a) In Clause 2 the definition "2007 Regulations" shall be deleted in its entirety
 - (b) In Clause 2 a new definition shall be inserted after the definition of the "2004 Act" as follows: "2022 Regulations" means the The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 and shall include any subsequent amendments, modifications and replacement regulations to the 2022 Regulations.
 - (c) In Clause 2 the definition "Penalty Charge Notice" shall be deleted in its entirety and replaced by the following definition: "Penalty Charge Notice" means a notice issued by or served pursuant to the provisions of the 2004 Act, the 2022 Regulations or any subsequent legislation.
 - (d) Clause 46 shall be deleted in its entirety and replaced by the following clause:

"46. In the case of a Vehicle in respect of which a Penalty Charge is payable, it shall be the duty of:

 - (i) a Civil Enforcement Officer to serve a Penalty Charge Notice in accordance with the 2022 Regulations; or
 - (ii) the Enforcement Authority to serve a Penalty Charge Notice in accordance with the 2022 Regulations"
3. In so far as any provision of this Order conflicts with a provision which is contained in an Order made or having effect as if made under the Act and existing at the time when this Order comes into operation, that provision of this Order shall prevail.

Dated this 9th day of June 2022

THE COMMON SEAL OF CHESHIRE
EAST BOROUGH COUNCIL was hereunto
affixed in the presence of



13 833

)
)
)
[Signature]
AUTHORISED SIGNATORY
SUE OREGAN