

**MOLE VALLEY DISTRICT COUNCIL**

**THE MOLE VALLEY DISTRICT COUNCIL  
(OFF-STREET PARKING PLACES)  
(AMENDMENT NO. 9) ORDER 2008**

**DATED**

**MARCH 2008**

**Council Offices  
Pippbrook  
Dorking  
Surrey RH4 1SJ**

## **MOLE VALLEY DISTRICT COUNCIL**

### **THE MOLE VALLEY DISTRICT COUNCIL (OFF-STREET PARKING PLACES)(AMENDMENT NO. 9) ORDER 2008**

The Mole Valley District Council ("the Council") in exercise of its powers under Section 35(1) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act") and under the Traffic Management Act 2004 ("the 2004 Act"), and of all other enabling powers, with the consent of the Surrey County Council in accordance with Section 39(3) of the Act and after consulting the chief officer of police in accordance with Part III of Schedule 9 to the Act, hereby makes the following Order:-

#### **PART I**

#### **GENERAL**

##### **Commencement and Citation**

1. (1) This Order shall come into operation on the 31st day of March 2008 and may be cited as the Mole Valley District Council (Off-Street Parking Places) (Amendment No. 9) Order 2008.
- (2) The Mole Valley District Council (Off-Street Parking Places) Order 1997, as amended, is hereby further amended and shall be construed as and where necessary in accordance with the provisions of this Order.

#### **PART II**

#### **AMENDMENTS**

##### **Provisions relating to Definitions and Interpretation, Amount and Method of Payment and Penalty Charges**

2. The Mole Valley District Council (Off-Street Parking Places) Order 1997 (as amended) ("the Order") shall be further amended as follows:
  - (1) The preamble to the Order shall be amended by deleting "Road Traffic Act 1991 ("the 1991 Act")" and substituting the following:

" Traffic Management Act 2004 ("the 2004 Act")"
  - (2) In Article 2(1) under the heading "Definitions and Interpretation" the reference to "parking attendant" shall be deleted and the following shall be substituted:

"civil enforcement officer"

the definition thereof shall remain the same.
  - (3) In Article 2(1) under the heading "Definitions and Interpretation" the definition of "penalty charge" shall be deleted and the following shall be substituted:

"means an additional amount of money payable in the circumstances set out Article 28(1) of this Order, as specified in column 6 of the Schedule to this Order and as amended from time to time pursuant to section 77 of and Schedule 9 to the 2004 Act and defined in The Civil Enforcement of Parking Contraventions (England) General Regulations 2007."

- (4) In Article 2(1) under the heading "Definitions and Interpretation" the definition of "penalty charge notice or PCN" shall be deleted and the following shall be substituted:

"means a penalty charge notice issued or served by a civil enforcement officer pursuant to Regulation 8 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007."

- (5) In Article 25(1) under the heading "Amount and Method of Payment" the following shall be deleted:

"and the provisions of section 47(5) of the Act shall apply in respect of such machine."

- (6) In Article 27(d) the reference to "Disabled Persons (Badges for Motor Vehicles) Regulations 1982" shall be deleted and the following shall be substituted:

"Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (as amended)"

- (7) In Article 28(1) the reference to "(subject to the provisions of section 66 and Schedule 6 of the 1991 Act)" shall be deleted and substituted by the following:

"(and the provisions of Part 1 of Schedule 7 to the 2004 Act)"

- (8) Article 28(2) shall be deleted and replaced by the following:

"The penalty charge shall be the prevailing charge as set by the appropriate enforcement authority in accordance with the provisions of the 2004 Act and the regulations made thereunder."

- (9) In Article 28(3) the reference to "Section 66(3) of the 1991 Act" shall be deleted and substituted by the following:

"Regulation 8 of and the Schedule to The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 or he may serve it on the person appearing to him to be in charge of the vehicle or the Council may serve it by post on such person."

- (10) In Articles 28(3), 30(2), 31(1) and 32 the references to "parking attendant" shall be deleted and shall be substituted by the following:

"civil enforcement officer"

THE COMMON SEAL of the **MOLE**  
**VALLEY DISTRICT COUNCIL** was hereunto  
affixed this       day of March 2008  
in the presence of:-

Head of Legal Services