

**NORTHAMPTONSHIRE COUNTY COUNCIL**

**ROAD TRAFFIC REGULATION ACT 1984**

**2008 No. 1655**

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**THE NORTHAMPTONSHIRE COUNTY COUNCIL  
(BOROUGH COUNCIL OF WELLINGBOROUGH) (WAITING AND LOADING  
RESTRICTIONS AND ON-STREET PARKING PLACES) CONSOLIDATION ORDER  
2007 (AMENDMENT NO. 5) ORDER 2008**

Date of Order : 28<sup>th</sup> February 2008

Coming into Operation : 31<sup>st</sup> March 2008

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Northamptonshire County Council, in exercise of their powers under Sections 1 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 Officer of Police in accordance with Part III of Schedule 9 of the Act, hereby order as follows :

1. This Order may be cited as "The Northamptonshire County Council (Borough Council of Wellingborough) (Waiting and Loading Restrictions and On-Street Parking Places) Consolidation Order 2007 (Amendment No. 5) Order 2008 and shall come into force on 31<sup>st</sup> March 2008.
2. The "Northamptonshire County Council (Borough Council of Wellingborough) (Waiting and Loading Restrictions and On-Street Parking Places) Consolidation Order 2007 is hereby amended as follows :
  - (a) All references to "Road Traffic Act 1991" are to be replaced with references to "Traffic Management Act 2004".
  - (b) the following definitions are added :

"Authorised Officer" means a Civil Enforcement Officer or a person duly authorised by the Council for the purposes of this Order

"Civil Enforcement Officer" has the same meaning as that given in section 76 of the Traffic Management Act 2004
  - (c) All references to "Traffic Warden" are deleted.
  - (d) The following definitions are amended to read :

"penalty charge" has the same meaning as that given in section 92 of the Traffic Management Act 2004

"penalty charge notice" means a notice showing the information required by the Schedule of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007.

- (e) The reference to 300mm in the definition relating to "specified position" is replaced by a reference to 50cm.
- (f) All references to "parking attendant " are changed to "authorised officer"
- (g) The following article is amended to read :

**PART V**  
**CONTRAVENTION CHARGES AND REMOVAL/IMMOBILISATION**

22. (1) Subject to the following provision, where an authorised 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 a parking place or any length of road identified on the plans listed in Schedule 1 to this Order, he may immobilise, remove or cause to be removed the vehicle and, where it is removed, he will make arrangements as reasonably necessary for the safe custody of the vehicle :

Provided that when a vehicle is waiting in a parking place in contravention of the provision of Article 14b of this Order, an authorised officer may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.

- (2) If a vehicle is left in a parking place or any length of road as identified on the plans listed in Schedule 1 to this Order, in contravention of this Order a penalty charge shall be payable. The period for which a vehicle may be left in a parking place during the prescribed hours after the penalty charge has been incurred shall not exceed one hour.
- (3) 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 or served by post in accordance with the requirements of the Traffic Management Act 2004.
- (4) The penalty charge shall be paid to the council by such method deemed appropriate by the Council in accordance with the instructions on the penalty charge notice.

**THE COMMON SEAL of NORTHAMPTONSHIRE**  
**COUNTY COUNCIL** was hereunto affixed  
on the 28<sup>th</sup> day of February 2008  
in the presence of :-

*for*   
Head of Legal Services  
\* (The Officer appointed for this purpose)

