

NORTHAMPTONSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE NORTHAMPTONSHIRE COUNTY COUNCIL
(NORTHAMPTON BOROUGH COUNCIL (OFF-STREET PARKING PLACES)
ORDER 2001) (AMENDMENT NO. 1) ORDER 2008

Northamptonshire County Council, in exercise of their powers under Sections 1, 2, 3, 4, 32, 35, 39 and 45 to 53 and 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 (Northampton Borough Council (Off-Street Parking Places) Order 2001) (Amendment No. 1) Order 2008 and shall come into force on 31st March 2008.
2. The "Northampton Borough Council (Off-Street Parking Places) Order 2001" 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 definition relating to "authorised officer" is amended by the substitution of the wording "parking attendant" with the wording "Civil Enforcement Officer".
 - (c) The definition relating to "owner" is substituted by the following definition:

"Owner" means the person by whom the vehicle is kept, which in the case of a vehicle registered under the Vehicle Excise and Registration Act 1994, is presumed (unless the contrary is proved) to be the person in whose name the vehicle is registered.
 - (d) The definition for "parking attendant" is deleted.
 - (e) The following definition is added :

"Civil Enforcement Officer" has the same meaning as that given in section 76 of the Traffic Management Act 2004
 - (f) The definition relating to "penalty charge" is substituted with the following definition :

"penalty charge" has the same meaning as that given in section 92 of the Traffic Management Act 2004
 - (g) the definition relating to "penalty charge notice" is substituted by the following definition :

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

(h) Article 7(5) is deleted.

(i) Article 8 is substituted with the following Article :

- 8 (a) If a vehicle is left in a parking place 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.
- (b) 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. :
- (c) 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.

(j) Article 15 is substituted with the following Article :

15. No person being the driver of a vehicle shall permit that vehicle to wait in a parking place unless the vehicle is registered and licensed under the Vehicle Excise and Registration Act 1994 and unless there is in relation to the use of the vehicle by the driver such a policy of insurance as complies with the requirements of Part VI of the Road Traffic Act 1988.

(k) All references to Morrisons car park within the Schedule are deleted.

**THE COMMON SEAL of NORTHAMPTONSHIRE
COUNTY COUNCIL** was hereunto affixed 18/7/08
on 13th day of March 2008
in the presence of :-



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

