

NORTHAMPTONSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

**THE NORTHAMPTONSHIRE COUNTY COUNCIL
(THE NORTHAMPTON BOROUGH COUNCIL (CAMPBELL SQUARE)
(PARKING PLACE) ORDER 1988) (AMENDMENT NO. 1) ORDER 2008**

Northamptonshire County Council, in exercise of their powers under Sections 1, 2, 3, 4, 32, 35 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 (The Northampton Borough Council (Campbell Square) (Parking Place) Order 1988) (Amendment No. 1) Order 2008 and shall come into force on 31st March 2008.
2. "The Northampton Borough Council (Campbell Square) (Parking Place) Order 1988" is hereby amended as follows :

(a) In the first paragraph after the words "Traffic Regulation Act 1984 (hereinafter referred to as "the Act")" insert the words "and The Traffic Management Act 2004".

(b) The following definitions are added :

"authorised officer" means a Civil Enforcement Officer or any other person duly authorised

"Civil Enforcement Officer" has the same meaning as that given in section 76 of the Traffic Management Act 2004

"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.

"disabled person's badge" and "disabled person's vehicle" have the same meanings as in the Local Authorities' Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000;

(c) the definition for "parking attendant" is deleted and references to "parking attendant" are changed to "authorised officer"

(d) 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.

(e) Article 12 is substituted with the following Article :

12. 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.

(f) Article 21 (iv) is substituted with the following Article :

- 21 (iv) a disabled persons vehicle which displays a disabled person's badge

(g) Article 25 is substituted with the following Article :

- 25 (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.

**THE COMMON SEAL of NORTHAMPTONSHIRE
COUNTY COUNCIL** was hereunto affixed 15/3/08
on the 13th day of March 2008
in the presence of :-



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

