

THE CITY OF NORWICH (EARLHAM PARK)
(OFF STREET PARKING PLACES) AMENDMENT ORDER 2008

The City Council of Norwich in the exercise of their powers and Sections 32, 35 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 and of all other enabling powers and with the consent of the Norfolk County Council and after consultation with the Chief Officer of Police hereby make the following Order:-

Citation and Commencement

1. This Order is made on the 30 day of January 2008, and shall come into effect for all purposes on the 11th February 2008 and shall be cited as 'The City of Norwich (Earlham Park) (Off Street Parking Places) Amendment Order 2008'.
2. The City of Norwich (Earlham Park) (Off Street Parking Spaces) Order 2002 (hereinafter referred to as the "2002 Order") is amended as detailed in Articles numbered 3 to 12 below.
3. In Article 2 of the 2002 Order the following definitions are deleted -
"Disabled Persons Badge", "Green Badge", "Penalty Charge".
4. In Article 2 of the 2002 Order the following definitions are added –
"Disabled Persons Badge", has the same meaning as ascribed to it in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.
"Penalty Charge" means the charge set out under the provisions of the Road Traffic Act 1991 which is to be paid to the Council following the issue of a Penalty Charge Notice.
"Penalty Charge Notice" means a notice issued or served by an authorised council officer or contractor pursuant to the provisions of Section 66 of the Road Traffic Act 1991.
5. Article 3 of the 2002 Order is amended to delete "a valid Green Badge" under Clause (c).
6. Article 4 of the 2002 Order is deleted and replaced with the following:-
The driver of a vehicle shall not allow their vehicle to wait in the parking place for more than 2 consecutive hours between the hours of 0900 to 1700 on Mondays to Fridays from the third Monday in September to the first day in June in any year.

7. Article 5 of the 2002 Order is deleted and replaced with the following:-

Nothing in Article 4 of this Order shall make it unlawful for the driver of a disabled persons vehicle or invalid carriage displaying a Disabled Persons Badge to park for an unlimited period of time in a parking space.

8. Article 9 of the 2002 Order is amended by deletion of "or displays a valid 'Green Badge'".

9. Article 10 of the 2002 Order is amended by the deletion of "or a Green Badge".

10. Article 11 of the 2002 Order is deleted and replaced with the following:-

If a vehicle is left in a parking place without complying with the provisions of this Order then a contravention shall be deemed to have occurred and a penalty charge shall be payable.

11. Article 12 of the 2002 Order is deleted and replaced with the following:-

When a vehicle has incurred a penalty charge it shall be the duty of an authorised Council officer or contractor to affix a penalty charge notice to that vehicle or to hand the Penalty Charge Notice to the driver. Where a Penalty Charge Notice has been attached to a vehicle in accordance with the provisions of this Order no person other than the driver of the vehicle or a duly authorised representative of the Council shall remove the Penalty Charge Notice from the vehicle.

12. Article 13 of the 2002 Order is amended to replace reference to Article 11 with reference to Article 12.

The Corporate Seal of the City Council of Norwich was hereunto affixed this 30 day of January 2008 before me

.....

David Philip Johnson

Solicitor to the Council

City Hall, Norwich.