

**THE CITY OF PLYMOUTH (OFF-STREET PARKING PLACES)(AMENDMENT
ORDER No. 1) 2008**

1. The Council of the City of Plymouth (hereinafter referred to as the Council) in exercise of its powers under section 35, part III and Schedule 9 of the Road Traffic Regulation Act 1984 (hereinafter referred to as the 1984 Act) and all other powers enabling them in that behalf and following consultations in accordance with Schedule 9 of the 1984 Act and the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996

HEREBY MAKE THE FOLLOWING ORDER

COMMENCEMENT AND CITATION

2. This Order shall come into operation on **31st of March 2008** and be cited as
The City of Plymouth (Off-Street Parking Places) Amendment Order No. 1)
2008

INTERPRETATION

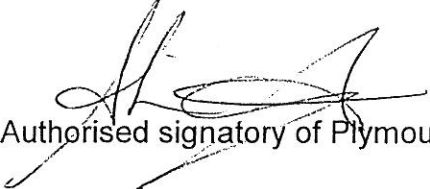
3. In this Order except where the context otherwise requires the expression 'The Principal Order' means the City of Plymouth (Off-Street Parking Places) Order 2007
4. The Interpretation Act 1978 shall apply to the interpretation of this Order as it applies for the interpretation of Acts of Parliament

AMENDMENTS TO PRINCIPAL ORDER

1. The Principal Order shall be read to incorporate the amendments set out in the Schedule to this Order

2. In all other respects the Principal Order remains unchanged

THE COMMON SEAL of
THE CITY OF PLYMOUTH
was hereunto affixed
in the presence of:



Authorised signatory of Plymouth City Council

SCHEDULE

1. The Interpretation section is to be amended as follows:

Insert:

"Civil Enforcement Officer" – as defined in section 76 of the Traffic
Management Act 2004

"Enforcement Authority" – means the Council

"Notice to Owner" to be amended to read:

"Notice to Owner" – means a notice issued under section 82 of the Traffic
Management Act 2004 and The Civil Enforcement of Parking Contraventions
(England) General Regulations 2007

"Parking Attendant" definition is to be removed

"Penalty Charge" to be amended to read:

"Penalty Charge" means the amounts set within the Civil Enforcement of
Parking Contraventions (Guidelines on Levels of Charges) (England) Order
2007 being the higher and lower level charges at band 2 level or any amounts
set within subsequent orders which may amend or vary the level of charges
under the Traffic Management Act 2004

“Reduced Penalty Charge” to be amended to read:

“Reduced Penalty Charge” means the amounts set within the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 as the higher and lower penalty charges on band 2 level, or any amounts set within subsequent orders which may amend or vary the level of charges under the Traffic Management Act 2004 such amounts will be reduced by a discount of 50% if paid not later than the last day of the period of 14 days beginning with the date on which the Penalty Charge Notice was served

2 (i) Remove Article 5(i) under the Principal Order

(ii) Insert new Article 5(i) to read:

“If a vehicle is left in any car park contrary to this Order then a Penalty Charge shall be payable and such sum shall be paid not later than the last day of the period of 28 days beginning with the date on which the Penalty Charge Notice was served notice of such penalty charge

3. At Article 6(1)(a) insert (ix) to read:

the name of the Enforcement Authority

4 (i) Amend the title at Article 10 to read:

Power of Civil Enforcement Officers to move and remove vehicles and immobilise vehicles.

(ii) Insert Article 10(7) to read:

Where a Penalty Charge Notice has been served in accordance with Article 6 of this Order a Civil Enforcement Officer or a person acting under their or his/her direction may fix an immobilisation device to the vehicle

concerned while it remains in the place where it was found in accordance with Part 3 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007

5. All reference to "Parking attendant" in the Principal Order is to be amended to "Civil Enforcement Officer"

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