

SLOUGH BOROUGH COUNCIL

(OFF-STREET PARKING PLACES)

(SPECIAL PARKING AREA) ORDER 2005 (AMENDMENT No. 1) 2008

The Council of the Borough of Slough, in exercise of the powers conferred under sections 32, 35(1) and 124 of the Road Traffic Regulation Act 1984 and the Traffic Management Act 2004 and all other enabling powers, hereby makes the following Order :

1. This Order shall come into operation on 14th April 2008 and may be cited as Slough Borough Council (Off-Street Parking Places) (Special Parking Area) Order 2005 (Amendment No. 1) 2008.
2. The Slough Borough Council (Off-Street Parking Places) (Special Parking Area) Order 2005 shall have effect as though :
 - (a) The following definitions are added to the Order :

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

“the 2004 Act” means the Traffic Management Act 2004
 - (b) The definition relating to “owner” is replaced 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.
 - (c) The definition relating to “penalty charge” is replaced by the following definition:

“penalty charge” has the same meaning as that given in section 92 of the Traffic Management Act 2004
 - (d) The definition relating to “penalty charge notice” is replaced 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.

- (e) The definition for "parking attendant" is deleted.
- (f) All references to "Parking Attendant" in the Order are to be replaced with a reference to "Civil Enforcement Officer"
- (g) Article 31 is replaced by the following Article :
 - 31.(1) If a vehicle is left in, or is using a parking place referred to in the Schedules during the operational hours in contravention of this Order, a penalty charge shall be payable.
 - (2) A penalty charge notice giving the prescribed information and the amount of the penalty charge payable may be either fixed to the vehicle or given to a person appearing to be in charge of the vehicle or sent by post in accordance with the 2004 Act
 - (3) Where a penalty charge notice has been attached to a vehicle in accordance with the provisions of Article 31(2), no person, other than the owner or person in charge of the vehicle, or the civil enforcement officer, shall remove the notice from a vehicle unless authorised to do so by those persons, provided that nothing herein shall apply to a Civil Enforcement Officer or a person removing a vehicle in pursuance to Article 35.
- (h) Article 32 is replaced by the following Article :
 - 32 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.

3. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Dated 4th April 2008

THE COMMON SEAL of SLOUGH BOROUGH
COUNCIL was hereunto affixed in the presence of :

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Director of Law and Corporate Governance



SLOUGH BOROUGH COUNCIL

(OFF-STREET PARKING PLACES)

(SPECIAL PARKING AREA) ORDER 2005 (AMENDMENT No. 1) 2008

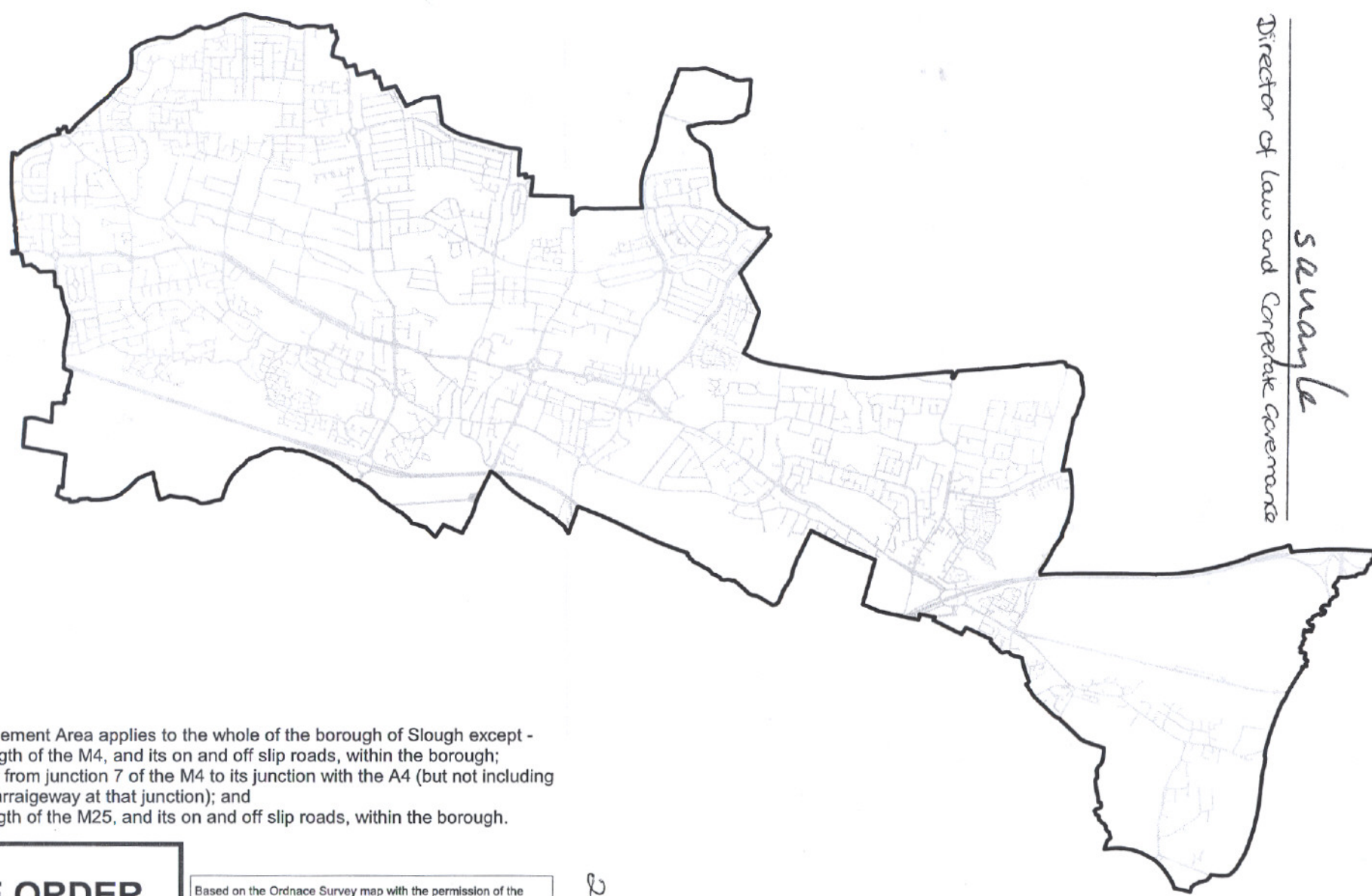
STATEMENT OF REASONS

This Order amends the Slough Borough Council (Off-Street Parking Places) (Special Parking Area) Order 2005 by adding and changing various items in the Order. The reason for making these changes is to ensure that the Traffic Order is compliant with the Traffic Management Act 2004.

This is an administrative process only and no changes will be made to any existing off-street parking restrictions under this Order.



Director of Law and Corporate Governance
Sevanyle




*The Civil Enforcement Area applies to the whole of the borough of Slough except -
(a) the entire length of the M4, and its on and off slip roads, within the borough;
(b) the spur road from junction 7 of the M4 to its junction with the A4 (but not including the circulatory carriageway at that junction); and
(c) the entire length of the M25, and its on and off slip roads, within the borough.

MADE ORDER

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Title: *Slough Borough Council Civil Enforcement Area		
Date: 03.2008	Authorised: BWilson	KEY:  Extent of Slough Borough Council's Civil Enforcement Area
Drawn By: DWilkinson	TRAFFIC MANAGEMENT ACT 2004 AMENDMENT ORDERS	

Slough
Borough Council

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