

WARWICKSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE WARWICKSHIRE COUNTY COUNCIL
(BOROUGH OF NORTH WARWICKSHIRE)
(WAITING RESTRICTIONS AND ON-STREET PARKING PLACES)
(CONSOLIDATION) (VARIATION NO. 6) ORDER 2022

The Warwickshire County Council (hereinafter referred to as “the Council”) in exercise of the powers conferred by sections 1(1), 2(1) to (3), 4(2), 32, 35, 45, 46, 47, 49 and 53 of, and Part IV of Schedule 9 to, the Road Traffic Regulation Act 1984, (hereinafter referred to as “the 1984 Act”) and of all other enabling powers, hereby make the following Order:-

1. The Warwickshire County Council (Borough of North Warwickshire) (Waiting Restrictions and On-Street Parking Places) (Consolidation) Order 2017 (which said Order of 2017 as varied is hereinafter referred to as ‘the Principal Order’) is hereby further varied in the manner and to the extent hereinafter provided.

2. In Article 2 to the Principal Order, replace the definition of “Charge Certificate” in its entirety with the following definition:-

““Charge Certificate” shall have the same meaning as assigned to it in any Regulations made from time to time by the appropriate national authority pursuant to Part 6 of the 2004 Act;”

3. In Article 2 to the Principal Order, replace the definition of “Penalty Charge” in its entirety with the following definition:-

““Penalty Charge” means the charges set by the Enforcement Authority from time to time in accordance with any guidelines given by the appropriate national authority pursuant to Part 3 of Schedule 9 to the 2004 Act which are to 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;”

4. In Article 2 to the Principal Order, replace the definition of “Penalty Charge Notice” in its entirety with the following definition:-

““Penalty Charge Notice” shall have the same meaning as assigned to it in any Regulations made from time to time by the appropriate national authority pursuant to Part 6 of the 2004 Act;”

5. In Article 2 to the Principal Order, replace the definition of “Reduced Penalty Charge” in its entirety with the following definition:-

““Reduced Penalty Charge” means the charges set by the enforcement authority from time to time in accordance with any guidelines given by the appropriate national authority pursuant to Part 3 of Schedule 9 to the 2004 Act which are to be 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;”

6. In Article 2 to the Principal Order, delete the definition of “the 2007 Order” in its entirety.

7. In Article 2 to the Principal Order, delete the definition of “the 2007 Regulations” in its entirety.
8. In Article 18 of the Principal Order, delete (2) entirely and replace with:-

“(2) In the case of a vehicle in respect of which a Penalty Charge is payable, a Penalty Charge Notice showing the information required by any regulations made from time to time by the appropriate national authority pursuant to Part 6 of the 2004 Act may then be served by a Civil Enforcement Officer or by (or on behalf of) the Enforcement Authority in accordance with any such regulations.”
9. In Article 18 of the Principal Order, delete (3) entirely and replace with:-

“(3) Save as provided in paragraph (5) of this Article, if a vehicle is left after a Penalty Charge Notice has been served by a Civil Enforcement Officer, a Civil Enforcement Officer or a person acting under his direction may fix an Immobilisation Device to the vehicle and a notice in accordance with any regulations made from time to time by the appropriate national authority pursuant to Part 6 of the 2004 Act and that vehicle shall only be released from the Immobilisation Device on payment of the Penalty Charge, or as the case may be a Reduced Penalty Charge, and the charge for release of the vehicle specified in any guidelines given by the appropriate national authority pursuant to Part 3 of Schedule 9 to the 2004 Act.”
10. In Article 18 of the Principal Order, delete (4)(b) entirely and replace with:-

“(4) (b) the Enforcement Authority shall be entitled to recover from the person responsible such charges in respect of the removal, storage, and disposal of the vehicle as prescribed in any guidelines given by the appropriate national authority pursuant to Part 3 of Schedule 9 to the 2004 Act;”
11. This Order shall come into operation on the Thirtieth day of May Two thousand and twenty-two and may be cited as “The Warwickshire County Council (Borough of North Warwickshire) (Waiting Restrictions and On-Street Parking Places) (Consolidation) (Variation No. 6) Order 2022”.

SIGNED by the Proper Officer

for and on behalf of The Warwickshire County Council

on the Sixteenth day of May Two thousand and twenty-two

Authorised by
DocuSigned by: *Jack Cartwell* Initials *JC* 805/22
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DATED 16TH MAY 2022

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