

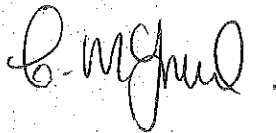
**SUFFOLK COUNTY COUNCIL (BOROUGH OF ST EDMUNDSBURY)  
(STOPPING, WAITING AND LOADING PROHIBITIONS AND RESTRICTIONS  
AND ON-STREET PARKING PLACES) (MAP-BASED) ORDER 2019 (VARIATION NO. 4)  
ORDER 2020**

Suffolk County Council in exercise of its powers under Sections 1 (1) and (2), 2 (1) to (3), 4 (2) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, as amended, (hereinafter referred to as 'the Act of 1984') and of all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following order:

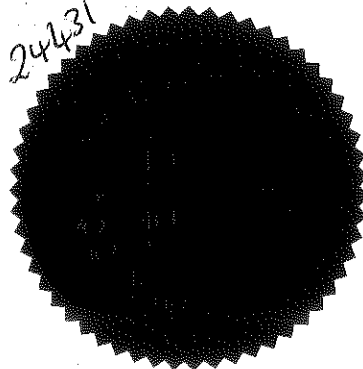
1. The provisions of the Suffolk County Council (Borough of St Edmundsbury) (Stopping, Waiting and Loading Prohibitions and Restrictions and On-Street Parking Places) (Map-Based) Order 2019 (the "2019 Order"), as amended, shall have effect as if set out in full in the 2019 Order, save that the changes in Schedule 1 attached to this Order be made.
2. This Order may be cited as the Suffolk County Council (Borough of St Edmundsbury) (Stopping, Waiting and Loading Prohibitions and Restrictions and On-Street Parking Places) (Map-Based) Order 2019 (Variation No. 4) Order 2020 and shall come into operation on 6 April 2020.

Date: 1 April 2020

The COMMON SEAL of SUFFOLK )  
COUNTY COUNCIL was affixed )  
in the presence of: )



(An authorised Officer of the Council)



## SCHEDULE 1

### Changes to the 2019 Order

- 'Exemption Permits' be amended to 'Waiver Certificates' in the 'Arrangement of Articles', so that these now read:

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- 'Part 6 of the Traffic Management Act 2004 ("the 2004 Act") and the Statutory Instrument 2020 No.14 Road Traffic, England The Civil Enforcement of Parking Contraventions Designation Order 2020,' be inserted into the preamble, so that this now reads:

"Suffolk County Council ("the Council") in exercise of its powers under Sections 1(1) and (2), 2(1) to (3), 4 (1) to (2), 32, 35, 45, 46, 49 and 53 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, as amended, (which said Act of 1984 is hereinafter referred to as 'the Act of 1984'), Part 6 of the Traffic Management Act 2004 ("the 2004 Act") and the Statutory Instrument 2020 No.14 Road Traffic, England The Civil Enforcement of Parking Contraventions Designation Order 2020, and of all other enabling powers, after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following Order:"

- The following definitions be inserted into Article 1, in alphabetical order:

'civil enforcement area' has the same meaning as in Schedule 8 of the 2004 Act;

'civil enforcement officer' has the same meaning as in Section 76 of the 2004 Act;

'penalty charge' has the same meaning as in regulation 2(1) of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

'penalty charge notice' has the same meaning as in regulation 8(1) of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

'Special Enforcement Area' means roads designated as such by the Statutory Instrument 2020 No.14 Road Traffic, England The Civil Enforcement of Parking Contraventions Designation Order 2020;

'waiver certificate' means a certificate duly issued on behalf of the District Council permitting a vehicle to wait in specified circumstances on a length or lengths of roads where waiting or loading of that vehicle would otherwise be restricted.

- The following definitions be removed from Article 1:

'exemption permit' means a permit issued under the provisions of this Order permitting a vehicle to wait in specified circumstances on a road or part of road where waiting or loading of that vehicle would otherwise be restricted;

'parking enforcement officer' means a person employed by the District Council or who has been authorised by that Council to carry out enforcement duties in relation to the provisions of this order;

- All references to 'exemption permit(s)' throughout the 2019 Order be amended to 'waiver certificate(s)'.
- All references to 'a parking enforcement officer' throughout the 2019 Order be amended to 'a civil enforcement officer in uniform'.
- Article 7 be amended so that this now reads:

"Any person duly authorised by West Suffolk Council, a police officer in uniform, a Police Community Support Officer or a civil enforcement officer in uniform, may suspend the use of a loading bay or any part thereof whenever they consider such suspension reasonably necessary for the purpose of:

- (a) facilitating the movement of traffic or promoting its safety;
- (b) any building operation, demolition or excavation adjacent to the loading bay;
- (c) the maintenance, improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the loading bay;
- (d) the laying, erection, alteration or repair in or adjacent to the loading bay of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication system, or the placing, maintenance or removal of any traffic sign; or
- (e) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed."

- All references to 'excess charge(s)' throughout the 2019 Order be amended to 'penalty charge(s)'.
- In Articles 20 and 61 only, references to 'the Council' be amended to 'West Suffolk Council'.
- In Articles 32, 33(d) and 35(2) only, references to Schedule 4 be removed, and references to 7 days and 21 days be changed to 14 days and 28 days respectively, so that these now read:

"32. Where a vehicle is left in a parking place during any restricted hours as specified in the Map Schedule without a valid parking permit displayed in accordance with the provisions of this Order, not being a vehicle subject to the exemptions specified in Articles 51 or 62, the driver shall incur a penalty charge, payable to the District Council within 28 days; provided that if the penalty charge is paid within 14 days, a reduced penalty shall be payable.

33. (d) a statement that the penalty charge is required to be paid within 28 days but that if payment is made within 14 days a reduced penalty charge is required to be paid; and

35. (2) Payments must be received by the District Council not later than 4.30 p.m. on the 28<sup>th</sup> day following the day on which the penalty charge was incurred (or on the 14<sup>th</sup> day in the event of a reduced penalty charge); provided that if the said 28<sup>th</sup> day or 14<sup>th</sup> day falls on a day on which the offices of the District Council are closed, the period

within which payment of the said penalty charges should be made shall be extended to 4.30 p.m. on the next full day on which the offices are open.”

- ‘and that it is an offence under Section 47 of the Act of 1984 for the driver of a vehicle left in a parking place to fail to pay the excess charge’ be removed from Article 33(e), so that this now reads:

“(e) a statement of the alleged contravention”

- In Articles 42(1) and 42(2)(e), references to Schedule 5 be removed, so that these now read:

“42.(1) Except as provided in Articles 47, 51 or 62, if a vehicle is left in the parking place during the charging period without the initial charge having been paid or for a longer period of parking thereby permitted, a penalty charge shall be payable within 28 days; provided that, if the penalty charge is paid within 14 days, a reduced excess charge shall be payable.

42.(2) (e) a statement that the penalty charge is required to be paid within 28 days but if the payment is made within 14 days a reduced penalty charge is required to be paid, and the manner in which the excess charge should be paid;”

- ‘and West Suffolk Council has the power to charge for providing the suspension to any person or organisation that may have requested it’ be inserted into Article 61 after 61(4).
- The following be inserted as a new Part 5, with the existing Part 5 being renumbered as Part 6, subsequent Article numberings being renumbered accordingly, and the ‘Arrangement of Articles’ being updated to accommodate the aforementioned changes:

#### **“PART 5: CONTRAVENTIONS**

63. Except as provided in Articles 9-17, 20, 47, 51 and 62 of this Order, if a vehicle:

- (1) waits or stops in a road or part of a road contrary to any prohibition or restriction stated in Articles 2-8 of this Order;
- (2) is left in a prohibited or restricted road or parking place or stopped without complying with the requirements of this Order; or
- (3) is left in a parking place, a parking area or a loading place at any time during the permitted hours without complying with the provisions of this Order;

a contravention of this Order, and a parking contravention within Paragraph 4 of Schedule 7 to the Act of 2004, shall be deemed to have occurred and a penalty charge shall be paid.”

- “Excess Charge” and “Reduced Excess Charge” columns be removed from the tables at Schedules 4 and 5 of the 2019 Order.