

Status: Point in time view as at 28/06/2018.

Changes to legislation: Protection of Freedoms Act 2012, Paragraph 3 is up to date with all changes known to be in force on or before 27 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 4

RECOVERY OF UNPAID PARKING CHARGES

- 3 (1) In this Schedule “relevant land” means any land (including land above or below ground level) other than—
- (a) a highway maintainable at the public expense (within the meaning of section 329(1) of the Highways Act 1980);
 - (b) a parking place which is provided or controlled by a traffic authority;
 - (c) any land (not falling within paragraph (a) or (b)) on which the parking of a vehicle is subject to statutory control.
- (2) In sub-paragraph (1)(b)—
- “parking place” has the meaning given by section 32(4)(b) of the Road Traffic Regulation Act 1984;
- “traffic authority” means each of the following—
- (a) the Secretary of State;
 - (b) the Welsh Ministers;
 - (c) Transport for London;
 - (d) the Common Council of the City of London;
 - (e) the council of a county, county borough, London borough or district;
 - (f) a parish or community council;
 - (g) the Council of the Isles of Scilly.
- (3) For the purposes of sub-paragraph (1)(c) the parking of a vehicle on land is “subject to statutory control” if any statutory provision imposes a liability (whether criminal or civil, and whether in the form of a fee or charge or a penalty of any kind) in respect of the parking on that land of vehicles generally or of vehicles of a description that includes the vehicle in question.
- (4) In sub-paragraph (3) “statutory provision” means any provision (apart from this Schedule) contained in—
- (a) any Act (including a local or private Act), whenever passed; or
 - (b) any subordinate legislation, whenever made,
- and for this purpose “subordinate legislation” means an Order in Council or any order, regulations, byelaws or other legislative instrument.

Commencement Information

- I1** Sch. 4 para. 3 in force at 1.10.2012 for E. by S.I. 2012/2075, art. 3(f)
- I2** Sch. 4 para. 3 in force at 1.10.2012 for W. by S.I. 2012/2499, art. 2(1)(2)(b)

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