
EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations further amend the Removal and Disposal of Vehicles Regulations 1986. They apply only in England and Wales.

2. Section 63A of the Road Traffic Regulation Act 1984 authorises local authorities to provide for the supervision of parking places within their area by individuals to be known as parking attendants.

3. Sections 6 and 9 of the 1984 Act (among other things) enables the London local authorities to make orders designating places where vehicles may park either generally or at particular times. Section 45 enables any local authority to make an order designating a parking place on the highway and section 46 enables the authority to make an order imposing parking charges in relation to parking places designated under section 45.

4. Contravention of an order under section 6, 9 or 46 is generally a criminal offence. The prospective effect of section 65 of the Road Traffic Act 1991 is to remove the criminal sanction in relation to designated parking places in London. As at the date that these Regulations come into force, section 65 will apply only in relation to the London borough of Wandsworth.

5. Section 76 of the 1991 Act enables the Secretary of State to make an order designating the whole or part of a London authority's area as a special parking area. One of the effects of designating an area as a special parking area is to remove the criminal sanction under various enactments controlling parking where the sanction is not removed by section 65. Schedule 3 enables the Secretary of State to make an order applying the other provisions of Part II of the 1991 Act to areas outside London. Part II of the 1991 Act includes sections 65 and 76.

6. The amendments made by these Regulations enable a parking attendant to remove or arrange for the removal of a vehicle parked in contravention of an order under section 6 so far as it designates a parking place. They also enable a parking attendant to remove or arrange for the removal of a vehicle parked in contravention of an enactment in circumstances where an offence would have been committed but for the provisions of the 1991 Act referred to above.