
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision in relation to licensing schemes under Chapter 2 of Part 3 of the Transport Act 2000 (the workplace parking levy). Part 2 of the Regulations makes provision about general issues concerning schemes and charges and Part 3 makes specific provision about penalty charges for breach of licensing requirements.

Regulation 3 exempts local authorities from the requirement to have a scheme confirmed if its only purpose is to provide for licence charges to be altered in line with inflation.

Regulation 4 provides that where the occupier has made arrangements with another person for the provision of parking places at those premises a licence charge is not payable by the occupier of premises but by that other person.

Regulation 5 specifies when penalty charges may be imposed and *regulation 6* makes provision about rates of charge.

Regulation 7 provides that where the occupier has made arrangements with another person for the provision of parking places at those premises a penalty charge imposed under the licence is not payable by the occupier of premises but by that other person.

Regulation 8 prescribes the content and mode of service of penalty charge notices. *Regulations 9 to 11* provide for the making of representations to the licensing authority by a person on whom such a notice is served and for the subsequent cancellation or upholding of the notice.

Regulation 12 provides that appeals against the rejection of those representations must be to a county court.

Regulation 13 provides for the issue of a charge certificate where a penalty charge is not paid within the prescribed time and for the charge to be increased in such a case.

Regulations 14 and 15 provide for the payment of penalty charges and for their recovery by court order if necessary.

Regulation 16 provides for the service of notices.

An Explanatory Memorandum and an Impact Assessment, showing the effect this instrument will have on the costs of business and the voluntary and public sectors, have been produced. They are available from the Road Demand Management Division, Department for Transport, Zone 3/05 Great Minster House, 76 Marsham Street, London SW1P 4DR or may be accessed via the Office of Public Sector Information website at www.opsi.gov.uk. A copy has been placed in the library of each House of Parliament.