

Status: This version of this schedule contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Household Waste (Fixed Penalty and Penalty Charge) Regulations 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

PROSPECTIVE

SCHEDULE

Regulation 4

Modifications to the Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007

Regulations 2 to 6

1. Omit regulations 2 to 6.

Commencement Information

- II** Sch. para. 1 in force at 15.6.2015, see [reg. 1\(1\)](#)

Regulation 7

2. For regulation 7, substitute—

“Appeals to an adjudicator

7.—(1) Where a borough council serves a final notice under section 20C(5) of the London Local Authorities Act 2007, the person on whom the notice is served may appeal to an adjudicator against the decision to require payment of a penalty charge —

- (a) before the end of the period of 28 days beginning with the date of service of the notice; or
- (b) within such longer period as an adjudicator may allow.

(2) On an appeal under this regulation, the adjudicator, after considering any representations from the appellant and the borough council, may—

- (a) withdraw or confirm the requirement to pay the penalty charge; and
- (b) give such directions to the borough council as are appropriate to give effect to that decision including, in a case where the requirement to pay the penalty charge is withdrawn, directions requiring—
 - (i) the cancellation of the final notice; and
 - (ii) the refund of such sum (if any) as may have been paid to the borough council in respect of the penalty charge.

(3) The borough council must comply with any direction given to it under paragraph (2).

(4) In the case of an unsuccessful appeal to an adjudicator, payment of the penalty charge must be made before the end of the period of 28 days beginning with the date on which notice of the adjudicator’s decision is served on the appellant.”.

Commencement Information

- II** Sch. para. 2 in force at 15.6.2015, see [reg. 1\(1\)](#)

Status: This version of this schedule contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Household Waste (Fixed Penalty and Penalty Charge) Regulations 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Regulations 8 to 13

3. Omit regulations 8 to 13.

Commencement Information

I3 Sch. para. 3 in force at 15.6.2015, see [reg. 1\(1\)](#)

Regulation 14

4. In regulation 14(1)—

- (a) omit “Part 2 or 3 of these Regulations, or under”;
- (b) for “Part 2 or 3”, substitute “regulation 7”.

Commencement Information

I4 Sch. para. 4 in force at 15.6.2015, see [reg. 1\(1\)](#)

Regulation 15

5. In regulation 15—

- (a) for paragraph (3), substitute—

“(3) Any amount which is payable under an adjudicator’s decision is, if a county court so orders, recoverable by the person to whom the amount is payable as if it were payable under a county court order.”;

- (b) omit paragraph (4).

Commencement Information

I5 Sch. para. 5 in force at 15.6.2015, see [reg. 1\(1\)](#)

The Schedule

6.—(1) The Schedule is modified as follows.

(2) In paragraph 1(1)—

- (a) in the definition of “appeal”, omit “, 10(1) or 13(1)”;
- (b) in the definition of “proper officer”, for “the 2004 Act”, substitute “the Traffic Management Act 2004(1)”;
- (c) omit the definition of “registered keeper”.

(3) In paragraph 1(2)—

- (a) in the definition of “the enforcement authority”, for “the enforcement authority”, substitute “the borough council”;
- (b) in the definition of “the original representations”, for “regulation 4(1), 8(4) or 11(4)” substitute “section 20C(3) of the London Local Authorities Act 2007”.

(4) In paragraph 2(3), omit “10(1)(a) or 13(1)(a) (as the case may be)”.

(1) 2004 c. 18.

Status: This version of this schedule contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Household Waste (Fixed Penalty and Penalty Charge) Regulations 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

(5) In paragraph 3(3), for paragraphs (a) to (c), substitute—

- “(a) the original representations; and
- (b) the relevant final notice.”.

(6) In paragraph 4(1), for “the matters referred to in regulation 4(2)(b), 8(4) or 11(4), as appropriate in the circumstances”, substitute “the decision under section 20A of the London Local Authorities Act 2007 to require the appellant to pay a penalty charge”.

(7) In paragraph 17(6)(a), omit “or, if no address is so specified, the address specified pursuant to regulation 2(2)(b)”.

(8) Omit Part 4.

Commencement Information

I6 Sch. para. 6 in force at 15.6.2015, see [reg. 1\(1\)](#)

Status:

This version of this schedule contains provisions that are prospective.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Household Waste (Fixed Penalty and Penalty Charge) Regulations 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Sch. para. 1 coming into force by S.I. 2015/969 reg. 1(1)
- Sch. para. 2 coming into force by S.I. 2015/969 reg. 1(1)
- Sch. para. 3 coming into force by S.I. 2015/969 reg. 1(1)
- Sch. para. 4 coming into force by S.I. 2015/969 reg. 1(1)
- Sch. para. 5 coming into force by S.I. 2015/969 reg. 1(1)
- Sch. para. 6 coming into force by S.I. 2015/969 reg. 1(1)
- Sch. para. 4 omitted by S.I. 2022/576 Sch. 2 para. 4(3)(c)
- Sch. para. 5 omitted by S.I. 2022/576 Sch. 2 para. 4(3)(c)
- Sch. para. 6(7) omitted by S.I. 2022/576 Sch. 2 para. 4(3)(e)(ix)
- Sch. para. 3 substituted by S.I. 2022/576 Sch. 2 para. 4(3)(b)
- Sch. para. 6 heading substituted by S.I. 2022/576 Sch. 2 para. 4(3)(e)(i)
- Sch. para. 6(2) substituted by S.I. 2022/576 Sch. 2 para. 4(3)(e)(iii)
- Sch. para. 6(4) substituted by S.I. 2022/576 Sch. 2 para. 4(3)(e)(vi)
- Sch. heading words substituted by S.I. 2022/576 Sch. 2 para. 4(3)(a)
- Sch. para. 6(1) words substituted by S.I. 2022/576 Sch. 2 para. 4(3)(e)(ii)
- Sch. para. 6(3) words substituted by S.I. 2022/576 Sch. 2 para. 4(3)(e)(iv)
- Sch. para. 6(6) words substituted by S.I. 2022/576 Sch. 2 para. 4(3)(e)(viii)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. para. 5A-5C inserted by S.I. 2022/576 Sch. 2 para. 4(3)(d)
- Sch. para. 6(3A) inserted by S.I. 2022/576 Sch. 2 para. 4(3)(e)(v)
- Sch. para. 6(5A) inserted by S.I. 2022/576 Sch. 2 para. 4(3)(e)(vii)