
STATUTORY INSTRUMENTS

2007 No. 3484

**The Removal and Disposal of Vehicles
(Amendment) (England) Regulations 2007**

Removal of vehicles from roads in England by civil enforcement officer

4. The following regulation shall be inserted after regulation 5B—

“Power of civil enforcement officers to remove vehicles in a civil enforcement area for parking contraventions in England

5C.—(1) Paragraph (2) applies where—

- (a) a vehicle has been permitted to remain at rest on a road in a civil enforcement area for parking contraventions in England; and
- (b) a civil enforcement officer has, in accordance with regulation 9 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007⁽¹⁾, fixed a penalty charge notice to the vehicle or handed such a notice to the person appearing to him to be in charge of the vehicle.

(2) Where this paragraph applies, a civil enforcement officer or a person acting under his direction may subject to paragraph (3) remove the vehicle concerned—

- (a) to another position on the road where it is found;
- (b) to another road; or
- (c) to a place which is not on a road.

(3) The power conferred by paragraph (2) is not exercisable where the vehicle concerned is in a parking place and a penalty charge notice has been served as mentioned in paragraph (1)(b) in respect of a contravention consisting of, or arising out of, a failure—

- (a) to pay a parking charge with respect to the vehicle;
- (b) properly to display a ticket or parking device; or
- (c) to remove the vehicle from the parking place by the end of the period for which the appropriate charge was paid,

until the appropriate period has elapsed since the giving of that penalty charge notice in respect of the contravention.

(4) In this regulation—

“the appropriate period” means—

- (a) in the case of a vehicle as respects which there are 3 or more penalty charges outstanding, 15 minutes;
- (b) in any other case 30 minutes;

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“civil enforcement area for parking contraventions” and “civil enforcement officer” have the same meanings as in the Traffic Management Act 2004 (see Schedule 8 and section 76 of that Act);

“outstanding” in relation to a penalty charge has the same meaning as in the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (see regulation 2(2), (3) and (4) of those Regulations);

“parking place” has the meaning given by section 79(7) of the Traffic Management Act 2004;

“penalty charge” has the same meaning as in the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (see regulation 2(1) of those Regulations); and

“penalty charge notice” has the same meaning as in the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (see regulation 8(1) of those Regulations).”