
EXPLANATORY NOTE

(This note is not part of the Order)

Schedule 3 of the Road Traffic Act 1991 makes provision for the designation of permitted parking areas and special parking areas. Paragraph 1(1) gives the National Assembly for Wales (“the National Assembly”) the power to designate the whole or any part of the area of a county council or county borough council in Wales as a permitted parking area following an application for an order under the sub-paragraph. Paragraph 2(1) gives a similar power in relation to special parking areas.

This Order is made following an application by Conwy County Borough Council (“the local authority”) under paragraphs 1(1) and 2(1) above and statutory consultation with the Chief Constable of North Wales Police and the Council on Tribunals.

The effect of this Order is to designate as a permitted parking area and a special parking area the whole of the county borough of Conwy except the entire length of the A55, including its on and off slip roads (“the Order Area”). Under the Order, most non-endorsable on-street parking offences within the Order Area are decriminalised. Enforcement ceases to be the responsibility of the Police and becomes the responsibility of the local authority. Parking attendants employed by the local authority (or employed as parking attendants by a person with whom the local authority has made arrangements) are given the power to place penalty charge notices on vehicles contravening parking regulations and may, in appropriate cases, authorise the towing away or immobilisation of vehicles.

By virtue of the Order, penalty charges in the Order Area are to be set by the local authority having regard to guidance given by the National Assembly. They are recoverable by the local authority as civil debts. Provision is made for the making of representations to the local authority in the event of the imposition of a penalty charge or the towing away or immobilisation of a vehicle in a designated parking place. Adjudication in the event of disputes is to be dealt with by a joint committee set up in pursuance of arrangements entered into under section 101(5) of the Local Government Act 1972.