

SCHEDULE

LOCAL PILOT SCHEMES

PART I

<i>Column 1 (petty sessions areas)</i>	<i>Column 2 (modifications)</i>	<i>Column 3 (petty sessions areas)</i>
1. In Cambridgeshire— Peterborough Huntingdon Wisbech	the modifications in paragraphs 1, 6 and 7	Cambridge Ely
2. In South Yorkshire— Sheffield Barnsley	the modifications in paragraphs 1, 2, 3, 5 and 7	Rotherham Doncaster

PART II

3. In Cheshire— Halton Warrington	the modification in paragraph 1	Chester, Ellesmere Port and Neston Vale Royal
4. In Cumbria— Kendal (South Lakeland) Barrow (Furness and District)	the modifications in paragraphs 1, 6 and 7	Carlisle and District Penrith (Eden)
5. In Devon and Cornwall— South Devon Central Devon East Cornwall West Cornwall	the modifications in paragraphs 1, 2, 3 and 4	Plymouth North Devon
6. In Gloucestershire— Gloucester Forest of Dean Stroud	the modification in paragraph 1	Cheltenham (North Gloucestershire) Cirencester (Cirencester, Fairford, Tetbury)

PART III

Modifications of Schedule 5

1. Delete Parts 2 (immediate payment of fines discounts) and 5 (discount where collection order made).
2. Delete paragraphs 27 (increase of fine) and 28 (notice of increase etc.).

Status: This is the original version (as it was originally made).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

3. In paragraph 31(1)(a) for “before an increase is imposed under paragraph 33” substitute “before a further steps notice is delivered under paragraph 37”, delete paragraphs 33 to 36 and for paragraphs 37 and 39 substitute the following paragraphs—

“Functions of fines officer in relation to defaulters: referral or further steps notice

37.—(1) This paragraph applies if—

- (a) an attachment of earnings order, or
- (b) an application for benefit deductions,

made under paragraph 26 fails.

(2) This paragraph also applies if the fines officer does not make—

- (a) an attachment of earnings order, or
- (b) an application for benefit deductions,

under paragraph 26.

(3) The fines officer must—

- (a) refer P’s case to the magistrates’ court, or
- (b) deliver to P a notice (a “further steps notice”) that he intends to take one or more of the steps listed in paragraph 38.

(4) Any of the steps that the fines officer intends to take must be specified in the notice.

(5) A further steps notice must be in writing and dated.

(6) P may, within 10 working days from the date of the further steps notice, appeal to the magistrates’ court against it.

Powers of court on referral or appeal

39.—(1) This paragraph applies if the magistrates’ court is hearing P’s case following—

- (a) a referral under paragraph 37(3)(a) (functions of fines officer in relation to defaulters), or
- (b) an appeal under paragraph 37(6) (appeal against a further steps notice).

(2) On a referral within subparagraph (1)(a), the court may—

- (a) vary the payment terms (or the reserve terms);
- (b) take any of the steps listed in paragraph 38;
- (c) discharge the order and exercise any of its standard powers in respect of persons liable to pay fines.

(3) On an appeal against a further steps notice, the court may—

- (a) confirm or quash the notice;
- (b) vary the notice so as to specify any step listed in paragraph 38;
- (c) vary the payment terms (or reserve terms);
- (d) discharge the order and exercise any of its standard powers in respect of persons liable to pay fines.”.

4. In paragraph 38 (the range of further steps available against defaulters) delete subparagraph (1)(b).

5. In paragraph 38 delete subparagraphs (1)(d), (2) and (3).

6. In paragraph 38 delete subparagraphs (1)(b) and (d), (2) and (3).

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7. Delete paragraphs 41 (power to order sale of clamped vehicle) and 49 (offence of meddling with vehicle clamp).