



Road Traffic Regulation Act 1967

1967 CHAPTER 76

Parking places (general provisions): off highways or without payment on highways

28 Power of local authorities to provide parking places.

- (1) Subject to sections 84A, 84B and 84C of this Act, where for the purpose of relieving or preventing congestion of traffic it appears to a local authority to be necessary to provide within their district suitable parking places for vehicles, the local authority may in accordance with the provisions of this section and sections 29 to 32 of this Act provide such parking places (whether above or below ground and whether or not consisting of or including buildings) together with means of entrance thereto and egress therefrom, or may by order authorise the use as a parking place of any part of a road within their district, not being a road the whole or part of the width of which is within Greater London.
- (2) No order under subsection (1) above shall—
 - (a) authorise the use of any part of a road so as unreasonably to prevent access to any premises adjoining the road or the use of the road by any person entitled to the use thereof, or so as to be a nuisance, or
 - (b) be made in respect of any part of a road without the consent of the authority or person responsible for the maintenance of the road.
- (3) A local authority may adapt for use as, or for providing means of entrance to, or egress from, a parking place any land acquired or appropriated by them for the purposes of this section and may, with the consent of the authority or person responsible for the maintenance of a road, adapt any part of it for the purpose of providing means of entrance to or egress from a parking place.
- (4) The exercise by a local authority of their powers under this section with respect to the use as a parking place of any part of a road shall not render them subject to any liability in respect of the loss of or damage to any vehicle or the fittings or contents of any vehicle parked in the parking place.
- (5) Any power conferred by this section to provide a parking place includes power to maintain it (if below ground) and to maintain buildings comprised in it, and to provide and maintain any cloakroom or other convenience for use in connection with

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it (references to parking places in other provisions of this section and in sections 29(4) and 31(7) of this Act being accordingly construed as including references to such a convenience).

(6) In this section and sections 29 to 32 of this Act—

- (a) " local authority ", in relation to England and Wales, means the council of a county borough, London borough or county district, the Common Council of the City of London or, subject to subsection (7) below, the Greater London Council, and, in relation to Scotland, means a county council or town council;
- (b) " parking place " means a place where vehicles, or vehicles of any class, may wait;

and for the purposes of those sections an underground parking place shall not be deemed to be part of a road by reason only of its being situate under a road.

(7) The Greater London Council shall not exercise their powers under this section or section 29 of this Act—

- (a) as respects any London borough, without the consent of the council of that borough, or
- (b) as respects the City of London, without the consent of the Common Council, except with the consent of the Minister.

(8) For the purposes of the Telegraph Acts 1863 to 1962 an underground parking place situate under a road which is provided and maintained under this section shall be deemed to be a subway within the meaning of section 6 of the Telegraph Act 1878.