

## SCHEDULES

### SCHEDULE 14

Sections 126, 129 and 130.

#### AMENDMENTS OF ROAD TRAFFIC REGULATION ACT 1967

##### PART I

###### SUBSECTIONS TO BE INSERTED IN SECTION 1

- “(3B) A traffic regulation order may make provision for identifying any part of any road to which, or any time at which or period during which, any provision contained in the order is for the time being to apply by means of a traffic sign of a type or character specified in the order (being a type prescribed or character authorised under section 54 of this Act) and for the time being lawfully in place; and for the purposes of any such order so made any such traffic sign placed on or near a road shall be deemed to be lawfully in place unless the contrary is proved.
- (3C) A traffic regulation order which imposes any restriction upon the use by vehicles of a road, or the waiting of vehicles in a road, may include provision with respect to the issue and display of certificates or other means of identification of vehicles which are excepted from the restriction, whether generally or in particular circumstances or at particular times.
- (3D) A traffic regulation order may also include provision with respect to the issue, display and operation of devices (to be approved either generally or specially by the appropriate Minister) for indicating the time at which a vehicle arrived at, and the time at which it ought to leave, any place in a road in which waiting is restricted by the order, or one or other of those times, and for treating the indications given by any such device as evidence of such facts and for such purposes as may be prescribed by the order.”

##### PART II

###### SECTION TO BE INSERTED AFTER SECTION 26

#### **“26A Power of local authorities in Greater London to prohibit traffic on roads to be used as playgrounds.**

- (1) Subject to the provisions of this section, the council of a London borough or the Common Council of the City of London shall have power, for the purpose of enabling roads within their area in respect of which they are the highway authority to be used as playgrounds for children, to make an order prohibiting or restricting, subject to such exceptions and conditions as to occasional user or otherwise as may be specified in the order, the use of any specified road by vehicles, or by vehicles of any specified class, either generally or on particular days or during particular hours.

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- (2) An order made under this section with respect to a road shall make provision for permitting reasonable access to premises situated on or adjacent to it.
- (3) No order made under subsection (1) above shall be of any effect unless and until it is confirmed by the Greater London Council who, if they confirm it, may confirm it either without modification or subject to such modifications as they think fit, but that Council shall not confirm an order until twenty-eight days at least have elapsed since the making of the order and, before confirming it, shall consider any objections which may have been made to them against the order and, if they think fit, may cause a public inquiry to be held.
- (4) Without prejudice to section 84D of this Act, the Greater London Council may at any time after giving notice in writing to the authority by whom an order under subsection (1) above was made, and after holding, if the Council think fit, a public inquiry, by order of the Council vary or revoke the authority's order.
- (5) A person who uses a vehicle, or causes or permits a vehicle to be used, in contravention of an order in force under this section shall be liable on summary conviction to a fine not exceeding £50.
- (6) The Greater London Council may make regulations for prescribing the procedure to be followed in connection with the making of orders by any other authority under this section and the confirmation thereof and for prescribing the manner in which that other authority shall publish notice of the fact that any such order has been made and confirmed and of its effect.”

### PART III

#### SECTION TO BE INSERTED AFTER SECTION 56

#### “56A Power of certain traffic authorities in respect of traffic signs.

- (1) This section applies to any authority having power to make an order under or by virtue of any of the following provisions of this Act, namely, sections 1(1) to (7), 5, 12, 15, 26, 26A, 28, 31, 33, 35, 36, 37(2) and (3), 73(3) and 74, or an order as respects a road outside Greater London under section 9 of this Act.
- (2) Without prejudice to any powers conferred by or under any other provision of this Act, but subject to subsection (3) below, an authority to whom this section applies may place and maintain, or cause to be placed and maintained, such traffic signs of any type prescribed or character authorised under section 54 of this Act as the authority may consider necessary in connection with any such order as aforesaid made by the authority as respects any road ; but if the order is made by an authority other than the highway authority for that road, the authority by whom the order was made—
  - (a) shall consult with the highway authority as to the placing of the signs ; and
  - (b) unless the highway authority are unwilling so to do, shall enter into arrangements with the highway authority for the signs to be placed and maintained by the highway authority.
- (3) The powers conferred by subsection (2) above on an authority to whom this section applies shall be exercisable subject to and in conformity with any general directions given under section 55(1) of this Act whether or not that authority is a highway authority; and any other power conferred by the said section 55 to give directions to

a highway authority shall include power to give the like directions to any authority to whom this section applies.

- (4) In relation to an order under section 15 or 33 of this Act, the appropriate Minister for the purposes of any directions under the said section 55 by virtue of subsection (3) above shall, notwithstanding anything in section 104(1) or section 108 of this Act, in all cases be the Minister of Transport.”

## PART IV

### AMENDMENTS OF SECTIONS 35 TO 40

- 1 For section 35(1) there shall be substituted the following:—
- “(1) Subject to sections 84A, 84B and 84C of this Act, the following authority, namely—
- (a) as respects any part of Greater London, the Greater London Council on the application of the local authority;
  - (b) as respects any other area, the local authority with the consent, if they are not the highway authority for the highway in question, of that highway authority,
- may by order designate parking places on highways in the local authority's area for vehicles or vehicles of any class) specified in the order, and the local authority may make charges for vehicles left in any parking place so designated of such amount as is prescribed under section 36 of this Act.”
- 2 In section 35(2), for the words " the Minister " there shall be substituted the words " the authority concerned " and for the word " he " there shall be substituted the words " that authority ".
- 3 In section 35(3), for the words " a local authority of their" there shall be substituted the words " any authority of ".
- 4 In section 35(4), after the words " London borough" there shall be inserted the words " or, in Scotland, a county council or a town council ".
- 5 For section 35(5) to (7) there shall be substituted the following :—
- “(5) If it appears to the Greater London Council, without any application being made by the local authority, that it is expedient that parking places be designated under this section on highways at any sites in Greater London, then, subject to sections 84A, 84B and 84C of this Act, they may by order designate those parking places for vehicles or vehicles of any class specified in the order, and may make charges for vehicles left in any parking place so designated of such amount as is prescribed under section 36 of this Act; and—
- (a) in relation to parking places designated by virtue of this subsection references in sections 36 and 37 of this Act to the local authority shall be construed as references to the Greater London Council;
  - (b) if the Greater London Council enter into an agreement with the local authority for the transfer to the local authority of the operation of any parking place so designated, the operation thereof, and such apparatus or other things held by, and rights or liabilities of, the Greater London Council in connection with the parking place as may

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be specified in the agreement, shall be transferred as from such date and on such terms (including terms as to the making of payments to or by the Greater London Council) as may be so specified ;

- (c) from the taking effect of any such transfer of the operation of a parking place the order designating the parking place shall have effect subject to such modifications (if any) as the Greater London Council may direct, being modifications appearing to them requisite in consequence of the transfer, and the provisions of this section and sections 36, 37, 42 and 44 of this Act shall thereafter apply as if the parking place had been designated by order made on the application of the local authority.

- (6) Where an order has been made under paragraph (a) of subsection (1) above on the application of a local authority, an order under that paragraph by virtue of section 84D(1) of this Act varying or revoking the first-mentioned order may be made without such an application.

- (7) Subject to sections 84A, 84B and 84C of this Act, in any case where it appears to the authority concerned to be expedient so to do having regard to any objections duly made in respect of proposals made by that authority for a designation order or, where that authority are the Greater London Council, in respect of an application made to that Council for such an order, they may, if they think fit, make an interim order pursuant to the proposals or application in respect of any one or more of the sites affected or in respect of any part of any of those sites and postpone for further consideration the making of any further order in pursuance of the proposals or application.”

6 In section 36(1), for the words from the beginning to " section 35 of this Act" there shall be substituted the words " Subject to sections 84A, 84B and 84C of this Act, the authority by whom a designation order is made shall by order prescribe any charges to be paid for vehicles left in a parking place designated by tile order ".

7 In section 36(2), for the words from the beginning to " section 35 of this Act" there shall be substituted the words " Subject to the said sections 84A, 84B and 84C, the authority by whom a designation order is made may by order make such provision as may appear to that authority to be necessary or expedient for regulating or restricting the use of any parking place designated by the order ".

8 In section 36(2)(e), for the words " of the appropriate Minister " there shall be substituted the words " relating to the parking place ".

9 In section 37(3)—

- (a) for the words from the beginning to "Minister" there shall be substituted the words " Subject to sections 84A, 84B and 84C of this Act, the authority by whom a parking place is designated under section 35 of this Act ";
- (b) for the words " a parking place designated under section 35 of this Act" and for the words " such a parking place " in both places where they occur there shall in each case be substituted the words " the parking place ".

10 In section 37(5), at the end there shall be added the words " and in this subsection the expression ' prescribed' means prescribed by order of the appropriate Minister made by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament; and the power to make an order under this subsection shall include power to make an order varying or revoking any previous order thereunder ".

- 11 In section 39(1), for the words "appropriate Minister considers " there shall be substituted the words " authority making the order may consider ".

## PART V

### SECTIONS TO BE INSERTED AFTER SECTION 84

#### **“84A Reserve powers of appropriate Minister as to certain orders.**

- (1) Subject to subsection (5) below and to section 84C(7) of this Act—
- (a) the Minister may, after consultation with the Greater London Council, give to that Council with respect to any of the following provisions of this Act, namely, sections 6, 9, 31, 33, 35, 36, 37(2) and (3), 73(3) and 74, and
  - (b) in the case of any other local authority, being an authority who have power to make an order under or by virtue of any of the following provisions of this Act, namely, sections 1(1) to (7), 5, 9, 15, 28, 31, 33, 35, 36, 37(2) and (3), 39, 73(3) and 74 (hereafter in this section referred to as an "authorised authority"), the appropriate Minister may, after consultation with the authorised authority, give to that authority with respect to any of those provisions,  
a direction—
    - (i) requiring the Council or authority to make an order under or by virtue of the provision or provisions in question for a specified purpose and coming into operation before the expiration of a specified period ; or
    - (ii) prohibiting the Council or authority (either generally or without that Minister's consent or for a specified period) from making or bringing into operation an order under or by virtue of the provision or provisions in question with respect to specified matters or a specified area.
- (2) Any power to make an order conferred on the Greater London Council by any of the provisions referred to in paragraph (a) or conferred on an authorised authority by any of the provisions referred to in paragraph (b) of subsection (1) above shall be exercisable by the appropriate Minister as well as by the Council or authority, and where that Minister has made an order by virtue of this subsection—
- (a) then, so far as appears to him necessary in order to make the order effective, he, or (except where the power is a power of the Greater London Council) any other local authority with whom he may make arrangements for the purpose, shall have power to do anything which the Council or, as the case may be, the authorised authority would have had power to do if the order had been made by them; and
  - (b) he may recover from the Council or, as the case may be, from the authorised authority summarily as a civil debt any expenses incurred by him by virtue of paragraph (a) above;
- but no Minister shall make any order by virtue of this subsection except for the purpose of securing the object of a direction given to the Greater London Council or an authorised authority under subsection (1) above with which that Council or authority have failed to comply.
- (3) Where by virtue of subsection (2) above a parking place has been designated under section 35(1) or (5) of this Act by an order of the appropriate Minister, then—
- (a) if that Minister, with the consent of the Treasury, enters into an agreement with the local authority within the meaning of that section or, in the case of an order

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under the said section 35(5), with the local authority or the Greater London Council for the transfer to that authority or Council of the operation of that parking place, the operation thereof, and such apparatus or other things held by, and rights or liabilities of, that Minister in connection with the parking place as may be specified in the agreement, shall be transferred as from such date and on such terms (including terms as to the making of payments to or by that Minister) as may be so specified;

- (b) from the taking effect of any such transfer of the operation of the parking place the order designating the parking place shall have effect subject to such modifications (if any) as that Minister may direct, being modifications appearing to him requisite in consequence of the transfer, and the provisions of the said section 35 and sections 36, 37, 42 and 44 of this Act shall thereafter apply as if the parking place had been designated under the said section 35(1) by an order made by, or on the application of, the local authority or, where the transfer is to the Greater London Council, under the said section 35(5) by an order made by that Council.
- (4) Without prejudice to any power to make an order for the like purpose by virtue of subsection (2) above and section 84D of this Act, but subject to subsection (5) below, the appropriate Minister may, after giving notice to the Greater London Council or, as the case may be, the authorised authority concerned and holding, if he thinks fit, a public inquiry, by order vary or revoke any order made or having effect as if made under or by virtue of any of the provisions referred to in subsection (1)(a) or (b) above.
  - (5) No Minister shall give any direction under subsection (1) above or, subject to subsection (6) below, make any order under subsection (4) above unless he is satisfied, having regard to any matters appearing to him to be relevant, that the duty under section 84(1) of this Act of the Greater London Council or, as the case may be, of the authorised authority concerned is not being satisfactorily discharged by that Council or authority and that the giving of the direction or, as the case may be, the making of the order is necessary in order to secure compliance with that duty.
  - (6) The appropriate Minister may make an order under subsection (4) above notwithstanding that he is not satisfied as mentioned in subsection (5) above if he is satisfied, having regard to any matters appearing to him to be relevant, that there are special circumstances which make it expedient that the order should be made.
  - (7) In relation to an order under section 15 or 33 of this Act, references in this section to the appropriate Minister shall, notwithstanding anything in section 104(1) or section 108 of this Act, be construed as references to the Minister of Transport,
  - (8) In its application to Scotland, subsection (2)(b) above shall have effect as if the words "summarily as a civil debt" were omitted.

#### **84B Consent of appropriate Minister to certain orders.**

- (1) Where in the case of any order proposed to be made by a local authority other than the Greater London Council under or by virtue of any of the following provisions of this Act, namely, sections 1, 5, 9, 15, 26, 28, 31, 33, 35, 36, 37, 73(3) and 74, it is proposed to include in the order any provision—
  - (a) so prohibiting or restricting the use of a road as to prevent for more than eight hours in any period of twenty-four hours access for vehicles of any class to any premises situated on or adjacent to that road or any other premises accessible for vehicles of that class from, and only from, that road; or

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- (b) applying to a trunk road; or
- (c) directing that a principal road shall be, or cease to be, a restricted road for the purposes of section 71 of this Act; or
- (d) in the case of an order for the purposes of section 74(1) of this Act—
  - (i) applying to a principal road ; or
  - (ii) applying to any road a speed limit of less than 30 miles an hour ; or
- (e) varying or revoking within twelve months of its making any order made by, or made in pursuance of a direction given by, the appropriate Minister ; or
- (f) making provision as respects any length of road for any purpose within twelve months after the date when a previous order made as respects that length of road for a similar purpose was varied or revoked by an order made by, or made in pursuance of a direction given by, the appropriate Minister; or
- (g) varying or revoking an order under section 1 of this Act as respects a road which is not a trunk road made by the appropriate Minister on the application of the governing body of a university,

then, except where the provision is to be included in pursuance of a direction under section 84A(1) of this Act, the order shall not be made except with the consent of the appropriate Minister.

- (2) Where in the case of any order proposed to be made by the Greater London Council under or by virtue of any of the following provisions of this Act, namely, sections 6, 9, 31, 33, 35, 36, 37, 73(3) and 74, it is proposed to include in the order any provision such as is mentioned in paragraphs (b) to (f) of subsection (1) above, then, except where the provision is to be included in pursuance of a direction under section 84A(1) of this Act, the order shall not be made except with the consent of the Minister.
- (3) The appropriate Minister may by order add to or remove from the orders for which his consent is required by the foregoing provisions of this section such orders made by such local authorities for such purposes or in such circumstances as he may see fit to specify in his order ; but—
  - (a) no order under this subsection removing any order from the orders for which the Minister's consent is for the time being required under this section shall be made unless a draft of the order has been approved by resolution of each House of Parliament; and
  - (b) any other order under this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) The appropriate Minister may, in consenting to any order submitted to him for his consent under this section, consent to that order either in the form in which it was submitted to him or with such modifications as he thinks fit, which may include additions, exceptions or other modifications of any description; but where he proposes to consent to the order with modifications which appear to him substantially to affect the character of the order as submitted to him, he shall, before doing so, take such steps as appear to him to be sufficient and reasonably practicable for informing the local authority in question and other persons likely to be concerned.
- (5) The appropriate Minister may by order grant a general consent to the making of orders requiring his consent under this section—
  - (a) of such descriptions, or
  - (b) with respect to such matters only, or
  - (c) made by such local authorities or by authorities of such classes or descriptions, or

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- (d) made in such circumstances, or
  - (e) complying with such requirements,
- as may be specified in the order; but any order under this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) The power to make an order conferred by subsection (3) or (5) above shall be exercisable by statutory instrument and shall include power to make an order under that subsection varying or revoking any previous order made thereunder.
  - (7) In relation to an order under section 15 or 33 of this Act, references in this section to the appropriate Minister shall, notwithstanding anything in section 104(1) or section 108 of this Act, be construed as references to the Minister of Transport.
  - (8) In subsection (1)(c) and (d) above, the expression "principal road" means a road for the time being classified as a principal road—
    - (a) by the Minister under section 27(2) of the Local Government Act 1966 for the purposes of advances under section 235 of the Highways Act 1959 ; or
    - (b) by the Secretary of State under section 28(2) of the Local Government (Scotland) Act 1966 for the purposes of advances under section 8 of the Development and Road Improvement Funds Act 1909.

#### **84C Procedure as respects certain orders and consents.**

- (1) Without prejudice to any further requirements contained in any regulations made under the subsequent provisions of this section, and except where the order is made in pursuance of a direction given by the appropriate Minister under section 84A(1) of this Act, before the Greater London Council or any other local authority make an order under or by virtue of any of the following provisions of this Act, namely, sections 1, 5, 6, 9, 15, 26, 26A, 28, 31, 33, 35, 36, 37, 73(3) and 74, they shall consult with the chief officer of police of any police area in which any road or other place to which the order is to relate is situated; and if the order in question falls to be submitted to the appropriate Minister for his consent under section 84B of this Act, the authority shall so consult before so submitting the order.
- (2) The appropriate Minister may make regulations as respects orders of a local authority other than the Greater London Council under any of the provisions referred to in subsection (1) above other than section 26A for providing the procedure to be followed in connection with the making of such orders, the submission of such orders for the consent of the appropriate Minister, where such submission is required, and the consideration by that Minister of any such order submitted to him; and the appropriate Minister shall by regulations under this subsection make such, if any, provision as he considers appropriate with respect to—
  - (a) the publication of any proposal for the making of such an order;
  - (b) the making and consideration of objections to any such proposal; and
  - (c) the publication of notice of the making of the order and of its effect.
- (3) Without prejudice to the generality of subsection (2) above, regulations under that subsection may include provision—
  - (a) as to the form of any such order as is mentioned in that subsection;
  - (b) for the holding of inquiries for the purposes of any such order, and as to the appointment of the person by whom any such inquiry is to be held ;
  - (c) for the making of modifications in any such order, whether in consequence of any objections or otherwise, before the order is made;



- (d) requiring any such order to include such exemptions for such purposes and subject to such exceptions as may be provided for by the regulations ;
  - (e) requiring the authority by whom any such order is made to place and maintain, or cause to be placed and maintained, such traffic signs in connection with that order as may be so provided for.
- (4) The Minister, after consultation with the Greater London Council, may make regulations—
- (a) as respects orders made by that Council under any of the provisions referred to in subsection (1) above other than section 26A, for any of the like purposes as those for which regulations are required or authorised to be made under subsection (2) above;
  - (b) with respect to any other order the making of which by that Council requires the consent of the Minister, for providing the procedure to be followed in connection with the obtaining of that consent.
- (5) The appropriate Minister may make regulations with respect to the procedure in connection with the making by him—
- (a) of any order made by virtue of subsection (2) or made under subsection (4) of section 84A of this Act;
  - (b) of any order which he is authorised to make with respect to trunk roads under any of the provisions referred to in subsection (1) above.
- (6) Any regulations under this section may make different provision for different orders or for different circumstances ; and where any such regulations require an authority to post any notice in a 'highway the authority may, whether or not they are the highway authority, take such steps for that purpose as they think fit, including the use for that purpose of any lamp-post, traffic sign or other structure whatsoever in the highway, whether or not belonging to that authority.
- (7) Before giving any authority a direction under section 84A(1) of this Act to make with or without modifications an order under any of the provisions referred to in subsection (1) above in connection with which steps have already been taken in pursuance of regulations under this section, the appropriate Minister—
- (a) shall consider any objections made to that order; and,
  - (b) if the order is directed to be made with modifications which appear to him to affect substantially the character of the order, shall take such steps as appear to him to be sufficient and reasonably practicable for informing any local authority concerned and any other person likely to be concerned.
- (8) In relation to an order under section 15 or 33 of this Act, references in this section to the appropriate Minister shall, notwithstanding anything in section 104(1) or section 108 of this Act, be construed as references to the Minister of Transport.

**84D Provisions as to variation or revocation, and as to making by Ministers of certain orders.**

- (1) Subject to subsection (3) below, and without prejudice to section 35(6) of this Act, any power to make an order as respects any road or parking place conferred by or by virtue of any of the following provisions of this Act, namely, sections 1(1) to (7), 5, 6, 9, 15, 26, 26A, 28, 31, 33, 35, 36, 37(2) and (3), 39, 73, 74 and 84A(4), shall include power for the authority for the time being having power to make such an order as respects that road or parking place to make such an order varying or revoking any previous order as

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respects that road or parking place made, or having effect as if made, under or by virtue of the provision in question, whether that previous order was made by that or some other authority and notwithstanding that the previous order was, and the order varying or revoking it is not, made in pursuance of a power exercisable by statutory instrument.

- (2) For the avoidance of doubt it is hereby declared that, subject to section 84B of this Act, the power to vary or revoke an order made under or by virtue of any of the provisions referred to in subsection (1) above extends to the variation or revocation of any such order in connection with the provision in question as is hereinafter mentioned, notwithstanding that it was made by, or by direction of, a Minister, namely—
- (a) an order under or by virtue of the provision in question made in pursuance of a direction under section 84A(1) of this Act;
  - (b) an order under or by virtue of the provision in question (not being section 35, 36, 37 or 39 of this Act) made by virtue of section 84A(2) of this Act;
  - (c) an order under or by virtue of the provision in question (being the said section 35, 36, 37 or 39) made by virtue of the said section 84A(2) if that order relates to a parking place for the time being controlled by the local authority within the meaning of the said section 35 or by the Greater London Council;
  - (d) an order under section 26(5) or 84A(4) of this Act.
- (3) Where a Minister proposes to make an order varying or revoking an order made by him by virtue of section 1(2) of this Act upon the application of the governing body of a university, he shall before making the order give notice to that body and, if he thinks fit, hold a public inquiry.
- (4) Nothing in subsection (5) of section 84A of this Act shall prevent the exercise by a Minister of the power to revoke any order made by that Minister under subsection (4) of that section.
- (5) Any power of a Minister to make an order under or by virtue of any of the provisions referred to in subsection (1) above shall be exercisable by statutory instrument.

#### **84E Limitation of right to challenge certain orders in legal proceedings.**

- (1) If in the case of an order made under or by virtue of any of the following provisions of this Act, namely, sections 1(1) to (7), 5, 6, 9, 15, 28 and 33, any person desires to question the validity of, or of any provision contained in, the order on the ground that it is not within the powers with respect to such an order conferred by this Act, or on the ground that any requirement with respect to such an order of, or of any instrument made under, any provision of this Act has not been complied with in relation to the order, he may, within six weeks from the date on which the order is made, make an application for the purpose to the High Court or, in Scotland, to the Court of Session.
- (2) Subsections (2) and (3) of section 41 of this Act shall apply in relation to an application under subsection (1) above and to such an order as is mentioned in the said subsection (1) as they apply in relation to an application under subsection (1) of the said section 41 and to a designation order.”

## PART VI

### CONSEQUENTIAL AMENDMENTS

- 1 In each of the following provisions, namely sections 1(1), 6(1), 9(1), 28(1), 31(1), 73(3) and 74(1), at the beginning there shall be inserted the words " Subject to sections 84A, 84B and 84C of this Act ".
- 2 In section 1(1), for the words "this and the four next following sections" there shall be substituted the words " this section and section 5 of this Act ".
- 3 In section 1(3), for the words " subsection (4)" there shall be substituted the words " subsections (3A) and (4) ".
- 4 After section 1(8) there shall be added the following subsection :—

“(9) If any local Act contains any provision extending the powers conferred by section 26 of the Road Traffic Act 1960 in the application of that section to the area of any local authority, the appropriate Minister, after consultation with that local authority, may by order made by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament, repeal any provision of that local Act which appears to that Minister to be unnecessary, or make any other amendments to that local Act which appear to that Minister to be required, in consequence of the provisions of Part IX of the Transport Act 1968 ; and the power to make an order under this subsection shall include power to make an order varying or revoking any previous order thereunder.”
- 5 In section 5(1), for the words from the beginning to "jointly" there shall be substituted the words " Without prejudice to sections 84A, 84B and 84C of this Act, section 1(5), so far as it relates to vehicles, section 1(6) and section 28(2)(a) of this Act shall not apply to any order made under the said sections 1 and 28 jointly ".
- 6 In section 5(3)—
  - (a) for the words from the beginning to " he is " there shall be substituted the words " No authority shall make an order by virtue of subsection (1) above unless they are ";
  - (b) in paragraph (c), for the word " him " there shall be substituted the words " the appropriate Minister ".
- 7 In section 7(2), for the words " the said section 6 " there shall be substituted the words " section 6 of this Act ".
- 8 In section 8(1)—
  - (a) for the words from the beginning to "police and" there shall be substituted the words " Without prejudice to subsection (1) and to any regulations under subsection (4) of section 84C of this Act, before making any order under section 6 of this Act otherwise than in pursuance of a direction given by the Minister under section 84A(1) thereof, the Greater London Council (hereafter in this section referred to as " the Council") shall consult" ;
  - (b) at the end there shall be added the words " and, if the order is required to be submitted to the Minister for his consent under section 84B(2) of this Act, the Council shall so consult before so submitting it. "
- 9 In section 9(1), for the words " this section" there shall be substituted the words " this subsection ".

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- 10 For section 9(10) there shall be substituted the following:—
- “(10) Section 1(3B) or, as the case may be, section 6(4) of this Act shall apply in relation to an experimental traffic order as it applies in relation to an order under the said section 1 or 6.”
- 11 In section 11(2), at the end there shall be added the words " but the Minister shall not give such a direction unless he is satisfied, having regard to any matters appearing to him to be relevant, that the Council's duty under section 84(1) of this Act is not being satisfactorily discharged by the Council and that the giving of the direction is necessary in order to secure compliance with that duty. "
- 12 In section 15(1), after the word "below" there shall be inserted the words " and to sections 84A, 84B and 84C of this Act ".
- 13 In section 15(4)—
- (a) for the words from the beginning to " aforesaid and " there shall be substituted the words " Without prejudice to subsection (1) and to any regulations under subsection (2) of section 84C of this Act, before making any order under subsection (1) above otherwise than in pursuance of a direction given by the Minister under section 84A(1) of this Act, the local authority ";
- (b) at the end there shall be added the words " and, if the local authority's area is situated wholly or partly within an area designated under section 9(1) of the Transport Act 1968, with the Executive for that area; and if the order is required to be submitted to the Minister for his consent under section 84B(1) of this Act, the local authority shall so consult before so submitting it. "
- 14 In section 20, at the end there shall be added the following subsection—
- “(4) The foregoing provisions of this section shall have effect subject to the provisions of any order for the time being in force under section 25 of the Civic Amenities Act 1967.”
- 15 In section 26(1), at the beginning there shall be inserted the words " Subject to sections 84B and 84C of this Act ".
- 16 For section 26(5) there shall be substituted the following:—
- “(5) Without prejudice to section 84D of this Act, the appropriate Minister may at any time after giving notice in writing to the authority by whom an order under the foregoing provisions of this section was made, and after holding, if he thinks fit, a public inquiry, by order under this subsection, vary or revoke the authority's order.”
- 17 In section 27, after the words " section 26 " there shall be inserted the words " or 26A ".
- 18 In section 33(1) at the beginning there shall be inserted the words " Subject to subsection (1A) below and to sections 84A, 84B and 84C of this Act ".
- 19 After section 33(1) there shall be inserted the following subsection :—
- “(1A) Without prejudice to subsection (1) and to any regulations under subsection (2) or (4) of section 84C of this Act, before making an order under subsection (1)(a) above otherwise than in pursuance of a direction given

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- by the Minister under section 84A(1) of this Act, the local authority shall consult—
- (a) with the appropriate traffic commissioners; and
  - (b) if the local authority's area is situated wholly or partly within an area designated under section 9(1) of the Transport Act 1968, with the Executive for that area;
- and, if the order is required to be submitted to the Minister for his consent under section 84B of this Act, the authority shall so consult before so submitting it.”
- 20 In section 33(5), for the words from the beginning to " consult with " there shall be substituted the words " In this section, the expression ' the appropriate traffic commissioners' means ".
- 21 In section 41(1), for the words " of Schedule 4 to this Act" there shall be substituted the words " of section 84A, 84B or 84C of this Act or of any regulations made under the said section 84C ".
- 22 In section 42(8)—
- (a) after the words " a local authority " there shall be inserted the words " or the Greater London Council ";
  - (b) for the words " for which they are the local authority" there shall be substituted the words " controlled by them ".
- 23 In each of sections 44(5), 52(5) and 85(2), for the words " sections 35(5) and 38" there shall be substituted the words " section 35(5) ".
- 24 In section 45(1)—
- (a) for the words from the beginning to " cover " there shall be substituted the words " Where by virtue of section 84A(2) of this Act a parking place has been designated under section 35 of this Act by a Minister, that Minister may make grants out of moneys provided by Parliament towards the cost of the provision and maintenance of off-street parking places, whether in the open or under cover, or for any purpose such as is mentioned in section 44(3)(d) (i) or (ii) of this Act ";
  - (b) for the words " designated under section 35(5) of this Act" there shall be substituted the words " designated by him under the said section 35 ".
- 25 In section 52, at the end there shall be added the following subsection:—
- “(10) The foregoing provisions of this section shall have effect subject to the provisions of any order for the time being in force under section 25 of the Civic Amenities Act 1967”.
- 26 In section 53, at the end there shall be added the following subsection:—
- “(5) The foregoing provisions of this section shall have effect subject to the provisions of any order for the time being in force under section 25 of the Civic Amenities Act 1967”.
- 27 In section 67, after the sectional reference " 56 " there shall be inserted the sectional reference " 56A ".
- 28 In section 82(3), after the sectional reference " 26(1)" there shall be inserted the sectional reference " 26A(1) ".

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- 29 In section 84(3), for the words from the beginning to "this Act" there shall be substituted the words " Where the Greater London Council or any other local authority are authorised or required by or under any provision of this Act to hold an inquiry for the purpose of any of their functions, any person appointed by that council or authority to hold the inquiry ".
- 30 In section 87, for the sectional references " 25, 26 or 80 " there shall be substituted the sectional references " 25, 80 or 84C ".
- 31 In section 94(1) after the sectional reference " 26(6) " there shall be inserted the sectional reference " 26A(5) ".
- 32 In Schedule 8, in paragraph 7, for the words from the beginning to " subparagraph (a) above " there shall be substituted the words " References in any order made by the Minister under section 7(4) of the Roads Act 1920 ".
- 33 In Schedule 8, at the end there shall be added the following new paragraphs:—
- “14 Any order made or having effect as if made by any Minister under this Act as originally enacted, being an order made under a power which, apart from section 84A(2) of this Act, is as a result of the provisions of Part IX of the Transport Act 1968 no longer exercisable by that Minister, shall continue in force as if made by virtue of the said section 84A(2) in exercise of the power of the Greater London Council or some other local authority to make an order for the like purpose after that date conferred on that Council or other authority by this Act as amended by the said Part IX.
- 15 Where any provision of this Act as originally enacted which conferred a power to make orders is repealed by the Transport Act 1968, any order made or having effect as if made in pursuance of that power and in force immediately before the date of the repeal shall continue in force as if made in pursuance of the corresponding power conferred by this Act as amended by that Act.
- 16 Subject to paragraph 17 of this Schedule, anything begun or falling to be treated as having been begun under this Act before the date of the coming into force of, or of any relevant instrument made under, any relevant provision of Part IX of the Transport Act 1968, so far as not completed before that date, may be continued and completed in accordance as nearly as may be with the provisions of, or of any relevant instrument made under, this Act as amended by any relevant provision of that Act.
- 17 (1) Where an order under any provision of this Act as originally enacted does, but the like order under that provision as amended by the Transport Act 1968 does not, require the confirmation or consent of the appropriate Minister, and at the date when that amendment comes into force—
- (a) an application has been made to the appropriate Minister for his confirmation, or, as the case may be, for his consent to the making, of such an order ; or
- (b) notice of a proposal to make such an order has been published stating that objections may be made to the appropriate Minister,
- and in either case that Minister has not yet given or refused his confirmation of or consent to the order, then, without prejudice to the right of the authority so submitting the order or proposals to withdraw their application for that Minister's confirmation or consent, that order

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shall not be brought into force or, as the case may be, made except with the consent of that Minister.

- (2) The appropriate Minister may make regulations as respects any order requiring his consent under this paragraph for any of the like purposes as those for which regulations are required or authorised to be made under section 84C (2) or (4) of this Act and for regulating the procedure to be followed in connection with any such withdrawal of an application as aforesaid and subsection (4) of section 84B of this Act shall apply to any order submitted to the appropriate Minister for his consent under this paragraph as it applies to an order so submitted under that section.
- (3) In relation to an order under section 15 or 33 of this Act, references in this paragraph to the appropriate Minister shall, notwithstanding anything in section 104(1) or section 108 of this Act, be construed as references to the Minister of Transport.

18 Where any order made or having effect as if made under section 35 or 36 of this Act includes any provision made by virtue of section 26 of the Greater London Council (General Powers) Act 1967, that provision shall continue to have effect as if made by virtue of the said sections 35 and 36 as amended by section 127 of the Transport Act 1968.”