

SCHEDULES

SCHEDULE 7

MINOR AND CONSEQUENTIAL AMENDMENTS IN RELATION TO LONDON

The Local Government Act 1985 (c. 51)

- 8 (1) For paragraph 5 of Schedule 5 to the Local Government Act 1985 (designation of routes in London) there shall be substituted—
- “5 (1) For the purpose of facilitating the movement of traffic in Greater London, the Secretary of State may by order designate a road in that area.
- (2) Before doing so, he shall consult—
- (a) the council of the London borough in which the road is;
 - (b) the council of any other London borough or of any county where there is a road which he considers is likely to be affected by the designation; and
 - (c) such other persons (if any) as he considers it appropriate to consult.
- (3) No council of a London borough shall exercise any power under the Highways Act 1980 or the Road Traffic Regulation Act 1984 in a way which will affect, or be likely to affect, a designated road unless the requirements of sub-paragraph (4) below have been satisfied.
- (4) The requirements are that—
- (a) the council concerned has given notice to the Director, in such manner as he may require, of its proposal to exercise the power in the way in question; and
 - (b) either—
 - (i) the Director has approved the proposal; or
 - (ii) the period of one month beginning with the date on which he received notice of the proposal has expired without his having objected to it.
- (5) The Secretary of State may by an instrument in writing exclude any power from the application of this paragraph to the extent specified in the instrument.
- (6) Any such instrument may, in particular, exclude a power as respects—
- (a) all or any of the London boroughs;
 - (b) all or any of the designated roads; or
 - (c) the exercise of the power in such manner or circumstances as may be specified in the instrument.

Status: This is the original version (as it was originally enacted).

- (7) This paragraph does not apply to the exercise of a power under section 14 or sections 32 to 38 of the 1984 Act in relation to a road which is not a designated road.
- (8) If the council of a London borough exercises any power in contravention of this paragraph, the Director may take such steps as he considers appropriate to reverse or modify the effect of the exercise of that power.
- (9) Any reasonable expenses incurred by the Director in taking any steps under sub-paragraph (8) shall be recoverable by him from the council as a civil debt.
- (10) In this paragraph—
 “designated road” means a road designated under this paragraph; and
 “Director” means the Traffic Director for London.”
- 9 (1) Paragraph 6 of that Schedule (guidance as to exercise of traffic powers) shall be amended as follows.
- (2) In sub-paragraph (5) for the words “summarily as a civil debt” there shall be substituted the words “as a debt due to the Crown”.
- (3) After sub-paragraph (6), there shall be inserted—
 “(7) Sub-paragraphs (3) to (6) above shall not apply in relation to the exercise of any power, by the council of a London borough, in complying with the duty imposed on them by section 57(1) of the Road Traffic Act 1991 (implementation of local plans).”
- 10 In paragraph 10(6) of that Schedule (recovery of sums expended by the Secretary of State in connection with traffic control systems) for the words “summarily as a civil debt” there shall be substituted the words “as a debt due to the Crown”.
- 11 In paragraph 11 of that Schedule (recovery of sums expended by the Secretary of State to obtain information) for the words “summarily as a civil debt” there shall be substituted the words “as a debt due to the Crown”.