



Greater London Authority Act 1999

1999 CHAPTER 29

PART IV

TRANSPORT

CHAPTER XIV

ROAD TRAFFIC

Transport for London as a traffic authority

271 Transport for London to be traffic authority for GLA roads etc

- (1) Section 121A of the Road Traffic Regulation Act 1984 (traffic authorities) shall be amended as follows.
- (2) After subsection (1) there shall be inserted—

“(1A) Transport for London is the traffic authority for every GLA road.”
- (3) In subsection (2) (London borough council or Common Council to be traffic authority for roads in the borough or the City for which the Secretary of State is not the traffic authority) after “in the City” there shall be inserted “which are not GLA roads and”.

272 GLA side roads

After section 124 of the Road Traffic Regulation Act 1984 there shall be inserted—

“124A GLA side roads

- (1) The Secretary of State may by order designate roads or proposed roads as roads which are to be GLA side roads.

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- (2) Any road or proposed road so designated shall become a GLA side road on such date as may be specified in the order.
- (3) A road may only be a GLA side road if it has a junction with—
 - (a) a GLA road; or
 - (b) another road which has a junction with a GLA road.
- (4) A road or proposed road shall not be a GLA side road if it is a trunk road or other highway for which the Secretary of State is the highway authority.
- (5) A road may only be a GLA side road if and to the extent that the appropriate authority considers it appropriate for the road to be a GLA side road in the interests of the management of traffic and the control of the waiting and loading of vehicles on or in the immediate vicinity of GLA roads.
- (6) The Secretary of State may by order make provision for or in connection with applying in relation to GLA side roads, with such modifications as he thinks fit, the provisions of sections 14B and 14C of the Highways Act 1980 (orders changing what are GLA roads and certification and records of GLA roads).
- (7) The provision that may be made under subsection (6) above is subject to subsections (3) to (5) above.
- (8) In this section “the appropriate authority” means—
 - (a) in relation to an order under subsection (1) above, the Secretary of State;
 - (b) in relation to an order made by the Greater London Authority under section 14B of the Highways Act 1980, as applied under subsection (6) above, the Mayor of London; and
 - (c) in relation to confirmation of such an order by the Secretary of State under that section as so applied, the Secretary of State.
- (9) Any reference in any provision of this Act or any other enactment to a GLA side road shall be construed as a reference to a road in Greater London which is for the time being a GLA side road by virtue of—
 - (a) an order made by the Secretary of State under subsection (1) above; or
 - (b) an order made by the Greater London Authority under section 14B of the Highways Act 1980, as applied by an order under subsection (6) above.
- (10) Any functions conferred or imposed on the Greater London Authority in relation to GLA side roads shall be functions of the Authority which are exercisable by the Mayor of London acting on behalf of the Authority.
- (11) Subsection (10) above does not apply in relation to any functions expressly conferred on the London Assembly.
- (12) Any power of the Secretary of State to make an order under this section shall be exercisable by statutory instrument; and a statutory instrument containing any such order shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

273 Power to place traffic signs in connection with GLA roads etc

- (1) Section 73 of the Road Traffic Regulation Act 1984 (powers and duties of local traffic authorities in Greater London in respect of traffic signs) shall be amended as follows.
- (2) In subsection (1) (power to fix traffic signs to lamp-posts etc in connection with orders under section 6 or 9)—
 - (a) after “proposed by them,” there shall be inserted “Transport for London,”;
 - (b) the words “in their area” shall be omitted; and
 - (c) after “whether or not belonging to” there shall be inserted “Transport for London or”.
- (3) After subsection (1) there shall be inserted—
 - (1A) In connection with any GLA road, Transport for London may—
 - (a) exercise, as respects any road in Greater London which is neither a trunk road nor a GLA road, any powers exercisable by the traffic authority for that road in connection with the placing of traffic signs on or near that road in pursuance of section 65 of this Act; and
 - (b) affix any such sign to any lamp-post or other structure in the highway, whether or not belonging to Transport for London.
 - (1B) The power conferred by subsection (1A) above shall be exercisable—
 - (a) in connection with any order under section 6 or 9 of this Act made or proposed to be made by Transport for London; or
 - (b) in any other circumstances.
 - (1C) Before exercising the power conferred by subsection (1A) above, Transport for London shall consult the traffic authority for the road on or near which Transport for London proposes to place the traffic sign.”
- (4) In subsection (2) (duty of London borough council and Common Council as to maintenance, alteration and removal of traffic signs in their area)—
 - (a) for “their area” there shall be substituted “Greater London”;
 - (b) for “the council of a London borough and of the Common Council of the City of London” there shall be substituted “the appropriate traffic authority”.
- (5) After subsection (2) there shall be inserted—
 - (2A) For the purposes of subsection (2) above, “the appropriate traffic authority”, in the case of any traffic sign, is the authority which is the traffic authority for the road as respects which the order under section 6 or 9 of this Act is made in connection with which the traffic sign is required.”
- (6) At the end of the section there shall be inserted—
 - (6) The powers of Transport for London exercisable under subsection (1A) above by virtue of subsection (1B)(b) above shall extend to the removal or repositioning of any traffic sign on or near the road in question, whether placed by Transport for London or not.
 - (7) On the removal or repositioning by Transport for London of any such traffic sign placed by another authority, the traffic sign shall vest in Transport for London.
 - (8) Except—

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(a) with the consent of Transport for London, or
 (b) in pursuance of a direction under section 65(2) of this Act,
 the traffic authority for a road shall not remove, alter or in any way interfere with any traffic sign placed or repositioned on or near the road by Transport for London by virtue of subsection (1B)(b) above.”

(7) In consequence of the provisions of this section, the sidenote to the section becomes “Powers and duties of local traffic authorities in Greater London in respect of traffic signs.”

274 Power to affix traffic signs to walls

- (1) Section 74 of the Road Traffic Regulation Act 1984 (affixing of signs to walls) shall be amended as follows.
- (2) In subsection (1) (which confers the power)—
- (a) before “the council of a London borough” there shall be inserted “Transport for London and”; and
- (b) after “shall” there shall be inserted “each”.
- (3) After subsection (1) there shall be inserted—
- “(1A) Subsections (2) to (7) below shall apply in relation to Transport for London as they apply in relation to a London borough council.”
- (4) In subsection (8) (no derogation from certain other powers) after “the powers of” there shall be inserted “Transport for London or”.

Traffic control systems

275 Transfer of London Traffic Control System to Transport for London

- (1) So far as relating to—
- (a) GLA roads, and
- (b) roads in Greater London which are neither GLA roads nor trunk roads,
 the functions transferred to the Secretary of State by orders under paragraph 10 of Schedule 5 to the Local Government Act 1985 are transferred to Transport for London by this subsection.
- (2) The functions referred to in subsection (1) above are the functions conferred by sections 65, 73, 74 and 75 of the Road Traffic Regulation Act 1984 in respect of traffic signs which are traffic light signals controlling the movement of any class of road traffic (including pedestrians).
- (3) Any expenses reasonably incurred by or on behalf of Transport for London in the exercise, in relation to roads which are not GLA roads, of the functions transferred by this section may be recovered by Transport for London from the London borough councils and the Common Council in such proportions as may be agreed between Transport for London and those authorities or, in default of agreement, as may be determined by Transport for London.
- (4) Any reference in this section to a GLA road includes a reference to a GLA side road.

276 London borough councils and the London traffic control system

After section 74 of the Road Traffic Regulation Act 1984 there shall be inserted—

“74A London borough councils and the London traffic control system

- (1) If a London borough council requests Transport for London to provide any new traffic light installations for a road in Greater London which is neither a GLA road nor a trunk road, Transport for London shall approve and carry out the work unless it considers that there are reasonable grounds for refusing to do so.
- (2) If Transport for London and a London borough council so agree, Transport for London may make a scheme transferring to the council—
 - (a) any part of the London traffic control system, and
 - (b) the power to maintain and operate that part of the system.
- (3) The council for a London borough may, with the approval of Transport for London, buy, own, maintain and operate new traffic light installations for any road in the borough other than a trunk road.
- (4) Where the powers conferred by subsection (2) or (3) above are exercised, the London borough council concerned shall, as respects the traffic signs comprised in—
 - (a) the part of the London traffic control system transferred by the scheme under subsection (2) above, or
 - (b) the traffic light installations referred to in subsection (3) above,be treated (to the exclusion of Transport for London) as the traffic authority for all roads in Greater London (other than trunk roads) on or near which those traffic signs are placed.
- (5) Any exercise of the powers conferred by subsections (1) to (3) above is subject to the agreement of financial arrangements between Transport for London and the council concerned.
- (6) Before Transport for London—
 - (a) changes the operating cycle, or the timing of the operating cycle, of any traffic light installations provided on a road in Greater London which is neither a GLA road nor a trunk road, or
 - (b) provides new traffic light installations for such a road,Transport for London shall consult the council of the London borough in which the installations are or are to be provided.
- (7) In this section—

“the London traffic control system” means the traffic control system which Transport for London has power to operate by virtue of the functions transferred to it—

 - (a) by section 275 of the Greater London Authority Act 1999; or
 - (b) by a scheme under subsection (1) or (3) of section 74B of this Act transferring functions of the Secretary of State to Transport for London;

“traffic control system” means a system for controlling the movement of vehicular traffic or of pedestrians by means of traffic light installations;

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“traffic light installations” means—

- (a) traffic signs which are light signals for controlling the movement of vehicular traffic or of pedestrians; or
- (b) any installations or apparatus used in connection with the operation of any such traffic signs.

(8) For the purposes of this section—

- (a) the City of London shall be treated as if it were a London borough;
- (b) the Common Council shall be treated as if it were the council for a London borough; and
- (c) the Inner Temple and the Middle Temple shall be treated as forming part of the City.”

277 Transfer of traffic control systems between Secretary of State and Transport for London

After section 74A of the Road Traffic Regulation Act 1984 there shall be inserted—

“74B Transfer of traffic control systems between Secretary of State and Transport for London

- (1) If the Secretary of State and Transport for London so agree, the Secretary of State may make a scheme transferring to Transport for London—
 - (a) the traffic control system for a trunk road in Greater London; and
 - (b) the power to maintain and operate that system.
- (2) If Transport for London and the Secretary of State so agree, Transport for London may make a scheme transferring to the Secretary of State—
 - (a) the London traffic control system; and
 - (b) the power to maintain and operate that system.
- (3) If, in a case where a traffic control system has been transferred under this section, the transferee and the transferor so agree, the transferee may make a scheme transferring back to the transferor the system and the power to maintain and operate it.
- (4) A scheme under subsection (1), (2) or (3) above may make provision for the transferee to be treated (to the exclusion of the transferor), as respects the traffic signs comprised in the traffic control system transferred, as the traffic authority for specified roads in Greater London on or near which those traffic signs are placed.
- (5) Any exercise of the powers conferred by subsections (1) to (3) above is subject to the agreement of financial arrangements between the Secretary of State and Transport for London.
- (6) Any reference in this section to a traffic control system includes a reference to part of a traffic control system.
- (7) Expressions used in this section and in section 74A above have the same meaning in this section as they have in that section.”

278 Traffic authority for certain traffic signs in Greater London

After section 74B of the Road Traffic Regulation Act 1984 there shall be inserted—

“74C The traffic authority for traffic signs

- (1) This section has effect for the purposes of sections 65, 73, 74, 74A, 74B and 75 of this Act.
- (2) In the application of those provisions to traffic signs in Greater London which are light signals for controlling the movement of vehicular traffic or of pedestrians, Transport for London shall at all times be deemed to be the traffic authority for all roads in Greater London other than trunk roads.
- (3) Without prejudice to the powers of the traffic authority for the road in question, Transport for London shall also be deemed to be the traffic authority for any road in Greater London for which they are not in fact the traffic authority for the purposes of the exercise by them as respects that road under section 73(1A) above of any powers exercisable by the traffic authority for that road.
- (4) Subsections (2) and (3) above are subject to any provision to the contrary made by or under section 74A or 74B of this Act.”

Road safety and traffic reduction

279 Road safety information and training

- (1) Section 39 of the Road Traffic Act 1988 (powers of Secretary of State and local authorities as to giving road safety information and training) shall be amended as follows.
- (2) For subsection (2) (duty of local authority to prepare and carry out measures to promote road safety etc) there shall be substituted—
 - “(2) Each relevant authority—
 - (a) if it is a local authority, must prepare and carry out a programme of measures designed to promote road safety, or
 - (b) if it is Transport for London, may prepare and carry out such a programme,and may contribute towards the cost of measures for promoting road safety taken by other authorities or bodies.”
- (3) In subsection (3) (duty of local authority to carry out and act upon studies into accidents arising out of the use of vehicles on roads in their area, other than trunk roads) for the words preceding paragraph (a) there shall be substituted “Each relevant authority—”.
- (4) In paragraph (a) of that subsection (the duty to carry out the studies)—
 - (a) after “use of vehicles” there shall be inserted—
 - “(i) if it is a local authority,”;
 - (b) after “other than” there shall be inserted “GLA roads or”; and
 - (c) at the end there shall be added “or

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(ii) if it is Transport for London, on GLA roads or parts of GLA roads.”.

(5) After subsection (3) there shall be inserted—

“(3A) The duties imposed by subsection (3) above are without prejudice to the generality of subsection (2) above and—

- (a) in the case of a local authority, are to be discharged in pursuance of their duty under subsection (2)(a) above; and
- (b) in the case of Transport for London, are to be discharged by exercising their powers under subsection (2)(b) above.”

(6) In subsection (4) (definitions) the following definitions shall be inserted at the appropriate places—

““GLA road” has the same meaning as in the Highways Act 1980 (see sections 329(1) and 14D(1) of that Act);”;

“relevant authority” means a local authority or Transport for London.

280 The Road Traffic Reduction Act 1997

(1) In section 1 of the Road Traffic Reduction Act 1997 (interpretation) the following definitions shall be inserted at the appropriate places—

““local implementation plan”, in relation to a London council, means the plan prepared by the council under section 145 of the Greater London Authority Act 1999;”

““London council” means a London borough council or the Common Council of the City of London;”

““the Mayor of London’s transport strategy” means the transport strategy prepared and published under section 142 of the Greater London Authority Act 1999.”

(2) Section 2 of that Act (duty of principal councils to make reports) shall be amended as follows.

(3) In subsection (3) (information or proposals which relate to levels of local road traffic and are required by guidance under subsection (6)) in paragraph (b), after “guidance under subsection (6)” there shall be inserted “or (in the case of a report prepared by a London council) directions under subsection (6A)”.

(4) After subsection (4), there shall be inserted—

“(4A) A report under this section prepared by a London council must take account of the Mayor of London’s transport strategy and the council’s local implementation plan; and—

- (a) any targets specified in such a report pursuant to subsection (2), and
 - (b) any proposals contained in such a report pursuant to subsection (3),
- must be in conformity with that strategy and that plan.”

(5) After subsection (6) there shall be inserted—

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- “(6A) The Mayor of London may give directions or issue guidance to London councils in relation to any matter in relation to which the Secretary of State may issue guidance under subsection (6).
- (6B) The Mayor of London must not give any direction or issue any guidance under subsection (6A) which conflicts with guidance under subsection (6).
- (6C) A London council preparing a report under this section—
- (a) shall comply with any directions given under subsection (6A), and
 - (b) shall have regard to any guidance issued under that subsection.”
- (6) In subsection (7)(a) (report to be sent to the Secretary of State) after “Secretary of State” there shall be inserted “and, if the council is a London council, send a copy of the report to the Mayor of London”.

Parking

281 Designation of paying parking places on highways

- (1) Section 45 of the Road Traffic Regulation Act 1984 (designation of paying parking places on highways) shall be amended as follows.
- (2) In subsection (1), in the second paragraph (which requires a local authority outside Greater London which is not the traffic authority to obtain the consent of the traffic authority to any designation) the words “outside Greater London” shall cease to have effect.
- (3) After subsection (1) there shall be inserted—
- “(1A) Transport for London may not by virtue of subsection (1) above designate parking places on any highway which is not a GLA road.”
- (4) In subsection (7), in the definition of “local authority”, at the end of paragraph (a) there shall be added “or Transport for London”.
- (5) In subsection (7), in the definition of “the local authority”, after the words “in whose area the site is” there shall be added “unless the site is in Greater London, in which case—
- (i) if the site is on a GLA road and the parking place is, or is proposed to be, designated by Transport for London, “the local authority” means Transport for London;
 - (ii) if the site is on a GLA road and the parking place is, or is proposed to be, designated by the London local authority in whose area the site is, “the local authority” means that London local authority; and
 - (iii) if the site is on a highway which is not a GLA road, “the local authority” means the London local authority in whose area the site is.”
- (6) After subsection (7) there shall be added—
- “(8) In this section “London local authority” means the council of a London borough or the Common Council of the City of London.
- (9) For the purposes of this section and sections 46 to 55 of this Act, Transport for London’s area shall be taken to be Greater London.”

282 Financial provisions relating to parking places on the highway

- (1) Section 55 of the Road Traffic Regulation Act 1984 (financial provisions relating to designation orders) shall be amended as follows.
- (2) In subsection (1)(a) (accounts in respect of parking places on the highway in the case of London borough councils and the Common Council) after “in the case of” there shall be inserted “Transport for London,”.
- (3) In subsection (3A) (London borough councils and Common Council to report to Secretary of State on action taken with respect to deficit or surplus on their parking account)—
- (a) at the beginning there shall be inserted “Transport for London,”; and
 - (b) for “Secretary of State” there shall be substituted “Mayor of London”.
- (4) In subsection (4) (purposes for which a surplus on a local authority’s parking account may be applied) the word “and” immediately preceding paragraph (d) shall be omitted and after that paragraph there shall be added—
- “(e) in the case of a London authority, meeting all or any part of the cost of the doing by the authority in their area of anything—
 - (i) which facilitates the implementation of the London transport strategy, and
 - (ii) which is for the time being specified in that strategy as a purpose for which a surplus may be applied by virtue of this paragraph;
 - (f) in the case of a London authority, the making to any other London authority of contributions towards the cost of the doing by that other authority of anything towards the doing of which in its own area the authority making the contribution has power—
 - (i) to apply any surplus on the account required to be kept under subsection (1) above; or
 - (ii) to incur expenditure required to be brought into that account.”
- (5) At the end of the section there shall be added—
- “(8) For the purpose of enabling Transport for London and any other London authorities to discharge jointly any functions conferred by virtue of subsection (4)(f) above by a joint committee established under section 101(5) of the Local Government Act 1972, sections 101(5) and 102 of that Act shall have effect as if Transport for London were a local authority.
 - (9) In the application of this section in relation to Transport for London, any reference to its general fund shall be taken as a reference to the financial reserves for which provision is made under section 85(4)(c) of the Greater London Authority Act 1999 in calculating Transport for London’s component budget for the financial year in question.
 - (10) In this section—
 - “London authority” means Transport for London, a London borough council or the Common Council of the City of London;
 - “the London transport strategy” means the transport strategy prepared and published under section 142 of the Greater London Authority Act 1999.”

283 Appointment of parking adjudicators by joint committee

- (1) Section 73 of the Road Traffic Act 1991 (appointment of parking adjudicators by joint committee of London authorities) shall be amended as follows.
- (2) For subsection (1) (London authorities to establish a joint committee within two months of issue of first guidance under section 63 of that Act) there shall be substituted—
 - “(1) The London local authorities and Transport for London (in this section referred to as “the appointing authorities”) shall establish a single joint committee under section 101(5) of the Local Government Act 1972 (“the Joint Committee”) before 4th September 2000 or such later date as the Secretary of State may by order specify.
 - (1A) For the purposes of subsection (1) above, sections 101(5) and 102 of the Local Government Act 1972 shall have effect as if Transport for London were a local authority.”
- (3) In subsection (2) (functions of London authorities under sections 73 and 74 to be exercised by the Joint Committee) the words “and section 74 of this Act” shall cease to have effect.
- (4) For the words “London authorities”, wherever occurring, there shall be substituted “appointing authorities”.

284 Fixing of certain parking and other charges

For section 74 of the Road Traffic Act 1991 (fixing of certain parking and other charges for London) there shall be substituted—

“74 Fixing of certain parking and other charges for London

- (1) It shall be the duty—
 - (a) of Transport for London, so far as relating to trunk roads or GLA roads, and
 - (b) of the London local authorities, so far as relating to other roads,to set the levels of additional parking charges to apply in London.
- (2) Before setting the level of any charges under subsection (1) above, Transport for London must consult the London local authorities.
- (3) Different levels may be set for different areas in London and for different cases or classes of case.
- (4) Transport for London and the London local authorities shall submit to the Mayor of London, for his approval, the levels of additional parking charges which they propose to set under subsection (1) above.
- (5) If—
 - (a) Transport for London or, as the case may be, the London local authorities fail to discharge their duty under subsection (1) above; or
 - (b) the Mayor of London does not approve the levels of additional parking charges proposed by the London local authorities,

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the levels of additional parking charges for the roads referred to in paragraph (a) or (as the case may be) paragraph (b) of subsection (1) above shall be set by order made by the Mayor of London.

- (6) Levels of additional parking charges set in accordance with this section may only come into force in accordance with section 74A below.
- (7) It shall be the duty of Transport for London and the London local authorities to impose additional parking charges at the levels set in accordance with the provisions of this section.
- (8) Transport for London and the London local authorities shall publish, in such manner as the Mayor of London may determine, the levels of additional parking charges which have been set in accordance with the provisions of this section.
- (9) The functions conferred on London local authorities by this section or section 74A below shall be discharged by the Joint Committee.
- (10) No person who represents Transport for London on the Joint Committee shall take any part in any proceedings of the Joint Committee so far as relating to the discharge by the Joint Committee of any functions under this section or section 74A below.
- (11) Section 122 of the Road Traffic Regulation Act 1984 (exercise of functions by local authorities) shall apply in relation to—
 - (a) Transport for London,
 - (b) the London local authorities, and
 - (c) the Mayor of London,
 and functions conferred on them by or under this section as it applies to local authorities and functions conferred on them by or under that Act.
- (12) In this section “additional parking charges” means—
 - (a) penalty charges;
 - (b) charges made by London authorities for the removal, storage and disposal of vehicles; and
 - (c) charges in respect of the release of vehicles from immobilisation devices fixed under section 69 above.

74A Additional parking charges: reserve powers of Secretary of State

- (1) Where the Mayor of London—
 - (a) on a submission under subsection (4) of section 74 above, approves any levels of additional parking charges, or
 - (b) sets any such levels under subsection (5) of that section,
 he shall notify the Secretary of State of the levels of charges so approved or set.
- (2) Where notification of any levels of charges is required to be given under subsection (1) above, the levels of charges shall not come into force until after the expiration of—
 - (a) the period of one month beginning with the day on which the notification is given, or
 - (b) such shorter period as the Secretary of State may allow.

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- (3) If, before the expiration of that period, the Secretary of State gives notice to the Mayor of London that he objects to the levels of charges on the grounds that some or all of them are or may be excessive, those levels of charges shall not come into force unless and until the objection has been withdrawn.
- (4) If, at any time before the levels of charges required to be notified under subsection (1) above to the Secretary of State have come into force, the Secretary of State considers that some or all of them are excessive, he may make regulations setting the levels of charges.
- (5) Levels of charges set under subsection (4) above must be no higher than those notified under subsection (1) above.
- (6) Subsections (7) and (8) of section 74 above shall apply in relation to levels of charges set under subsection (4) above as if those levels of charges had been set in accordance with the provisions of that section—
 - (a) by Transport for London, so far as relating to GLA roads or trunk roads, or
 - (b) by the London local authorities, so far as relating to other roads.
- (7) Regulations under subsection (4) above are without prejudice to the duties imposed on Transport for London and the London local authorities by section 74(1) above; but where the Secretary of State makes any such regulations—
 - (a) Transport for London, if the regulations relate to GLA roads or trunk roads, or
 - (b) the London local authorities, if the regulations relate to other roads, must not make any further submission to the Mayor of London under section 74(4) above until after the expiration of the period of twelve months beginning with the day on which the regulations are made.”

285 Special parking areas

- (1) Section 76 of the Road Traffic Act 1991 (special parking areas) shall be amended as follows.
- (2) After subsection (1) (applications by London authorities for orders designating special parking areas) there shall be inserted—

“(1A) An application for an order under subsection (1) above may only be made—

 - (a) by Transport for London, to the extent that the special parking area is to consist of GLA roads or trunk roads; or
 - (b) by a London local authority, to the extent that the special parking area is to consist of roads other than GLA roads and trunk roads.”
- (3) The amendment made by this section does not affect the continuing validity of any order, or any application for an order, made before the coming into force of this section.

286 Variation of special parking areas by the Mayor

After section 76 of the Road Traffic Act 1991 (special parking areas) there shall be inserted—

“76A Variation of special parking areas by Mayor of London

- (1) At any time when an order under section 76 above designating the whole or any part of a London authority’s area as a special parking area is in force, the Mayor of London may by order under this subsection amend the order so as to vary the area which for the time being constitutes the special parking area.
- (2) No order may be made under subsection (1) above without the consent of every London local authority which is the traffic authority for a road which the order has the effect of bringing within, or removing from, the special parking area concerned.
- (3) An order under subsection (1) above must not be such as to bring within a special parking area—
 - (a) any area specified in an order under this paragraph made by the Secretary of State; or
 - (b) the whole or any part of a Royal Park, except with the consent of the Secretary of State.
- (4) No area may be specified in an order under subsection (3)(a) above unless the Secretary of State is satisfied that it is expedient, on grounds of national security, that no part of that area should be included in a special parking area.
- (5) In this section “Royal Park” means any park to which the Parks Regulation Act 1872 applies (see sections 1 and 3 of the Parks Regulation (Amendment) Act 1926).”

287 Interpretation of parking provisions

- (1) Section 82 of the Road Traffic Act 1991 (interpretation of Part II) shall be amended as follows.
- (2) In subsection (1), for the definition of “London authority” there shall be substituted—

““London authority” means—

 - (a) as respects parking, or any matter connected with or relating to parking, on a GLA road, Transport for London;
 - (b) as respects parking, or any matter connected with or relating to parking, on any road other than a GLA road or a trunk road, any council of a London borough or the Common Council of the City of London;”.
- (3) In subsection (1), the following definitions shall be inserted at the appropriate places—

““GLA road” (subject to subsection (1C) below) has the same meaning as in the Highways Act 1980 (see sections 329(1) and 14D(1) of that Act);”;

““GLA side road” has the same meaning as in the Road Traffic Regulation Act 1984 (see sections 124A(9) and section 142(1) of that Act);”;

““London local authority” means any council of a London borough or the Common Council of the City of London;”;

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““the Mayor’s transport strategy” means the transport strategy prepared and published by the Mayor of London under section 142 of the Greater London Authority Act 1999;”;

““Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975;”.

(4) After subsection (1) there shall be inserted—

“(1A) Any functions conferred or imposed on the Greater London Authority by or under this Part of this Act shall be functions of the Authority which are exercisable by the Mayor acting on behalf of the Authority.

(1B) Subsection (1A) above does not apply in relation to any function expressly conferred or imposed on, or made exercisable by, the London Assembly.

(1C) In this Part of this Act, any reference to a GLA road includes a reference to a GLA side road.”

(5) In subsection (6) (power to make orders or regulations to be exercisable by statutory instrument) after “conferred by this Part” there shall be inserted “on a Minister of the Crown”.

School crossing patrols, parking attendants and traffic wardens

288 School crossing patrols

(1) Section 26 of the Road Traffic Regulation Act 1984 (arrangements for patrolling school crossings) shall be amended as follows.

(2) In subsection (2) (definition of the appropriate authority)—

(a) in paragraph (a) (places not in the metropolitan police district or the City) for “not in the metropolitan police district and not in the City of London” there shall be substituted “outside Greater London”; and

(b) for paragraph (c) (places in the metropolitan police district) there shall be substituted—

“(c) as respects places in a London borough, shall be the council for the borough;”.

(3) In subsection (4) (duty of certain authorities to have regard to representations made by other local authorities in their area) in paragraph (a)—

(a) the words “and the commissioner of police of the metropolis”, “or him” and “or metropolitan police district” shall cease to have effect; and

(b) after “in the county” there shall be inserted “or”.

(4) After subsection (4) there shall be inserted—

“(4A) Before making arrangements under subsection (1) above for the patrolling of places where children cross GLA roads, a London borough council or the Common Council of the City of London must consult Transport for London and take account of any representations made by Transport for London.”

(5) In subsection (5) (agreements between council of a county etc and the police authority)

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

- (a) after “council of the county” there shall be inserted “, London borough”; and
 - (b) after “in the county” there shall be inserted “, London borough”.
- (6) In consequence of the preceding provisions of this section, section 27 of the Road Traffic Regulation Act 1984 (expenses under section 26 in metropolitan police district) shall cease to have effect.

289 Parking attendants

- (1) Section 63A of the Road Traffic Regulation Act 1984 (parking attendants) shall be amended as follows.
- (2) In subsection (4) (parking attendants in Greater London to wear uniform prescribed by Secretary of State when exercising prescribed functions) for “Secretary of State” there shall be substituted “Greater London Authority”.
- (3) In subsection (5) (definition of “local authority” etc) at the end there shall be added “except that Transport for London shall also be a local authority”.
- (4) After subsection (5), there shall be inserted—
 - “(6) For the purposes of this section, the area of Transport for London is Greater London.”

290 Exercise by traffic wardens of functions of parking attendants

- (1) Section 95 of the Road Traffic Regulation Act 1984 (appointment of traffic wardens) shall be amended as follows.
- (2) After subsection (4) (which confers power to employ traffic wardens to act as parking attendants at certain street parking places) there shall be inserted—
 - “(4A) For the purposes of subsection (4) above, Transport for London is a local authority.”

Miscellaneous and supplementary provisions

291 London borough council affecting another authority’s roads

After section 121A of the Road Traffic Regulation Act 1984 there shall be inserted—

“121B London borough council exercising powers so as to affect another traffic authority’s roads

- (1) No London borough council shall exercise any power under this Act in a way which will affect, or be likely to affect,—
 - (a) a GLA road, or
 - (b) a road in another London borough,
 unless the requirements of subsections (2) and (3) below have been satisfied.
- (2) The first requirement is that the council has given notice of the proposal to exercise the power in the way in question—
 - (a) to Transport for London; and

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

- (b) in a case where the road concerned is in another London borough, to the council for that borough.
- (3) The second requirement is that—
- (a) the proposal has been approved by Transport for London, in the case of a GLA road, or by the London borough council concerned, in the case of any other road; or
 - (b) the period of one month beginning with the date on which Transport for London and, where applicable, the council received notice of the proposal has expired without Transport for London or the council having objected to the proposal; or
 - (c) any objection made by Transport for London or the council has been withdrawn; or
 - (d) where an objection has been made by Transport for London or a London borough council and not withdrawn, the Greater London Authority has given its consent to the proposal after consideration of the objection.
- (4) Before deciding whether to give any consent for the purposes of subsection (3) (d) above, the Greater London Authority may cause a public inquiry to be held.
- (5) If Transport for London has reason to believe—
- (a) that a London borough council is proposing to exercise a power under this Act in a way which will affect, or be likely to affect, a GLA road or a road in another London borough, and
 - (b) that notice of the proposal is required to be, but has not been, given in accordance with subsection (2) above,
- Transport for London may give a direction to the council requiring it not to proceed with the proposal until the requirements of subsections (2) and (3) above have been satisfied.
- (6) If a London borough council exercises any power in contravention of this section, Transport for London may take such steps as it considers appropriate to reverse or modify the effect of the exercise of that power.
- (7) For the purposes of subsection (6) above, Transport for London shall have power to exercise any power of the London borough council on behalf of that council.
- (8) Any reasonable expenses incurred by Transport for London in taking any steps under subsection (6) above shall be recoverable by Transport for London from the London borough council concerned as a civil debt.
- (9) The Mayor of London may issue a direction dispensing with the requirements of subsections (2) and (3) above in such circumstances as may be specified in the direction.
- (10) A direction under subsection (9) above may, in particular, dispense with those requirements as respects—
- (a) all or any of the London borough councils;
 - (b) all or any of the GLA roads;
 - (c) all or any of the roads which are neither GLA roads nor trunk roads;

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(d) the exercise of such powers as may be specified in the direction in such manner or circumstances as may be so specified.

(11) Any direction under subsection (9) above may be varied or revoked by a further direction under that subsection.

(12) For the purposes of this section—

- (a) the City of London shall be treated as if it were a London borough;
- (b) the Common Council shall be treated as if it were the council for a London borough; and
- (c) the Inner Temple and the Middle Temple shall be treated as forming part of the City.”

292 Interpretation of the Road Traffic Regulation Act 1984

(1) The Road Traffic Regulation Act 1984 shall be amended as follows.

(2) After section 121B there shall be inserted—

“121C Functions of GLA under this Act to be exercisable by the Mayor

(1) The functions of the Greater London Authority under this Act shall be functions of the Authority which are exercisable by the Mayor of London acting on behalf of the Authority.

(2) Subsection (1) above does not apply in relation to any function expressly conferred or imposed on, or made exercisable by, the London Assembly.”

(3) In section 142 (general interpretation) the following definitions shall be inserted at the appropriate places in subsection (1)—

““GLA road” (subject to subsection (4) below) has the same meaning as in the Highways Act 1980 (see sections 329(1) and 14D(1) of that Act);”;

““GLA side road” shall be construed in accordance with section 124A(9) of this Act;”;

““trunk road” has the same meaning as in the Highways Act 1980 (see section 329(1) of that Act)”.

(4) At the end of section 142 there shall be added—

“(4) Any reference in this Act to a GLA road includes a reference to a GLA side road.”

293 Proposals for Royal Parks and highways: consultation

After section 132 of the Road Traffic Regulation Act 1984 there shall be inserted—

“132AA Royal Parks or highways in London affected by proposals relating to the other

(1) The Secretary of State shall not exercise any of his functions in relation to the management of roads or traffic in a Royal Park in such a way as to affect a highway in Greater London unless he has consulted—

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

- (a) the traffic authority for the highway, and
 - (b) Transport for London,
- about the exercise of those functions in that way.

- (2) The duty imposed by subsection (1) above shall not apply if it would not be reasonably practicable for the Secretary of State to consult the traffic authority or Transport for London before exercising functions; but, in such a case, as soon as practicable after so exercising functions the Secretary of State shall inform the traffic authority and Transport for London that those functions have been so exercised.
- (3) A traffic authority shall not exercise any of its functions in relation to a highway in Greater London in such a way as to affect a Royal Park unless it has consulted the Secretary of State about the exercise of those functions in that way.
- (4) The duty imposed by subsection (3) above shall not apply if it would not be reasonably practicable for the traffic authority to consult the Secretary of State before exercising functions; but, in such a case, as soon as practicable after so exercising functions the highway authority shall inform the Secretary of State that those functions have been so exercised.
- (5) In this section “Royal Park” means any park to which the Parks Regulation Act 1872 applies (see sections 1 and 3 of the Parks Regulation (Amendment) Act 1926).”

294 Repeal of certain enactments

- (1) The following enactments shall cease to have effect—
 - (a) sections 12, 13 and 76 of the Road Traffic Regulation Act 1984 (experimental traffic schemes carried out in Greater London by the police);
 - (b) paragraph 53 of Schedule 4 to the Local Government Act 1985 (which relates to the abolition of metropolitan roads and is spent);
 - (c) Part II of Schedule 5 to the Local Government Act 1985 (supplementary provisions relating to road traffic) so far as relating to Greater London;
 - (d) sections 50 to 63 and 80 of, and Schedule 5 to, the Road Traffic Act 1991 (priority routes, local plans, trunk road plans and the Traffic Director for London).
- (2) Any guidance given by the Secretary of State under any of the provisions of the Local Government Act 1985 or the Road Traffic Act 1991 mentioned in subsection (1) above shall, until such time as it is superseded by the transport strategy, continue in force and have effect as if it were part of that strategy (and shall accordingly be subject to revocation or variation by the Mayor).
- (3) So far as relating to roads which are or become GLA roads, the Traffic Director for London’s network plan under section 52 of the Road Traffic Act 1991 shall, until such time as it is superseded by the transport strategy, continue in force and have effect as if it were part of that strategy.
- (4) Any trunk road local plans prepared or in the course of preparation under section 56 of the Road Traffic Act 1991 by the Traffic Director for London shall, until such time as they are superseded by the transport strategy, continue in force and have effect as if they were prepared or, as the case may be, in the course of preparation as part of that strategy.

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

- (5) In subsections (6) and (7) below “relevant local plans” means any local plans prepared or in the course of preparation by a London borough council or the Common Council under section 54 of the Road Traffic Act 1991.
- (6) To the extent that they relate to roads which are or become GLA roads, within the meaning of the Highways Act 1980, any relevant local plans shall, until such time as they are superseded by the transport strategy, continue in force and have effect as if they were prepared or, as the case may be, in the course of preparation as part of that strategy.
- (7) To the extent that they relate to roads other than those mentioned in subsection (6) above, any relevant local plans shall, until such time as they are superseded by local implementation plans under section 145 above, continue in force and have effect as if they were prepared or, as the case may be, in the course of preparation as local implementation plans under that section.
- (8) Any reference in this section to a GLA road includes a reference to a GLA side road.