



Traffic Management Act 2004

2004 CHAPTER 18

PART 7

MISCELLANEOUS AND GENERAL

95 Application of surplus income from parking places

- (1) Section 55 of the Road Traffic Regulation Act 1984 (financial provisions relating to income and expenditure of local authority in connection with parking places) is amended as follows.
- (2) In subsection (4), for paragraph (d) (purposes for which surplus may be applied if further off-street parking not needed) substitute—
 - “(d) if it appears to the local authority that the provision in their area of further off-street parking accommodation is unnecessary or undesirable, the following purposes—
 - (i) meeting costs incurred, whether by the local authority or by some other person, in the provision or operation of, or of facilities for, public passenger transport services,
 - (ii) the purposes of a highway or road improvement project in the local authority's area,
 - (iii) in the case of a London authority, meeting costs incurred by the authority in respect of the maintenance of roads maintained at the public expense by them,
 - (iv) the purposes of environmental improvement in the local authority's area,
 - (v) in the case of such local authorities as may be prescribed, any other purposes for which the authority may lawfully incur expenditure;”
- (3) After subsection (4A) insert—
 - “(4B) For the purposes of subsection (4)(d)(iv) “environmental improvement” includes—

Changes to legislation: There are currently no known outstanding effects for the Traffic Management Act 2004, Section 95. (See end of Document for details)

- (a) the reduction of environmental pollution (as defined in the Pollution Prevention and Control Act 1999 (c. 24); see section 1(2) and (3) of that Act);
 - (b) improving or maintaining the appearance or amenity of—
 - (i) a road or land in the vicinity of a road, or
 - (ii) open land or water to which the general public has access; and
 - (c) the provision of outdoor recreational facilities available to the general public without charge.
- (4C) Regulations for the purposes of subsection (4)(d)(v) above—
- (a) may prescribe all local authorities, particular authorities or particular descriptions of authority,
 - (b) may make provision by reference to whether the authority or authorities in question have been classified for the purposes of any other enactment as falling or not falling within a particular category, and
 - (c) may make provision for the continued application of that provision, in prescribed cases and to such extent as may be prescribed, where an authority that is prescribed or of a prescribed description ceases to be so.”.

^{F1}(4)

Textual Amendments	
F1	S. 95(4) repealed (1.4.2015) by Local Audit and Accountability Act 2014 (c. 2) , s. 49(1), Sch. 12 para. 123(a) ; S.I. 2015/841, art. 3(x)
Commencement Information	
I1	S. 95 in force at 4.10.2004 for E. by S.I. 2004/2380 , art. 2(f)
I2	S. 95 in force at 26.10.2006 for W. by S.I. 2006/2826 , art. 2(1)(2)(d)

Changes to legislation:

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