
STATUTORY INSTRUMENTS

1996 No. 2489

**The Local Authorities' Traffic Orders (Procedure)
(England and Wales) Regulations 1996**

PART II

PROCEDURE BEFORE MAKING AN ORDER

Modifications

14.—(1) Subject to the provisions of this regulation, an order making authority may modify an order, whether in consequence of any objections or otherwise, before it is made.

(2) An order making authority shall not modify an order—

- (a) so as to alter the form of the order from the form in which the Secretary of State or any appropriate Crown authority has consented to its being made or the Secretary of State has, under paragraph 2 of Schedule 9 to the 1984 Act⁽¹⁾, directed that it should be made; or
- (b) so that its form would be inconsistent with a determination of the Secretary of State under paragraph 7 of Schedule 5 to the 1985 Act.

(3) Before an order is made with modifications which appear to the order making authority or, in a consent case, to the Secretary of State to make a substantial change in the order, the order making authority shall take the steps required by paragraph (4).

(4) The steps are such steps as appear to the order making authority appropriate or (in a consent case) as the Secretary of State may require for—

- (a) informing persons likely to be affected by the modifications;
- (b) giving those persons an opportunity of making representations; and
- (c) ensuring that any such representations are duly considered by the authority and, in a consent case where he so requests, by the Secretary of State.

(5) In this regulation—

- (a) “consent case” means a case where the Secretary of State’s consent is required to the making of an order; and
- (b) “modifications” has, in the case of an order made by a London authority, the meaning given by paragraph 23(2) of Schedule 9 to the 1984 Act and in any other case the same meaning as in paragraph 22 of that Schedule and “modify” shall be construed accordingly.

(1) S.I. 1986/178, amended by S.I. 1991/2709.