Greater London Authority Act 1999

1999 CHAPTER 29

PART IV

TRANSPORT

CHAPTER XIII

HIGHWAYS

Miscellaneous and supplementary

267 Proposals for Royal Parks and highways: consultation

After section 301A of the Highways Act 1980 there shall be inserted—

"**301B 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 the highway authority for the highway about the exercise of those functions in that way.

(2) A highway 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.

(3) The duty imposed by subsection (1) or (2) above shall not apply if it would not be reasonably practicable for the Secretary of State or, as the case may be, the highway authority to consult the other before exercising functions; but, in such a case, as soon as practicable after so exercising functions the Secretary of

State or, as the case may be, the highway authority shall inform the other that those functions have been so exercised.

(4) 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)."

268 Road humps

(1) The Highways Act 1980 shall be amended as follows.

(2) In section 90A(1) (construction of road humps by highway authority) at the end of paragraph (b) there shall be inserted "or

(c) (whether or not the highway is subject to such a limit) the road humps fall within section 90CA below."

(3) After section 90C there shall be inserted—

"**90CA Special procedure for certain road humps in London**

(1) A road hump falls within this section if—

(a) it is constructed by a local highway authority in Greater London, and

(b) the requirements of subsections (2) and (3) below have been complied with.

(2) The requirement of this subsection is that before starting to construct the road hump the authority concerned gives the Secretary of State notice stating—

(a) the nature, dimensions and location of the proposed road hump,

(b) the spacing between the proposed road hump and any other humps constructed, or proposed to be constructed, in the vicinity,

(c) the type and description of signs which are proposed to be located in the highway in connection with the proposed hump,

(d) the statutory speed limit for motor vehicles to which the highway where it is proposed to construct the hump is subject, and

(e) the period (of not less than one month) within which, and the address to which, the Secretary of State may send any comments on the proposal to the authority.

(3) The requirement of this subsection is that in deciding—

(a) whether to proceed with the construction of the road hump, and

(b) what the nature, dimensions and location of the road hump as constructed are to be,

the authority concerned has regard to any comments made by the Secretary of State within the period stated in the notice."

(4) After section 90D(4) there shall be inserted—

"(5) Regulations under this section do not apply where a road hump falls within section 90CA above."

(5) In section 90E(1) for the words from "Where" to "satisfied" there shall be substituted "Where the requirements of subsections (1A), (1B) or (1C) are satisfied in relation to a road hump".

(6) After section 90E(1) there shall be inserted—

"(1A) The requirements of this subsection are that—

(a) regulations under section 90D above apply to the road hump,

(b) the road hump conforms to the regulations, and

(c) if the road hump is in a highway maintainable at the public expense, the conditions mentioned in subsection (2) below are satisfied.

(1B) The requirements of this subsection are that—

(a) the road hump is specially authorised by the Secretary of State,

(b) the road hump conforms with the conditions attached to the authorisation, and

(c) if the road hump is in a highway maintainable at the public expense, the conditions mentioned in subsection (2) below are satisfied.

(1C) The requirements of this subsection are that—

(a) the road hump falls within section 90CA, and

(b) if the road hump is in a highway maintainable at the public expense, the condition mentioned in subsection (2)(a) below is satisfied."

(7) Section 90E(3) shall be omitted.

269 Traffic calming

(1) The Highways Act 1980 shall be amended as follows.

(2) In section 90G(1) (powers to carry out traffic calming works) at the end of paragraph (b) there shall be inserted "or

(c) fall within section 90GA below,".

(3) In section 90G(2) for "subsection (1)" there shall be inserted "subsection (1)(a) or (b)".

(4) After section 90G there shall be inserted—

"**90GA Special procedure for certain traffic calming works in London**

(1) Traffic calming works fall within this section if—

(a) the works are constructed by a local highway authority in Greater London, and

(b) the requirements of subsection (2) and (3) below have been complied with.

(2) The requirement of this subsection is that before starting to construct the works the authority concerned gives the Secretary of State notice stating—

(a) the nature, dimensions and location of the proposed works,

(b) the type and description of signs which are proposed to be located in the highway in connection with the proposed hump, and

(c) the period (of not less than one month) within which, and the address to which, the Secretary of State may send any comments on the proposal to the authority.

(3) The requirement of this subsection is that in deciding—

(a) whether to proceed with the construction of the works, and

(b) what the nature, dimensions and location of the works as constructed are to be,

the authority concerned has regard to any comments made by the Secretary of State within the period stated in the notice."

(5) In section 90I for the words from "Works" to "authorisation" there shall be substituted—

"(1) Works (whenever constructed) to which this subsection applies".

(6) At the end of section 90I there shall be inserted—

"(2) Subsection (1) above applies—

(a) to works of a description prescribed by regulations under section 90H above or specially authorised under section 90G above which conform to any requirements imposed by the regulations or authorisation, and

(b) to works which fall within section 90GA above."

270 Stopping up orders by London councils

Schedule 22 to this Act (which contains amendments to the Highways Act 1980 and the Town and Country Planning Act 1990) shall have effect.