
STATUTORY INSTRUMENTS

1992 No. 1215

The Road Traffic (Temporary Restrictions) Procedure Regulations 1992

PART II

TEMPORARY ORDERS

Procedure for making a temporary order

3.—(1) Subject to the following provisions of this Part, this regulation makes provision for the procedure to be followed in connection with the making of an order under section 14 of the 1984 Act.

(2) Not less than 7 days before making an order, the traffic authority shall publish notice of their intention to make the order in one or more newspapers circulating in the area in which any road to which the order relates is situated.

(3) The notice mentioned in paragraph (2) above shall state—

- (a) the reason or purpose mentioned in section 14(1) of the 1984 Act for the making of the order;
- (b) the effect of the order and, where applicable, the alternative route or routes available for traffic; and
- (c) the date on which the order would come into force and its maximum duration.

(4) The traffic authority shall, on or before the day on which the order is made, give notice of the order—

- (a) to the chief officer of police of any police area in which any road to which the order relates is situated;
- (b) where the traffic authority is not the fire authority for the area in which any road to which the order relates is situated, to the chief officer of the fire authority for that area;
- (c) where the order would be likely to have direct effect on traffic or any class of traffic on any road for the maintenance of which another traffic authority is responsible, to that other traffic authority; and
- (d) where the order is likely to have a direct effect on traffic or any class of traffic on—
 - (i) a road which is subject to a concession, or
 - (ii) a road in respect of which an assignation has been granted under section 28(1) of the 1991 Act,
to the concessionaire.

(5) Within 14 days after making the order the traffic authority shall publish a notice of the making of the order in one or more newspapers circulating in the area in which any road to which the order relates is situated.

(6) The notice mentioned in paragraph (5) above shall state—

- (a) the reason or purpose mentioned in section 14(1) of the 1984 Act for the making of the order;
- (b) the effect of the order and, where applicable, the alternative route or routes available for traffic; and
- (c) the date on which the order will come into force and its maximum duration.

(7) If and to the extent that it appears to the traffic authority that it would be desirable in the interests of giving adequate publicity to the order, the authority shall comply with the requirements of Part I of the Schedule to these Regulations in relation to each length of road to which the order relates.

(8) When the order has been made, the traffic authority shall comply with the requirements of Part III of the Schedule to these Regulations (traffic signs).

Footpaths, bridleways, cycle tracks and byways open to all traffic

4.—(1) Regulation 3(4)(a) shall not apply to an order in so far as it relates to a footpath, bridleway or byway open to all traffic.

(2) Regulations 3(4)(b), (c) and (d) and (7) shall not apply to an order in so far as it relates to a footpath, bridleway, cycle track or byway open to all traffic.

(3) Where a traffic authority has made an order relating to a road which is a footpath, bridleway, cycle track or byway open to all traffic, the authority shall comply with the requirements of Part I of the Schedule to these Regulations in relation to each length of such road to which the order relates.

Tramcars and trolley vehicles

5.—(1) Where it appears to a traffic authority that an order would be likely to affect the operation of any tramcar or trolley vehicle the authority shall consult the operator of that vehicle before making the order.

(2) In this regulation, “trolley vehicle” does not include a duobus as defined in the Tramcars and Trolley Vehicles (Modification of Enactments) Regulations 1992(1).

Orders to which no time limit applies

6.—(1) This regulation has effect in relation to an order to which the time limit of eighteen months in subsection (1) of section 15 of the 1984 Act does not apply by virtue of subsection (2) of that section.

(2) Regulation 3 shall have effect in relation to the order as if—

- (a) for “7” in paragraph (2) there was substituted “21”,
- (b) the words “and its maximum duration” in paragraph (3)(c) were omitted, and
- (c) sub-paragraphs (a), (b) and (d) of paragraph (4) were omitted.

(3) Before making the order, the traffic authority shall consult—

- (a) the chief officer of police of any police area in which any road to which the order relates is situated;
- (b) where the traffic authority is not the fire authority for the area in which any road to which the order relates is situated, the chief officer of the fire authority for that area; and
- (c) organisations representing persons who use any road to which the order relates or are likely to be otherwise affected by any provisions of the Order.

(4) Not less than 21 days before making the order, the traffic authority shall publish notice of intention to make the order in the London Gazette (if it relates to a road in England or Wales) or the Edinburgh Gazette (if it relates to a road in Scotland).

(5) Regulation 3(3) (with the omission of the words “and its maximum duration” in subparagraph (c)) shall apply to the notice mentioned in paragraph (4) above.

Continuation of restriction or prohibition imposed by notice

7. Where the only effect of an order is to continue in force a prohibition or restriction imposed by a notice under section 14(2) of the 1984 Act, regulation 3(2) shall not apply to the order.

Revocation orders

8.—(1) In this regulation—

“revocation order” means an order which revokes an order under section 14 of the 1984 Act and has no other effect;

“previous order”, in relation to a revocation order, means the order revoked by the revocation order.

(2) Regulations 3 to 6 shall not apply to a revocation order.

(3) Not less than 7 days before making a revocation order, the traffic authority shall publish notice of their intention to make the order in one or more local newspapers circulating in the area in which any road to which the previous order relates is situated.

(4) Within 7 days after making a revocation order, the traffic authority shall give notice of the making of the order to the person and bodies mentioned in regulation 6(3) and to any other traffic authority who consented to the making of the previous order under section 14(5)(b) of the 1984 Act.

Continuation of order by direction of the Secretary of State

9.—(1) This regulation has effect where the Secretary of State gives a direction under section 15(3) or (5) of the 1984 Act in relation to an order.

(2) The traffic authority shall within 14 days after the direction has been received publish notice of the direction in one or more newspapers circulating in the area in which any road to which the order relates is situated.

(3) The notice mentioned in paragraph (2) above shall state—

(a) the reason or purpose mentioned in section 14(1) of the 1984 Act for the making of the order;

(b) the effect of the order and, where applicable, the alternative route or routes available for traffic;

(c) the date on which the order came into force and the date upon which it would otherwise have expired had the direction not been given; and

(d) the date on which the order would expire if no further direction were to be given under section 15(3) or (5) of the 1984 Act and the order were neither revoked nor amended.

(4) In the case of a direction given under section 15(3) of the 1984 Act the traffic authority shall, within 7 days after the date that the direction has been received, give notice of the direction to the persons and bodies to whom notice of the order was required to be given by regulation 3(4).