

SCHEDULES

TENTH SCHEDULE

Section 85.

PROCEDURE FOR ORDERS DESIGNATING PARKING PLACES ON HIGHWAYS WHERE CHARGES ARE MADE

PART I

ORDERS MADE ON LOCAL AUTHORITY APPLICATION

- 1 Before applying for a designation order a local authority shall consult with the chief officer of police.
- 2 (1) On applying for a designation order a local authority shall publish in the London Gazette and in at least one newspaper circulating in the locality an advertisement—
 - (a) stating the general effect of the proposed order, the whereabouts of the parking places to be designated thereby, the classes or descriptions of vehicles for which they are to be designated, the charges to be made for use of the parking places, and the provisions of the proposed order as to the times when the parking places may be used;
 - (b) specifying a place or places where a copy of the proposed order, and a plan showing the precise location of the parking places to be designated, may be inspected at reasonable times specified in the advertisement during a period so specified of not less than twenty-eight days from the publication or first publication of the advertisement;
 - (c) stating that any person wishing to object to the making of the order may do so by sending to the Minister, within the said period, notice in writing of his objection stating the grounds thereof.
- (2) On applying for a designation order a local authority shall take such other steps as appear to the authority reasonably practicable for the purpose of bringing specifically to the knowledge of persons likely to be specially affected, as the occupiers of land adjacent to the parking places, information as to the matters specified in heads (a) to (c) of the foregoing sub-paragraph.
- (3) Where on the expiration of the period specified in the advertisement under sub-paragraph (1) of this paragraph it appears to the Minister that, before the application is further dealt with, the local authority should take further steps for the purpose mentioned in the last foregoing sub-paragraph, he may direct the authority to take such further steps for that purpose as he may specify, and if he does so the period within which a copy of the order and plan may be inspected, and objections may be made, shall be deemed to be extended by such time as the Minister may direct.
- 3 On such an application as aforesaid the Minister shall, after the period for objecting to the making of the order has expired, refer the application, together with any objection duly made, to the London and Home Counties Traffic Advisory Committee (hereafter in this Schedule referred to as "the Advisory Committee"),

and the Advisory Committee shall consider the application and any objections duly made thereto and report to and advise the Minister thereon ; and the Minister shall consider their report and advice.

4 After compliance with the provisions of the last foregoing paragraph the Minister may make an order, either as applied for or with such modifications as he thinks fit:

Provided that where the local authority applying for the order is not the highway authority he shall not make the order except with the consent of the highway authority.

5 (1) In relation to an application made, by virtue of an order under subsection (8) or (9) of section eighty-five of this Act, for an order under that section designating a parking place outside the London Traffic Area, the foregoing provisions of this Schedule shall have effect subject to the following modifications.

(2) Paragraph 3 shall not apply, and—

- (a) the Minister shall, after the period for objecting to the making of the order has expired, consider the application and any objections duly made thereto and may hold a public inquiry;
- (b) paragraph 4 shall apply with the substitution of a reference to head (a) of this sub-paragraph for the reference to the said paragraph 3.

(3) In relation to an application relating to a parking place in Scotland paragraph 2 shall have effect with the substitution for the reference to the London Gazette of a reference to the Edinburgh Gazette.

PART II

ORDERS MADE WITHOUT LOCAL AUTHORITY APPLICATION

6 Before making an order by virtue of subsection (5) of section eighty-five of this Act the Minister shall publish in the London Gazette and in at least one newspaper circulating in the locality an advertisement stating and specifying the matters set out in heads (a) to (c) of sub-paragraph (1) of paragraph 2 of this Schedule, and shall take such other steps as appear to the Minister reasonably practicable for the purpose of bringing specifically to the knowledge of persons likely to be specially affected, as the occupiers of land adjacent to the parking places, information as to those matters.

7 Where the Minister has in pursuance of the last foregoing paragraph advertised a proposal to make an order, then after the period for objecting to the making of the order has expired the Minister shall refer the proposal, together with any objection duly made, to the Advisory Committee, and that Committee shall consider the proposal and any objections duly made thereto and report to and advise the Minister thereon; and the Minister shall consider their report and advice.

8 After compliance with the provisions of the last foregoing paragraph the Minister may make an order, either as proposed or with such modifications as he thinks fit.

PART III

PROVISIONS AS TO INQUIRIES

- 9 For the purposes of paragraph 3 or 7 of this Schedule the Minister may require the Advisory Committee to cause an inquiry to be held under section thirty-three of this Act or if the Advisory Committee do not hold an inquiry may himself do so.