



Road Traffic Act 1930

1930 CHAPTER 43

PART VI

GENERAL.

120 Power to provide parking places in Scotland.

(1) Where for the purpose of relieving or preventing congestion of traffic it appears to the local authority to be necessary to provide within their district suitable parking places for vehicles, the local authority may provide such parking places in accordance with the provisions of this section, and for that purpose may—

- (a) acquire land suitable for use as a parking place; or
- (b) utilise any lands which may lawfully be appropriated for the purpose; or
- (c) by order authorise the use as a parking place of any part of a street within their district:

Provided that no such order shall—

- (i) authorise the use of any part of a street so as unreasonably to prevent access to any premises adjoining the street, or the use of the street by any person entitled to the use thereof, or so as to be a nuisance; or
- (ii) be made in respect of any part of a street without the consent of the authority or person responsible for the maintenance of the street.

(2) Where a local authority propose to make an order under this section authorising the use as a parking place of any land forming part of a street, or propose to acquire or utilise any land for the purposes of this section, the local authority shall cause notice of the proposal to be published in at least one newspaper circulating within their district, and shall also cause a copy of such notice to be posted for not less than fourteen days on the land to which the proposal relates, and every such notice shall—

- (a) specify the land to which the proposal relates; and
- (b) notify the date (which shall not be less than twenty-eight days) within which any objection to the proposal shall be sent in writing to the local authority; and
- (c) contain a notification of the right of appeal conferred by this section.

Status: This is the original version (as it was originally enacted).

- (3) Before carrying into effect any proposal of which notice is required by this section to be given, the local authority shall consider any objection to the proposal which is sent to them in writing within the time fixed in that behalf, and shall, after so considering it, give notice of their decision to the person by whom the objection was made, and if any person is aggrieved by any such decision he may, within twenty-one days after receiving notice thereof, appeal therefrom to the sheriff.
- (4) The local authority may take all such steps as may be necessary to adapt for use as a parking place any land, not being part of a street, which they may acquire or utilise under this section, and may appoint with or without remuneration such officers and servants as may be necessary for the superintendence of parking places.
- (5) The exercise by a local authority of their powers under this section with respect to the use as a parking place of any part of a street shall not render them subject to any liability in respect of loss of or damage to any vehicle or the fittings or contents of any vehicle parked in such parking place.
- (6) A local authority may make regulations as to the use of parking places, and in particular as to the vehicles or class of vehicles which may be entitled to use any such parking place, as to the conditions upon which any such parking place may be used, and as to the charges to be paid to the local authority in connection with the use of any parking place not being part of a street, and a copy of any such regulations shall be exhibited on or near any parking place to which the regulations relate.
- (7) While any vehicle is within a parking place it shall not be lawful for the driver or conductor of the vehicle, or for any person employed in connection therewith, to ply for hire or to accept passengers for hire, and if any person acts in contravention of this provision he shall be liable to a fine not exceeding forty shillings :

Provided that, where the local authority provides a parking place which may be used by public service vehicles, the local authority may if it thinks fit by order declare that this subsection shall not apply to public service vehicles either absolutely or to such extent as may be specified in the order.
- (8) Any order made under the foregoing provisions of this section may be varied or revoked by any subsequent order made in like manner.
- (9) Nothing in this section shall authorise the execution of any works on, over, or under tidal lands below high-water mark of ordinary spring tides except in accordance with such plans and sections and subject to such restrictions and regulations as previous to such works being commenced have been approved by the Board of Trade in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade.
- (10) Where in pursuance of the powers conferred by the foregoing provisions of this section a local authority provide a parking place which may be used by public service vehicles, the local authority may, if it thinks fit, by order appoint that parking place as a station for such vehicles, and where a parking place is so appointed the local authority may—
 - (a) with the consent of the Minister do all such things as are necessary to adapt the parking place for use as a station for public service vehicles and, in particular, provide and maintain waiting rooms, ticket offices, and lavatories and other similar accommodation in connection therewith; and
 - (b) make reasonable charges for the use of, or let on hire to any person, any accommodation so provided; and
 - (c) make regulations as to the use of any such accommodation.

- (11) The provisions of subsections (4), (5), (6), and (8) of section ninety of this Act shall apply to any order under the foregoing subsection of this section in like manner as they apply to an order under subsection (2) of that section.
- (12) In this section the expression " local authority " means a county or town council, and the expression "parking place" means a place where vehicles, or vehicles of any particular class or description, may wait.
- (13) This section shall extend to Scotland only.