



# Greater London Authority Act 1999

## 1999 CHAPTER 29

### PART IV

#### TRANSPORT

#### CHAPTER XIV

#### ROAD TRAFFIC

#### *Parking*

#### **281 Designation of paying parking places on highways.**

- (1) Section 45 of the <sup>M1</sup>Road Traffic Regulation Act 1984 (designation of paying parking places on highways) shall be amended as follows.
- (2) In subsection (1), in the second paragraph (which requires a local authority outside Greater London which is not the traffic authority to obtain the consent of the traffic authority to any designation) the words outside Greater London shall cease to have effect.
- (3) After subsection (1) there shall be inserted—

“(1A) Transport for London may not by virtue of subsection (1) above designate parking places on any highway which is not a GLA road.”
- (4) In subsection (7), in the definition of local authority, at the end of paragraph (a) there shall be added “ or Transport for London ”.
- (5) In subsection (7), in the definition of the local authority, after the words in whose area the site is there shall be added “unless the site is in Greater London, in which case—
  - (i) if the site is on a GLA road and the parking place is, or is proposed to be, designated by Transport for London, the local authority means Transport for London;

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- (ii) if the site is on a GLA road and the parking place is, or is proposed to be, designated by the London local authority in whose area the site is, the local authority means that London local authority; and
- (iii) if the site is on a highway which is not a GLA road, the local authority means the London local authority in whose area the site is.”

(6) After subsection (7) there shall be added—

“(8) In this section London local authority means the council of a London borough or the Common Council of the City of London.

(9) For the purposes of this section and sections 46 to 55 of this Act, Transport for London’s area shall be taken to be Greater London.”

#### Marginal Citations

M1 1984 c. 27.

## 282 Financial provisions relating to parking places on the highway.

- (1) Section 55 of the <sup>M2</sup>Road Traffic Regulation Act 1984 (financial provisions relating to designation orders) shall be amended as follows.
- (2) In subsection (1)(a) (accounts in respect of parking places on the highway in the case of London borough councils and the Common Council) after in the case of there shall be inserted “ Transport for London, ”.
- (3) In subsection (3A) (London borough councils and Common Council to report to Secretary of State on action taken with respect to deficit or surplus on their parking account)—
  - (a) at the beginning there shall be inserted “ Transport for London, ”; and
  - (b) for Secretary of State there shall be substituted “ Mayor of London ”.
- (4) In subsection (4) (purposes for which a surplus on a local authority’s parking account may be applied) the word and immediately preceding paragraph (d) shall be omitted and after that paragraph there shall be added—
  - “(e) in the case of a London authority, meeting all or any part of the cost of the doing by the authority in their area of anything—
    - (i) which facilitates the implementation of the London transport strategy, and
    - (ii) which is for the time being specified in that strategy as a purpose for which a surplus may be applied by virtue of this paragraph;
  - (f) in the case of a London authority, the making to any other London authority of contributions towards the cost of the doing by that other authority of anything towards the doing of which in its own area the authority making the contribution has power—
    - (i) to apply any surplus on the account required to be kept under subsection (1) above; or
    - (ii) to incur expenditure required to be brought into that account.”
- (5) At the end of the section there shall be added—

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“(8) For the purpose of enabling Transport for London and any other London authorities to discharge jointly any functions conferred by virtue of subsection (4)(f) above by a joint committee established under section 101(5) of the <sup>M3</sup>Local Government Act 1972, sections 101(5) and 102 of that Act shall have effect as if Transport for London were a local authority.

(9) In the application of this section in relation to Transport for London, any reference to its general fund shall be taken as a reference to the financial reserves for which provision is made under section 85(4)(c) of the Greater London Authority Act 1999 in calculating Transport for London’s component budget for the financial year in question.

(10) In this section—

London authority means Transport for London, a London borough council or the Common Council of the City of London;

the London transport strategy means the transport strategy prepared and published under section 142 of the Greater London Authority Act 1999.”

#### Marginal Citations

M2 1984 c. 27.

M3 1972 c. 70.

### 283 Appointment of parking adjudicators by joint committee.

(1) Section 73 of the <sup>M4</sup>Road Traffic Act 1991 (appointment of parking adjudicators by joint committee of London authorities) shall be amended as follows.

(2) For subsection (1) (London authorities to establish a joint committee within two months of issue of first guidance under section 63 of that Act) there shall be substituted—

“(1) The London local authorities and Transport for London (in this section referred to as the appointing authorities) shall establish a single joint committee under section 101(5) of the <sup>M5</sup>Local Government Act 1972 (the Joint Committee) before 4th September 2000 or such later date as the Secretary of State may by order specify.

(1A) For the purposes of subsection (1) above, sections 101(5) and 102 of the <sup>M6</sup>Local Government Act 1972 shall have effect as if Transport for London were a local authority.”

(3) In subsection (2) (functions of London authorities under sections 73 and 74 to be exercised by the Joint Committee) the words and section 74 of this Act shall cease to have effect.

(4) For the words London authorities, wherever occurring, there shall be substituted “appointing authorities”.

#### Marginal Citations

M4 1991 c. 40.

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**M5** 1972 c. 70.

**M6** 1972 c. 70.

## **284 Fixing of certain parking and other charges.**

For section 74 of the <sup>M7</sup>Road Traffic Act 1991 (fixing of certain parking and other charges for London) there shall be substituted—

### **“74 Fixing of certain parking and other charges for London.**

- (1) It shall be the duty—
  - (a) of Transport for London, so far as relating to trunk roads or GLA roads, and
  - (b) of the London local authorities, so far as relating to other roads, to set the levels of additional parking charges to apply in London.
- (2) Before setting the level of any charges under subsection (1) above, Transport for London must consult the London local authorities.
- (3) Different levels may be set for different areas in London and for different cases or classes of case.
- (4) Transport for London and the London local authorities shall submit to the Mayor of London, for his approval, the levels of additional parking charges which they propose to set under subsection (1) above.
- (5) If—
  - (a) Transport for London or, as the case may be, the London local authorities fail to discharge their duty under subsection (1) above; or
  - (b) the Mayor of London does not approve the levels of additional parking charges proposed by the London local authorities,
 the levels of additional parking charges for the roads referred to in paragraph (a) or (as the case may be) paragraph (b) of subsection (1) above shall be set by order made by the Mayor of London.
- (6) Levels of additional parking charges set in accordance with this section may only come into force in accordance with section 74A below.
- (7) It shall be the duty of Transport for London and the London local authorities to impose additional parking charges at the levels set in accordance with the provisions of this section.
- (8) Transport for London and the London local authorities shall publish, in such manner as the Mayor of London may determine, the levels of additional parking charges which have been set in accordance with the provisions of this section.
- (9) The functions conferred on London local authorities by this section or section 74A below shall be discharged by the Joint Committee.
- (10) No person who represents Transport for London on the Joint Committee shall take any part in any proceedings of the Joint Committee so far as relating to the discharge by the Joint Committee of any functions under this section or section 74A below.

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- (11) Section 122 of the <sup>M8</sup>Road Traffic Regulation Act 1984 (exercise of functions by local authorities) shall apply in relation to—
- (a) Transport for London,
  - (b) the London local authorities, and
  - (c) the Mayor of London,
- and functions conferred on them by or under this section as it applies to local authorities and functions conferred on them by or under that Act.
- (12) In this section additional parking charges means—
- (a) penalty charges;
  - (b) charges made by London authorities for the removal, storage and disposal of vehicles; and
  - (c) charges in respect of the release of vehicles from immobilisation devices fixed under section 69 above.

#### **74A Additional parking charges: reserve powers of Secretary of State.**

- (1) Where the Mayor of London—
- (a) on a submission under subsection (4) of section 74 above, approves any levels of additional parking charges, or
  - (b) sets any such levels under subsection (5) of that section,
- he shall notify the Secretary of State of the levels of charges so approved or set.
- (2) Where notification of any levels of charges is required to be given under subsection (1) above, the levels of charges shall not come into force until after the expiration of—
- (a) the period of one month beginning with the day on which the notification is given, or
  - (b) such shorter period as the Secretary of State may allow.
- (3) If, before the expiration of that period, the Secretary of State gives notice to the Mayor of London that he objects to the levels of charges on the grounds that some or all of them are or may be excessive, those levels of charges shall not come into force unless and until the objection has been withdrawn.
- (4) If, at any time before the levels of charges required to be notified under subsection (1) above to the Secretary of State have come into force, the Secretary of State considers that some or all of them are excessive, he may make regulations setting the levels of charges.
- (5) Levels of charges set under subsection (4) above must be no higher than those notified under subsection (1) above.
- (6) Subsections (7) and (8) of section 74 above shall apply in relation to levels of charges set under subsection (4) above as if those levels of charges had been set in accordance with the provisions of that section—
- (a) by Transport for London, so far as relating to GLA roads or trunk roads, or
  - (b) by the London local authorities, so far as relating to other roads.
- (7) Regulations under subsection (4) above are without prejudice to the duties imposed on Transport for London and the London local authorities by

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section 74(1) above; but where the Secretary of State makes any such regulations—

- (a) Transport for London, if the regulations relate to GLA roads or trunk roads, or
- (b) the London local authorities, if the regulations relate to other roads, must not make any further submission to the Mayor of London under section 74(4) above until after the expiration of the period of twelve months beginning with the day on which the regulations are made.”

#### Marginal Citations

**M7** 1991 c. 40.

**M8** 1984 c. 27.

### 285 Special parking areas.

- (1) Section 76 of the <sup>M9</sup>Road Traffic Act 1991 (special parking areas) shall be amended as follows.
- (2) After subsection (1) (applications by London authorities for orders designating special parking areas) there shall be inserted—
  - “(1A) An application for an order under subsection (1) above may only be made—
    - (a) by Transport for London, to the extent that the special parking area is to consist of GLA roads or trunk roads; or
    - (b) by a London local authority, to the extent that the special parking area is to consist of roads other than GLA roads and trunk roads.”
- (3) The amendment made by this section does not affect the continuing validity of any order, or any application for an order, made before the coming into force of this section.

#### Marginal Citations

**M9** 1991 c. 40.

### 286 Variation of special parking areas by the Mayor.

After section 76 of the <sup>M10</sup>Road Traffic Act 1991 (special parking areas) there shall be inserted—

#### “76A Variation of special parking areas by Mayor of London.

- (1) At any time when an order under section 76 above designating the whole or any part of a London authority’s area as a special parking area is in force, the Mayor of London may by order under this subsection amend the order so as to vary the area which for the time being constitutes the special parking area.
- (2) No order may be made under subsection (1) above without the consent of every London local authority which is the traffic authority for a road which the order has the effect of bringing within, or removing from, the special parking area concerned.

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- (3) An order under subsection (1) above must not be such as to bring within a special parking area—
  - (a) any area specified in an order under this paragraph made by the Secretary of State; or
  - (b) the whole or any part of a Royal Park, except with the consent of the Secretary of State.
- (4) No area may be specified in an order under subsection (3)(a) above unless the Secretary of State is satisfied that it is expedient, on grounds of national security, that no part of that area should be included in a special parking area.
- (5) In this section Royal Park means any park to which the <sup>M11</sup>Parks Regulation Act 1872 applies (see sections 1 and 3 of the <sup>M12</sup>Parks Regulation (Amendment) Act 1926).”

#### Marginal Citations

**M10** 1991 c. 40.

**M11** 1872 c. 15.

**M12** 1926 c. 36.

## 287 Interpretation of parking provisions.

- (1) Section 82 of the <sup>M13</sup>Road Traffic Act 1991 (interpretation of Part II) shall be amended as follows.
- (2) In subsection (1), for the definition of London authority there shall be substituted—

“London authority means—

  - (a) as respects parking, or any matter connected with or relating to parking, on a GLA road, Transport for London;
  - (b) as respects parking, or any matter connected with or relating to parking, on any road other than a GLA road or a trunk road, any council of a London borough or the Common Council of the City of London;”.
- (3) In subsection (1), the following definitions shall be inserted at the appropriate places—

“GLA road (subject to subsection (1C) below) has the same meaning as in the <sup>M14</sup>Highways Act 1980 (see sections 329(1) and 14D(1) of that Act);”;

“GLA side road has the same meaning as in the <sup>M15</sup>Road Traffic Regulation Act 1984 (see sections 124A(9) and section 142(1) of that Act);”;

“London local authority means any council of a London borough or the Common Council of the City of London;”;

“the Mayor’s transport strategy means the transport strategy prepared and published by the Mayor of London under section 142 of the Greater London Authority Act 1999;”;

“Minister of the Crown has the same meaning as in the Ministers of the <sup>M16</sup>Crown Act 1975;”.
- (4) After subsection (1) there shall be inserted—

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- “(1A) Any functions conferred or imposed on the Greater London Authority by or under this Part of this Act shall be functions of the Authority which are exercisable by the Mayor acting on behalf of the Authority.
- (1B) Subsection (1A) above does not apply in relation to any function expressly conferred or imposed on, or made exercisable by, the London Assembly.
- (1C) In this Part of this Act, any reference to a GLA road includes a reference to a GLA side road.”
- (5) In subsection (6) (power to make orders or regulations to be exercisable by statutory instrument) after conferred by this Part there shall be inserted “ on a Minister of the Crown ”.

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#### Commencement Information

- II** S. 287 partly in force; s. 287 not in force at Royal Assent see s. 425(2); s. 287(1)(3)-(5) in force at 3.7.2000 by S.I. 2000/801, **art. 2(2)(c)** (as amended by S.I. 2000/1648, **art. 3(2)**)
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#### Marginal Citations

- M13** 1991 c. 40.  
**M14** 1980 c. 66.  
**M15** 1984 c. 27.  
**M16** 1975 c. 26.



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