



Road Traffic and Roads Improvement Act, 1960

8 & 9 ELIZ. 2 CH. 63.

LONDON
HER MAJESTY'S STATIONERY OFFICE

Road Traffic and Roads Improvement Act, 1960

8 & 9 ELIZ. 2 CH. 63

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Enforcement and Administration of traffic Laws

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SCHEDULE—Minor and consequential amendments of the Road Traffic Act, 1960.



CHAPTER 63

An Act to facilitate the enforcement and administration of the law relating to road traffic and to vehicles on roads by providing for the punishment without a prosecution of offences in connection with lights or reflectors on vehicles, or with obstruction, waiting, parking and kindred matters, and for the employment of traffic wardens in aid of the police; to amend the law with respect to parking places, the regulation of traffic and the costs of removing and storing vehicles and to provide for the disposal of abandoned vehicles; to make temporary amendments of the law relating to highways in the metropolitan police district and the City of London; to make provision as to the effect of regulations made or having effect as if made under section sixty-four of the Road Traffic Act, 1960; and for purposes connected with or arising out of the matters aforesaid. [29th July, 1960]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Enforcement and Administration of traffic Laws

1.—(1) This section shall apply to any offence created by or under an enactment and punishable on summary conviction, being an offence committed in respect of a vehicle—

- (a) by its being left or parked on a road during the hours of darkness (as defined by the Road Transport Lighting Act, 1957) without the lights or reflectors required by law; or

Punishment
without
prosecution of
offences in
connection
with lights,
reflectors,
obstruction,
&c.

- (b) by its obstructing a road, or waiting, or being left or parked, or being loaded or unloaded, in a road : or
- (c) by the non-payment of the charge made at a street parking place :

Provided that this section shall extend only to such areas as the Secretary of State may by order specify, and he may by order exclude the application of this section to any offence.

(2) Where a constable finds a person on any occasion and has reason to believe that on that occasion he is committing or has committed an offence to which this section applies, he may give him the prescribed notice in writing offering the opportunity of the discharge of any liability to conviction of that offence by payment of a fixed penalty under this section ; and no person shall then be liable to be convicted of that offence if the fixed penalty is paid in accordance with this section before the expiration of the twenty-one days following the date of the notice or such longer period (if any) as may be specified therein or before the date on which proceedings are begun, whichever event last occurs.

(3) Where a person is given a notice under this section in respect of an offence proceedings shall not be taken against any person for that offence by any constable or local authority until the end of the twenty-one days following the date of the notice or such longer period (if any) as may have been specified therein.

(4) In the foregoing subsections " proceedings " means any criminal proceedings in respect of the act or omission constituting the offence specified in the notice under subsection (2), and " convicted " shall be construed in like manner.

(5) Payment of a fixed penalty under this section shall be made to such justices' clerk (within the meaning of section twenty-seven of the Justices of the Peace Act, 1949) as may be prescribed, and sums paid by way of fixed penalty for any offence shall be treated for the purposes of that section as if they were fines imposed on summary conviction for that offence ; and in any proceedings a certificate that payment of a fixed penalty was or was not made to the prescribed justices' clerk by a date specified in the certificate shall, if the certificate purports to be signed by the justices' clerk, be sufficient evidence of the facts stated, unless the contrary is proved.

(6) A notice under subsection (2) of this section shall specify the offence alleged, and give such particulars of the offence as are necessary for giving reasonable information of the allegation, and shall state also the period during which, by virtue of subsection (3) of this section, proceedings will not be taken for the offence, the amount of the fixed penalty, and the justices' clerk to whom and the address at which the fixed penalty may be paid.

(7) Where a constable finds a vehicle on an occasion and has reason to believe that on that occasion there is being or has been committed in respect of it an offence to which this section applies, he may proceed under this section as if he had found a person reasonably believed by him to be committing the offence, and for that purpose a notice affixed to the vehicle shall be deemed to be given to the person liable for that offence.

(8) A notice affixed to a vehicle under subsection (7) of this section shall not be removed or interfered with except by or under the authority of the driver or person in charge of the vehicle or the person liable for the offence in question; and any person contravening this subsection shall be liable on summary conviction to a fine not exceeding five pounds.

(9) The fixed penalty for an offence shall be two pounds or one-half the maximum amount of the fine to which a person not previously convicted is liable on summary conviction of the offence, whichever is the less:

Provided that the Secretary of State may by order provide for the fixed penalty to be in any case more or less than two pounds (but not more than one-half the maximum amount of the fine to which a person not previously convicted is liable on summary conviction).

(10) In any proceedings for an offence to which subsection (1) of this section applies no reference shall be made after the conviction of the accused to the giving or affixing of any notice under this section or to the payment or non-payment of a fixed penalty thereunder unless in the course of the proceedings or in some document which is before the court in connection with the proceedings reference has been made by or on behalf of the accused to the giving or affixing of such a notice or, as the case may be, to such a payment or non-payment.

(11) The Secretary of State may by regulations make provision as to any matter incidental to the operation of this section, and in particular—

(a) for prescribing the form of notice under subsection (2), and the justices' clerk to whom a fixed penalty is payable; and

(b) for prescribing the duties of justices' clerks, and the information to be supplied to them.

(12) The power of the Secretary of State to make orders or regulations under this section shall be exercisable by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(13) An order of the Secretary of State under this section may be varied or revoked by a subsequent order of the Secretary of State.

- (14) In the application of this section to Scotland—
- (a) any reference to a justices' clerk (within the meaning of section twenty-seven of the Justices of the Peace Act, 1949) shall be construed as a reference to a clerk of court (within the meaning of the Summary Jurisdiction (Scotland) Act, 1954);
 - (b) in subsection (2) the words "before the expiration of the twenty-one days following the date of the notice or such longer period (if any) as may be specified therein or" and the words "whichever event last occurs" shall be omitted;
 - (c) in subsection (3) the words "by any constable or local authority" shall be omitted, and for the words "have been" there shall be substituted the word "be";
 - (d) in subsection (5), for the words "that section" there shall be substituted the words "determining their destination"; and
 - (e) paragraph (b) of subsection (11) shall not apply.

Traffic
wardens.

2.—(1) Subject to subsection (3) of this section, a police authority in England or Wales may appoint persons to discharge, in aid of the police, functions normally undertaken by the police in connection with the control and regulation of road traffic or with the enforcement of the law relating to road traffic; and persons so appointed shall act under the direction of the chief officer of police, but shall be deemed to be employed by the police authority.

(2) Persons employed under subsection (1) of this section shall be known as "traffic wardens", and a police authority employing traffic wardens for the purposes of that subsection may also (subject to subsection (3) of this section) employ them to act, under the direction of the chief officer of police, for other purposes connected with the control and regulation of road traffic or road vehicles; and in particular—

- (a) where the police authority provides school crossing patrols under section forty-seven of the Road Traffic Act, 1960, whether as the appropriate authority or by agreement with the appropriate authority, the traffic wardens may be employed to act as school crossing patrols; and
- (b) the police authority may, under arrangements made with the Minister or a local authority, employ the traffic wardens to act as parking attendants at street parking places provided or controlled by the Minister or local authority.

(3) Traffic wardens shall not be employed to discharge functions other than those prescribed as appropriate for the purpose

by order of the Secretary of State, and an order under this subsection may be varied or revoked by a subsequent order of the Secretary of State.

An order under this subsection shall be made by statutory instrument, and—

- (a) in the case of an order made before the first day of October, nineteen hundred and sixty, not being an order authorising the employment of a traffic warden for the purposes of section one of this Act in so far as it relates to a vehicle's obstructing a road, shall be subject to annulment in pursuance of a resolution of either House of Parliament ;
- (b) in any other case, shall not be made unless a draft thereof has been laid before, and approved by resolution of, each House of Parliament.

(4) In so far as an order under subsection (3) of this section authorises the employment of traffic wardens for the purposes of section one of this Act references in that section to a constable shall include a traffic warden.

(5) A police authority shall not employ as traffic warden any person who is a constable, but shall take steps to ensure that only persons adequately qualified are appointed traffic wardens, and that traffic wardens are suitably trained before undertaking their duties.

(6) Traffic wardens shall wear such uniform as the Secretary of State may determine, and shall not act as traffic wardens when not in uniform.

(7) Any power to acquire, or authorise the acquisition of, land for the purposes of a police force shall include power to acquire, or authorise the acquisition of, land for the purposes of the functions under this section of the police authority ; and any land occupied for the purposes of those functions shall be deemed to be occupied for the purposes of the police force.

(8) Where traffic wardens are employed by a standing joint committee or watch committee, they shall be treated as employed by the committee as constituted from time to time ; but the committee's employment of traffic wardens shall not subject members of the committee to any personal liability under contract or otherwise, and any proceedings by or against the committee in respect of matters arising out of their employment of traffic wardens shall be brought by or against the clerk to the committee or, in the case of a watch committee, town clerk, as representing the committee.

(9) Neither the Local Government Superannuation Acts, 1937 to 1953, nor any local Act scheme within the meaning of those

Acts shall apply to traffic wardens by virtue of the foregoing provisions of this section ; but in relation to such traffic wardens employed outside the metropolitan police district as the police authority may determine those Acts (or, if the expenses of the police authority are paid by a local Act authority, the local Act scheme) and any regulations under the Local Government Superannuation Act, 1953, shall apply, subject to such adaptations, modifications and exceptions as the Minister of Housing and Local Government may by regulations made by statutory instrument prescribe.

No regulations shall be made under this subsection unless a draft has been laid before Parliament and has been approved by resolution of each House of Parliament.

(10) The expenses incurred for the purpose of or in connection with the functions under this section of a police authority shall be defrayed, and section three of the Miscellaneous Financial Provisions Act, 1950 (which authorises the payment of police grants out of moneys provided by Parliament), shall apply to those expenses, as if those expenses were expenses incurred for the purposes of the police force maintained by the authority ; but those expenses shall not be taken into account as relevant expenditure for the purpose of general grants under Part I of the Local Government Act, 1958.

(11) In respect of the employment of traffic wardens in the metropolitan police district—

- (a) the functions under this section of the police authority shall be discharged by the commissioner of police of the metropolis ; and
- (b) there shall be paid out of the metropolitan police fund such expenditure incurred for the purposes of this section as the Secretary of State may direct to be so paid ; and
- (c) the receiver for the metropolitan police district shall be treated as the employer for the purpose of any proceedings in respect of matters arising out of the employment.

(12) As respects Scotland—

- (a) where under section thirteen of the Police (Scotland) Act, 1956, a police authority employs persons to discharge any such functions as are described in subsection (1) of this section those persons shall act under the directions of the chief officer of police and subsections (2) to (6) of this section shall apply as they apply in relation to traffic wardens employed under subsection (1) (but with the omission of any reference to the Minister) ; and

- (b) notwithstanding anything contained in the Local Government Superannuation (Scotland) Acts, 1937 to 1953, traffic wardens shall for the purposes of those Acts be deemed not to be officers ; and
- (c) expenditure incurred in connection with the employment of traffic wardens shall not be taken into account as relevant expenditure for the purpose of general grants under Part I of the Local Government and Miscellaneous Financial Provisions (Scotland) Act, 1958.

Parking Places on Highways where Charges are made

3.—(1) During the period of five years beginning with the coming into force of this section, the power of the Minister to make designation orders under section eighty-five of the Road Traffic Act, 1960 (which relates to the provision on highways of parking places where charges are made) may be exercised without previous reference to the London and Home Counties Traffic Advisory Committee. Procedure for making designation orders.

(2) In any case where it appears to the Minister to be expedient so to do having regard to any objections duly made in respect of an application made to him, or proposals made by him, for a designation order, he may, if he thinks fit, make an interim order pursuant to the application or proposals in respect of any one or more of the sites affected or in respect of any part of any of those sites, and postpone for further consideration the making of any further order in pursuance of the application or proposals.

(3) The power of the Minister under paragraph 4 or paragraph 8 of the Tenth Schedule to the said Act to make a designation order with modifications includes power to make an order with additions, exceptions or other modifications of any description ; but where the Minister proposes to make the order with modifications which appear to him substantially to affect the character of the order as applied for, or as proposed, he shall, before doing so, take such steps as appear to him to be sufficient and reasonably practicable for informing the local authority and other persons likely to be concerned.

(4) A designation order made on the application of a local authority may be varied or revoked by order of the Minister without such an application ; and subsections (3) and (5) of section ninety of the Road Traffic Act, 1960, and Part II of the Tenth Schedule to that Act, shall apply to any such order of the Minister as they apply to an order varying or revoking an order made by him under subsection (5) of section eighty-five of that Act.

4.—(1) The power of the Minister to make designation orders under subsection (5) of section eighty-five of the Road Traffic Act, 1960, shall, during the period of five years beginning with the coming into force of this section, be exercisable in any case Designation orders made by Minister without application.

where he considers that parking places should be designated under that section at sites in the London area (instead of only where it appears to him that it is expedient, with a view to experiment or demonstration, that parking places should be so designated at such sites, and that no application for the designation thereof is forthcoming), but shall cease to be exercisable (except for purposes of the variation or revocation of an order then in force) at the expiration of that period ; and subsection (6) of that section (which limits the duration of any order made by the Minister under subsection (5)) is hereby repealed.

(2) During the period beginning with the date on which the order first made under the said subsection (5) takes effect and ending with the end of the financial year next following that in which charges are last made by the Minister for vehicles left in parking places designated under that subsection he may make grants out of moneys provided by Parliament towards the cost of the provision and maintenance in the London area of off-street parking places, whether in the open or under cover ; but in exercising his powers under this subsection shall use his best endeavours to secure that at the end of that period the aggregate of the amounts paid by him by way of grants does not exceed the difference between the aggregate of the sums received by him, and the aggregate of the expenses incurred by him, in the provision, operation and maintenance of the parking places in respect of which those charges are made.

(3) Grants may be paid under subsection (2) of this section to any local authority within the meaning of the said section eighty-five or to the council of any county, being an authority or council whose district is wholly or partly comprised in the London area, or to any other person by whom off-street parking places, whether in the open or under cover, are provided.

Designation
orders outside
London
Traffic Area.

5.—(1) A designation order made by virtue of subsection (8) or (9) of section eighty-five of the Road Traffic Act, 1960, in respect of highways in any area outside the London Traffic Area may include such provisions—

- (a) for any of the purposes specified in paragraphs (a) to (c) of subsection (3) of section twenty-six of that Act (which specifies the purposes for which traffic regulations may be made outside that area) ; or
- (b) for authorising the use, without charge (but subject to such, if any, conditions as may be specified in the order), of any part of a road as a parking place for vehicles, or for vehicles of such classes or descriptions as may be specified in the order,

as the appropriate Minister considers appropriate in connection with the designation order.

(2) A designation order making provision for any of the purposes referred to in paragraph (a) of the foregoing subsection may revoke or vary any subsisting provision made for any of those purposes under the said section twenty-six; and a person who uses a vehicle, or causes or permits a vehicle to be used, in contravention of any provision of a designation order having effect by virtue of the said paragraph (a) shall be liable, on summary conviction, to the like penalty as that to which he would have been liable had that provision been contained in an order under the said section twenty-six, namely, a fine not exceeding twenty pounds or, on a second or subsequent conviction, not exceeding fifty pounds.

(3) In the event of a contravention of or non-compliance with a provision of a designation order having effect by virtue of paragraph (b) of subsection (1) of this section the person responsible (as determined in accordance with the order) shall be liable, on summary conviction, to a fine not exceeding five pounds or, on a second or subsequent conviction, not exceeding ten pounds.

(4) Section eighty-eight of the Road Traffic Act, 1960 (which penalises contraventions of, or failures to comply with, orders relating to parking places), shall not apply to contraventions of, or failures to comply with, any provisions of a designation order having effect by virtue of subsection (1) of this section.

(5) A designation order making such provision as is mentioned in paragraph (b) of subsection (1) of this section may include provision for the removal, from any place authorised by virtue of that paragraph to be used as a parking place, of any vehicle left there in contravention of the order, and for the safe custody of the vehicle.

(6) The Tenth Schedule to the Road Traffic Act, 1960, shall, in relation to a designation order containing any such provisions as are authorised by subsection (1) of this section, have effect as if—

- (a) particulars of the roads affected by those provisions were included amongst the matters which, by virtue of head (a) of sub-paragraph (1) of paragraph 2 thereof, are required to be stated in the advertisement referred to in that paragraph;
- (b) the reference in head (b) of that sub-paragraph to the parts of the carriageway of any highway comprised in the parking places to be designated included a reference to the said roads.

(7) The appropriate Minister may by order make provision, either in respect of any area outside the London Traffic Area to which subsection (1) of the said section eighty-five applies by

virtue of subsection (8) or (9) of that section, or generally in respect of all areas in England and Wales outside the London Traffic Area, or in Scotland, to which the said subsection (1) so applies from time to time, for enabling any designation order under the said subsection (1) (and any order which, under section eighty-seven of the Road Traffic Act, 1960, may be made by the appropriate Minister in relation to parking places designated by a designation order) to be made by the local authority, instead of by the appropriate Minister.

(8) An order of the appropriate Minister under subsection (7) of this section may be made subject to such exceptions or conditions as he considers appropriate, and may make such modifications of the provisions of sections eighty-five to ninety of the said Act, of the Tenth Schedule to that Act, and of subsections (1) to (6) of this section, as appear to him to be necessary or expedient for the purposes or in consequence of the order, but shall be so framed as to secure that a local authority thereby empowered to make designation orders shall not make such an order designating parking places on, or otherwise making provision with respect to, a highway for which they are not the highway authority except with the consent in writing of that authority.

(9) The provisions of section ninety of the said Act (which relates, among other things, to orders under subsection (8) or (9) of the said section eighty-five) shall apply to an order of the appropriate Minister under subsection (7) of this section as they apply to an order under subsection (8) or (9) of the said section eighty-five.

(10) In England or Wales, the council of a county borough or county district may institute proceedings for an offence under subsection (3) of this section in connection with a parking place in their area.

Amendments
as to
proceedings for
contraventions
of designation
orders.

6.—(1) Where a parking meter relating to the space in which a vehicle is left in a parking place designated by a designation order indicates that the period for which payment made for the vehicle by the initial charge has expired, but the local authority by whom the parking place is controlled (or the Minister, if he controls it) are or is satisfied that that charge was not paid, acceptance by that authority or, as the case may be, the Minister of payment of the excess charge shall be a bar to proceedings for an offence under paragraph (a) of subsection (1) of section eighty-eight of the Road Traffic Act, 1960, of failing duly to pay the initial charge.

(2) Where a parking meter relating to such a space as aforesaid indicates that the vehicle has been left for longer after the excess

charge has been incurred than the time prescribed under subsection (5) of section eighty-seven of the Road Traffic Act, 1960, that shall—

- (a) in any proceedings for an offence under paragraph (a) of subsection (1) of section eighty-eight of that Act of so leaving the vehicle, be evidence that it was so left ;
- (b) in any proceedings for an offence under that paragraph of failing duly to pay the excess charge, be evidence that that charge was incurred.

(3) In this section “ parking meter ”, “ initial charge ” and “ excess charge ” have the same meanings as they have for the purposes of sections eighty-five to eighty-nine of the Road Traffic Act, 1960.

7.—(1) If any person desires to question the validity of a designation order, or of any provision contained in the order, on the ground that it is not within the powers of sections eighty-five to eighty-seven of the Road Traffic Act, 1960, or on the ground that any requirement of those sections or of the Tenth Schedule to that Act or of this Act has not been complied with in relation to the order, he may, within six weeks from the date on which the order is made, make an application for the purpose to the High Court or the Court of Session, as the case may be.

Limitation of
right to
challenge
designation
orders in legal
proceedings.

(2) On any application under subsection (1) of this section, the court—

- (a) may, by interim order, suspend the operation of the designation order, or of any provision of that order, either generally or so far as may be necessary for the protection of the interests of the applicant, until the final determination of the proceedings ; and
- (b) if satisfied that the designation order, or any provision of that order, is not within the said powers, or that the interests of the applicant have been substantially prejudiced by failure to comply with any of the said requirements, may quash the designation order, or any provision of that order, either generally or so far as may be necessary as aforesaid.

(3) Except as provided by this section, a designation order shall not, either before or after it has been made, be questioned in any legal proceedings whatever.

(4) In relation to a designation order made before the coming into force of this section, subsection (1) of this section shall have effect as if references to any provisions of the Road Traffic Act, 1960, included references to the corresponding provisions of the enactments repealed by that Act and as if for the words “ the date on which the order is made ” there were substituted the words “ the coming into force of this section ”.

London traffic Regulations, &c.

Traffic
regulations
for London
Traffic Area.

8.—(1) During the period of five years beginning with the coming into force of this section, the power of the Minister to make traffic regulations under section thirty-four of the Road Traffic Act, 1960 (which enables him to make regulations for controlling or regulating traffic on roads within the London Traffic Area) may be exercised without previous reference to the London and Home Counties Traffic Advisory Committee, and accordingly—

- (a) subsection (5) of that section shall have effect, in relation to regulations made during that period, as if for the words “shall refer” there were substituted the words “may refer”; and
- (b) the power of the Minister to hold inquiries under section two hundred and forty-eight of the said Act shall include power to hold an inquiry with respect to any regulations under the said section thirty-four proposed to be made during that period without previous reference to the said Committee.

(2) It is hereby declared that references to traffic in the said section thirty-four (other than references to vehicles or vehicular traffic) include references to foot passengers.

(3) Any definition or description of a class of vehicle or traffic for the purposes of regulations under the said section thirty-four may be framed by reference to any circumstances whatsoever, and accordingly, in subsection (2) of that section, the words from “and, for the purposes” onwards (being words permitting the classification of vehicles and traffic by reference only to certain specified criteria) shall cease to have effect.

(4) Regulations under the said section thirty-four which impose any restriction upon the use by vehicles of streets in the London Traffic Area, or the waiting of vehicles in such streets, may include provision with respect to the issue and display of certificates or other means of identification of vehicles which are excepted from the restriction, whether generally or in particular circumstances or at particular times.

(5) Regulations under the said section thirty-four may also include provision with respect to the issue, display and operation of devices (to be approved either generally or specially by the Minister) for indicating the time at which a vehicle arrived at, and the time at which it ought to leave, any place in a street in which waiting is restricted by the regulations, or one or other of those times, and for treating the indications given by any such device as evidence of such facts and for such purposes as may be prescribed by the regulations.

(6) No appeal shall lie to the Minister from the traffic commissioners—

- (a) under subsection (8) of section one hundred and thirty-five or section one hundred and forty-three of the Road Traffic Act, 1960, in the case of a decision of those commissioners with respect to a road service licence for a route wholly or partly within the Metropolitan Traffic Area ; or
- (b) under subsection (4) or subsection (6) of section one hundred and forty-one of that Act, in the case of a decision with respect to the approval of a route for a road service provided wholly or partly within the London special area by the British Transport Commission or an Executive,

if and so far as it is certified by the commissioners that the decision was necessary to secure conformity with traffic regulations in force under section thirty-four of that Act, being regulations prescribing the routes to be followed, or streets which are not to be used, by vehicles affected by the decision, the places in streets where such vehicles may or may not wait, or the stopping places for such vehicles.

9.—(1) The Minister may—

- (a) place on or near any road in the London Traffic Area such traffic signs as he considers necessary, pending the taking of action by the highway authority in pursuance of section fifty-two of the Road Traffic Act, 1960, in connection with any regulations made by him under section thirty-four of that Act ;
- (b) authorise or require the highway authority for any such road to place in the carriageway such bollards or other obstructions as he considers appropriate for preventing the passage of vehicles, or vehicles of any class or description, at any point at which their passage (whether in either direction or in one direction only) is prohibited by such regulations as aforesaid, and to maintain or light such obstructions ;
- (c) give such directions to the highway authority for any such road with respect to the adjustment, modification or replacement of, or of any part of, the mechanism of traffic signs being light signals controlled by that authority as he considers expedient in the interests of the movement of traffic.

Powers of
Minister in
respect of
traffic signs,
&c., in London
Traffic Area.

(2) For the purposes of the placing of traffic signs in pursuance of paragraph (a) of subsection (1) of this section, the Minister may exercise any powers exercisable by the highway authority in connection with the placing of such signs in

pursuance of section fifty-two of the Road Traffic Act, 1960, and may affix the signs to any lamp-post or other structure in the highway, whether or not belonging to that authority.

(3) Section fifty-seven of the Road Traffic Act, 1960 (which confers default powers in respect of certain duties of highway authorities relating to traffic signs) shall apply in relation to any requirement imposed on a highway authority under paragraph (b) or paragraph (c) of subsection (1) of this section as it applies in relation to directions given to such an authority under subsection (2) of section fifty-two of that Act.

(4) In this section "traffic sign" has the meaning assigned to it by subsection (1) of section fifty-one of the Road Traffic Act, 1960, and references in this section to a highway authority include references to any person not being a highway authority who is responsible for the maintenance of a road.

*Other Provisions as to parking Accommodation and traffic
Regulation in London area and elsewhere*

Financial provisions in connection with provision of temporary parking accommodation in London area.

10.—(1) If the Minister, with a view to relieving traffic congestion due to special causes of a seasonal or occasional nature, enters into arrangements under which parking accommodation for vehicles is to be provided temporarily in the London area elsewhere than on the highway, there shall be paid out of moneys provided by Parliament any expenses incurred by the Minister under the arrangements in respect of the following matters (including his expenditure in making payments to any other person in respect of expenses incurred for those matters by that person), that is to say,—

- (a) obtaining or making available a site for use as parking accommodation ;
- (b) preparing or adapting a site for use as parking accommodation, or restoring it after that use ;
- (c) controlling and managing the site during its use as parking accommodation, and meeting any liability arising out of that use or out of anything done in the course of that use.

(2) The Minister or any other government department may make charges under this subsection for the parking of vehicles in any parking accommodation temporarily provided under arrangements made as mentioned in subsection (1) of this section (other than accommodation in respect of which provision for making charges may be made by virtue of section ninety-six of the Road Traffic Act, 1960).

(3) For the purposes of this section parking accommodation provided for a period longer than three months at a time shall not be treated as provided temporarily.

(4) This section shall not apply to any parking accommodation in respect of its use after the end of August, nineteen hundred and sixty-five.

11.—(1) In section eighty-one of the Road Traffic Act, 1960 (which relates to the power of a local authority outside London to provide parking places off the street or, without payment, on the street), the following provisions shall cease to have effect, that is to say—

- (a) subsections (4) and (5) (which relate to the steps to be taken by an authority before giving effect to any proposal, and enable persons aggrieved to appeal to a magistrates' court or, in Scotland, to the sheriff); and
- (b) subsection (7) (which enables a local authority to make byelaws or regulations as to the use of parking places under the section) and subsection (8) (which applies to regulations certain statutory provisions as to byelaws); and
- (c) subsection (10) (which, in England and Wales, applies for certain purposes of the section the provisions relating to legal proceedings and appeals to quarter sessions in sections six and seven of the Public Health Acts Amendment Act, 1907).

Miscellaneous
amendments
as to local
authorities'
parking places
and traffic
schemes.

(2) A local authority may, as respects any parking place provided by the authority under the said section eighty-one, by order make provision as to the use of the parking place, and in particular as to the vehicles or class or description of vehicles which may be entitled to use it, as to the conditions on which it may be used, as to the charges to be paid in connection with its use (where it is an off-street one) and as to the removal therefrom of a vehicle left there in contravention of the order, and the safe custody of the vehicle; and any such order may be varied or revoked by a subsequent order made in like manner.

(3) An order under subsection (2) of this section may provide for a specified apparatus or device to be used as a means to indicate the time at which a vehicle arrived at, and the time at which it ought to leave, a parking place, or one or other of those times, or the charges paid or payable in respect of a vehicle in an off-street parking place, or as a means to collect any such charges, and may make provision regulating the use of any such apparatus or device; but an order shall not provide for the use of any apparatus or device not generally or specially approved for the purpose by the appropriate Minister and, where an order provides for the use of any apparatus or device for collecting charges at an off-street parking place, the local authority shall comply with any directions of the appropriate Minister as to the testing, maintenance and periodical inspection of the apparatus or device.

(4) In the event of any contravention of, or non-compliance with, a provision of an order under subsection (2) of this section, the person responsible shall be liable, on summary conviction, to a fine not exceeding five pounds or, on a second or subsequent conviction, not exceeding ten pounds; and where such an order provides for the use of any apparatus or device for collecting charges at an off-street parking place, any person who, with intent to defraud, interferes with the apparatus or device, or operates or attempts to operate it by the insertion of objects other than current coins of the appropriate denomination, shall be liable, on summary conviction, to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.

(5) In England or Wales, a local authority may institute proceedings for offences in connection with parking places provided by the authority, being offences under subsection (4) of this section or under subsection (9) of the said section eighty-one (which prohibits plying for hire with a vehicle in a parking place).

(6) An order under subsection (2) of this section may include provision—

- (a) for determining the person responsible for any contravention of, or non-compliance with, the order;
- (b) for treating the indications given by any apparatus or device used in pursuance of the order as evidence of such facts and for such purposes as may be provided by the order;
- (c) for applying with any appropriate adaptations any of the provisions of subsections (4) to (6) of section eighty-eight of the Road Traffic Act, 1960 (which contain supplemental provisions in connection with parking meters used under section eighty-five of that Act).

(7) The appropriate Minister may by order made by statutory instrument, after giving notice to the local authority and holding (if he thinks fit) a public inquiry, revoke, vary or amend any order of a local authority under the said section eighty-one or under subsection (2) of this section; and—

- (a) a local authority on making any such order shall forthwith send a copy to the appropriate Minister; and
- (b) when such an order of a local authority is revoked, varied or amended under this subsection, no such order made within twelve months afterwards with respect to the same parking place, or to the use of the same land as a parking place, shall have effect unless confirmed by the appropriate Minister.

(8) The following provisions of the Road Traffic Act, 1960, that is to say,—

- (a) subsections (4) and (5) of section twenty-six (which limit the power by a traffic regulation order to prevent or restrict access to premises from a road); and
- (b) paragraph (a) of subsection (2) of section eighty-one (which limits the power to establish a street parking place so as to prevent or restrict access to premises from a road, or so as to be a nuisance);

shall not apply to any order made under those sections jointly by the council of a borough or urban district or by a local authority in Scotland and confirmed by the appropriate Minister, if the order is, and is stated to be, made by virtue of this subsection and for the purpose of a general scheme of traffic control in a stated area, nor to an order made under the said Act of 1960 revoking or varying an order so made and confirmed; and any such provision of an order so made and confirmed as has effect by virtue of the said section twenty-six or of an order varying or revoking an order so made and confirmed in so far as the last-mentioned order subsists by virtue of that section may, notwithstanding anything in that section, be made so as to apply to a trunk road.

(9) The appropriate Minister shall not confirm an order made by virtue of subsection (8) of this section, unless he is satisfied that the general scheme of traffic control—

- (a) is adequate in point of area; and
- (b) takes adequate account of the need for maintaining the free movement of traffic and of the need for maintaining reasonable access to premises; and
- (c) makes provision for street parking places, and for regulating their use with the aid of apparatus or devices approved by him, which is suitable, regard being had to the extent to which off-street parking places are available in the neighbourhood or their provision is likely to be encouraged by the scheme.

(10) Where the council of a county district (other than a rural district) not having power to make traffic regulation orders under section twenty-six of the Road Traffic Act, 1960, desires to introduce a general scheme of traffic control in the district or part of it, then (without prejudice to any other power of delegation) for the purpose of enabling that council to introduce such a scheme by means of an order made jointly under the said section twenty-six and section eighty-one of that Act there may—

- (a) on the application of that council to the county council, be delegated to them by the county council all or any

of the powers exercisable by the county council in relation to the county district under the said section twenty-six, subject to such restrictions (if any) as the county council think fit to impose ;

- (b) on the application of the first-mentioned council to the Minister, be delegated to them by him all or any of the powers exercisable by him under the said section twenty-six as respects trunk roads within the county district, subject to such restrictions (if any) as he thinks fit to impose.

(11) An order made by the council of a county district by virtue of the last foregoing subsection may be varied or revoked by a subsequent order made by them and confirmed by the Minister, and the provisions which, by virtue of subsection (8) of this section, do not apply to an order made by virtue of the last foregoing subsection shall also not apply to an order made under this subsection.

(12) Subsection (2) of section twenty-seven of the Road Traffic Act, 1960 (which makes provision as to the confirmation of traffic regulation orders of local authorities under section twenty-six of that Act) shall apply in relation to orders falling to be confirmed under this section by the appropriate Minister, and section twenty-nine of that Act (which makes provision as to the making and publication of such traffic regulation orders as aforesaid) shall apply in relation to orders under section eighty-one of that Act or under or by virtue of subsection (2), (10) or (11) of this section, as (in each case) they apply in relation to such traffic regulation orders as aforesaid.

(13) Section eighty-one of the Road Traffic Act, 1960, and this section, so far as they relate to off-street parking places, shall apply to metropolitan borough councils and to the London County Council, as if those councils were local authorities within the meaning of the said section eighty-one, and section eighty-two of that Act (which enables the Minister of Housing and Local Government by order to confer on local authorities in the administrative county of London power to provide parking places) and the reference to that section in subsection (1) of section eight of the Civil Defence Act, 1939, shall cease to have effect:

Provided that the powers conferred on the London County Council by virtue of this subsection shall not be exercised by them in the City of London, nor be exercised by them in any metropolitan borough without the prior consent of the council of that borough.

(14) In section ninety-one of the Road Traffic Act, 1960 (which enables a parish council in England or Wales to provide parking places for bicycles and motor cycles),—

- (a) subsections (4) and (5) (which relate to the preliminary procedure, and correspond to subsections (4) and (5)

of section eighty-one of that Act) shall cease to have effect ; and

- (b) in subsection (7) (which enables a parish council to make byelaws, subject to the confirmation of the Secretary of State, as to the use of the parking places) for the reference to the Secretary of State there shall be substituted a reference to the Minister.

(15) In this section “ local authority ” has the same meaning as in section eighty-one of the Road Traffic Act, 1960, and section two hundred and forty-nine of that Act shall apply to inquiries under subsection (7) of this section as it applies to inquiries under that Act.

(16) Nothing in this Act shall affect the procedure for giving effect to any proposal under section eighty-one or ninety-one of the Road Traffic Act, 1960, or for making any order, or for making or confirming any byelaws or regulations, under either of those sections, or any power to make or confirm any such byelaws or regulations, or any right of appeal under either of those sections, in any case where notice of the proposal or proposed order, or of the intention to apply for confirmation of the byelaws or regulations, was published before the coming into force of this section ; but any byelaws or regulations which are in force by virtue of the said section eighty-one at the coming into force of this section or are afterwards made or confirmed by virtue of this subsection as byelaws or regulations under that section shall have effect as if their provisions had been contained in an order under subsection (2) of this section.

(17) In relation to the administrative county of London (apart from the City of London), any reference in subsection (16) of this section to section eighty-one of the Road Traffic Act, 1960, shall include a reference to that section as applied by virtue of section eighty-two of that Act to any council mentioned in subsection (13) of this section ; and anything done by such a council before the commencement of that Act (within the meaning of section two hundred and seventy thereof) which by virtue of that Act is to be taken to have been done by virtue of the said section eighty-one as so applied shall (subject to subsection (16) of this section) have effect as if done under the said section eighty-one by virtue of the said subsection (13).

(18) Nothing in this section shall affect the Restriction of Ribbon Development (Power to provide Parking Places) Order, 1936, so far as it applies to the City of London or apply to any byelaws having effect as respects the City of London by virtue of that Order ; and that Order, so far as it so applies, shall have effect by virtue of this subsection.

Amendment of s. 26 of the Road Traffic Act, 1960. **12.** In subsection (4) of section twenty-six of the Road Traffic Act, 1960, the words "if the restriction does not prevent loading or unloading for more than six hours in all in any consecutive period of twenty-four hours" shall cease to have effect.

Additional powers of local authorities in connection with provision of off-street parking places. **13.—(1)** The power of a local authority under section eighty-one of the Road Traffic Act, 1960, to provide off-street parking places shall include power (exercisable in accordance with proposals in that behalf made to the appropriate Minister within the period of five years beginning with the coming into force of this section and approved by him) to provide them in buildings used also for other purposes, and to erect or adapt, and to maintain, equip and manage, buildings accordingly; and the authority by whom a parking place is so provided may let on such terms as they think fit parts of the building which are not used for the parking place, and may provide services for the benefit of persons occupying or using those parts, and make such reasonable charges for those services as they may determine.

(2) The appropriate Minister shall not approve proposals submitted to him under the foregoing subsection for the provision of a parking place in a building used also for other purposes unless he is satisfied that the extent to which those purposes will be served by the building is no more than reasonable to ensure the economic operation of the parking place.

(3) Where under subsection (1) of this section an authority provide an off-street parking place in a building, their power under subsection (14) of the said section eighty-one to let the parking place for use as a parking place shall extend to letting it separately from the rest of the building and to letting the whole or any part of the building with the parking place.

(4) An authority having power under the said section eighty-one to provide off-street parking places may adapt for use as a temporary off-street parking place any land owned by them or under their control, not being, in the case of land so owned, land acquired or appropriated by them for such a parking place.

(5) Land compulsorily acquired by such an authority as aforesaid otherwise than for the provision of an off-street parking place and not appropriated for a purpose other than that for which it was acquired shall not be used by them for the provision of an off-street parking place thereon for a period exceeding twelve months except with the consent of that Minister of the Crown who, at the time when consent is sought, is the Minister concerned with the function for the purposes of which the land was acquired.

(6) An authority having power under the said section eighty-one to provide off-street parking places may on such terms as they think fit—

- (a) let land on which they could erect or adapt a building for the purpose of providing such a parking place with a view to some other person's doing so ; or
- (b) arrange with any person for him to provide such a parking place on any land of which he is the owner or in which he has an interest ;

and subsections (2) to (7) of section eleven of this Act shall apply in relation to any parking place provided under any such letting or arrangements as if it had been provided by the authority under the said section eighty-one.

(7) An authority providing an off-street parking place under the said section eighty-one shall have power at the parking place to provide and maintain such buildings, facilities and apparatus as they think fit for the storage and sale of fuel and lubricants and supply of air and water for the vehicles, and may let or hire out, on such terms as they think fit, the buildings, facilities or apparatus so provided, but shall not themselves sell or supply fuel or lubricants.

(8) A local authority in Scotland may be authorised by the Secretary of State to purchase compulsorily land for the purposes of the said section eighty-one, and the Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947, shall apply in relation to the compulsory purchase of land under this subsection as if it had been in force immediately before the commencement of that Act.

(9) The power of an authority to acquire land for the purposes of the said section eighty-one, and the power of the appropriate Minister to authorise them to purchase land compulsorily for those purposes, shall extend to the acquisition or purchase of any interest or right in, over or under land ; and accordingly subsection (12) of that section (which empowers a local authority to acquire any such right for the purpose of providing means of entrance and egress from a parking place) shall cease to have effect.

(10) The provisions of this section shall not affect the provisions of any local Act as to the provision of parking places.

14. A local authority (within the meaning of section eighty-one of the Road Traffic Act, 1960), the council of a metropolitan borough and the London County Council shall have power, and (notwithstanding anything in that section as originally enacted or in the corresponding provision of the enactments repealed by that Act) shall be deemed always to have had power, to enter into arrangements with any person under which, in consideration of the payment by him to the authority or council of a lump sum, or series of lump sums, he is authorised to collect and

Power of local authorities to authorise others to collect charges for off-street parking places in return for lump sum payments.

retain the charges made in respect of the parking of vehicles in an off-street parking place provided by the authority or council under that section or under that section as applied by virtue of section eighty-two of that Act or under the corresponding provisions of the enactments repealed by that Act.

Charges for
removing
and storing
vehicles.

15.—(1) Where, after the coming into force of this section, a vehicle is removed from a parking place in pursuance of an order under subsection (8) of section eighty-seven of the Road Traffic Act, 1960, a provision of a designation order having effect by virtue of subsection (5) of section five of this Act, or an order under subsection (2) of section eleven thereof, or is, after the coming into force of this section, removed from a road in pursuance of regulations under section forty-three of the said Act of 1960, there shall be payable to the appropriate authority by the prescribed person—

- (a) in respect of the removal, the fixed charge ; and
- (b) in respect of any period during which the vehicle is in the custody of that authority, a charge ascertained by reference to the prescribed scale.

(2) The fixed charge in respect of the removal of a vehicle shall be two pounds or such other sum (whether greater or smaller) as may be prescribed.

(3) In England or Wales, a charge under this section not exceeding twenty pounds may be recovered either as a simple contract debt in any court of competent jurisdiction or summarily as a civil debt and a charge under this section exceeding twenty pounds may be recovered in the former manner.

(4) In this section “ appropriate authority ”—

- (a) in relation to a vehicle removed by a constable, means the chief officer of the police force to which the constable belongs ;
- (b) in relation to a vehicle removed by a person acting in aid of a police force, means the chief officer of that force ;
- (c) in relation to a vehicle removed by a person other than as aforesaid from a parking place provided or controlled by a local authority, means that authority ;
- (d) in relation to a vehicle removed by a person other than as aforesaid from a parking place in the London Traffic Area designated under section thirty-four of the Road Traffic Act, 1960, means the local authority (being the council of the county borough or county district, the Common Council of the City of London or the council of the metropolitan borough) within whose area the parking place is situate ;

(e) in relation to a vehicle removed by a person other than as aforesaid from a road otherwise than from a parking place, means the local authority (being the council of the county borough or county district, the Common Council of the City of London or the council of the metropolitan borough or in Scotland the county council or town council) within whose area is situate the length of road from which the vehicle is removed ;

and "prescribed" means prescribed by order made by the appropriate Minister ; and for the purposes of paragraph (c) of this subsection a parking place provided under a letting or arrangements made by a local authority in pursuance of subsection (6) of section thirteen of this Act shall be treated as provided by them.

(5) Any sum recovered under this section by the chief officer of a police force shall be paid into the police fund (as defined in the Police Pensions Act, 1921).

(6) An order made under this section by the appropriate Minister may be revoked or varied by a subsequent order made by him.

(7) The powers conferred by this section on the appropriate Minister to make orders shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(8) Subsection (3) of section forty-three of the Road Traffic Act, 1960, shall cease to have effect and, in paragraph (b) of subsection (8) of section eighty-seven of that Act, the words "and the recovery of the cost of removal and safe custody" shall cease to have effect except in relation to a vehicle removed before the coming into force of this section.

16.—(1) Regulations under section forty-three of the Road Traffic Act, 1960, an order under subsection (8) of section eighty-seven thereof, an order containing a provision having effect by virtue of subsection (5) of section five of this Act or an order under subsection (2) of section eleven thereof may contain provision as respects a vehicle which has been, or could at any time be, removed in pursuance of the regulations or order,—

Disposal of
vehicles
abandoned on
roads or in
parking places.

(a) for authorising the competent authority, if it appears to them that the vehicle has been abandoned, to sell or otherwise dispose of it ;

(b) for authorising the application of the proceeds of a sale by the competent authority of the vehicle in or towards satisfaction of any costs incurred by them in connection with the disposal thereof or any charge to payment of which they are entitled as regards the vehicle under the last foregoing section ;

- (c) for recouping the competent authority any such costs as aforesaid so far as not satisfied by virtue of the last foregoing paragraph ;
- (d) for regulating the disposal of any sums received by the competent authority on a sale of the vehicle, after deducting any sum applied thereout by virtue of paragraph (b) of this section.

(2) Any such regulations or order as are or is referred to in the foregoing subsection shall be so framed as to secure that a power of disposal conferred thereby shall not be exercisable in the case of a vehicle unless there have been taken by the competent authority such steps and there has elapsed such period (not being less than six weeks) beginning with the taking of the first of them as may be prescribed by the regulations or order, being steps and a period whose respective taking and lapse will, in the opinion of the Minister of the Crown or other the authority making the regulations or order, together suffice for securing adequate opportunity for enabling the vehicle to be claimed.

(3) Different provision may be made under this section with respect to vehicles of different classes or descriptions or with respect to vehicles of the same class or description in different circumstances.

(4) In this section "competent authority", in relation to a vehicle that has been removed, means the authority who, in relation to it, are (within the meaning of the last foregoing section) the appropriate authority and, in relation to a vehicle that could at any time be removed, either of the two authorities who, if it were then removed, could in relation to it respectively be (within the meaning of that section) the appropriate authority.

Temporary Provisions for Road Improvement in London area

Grants for
improvements
to classified
roads in
London area.

17. The powers to make grants for road improvement which are exercisable by the Minister—

- (a) in the administrative county of London, under subsection (1) of section eight of the Development and Road Improvement Funds Act, 1909 ; and
- (b) outside the administrative county of London, under subsection (1) of section two hundred and thirty-five of the Highways Act, 1959 ;

shall, notwithstanding any limitation on the power to make grants in respect of classified roads, extend to classified roads in any part of the London area, so as to enable grants to be made in respect of improvements which are begun between the coming into force of this section and the end of August, nineteen hundred and sixty-five.

18.—(1) Where, with a view to facilitating the movement of traffic, it is proposed to execute works of road improvement in the London area, being works which are of such nature as will involve the closing to vehicular traffic as mentioned in subsection (2) of section one hundred and thirty-seven of the Highways Act, 1959, of a part of a highway to which that section applies, the Minister may, if on grounds of urgency he considers it expedient, on the application of the highway authority authorise those works to be begun without being included in the scheme in force under that section or (if they are so included) to be begun otherwise than in accordance with the scheme.

Power to accelerate road improvements in London area.

(2) Where the Minister gives authority under the foregoing subsection for the execution of any works of road improvement, then—

(a) he may by order modify in such manner as appears to him to be expedient the scheme in force under section one hundred and thirty-seven of the Highways Act, 1959, and shall send copies of any such order to any undertakers (within the meaning of that section) so far as the order relates to highways to which the powers of the undertakers extend; and

(b) if the highway authority one month or more before they begin the works give to any such undertakers a notice containing the like particulars of the proposed works as would be required in a statement under section one hundred and thirty-seven of the Highways Act, 1959, subsections (2) and (3) of section one hundred and thirty-eight of that Act (which restrict the breaking up by undertakers of highways recently closed or narrowed by road works) shall apply as if the undertakers had been sent copies of the proposals under subsection (1) of the said section one hundred and thirty-eight.

(3) Where the London County Council have power to improve a highway but are not the highway authority, this section shall in relation to that highway apply to the London County Council as it applies to the highway authority.

(4) Subsection (1) of this section shall not apply to works begun after the end of August, nineteen hundred and sixty-five.

19.—(1) Where the Minister, after consultation with a highway authority, is of the opinion that, with a view to facilitating the movement of traffic, it is expedient for works to be executed for the improvement of a highway in the London area, being works which the highway authority could execute and which do not involve the widening of the highway, then,—

Power of Minister to execute in London area road improvements not involving widening.

(a) the highway authority shall, within three months of being notified of that fact, inform the Minister whether

they are prepared to undertake those works and, if so, within what time ; and

- (b) if the Minister at the expiration of the said three months is not satisfied that the highway authority will with reasonable despatch undertake those works (or within the said three months is satisfied that they will not), the Minister may execute those works or other works appearing to him to secure the same or an equivalent improvement of the highway.

For the purposes of this subsection it shall not be treated as widening a highway to take into the highway land not forming part of it but situated within its outer limits.

(2) Where the Minister executes or proposes to execute works under this section for the improvement of a highway, then for the purpose of or in connection with the execution of those works—

- (a) he shall (subject to the following provisions of this section) have all the powers and rights, and be subject to all the obligations and liabilities, of the highway authority ; and
- (b) he may exercise of his own motion any powers which, if the works were executed by the highway authority, he could exercise on their application ; and
- (c) he may do or require the highway authority to do anything which that authority has power to do in some capacity other than that of highway authority ;

but in relation to a highway for which the council of a metropolitan borough is highway authority the exercise of the Minister's powers under this section shall not be subject to the consent of the London County Council by virtue of section seventy-two of the Metropolis Management Amendment Act, 1862.

(3) Where the Minister executes works under this section for the improvement of a highway, the amount of his expenses in connection therewith as certified by him shall, except in so far as those expenses may be met by any grant made by the Minister, be paid to him on demand by the highway authority, and that authority shall have the like power of raising money required to make any such payment, and the like right to recover the whole or part of any sum paid, as if the expenses of the Minister had been incurred in executing the works as their agent ; and where those works were executed to a claimed county road and constitute a reasonable improvement connected with the maintenance thereof, it shall be assumed for the purposes of this

subsection and section two hundred and thirty-seven of the Highways Act, 1959 (which requires a county council to make contributions towards the expenses of the maintenance and improvement of claimed county roads) that the cost of the works had been included in a supplementary estimate submitted by the highway authority to the county council and approved by that council, being an estimate for the financial year in which the works were begun, and that the county council had been satisfied, as mentioned in the proviso to subsection (3) of that section, that they had been properly executed.

(4) Subsection (2) of this section shall not transfer to the Minister in connection with the execution of any works any powers, rights, obligations or liabilities of a highway authority under any enactment to which this subsection applies; but where the Minister proceeds under this section to execute works in a highway, any such enactment shall apply in relation to those works as if the Minister were acting as agent of the highway authority, but so that the highway authority shall comply with any directions of the Minister as to the exercise of their powers and rights under that enactment.

This subsection shall apply to the Public Utilities Street Works Act, 1950, and, in the case of any works, to such other enactments as the Minister may specify for this purpose in a notice given by him to the highway authority.

(5) Without prejudice to the generality of the foregoing provisions of this section, the powers exercisable under this section by the Minister in place of a highway authority shall include any power of that authority to acquire land, or an interest or right in, over or under land; and any land, or any interest or right in, over or under land, acquired by the Minister by virtue of this section shall be acquired in the name and on behalf of the highway authority, and shall vest in that authority accordingly.

(6) A highway authority shall produce to the Minister such documents relating to matters affecting the exercise of his powers under this section, and furnish to him such other information relating to those matters, as he may require in connection with the exercise of those powers or any proposal to exercise them, and so shall the London County Council so far as regards an exercise of those powers in relation to a highway which they have power to improve but for which they are not the highway authority.

(7) The Minister shall not exercise the powers conferred by this section after the end of August, nineteen hundred and sixty-five, except for the purpose of or in connection with the execution of works begun under those powers before the end of that month.

Supplementary

Widening of
carriageway
not to cease to
be improve-
ment by
reason of
diminution,
&c., of
footway.

20. For the purposes of this Act and of any other enactment relating to highways, the widening of the carriageway of a highway shall not be treated as being otherwise than an improvement by reason only of the fact that it involves diminution of, or removal of, a footway thereon.

Effect of
regulations
under s. 64 of
the Road
Traffic Act,
1960.

21. No such provision contained in regulations made or having effect as if made under subsection (1) of section sixty-four of the Road Traffic Act, 1960, as imposes or varies requirements with respect to the braking systems with which motor vehicles must be equipped shall be taken, for the purposes of subsection (3) of that section, or of any other provision of the regulations, to be one relating to the construction of vehicles.

Financial
provisions

22.—(1) There shall be paid out of moneys provided by Parliament—

- (a) any expenses incurred under this Act by the Minister in placing traffic signs on or near roads in the London Traffic Area, in exercising default powers in respect of duties with respect to obstructions or traffic signs or in doing work for the improvement of a highway in the London area ;
- (b) any increase attributable to subsection (1) of section four of this Act in the sums payable out of moneys so provided under subsection (7) of section ninety of the Road Traffic Act, 1960 ;
- (c) any increase attributable to section twenty of this Act in the sums payable out of moneys so provided under any other enactment ; and
- (d) any increase attributable to this Act in the sums payable out of moneys so provided by way of Rate-deficiency Grant or Exchequer Equalisation Grant under the enactments relating to local government in England and Wales or in Scotland.

(2) There shall be paid into the Exchequer any sums received under or by virtue of this Act by the Minister or any other government department and any increase attributable to this Act in the sums payable into the Exchequer under any other enactment.

Interpretation.

23.—(1) In this Act—

“ the appropriate Minister ” means, in relation to England or Wales, the Minister of Transport and, in relation to Scotland, the Secretary of State ;

“ designation order ” means an order designating parking places under section eighty-five of the Road Traffic Act, 1960, and (except where the context otherwise requires) includes an order under section ninety of that Act or section three of this Act varying or revoking such an order ;

“ the Minister ” means the Minister of Transport ;

“ road ” means any highway and any other road to which the public has access, and includes bridges over which a road passes ;

“ street parking place ” and “ off-street parking place ” refer respectively to parking places on land which does, and on land which does not, form part of a road.

(2) References in this Act to the London area shall be construed as referring to the area composed of the metropolitan police district and the City of London, and references in this Act to the London Traffic Area, the London special area and the Metropolitan Traffic Area shall be construed in like manner as if they were contained in the Road Traffic Act, 1960.

(3) References in this Act to any enactment shall be construed as referring to that enactment as amended by or under any subsequent enactment including, except where the context otherwise requires, this Act.

24. The provisions of the Road Traffic Act, 1960, specified in the first column of the Schedule to this Act shall have effect subject to the amendments specified in relation to those provisions respectively in the second column of that Schedule, being minor amendments or amendments consequential on the foregoing provisions of this Act. Minor and consequential amendments of the Road Traffic Act, 1960.

25.—(1) This Act may be cited as the Road Traffic and Roads Improvement Act, 1960. Short title, commencement and extent.

(2) This Act, except section eleven, subsections (1) to (7) and (9) and (10) of section thirteen and section fifteen thereof, shall come into force on the first day of September, nineteen hundred and sixty ; and section eleven of this Act, the said provisions of section thirteen thereof, and section fifteen thereof shall respectively come into force on such day (not being earlier than the first-mentioned day) as the Minister may by order, made by statutory instrument, appoint in relation thereto.

(3) This Act does not extend to Northern Ireland.

Section 24.

SCHEDULE

MINOR AND CONSEQUENTIAL AMENDMENTS OF THE
ROAD TRAFFIC ACT, 1960

<i>Provision amended and subject matter thereof</i>	<i>Amendment</i>
Section eighty-one ... (Power of local authorities outside London to provide parking places).	For the word "street" (wherever occurring) there shall be substituted the word "road", and paragraph (c) of subsection (16) (which defines "street") shall be omitted.
Section eighty-five ... (Provision on highways of parking places where charges made).	In subsection (5), for the words "for the purposes of this section that, with a view to experiment or demonstration, parking places on highways should be designated" there shall be substituted the words "that parking places should be designated under this section on highways", and the words "and that no application under this section for the designation thereof is forthcoming" shall be omitted. The reference in paragraph (a) of subsection (9) to the provisions of the Act therein mentioned shall be construed as including references to subsections (2) to (4) of section three of this Act.
Section eighty-six ... (Amount of charges for parking on highways and method of payment).	In subsection (7), after the words "this section" there shall be inserted the words "shall, in the case of apparatus installed on or after such day as the Minister may by order appoint, be of such type and design as may be approved either generally or specially by the Minister, and such apparatus".
Section eighty-seven ... (General provisions for regulation of parking on highways where charges made).	In subsection (3), after the words "by or under the order" there shall be inserted the words "the number and dimensions of the spaces to be provided for the leaving of the vehicles in a parking place", and at the end of the subsection there shall be added the words "Provided that nothing in this subsection or in section eighty-five of this Act shall be construed as requiring spaces to be provided in pursuance of a designation order of sufficient size to accommodate any particular vehicle".

<i>Provision amended and subject matter thereof</i>	<i>Amendment</i>
Section eighty-seven ... (General provisions for regulation of park- ing on highways where charges made).— <i>cont.</i>	<p>For subsection (4), there shall be substituted the following subsection:—</p> <p>“ (4) A designation order may, subject to such conditions, if any, as may be prescribed by the order, exempt any vehicles from the payment of any charge or charges thereunder; and any such order which exempts from the initial charge a vehicle left in a space vacated by another vehicle after the payment of the initial charge in respect of that other vehicle and before the expiration of the period for which that charge was paid may direct that the vehicle so exempted shall be treated as if it had been left, and the initial charge paid in respect of it, at the time when that other vehicle was left.”</p> <p>In subsection (8), in paragraph (b), for the words “ vehicles left there in contravention of the provisions of such an order ” there shall be substituted the words “ any vehicle in respect of which any provision of an order of the Minister (including any such provision as is authorised by paragraph (c) of this subsection) has been contravened or not complied with ”.</p> <p>In subsection (8), in paragraph (c), for the words from “ preventing ” to the end of the paragraph there shall be substituted the words “ prohibiting the insertion in a parking meter relating to the space in which a vehicle is left of any coins additional to those inserted by way of payment of the initial charge in respect of that vehicle ”.</p> <p>In subsection (8), in paragraph (d), the words “ acquiring (whether by purchase or hiring) and ” shall be omitted, and after that subsection there shall be added the following subsection:—</p> <p>“ (9) Any local authority may acquire (whether by purchase or hiring) such parking meters and other apparatus as appear to the authority to be required or likely to be required for the purposes of their functions under the two last foregoing sections ”.</p>

<i>Provision amended and subject matter thereof</i>	<i>Amendment</i>
Section eighty-eight ... (Offences relating to parking places on highways where charges made).	In subsection (5), for the word "in" (where secondly occurring) there shall be substituted the words "for the purposes of", and at the end of that subsection there shall be added the words "and (if installed on or after the day appointed under subsection (7) of section eighty-six of this Act) of a type and design approved as mentioned in that subsection".
Section one hundred and fifty-eight. (Power to regulate procedure on applications for road service licences, &c.).	After the word "applications" (where secondly occurring) there shall be inserted the words "or proposals".
Section two hundred and thirty-two. (Duty to give information as to identity of driver, &c., in certain cases).	The reference in paragraph (a) of subsection (1) to Part I of the Act shall be construed as including references to subsections (2) and (3) of section five, and subsection (4) of section eleven, of this Act.
Section two hundred and forty-five. (Jurisdiction of courts in Scotland).	The reference in subsection (1) to offences against the foregoing provisions of the Act shall be construed as including a reference to offences against subsection (8) of section one, subsections (2) and (3) of section five, and subsection (4) of section eleven, of this Act.
Section two hundred and forty-seven. (Destination of fines).	The reference in subsection (1) and, as respects Scotland, in subsection (2), to fines imposed in respect of offences under the foregoing provisions of the Act shall be construed as including a reference to fines imposed in respect of offences under subsection (8) of section one, subsections (2) and (3) of section five, and subsection (4) of section eleven, of this Act.
Tenth Schedule... (Procedure for orders designating parking places on highways where charges are made).	In paragraph 2 (1) (a), for the words "the whereabouts of the parking places" there shall be substituted the words "the highways in which parking places are". In paragraph 2 (1) (b), for the words "the precise location of" there shall be substituted the words "what parts of the carriageway of any highway are comprised in".

<i>Provision amended and subject matter thereof</i>	<i>Amendment</i>
Tenth Schedule... (Procedure for orders designating parking places on highways where charges are made)— <i>cont.</i>	<p>In paragraph 2 (2), for the words “ take such other steps as appear to the authority reasonably practicable ” there shall be substituted the words “ post such notices in highways in the neighbourhood as appear to the authority to be sufficient ”, and at the end of the sub-paragraph there shall be added the words “ and may take such other steps for that purpose as they think fit; and for the purposes of this sub-paragraph a local authority may post notices on any traffic sign, lamp-post or other structure in a highway, whether or not belonging to that authority.”.</p> <p>In paragraph 3, in its application to a designation order to be made during the period of five years beginning with the coming into force of section three of this Act, for the words from the beginning to “ has expired ” there shall be substituted the words “ The Minister shall take into consideration any objections duly made to the making of the order or may, if he thinks fit,”, and after the word “ and ” (in the second place where it occurs) there shall be inserted the words “ in the case of any such reference ”.</p> <p>In paragraph 6, for the words “ take such other steps as appear to the Minister reasonably practicable ” there shall be substituted the words “ post such notices in highways in the neighbourhood as appear to the Minister to be sufficient ”, and at the end of the paragraph there shall be added the words “ and may take such other steps for that purpose as he thinks fit; and for the purposes of this paragraph the Minister may post notices on any traffic sign, lamp-post or other structure in a highway, whether or not belonging to him ”.</p> <p>In paragraph 7, in its application to such an order as aforesaid, for the words “ then after the period for objecting to the making of the order has expired the Minister shall ” there shall be substituted the words “ he shall take into consideration any objections duly made to the proposal or may, if he thinks fit,”, and after the word “ and ” (where it first occurs) there shall be inserted the words “ in the case of any such reference ”.</p>

<i>Provision amended and subject matter thereof</i>	<i>Amendment</i>
Tenth Schedule... (Procedure for orders designating parking places on highways where charges are made)— <i>cont.</i>	In paragraph 9, for the words " For the purposes of " there shall be substituted the words " Where an application or proposal is referred to the Advisory Committee under ".



Table of Statutes referred to in this Act

Short Title	Session and Chapter
Metropolis Management Amendment Act, 1862	25 & 26 Vict. c. 102.
Public Health Acts Amendment Act, 1907 ...	7 Edw. 7. c. 53.
Development and Road Improvement Funds Act, 1909	9 Edw. 7. c. 47.
Police Pensions Act, 1921	11 & 12 Geo. 5. c. 31.
Civil Defence Act, 1939	2 & 3 Geo. 6. c. 31.
Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947	10 & 11 Geo. 6. c. 42.
Justices of the Peace Act, 1949	12, 13 & 14 Geo. 6. c. 101.
Miscellaneous Financial Provisions Act, 1950...	14 Geo. 6. c. 21.
Public Utilities Street Works Act, 1950 ...	14 Geo. 6. c. 39.
Local Government Superannuation Act, 1953...	1 & 2 Eliz. 2. c. 25.
Summary Jurisdiction (Scotland) Act, 1954 ...	2 & 3 Eliz. 2. c. 48.
Police (Scotland) Act, 1956	4 & 5 Eliz. 2. c. 26.
Road Transport Lighting Act, 1957	5 & 6 Eliz. 2. c. 51.
Local Government Act, 1958	6 & 7 Eliz. 2. c. 55.
Local Government and Miscellaneous Financial Provisions (Scotland) Act, 1958	6 & 7 Eliz. 2. c. 64.
Highways Act, 1959	7 & 8 Eliz. 2. c. 25.
Road Traffic Act, 1960	8 & 9 Eliz. 2. c. 16.

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