



# Road Traffic Regulation Act 1967

## 1967 CHAPTER 76

*Parking places (general provisions): on highways for payment*

### **35 Provision on highways of parking places where charges made.**

- (1) Subject to sections 84A, 84B and 84C of this Act, the following authority, namely—
  - (a) as respects any part of Greater London, the Greater London Council on the application of the local authority;
  - (b) as respects any other area, the local authority with the consent, if they are not the highway authority for the highway in question, of that highway authority,may by order designate parking places on highways in the local authority's area for vehicles or vehicles of any class specified in the order, and the local authority may make charges for vehicles left in any parking place so designated of such amount as is prescribed under section 36 of this Act.
- (1A) Any order under this section, whether made under subsection (1) above or under subsection (5) below, may designate any parking place for use, either at all times or at times specified in the order, only by such persons or vehicles, or such persons or vehicles of any class specified in the order, as may be authorised for the purpose by a permit from the authority operating the parking place; and that authority may, in the case of any particular parking place and any particular vehicle, or any vehicle of a particular class, instead of making a charge as mentioned in the said subsection (1) or (5), issue a permit for that vehicle to be left in that parking place while the permit remains in force either at all times or at such times as may be specified in the permit and make such charge in connection with the issue or use of that permit of such amount payable in such manner as the authority by whom the designation order was made may by order prescribe ; but no charge shall be made by virtue of this subsection in respect of a public service vehicle.
- (2) In determining what parking places are to be designated under this section the authority concerned shall consider both the interests of traffic and those of the owners and occupiers of adjoining property, and in particular the matters to which that authority shall have regard shall include—
  - (a) the need for maintaining the free movement of traffic, and

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- (b) the need for maintaining reasonable access to premises, and
  - (c) the extent to which parking accommodation (whether open or covered) otherwise than on highways is available in the neighbourhood or the provision thereof is likely to be encouraged there by the designation of parking places under this section.
- (3) The exercise by any authority of functions under this section shall not render the authority subject to any liability in respect of the loss of or damage to any vehicle in a parking place or the contents or fittings of any such vehicle.
- (4) In this section and sections 36 to 44 of this Act " local authority " means the council of a county borough or county district, the Common Council of the City of London or the council of a London borough or, in Scotland, a county council or a town council and " the local authority ", in relation to a parking place or proposed parking place on any site, means that one of the said councils in whose area the site is.
- (5) If it appears to the Greater London Council, without any application being made by the local authority, that it is expedient that parking places be designated under this section on highways at any sites in Greater London, then, subject to sections 84A, 84B and 84C of this Act, they may by order designate those parking places for vehicles or vehicles of any class specified in the order, and may make charges for vehicles left in any parking place so designated of such amount as is prescribed under section 36 of this Act; and—
  - (a) in relation to parking places designated by virtue of this subsection references in sections 36 and 37 of this Act to the local authority shall be construed as references to the Greater London Council;
  - (b) if the Greater London Council enter into an agreement with the local authority for the transfer to the local authority of the operation of any parking place so designated, the operation thereof, and such apparatus or other things held by, and rights or liabilities of, the Greater London Council in connection with the parking place as may be specified in the agreement, shall be transferred as from such date and on such terms (including terms as to the making of payments to or by the Greater London Council) as may be so specified;
  - (c) from the taking effect of any such transfer of the operation of a parking place the order designating the parking place shall have effect subject to such modifications (if any) as the Greater London Council may direct, being modifications appearing to them requisite in consequence of the transfer, and the provisions of this section and sections 36, 37, 42 and 44 of this Act shall thereafter apply as if the parking place had been designated by order made on the application of the local authority.
- (6) Where an order has been made under paragraph (a) of subsection (1) above on the application of a local authority, an order under that paragraph by virtue of section 84D(1) of this Act varying or revoking the first-mentioned order may be made without such an application.
- (7) Subject to sections 84A, 84B and 84C of this Act, in any case where it appears to the authority concerned to be expedient so to do having regard to any objections duly made in respect of proposals made by that authority for a designation order or, where that authority are the Greater London Council, in respect of an application made to that Council for such an order, they may, if they think fit, make an interim order pursuant to the proposals or application 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 proposals or application.

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(9) Nothing in this section shall affect the operation of section 6 or 28 of this Act.