



# Road Traffic Regulation Act 1967

## 1967 CHAPTER 76

### *Parish parking places for bicycles and motor cycles*

#### **47 Provisions as to consents for purposes of s. 46.**

- (1) A parish council shall not have power by virtue of section 46 of this Act to provide a parking place—
- (a) in a position obstructing or interfering with any existing access to any land or premises not forming part of a road, except with the consent of the owner and the occupier of the land or premises ; or
  - (b) in a road which is not a highway or in a public path, except with the consent of the owner and the occupier of the land over which the road or path runs; or
  - (c) in any such situation or position as is described in the first column of the following Table, except with the consent of the persons described in relation thereto in the second column of that Table.

TABLE

In a trunk road or any other road maintained by the Minister or the Secretary of State for Wales or on land abutting on any such road.	The Minister or the Secretary of State, as the case may be.
In a road which is a highway (other than a trunk road or a road maintained as aforesaid or a public path) or on land abutting on any such road.	The county council.
In a road which is a highway belonging to and repairable by any railway, dock, harbour, canal, inland navigation or passenger road transport undertakers and forming the approach to any station, dock, wharf or depot of those undertakers.	The undertakers concerned.

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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On a bridge carrying a highway over a railway, dock, harbour, canal or inland navigation, or on the approaches to any such bridge or under a bridge carrying a railway, canal or inland navigation over a highway.

The railway, dock, harbour, canal or inland navigation undertakers concerned.

- (2) Any consent required by subsection (1)(c) above shall not be unreasonably withheld, but may be given subject to any reasonable conditions, including a condition that the parish council shall remove any thing to the provision of which the consent relates either at any time or at or after the expiration of a period if reasonably required so to do by the person giving the consent.
- (3) A dispute between a parish council and a person whose consent is required under subsection (1)(c) above whether that consent is unreasonably withheld or is given subject to reasonable conditions, or whether the removal of any thing to the provision of which the consent relates in accordance with any condition of the consent is reasonably required, shall—
  - (a) in the case of a dispute between the parish council and the Minister or the Secretary of State, be referred to and determined by an arbitrator to be appointed in default of agreement by the President of the Institution of Civil Engineers ; and
  - (b) in any other case, be referred to and determined by the Minister, who may cause a public inquiry to be held for the purpose.
- (4) Section 6 of the Local Government (Miscellaneous Provisions) Act 1953 (which makes provision as to access to telegraphic lines, sewers, pipe-subways, pipes, wires and other apparatus) shall apply in relation to a parking place (including a structure for use as a parking place) provided by a parish council under section 46 of this Act, and to the council by which the parking place is so provided, as it applies in relation to a shelter or other accommodation provided, and to the local authority by which it is provided, under section 4 of that Act
- (5) In this section and in the said section 6 as they apply in relation to a parking place provided under the said section 46 which forms part of a road, references to removal shall be construed as including references to the suspension or revocation of the order authorising the use of that part of the road as a parking place.