



Road Traffic Regulation Act 1967

1967 CHAPTER 76

Special provisions with respect to certain orders

84B Consents of appropriate Minister to certain orders.

- (1) Where in the case of any order proposed to be made by a local authority other than the Greater London Council under or by virtue of any of the following provisions of this Act, namely, sections 1, 5, 9, 15, 26, 28, 31, 33, 35, 36, 37, 73(3) and 74, it is proposed to include in the order any provision—
- (a) so prohibiting or restricting the use of a road as to prevent for more than eight hours in any period of twenty-four hours access for vehicles of any class to any premises situated on or adjacent to that road or any other premises accessible for vehicles of that class from, and only from, that road ; or
 - (b) applying to a trunk road ; or
 - (c) directing that a principal road shall be, or cease to be, a restricted road for the purposes of section 71 of this Act; or
 - (d) in the case of an order for the purposes of section 74(1) of this Act—
 - (i) applying to a principal road ; or
 - (ii) applying to any road a speed limit of less than 30 miles an hour ; or
 - (e) varying or revoking within twelve months of its making any order made by, or made in pursuance of a direction given by, the appropriate Minister; or
 - (f) making provision as respects any length of road for any purpose within twelve months after the date when a previous order made as respects that length of road for a similar purpose was varied or revoked by an order made by, or made in pursuance of a direction given by, the appropriate Minister; or
 - (g) varying or revoking an order under section 1 of this Act as respects a road which is not a trunk road made by the appropriate Minister on the application of the governing body of a university,

then, except where the provision is to be included in pursuance of a direction under section 84A(1) of this Act, the order shall not be made except with the consent of the appropriate Minister.

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- (2) Where in the case of any order proposed to be made by the Greater London Council under or by virtue of any of the following provisions of this Act, namely, sections 6, 9, 31, 33, 35, 36, 37, 73(3) and 74, it is proposed to include in the order any provision such as is mentioned in paragraphs (b) to (f) of subsection (1) above, then, except where the provision is to be included in pursuance of a direction under section 84A(1) of this Act, the order shall not be made except with the consent of the Minister.
- (3) The appropriate Minister may by order add to or remove from the orders for which his consent is required by the foregoing provisions of this section such orders made by such local authorities for such purposes or in such circumstances as he may see fit to specify in his order; but—
- (a) no order under this subsection removing any order from the orders for which the Minister's consent is for the time being required under this section shall be made unless a draft of the order has been approved by resolution of each House of Parliament; and
 - (b) any other order under this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) The appropriate Minister may, in consenting to any order submitted to him for his consent under this section, consent to that order either in the form in which it was submitted to him or with such modifications as he thinks fit, which may include additions, exceptions or other modifications of any description; but where he proposes to consent to the order with modifications which appear to him substantially to affect the character of the order as submitted to him, he shall, before doing so, take such steps as appear to him to be sufficient and reasonably practicable for informing the local authority in question and other persons likely to be concerned.
- (5) The appropriate Minister may by order grant a general consent to the making of orders requiring his consent under this section—
- (a) of such descriptions, or
 - (b) with respect to such matters only, or
 - (c) made by such local authorities or by authorities of such classes or descriptions, or
 - (d) made in such circumstances, or
 - (e) complying with such requirements,
- as may be specified in the order; but any order under this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) The power to make an order conferred by subsection (3) or (5) above shall be exercisable by statutory instrument and shall include power to make an order under that subsection varying or revoking any previous order made thereunder.
- (7) In relation to an order under section 15 or 33 of this Act, references in this section to the appropriate Minister shall, notwithstanding anything in section 104(1) or section 108 of this Act, be construed as references to the Minister of Transport.
- (8) In subsection (1)(c) and (d) above, the expression " principal road " means a road for the time being classified as a principal road—
- (a) by the Minister under section 27(2) of the Local Government Act 1966 for the purposes of advances under section 235 of the Highways Act 1959; or

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- (b) by the Secretary of State under section 28(2) of the Local Government (Scotland) Act 1966 for the purposes of advances under section 8 of the Development and Road Improvement Funds Act 1909.