



# Road Traffic Act 1960

## 1960 CHAPTER 16

### PART I

#### GENERAL PROVISIONS RELATING TO ROAD TRAFFIC

##### *Traffic Regulation in London Traffic Area*

#### **30 The London and Home Counties Traffic Advisory Committee**

- (1) With a view to facilitating and improving the regulation of traffic in and near London, the committee constituted by section one of the London Traffic Act, 1924, by the name of the London and Home Counties Traffic Advisory Committee shall continue in existence by that name for the purpose of giving advice and assistance to the Minister, in manner provided by this Act, in connection with the exercise and performance of his powers and duties in relation to traffic within the London Traffic Area.
- (2) The constitution of the said Committee shall be that provided by the provisions in that behalf of the Second Schedule to this Act and the supplementary provisions contained in that Schedule shall have effect with respect to the said Committee.

#### **31 General functions of Advisory Committee**

- (1) Without prejudice to the duties conferred on them by any other enactment, it shall be the duty of the London and Home Counties Traffic Advisory Committee—
  - (a) to consider, report to and advise the Minister on any matters relating to traffic within the London Traffic Area which in their opinion ought to be brought to the notice of the Minister and, in particular, to consider, report to and advise the Minister on any of the matters mentioned in the Third Schedule to this Act which may be referred to them by the Minister;
  - (b) to consider, report to and advise the Minister on any other matters which under this Act are referred to them by the Minister.

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- (2) References in the said Third Schedule to streets shall be construed as including references to highways and bridges carrying highways and to lanes, mews, footways, squares, courts, alleys and passages whether thoroughfares or not.

### **32 Annual report of Advisory Committee**

The London and Home Counties Traffic Advisory Committee shall make an annual report on their proceedings to the Minister, which shall be laid before Parliament.

### **33 Power of Advisory Committee to hold inquiries**

- (1) In a case where the London and Home Counties Traffic Advisory Committee think it desirable or expedient so to do, the Committee may, before advising and reporting to the Minister on any matter referred to them in pursuance of this or any other Act, appoint one or more of their number to hold, or may if they think it advisable themselves hold, such public inquiry into the matter as they may think fit, and when one or more members of the Committee are appointed to hold the inquiry they shall make a report to the Committee.
- (2) Before any such inquiry is held the Committee shall give public notice of the date and place at which the inquiry will be held and of the matters to be dealt with at the inquiry, and any person affected may make representations to the member or members holding the inquiry, or, in the case of an inquiry held by the Committee themselves, to the Committee, and unless in their discretion the member, members or Committee consider it unnecessary, any such person shall be heard at the inquiry.

For the purposes of this subsection the Corporation of the City of London and the council of any county, borough or district wholly or partly comprised in the London Traffic Area shall be deemed to be persons affected and (notwithstanding anything in the foregoing provisions of this subsection) shall have the right to be heard in any case where the Corporation or council, or any persons represented by them, may be affected by the inquiry.

- (3) In a case where the Minister thinks it expedient or proper so to do, he may delegate to the Committee the duty of holding any inquiry respecting any matter affecting traffic within the London Traffic Area which under the provisions of this or any other Act he is authorised or required to hold, and where he has so delegated any such duty the Committee shall appoint one or more of their number to hold, or may if they think it advisable themselves hold, such inquiry as is required under the provisions in respect of which the duty has been delegated ; and when one or more members of the Committee are appointed to hold the inquiry they shall make a report to the Committee.
- (4) In a case where in pursuance of the foregoing provisions of this section a public inquiry is held by a member of the Committee or by the Committee themselves, the member or Committee may by order require any person, subject to payment or tender of the reasonable expenses of his attendance, to attend as a witness at the inquiry and to give evidence, or to produce any documents in his possession or power which relate to the subject matter of the inquiry and are such as would not be privileged from production in a court of law, and shall have power to take evidence on oath, and that member or the chairman of the Committee shall have power to administer oaths for that purpose.

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- (5) If a person fails without reasonable excuse to comply with an order made under the last foregoing subsection, he shall be liable on summary conviction to a fine not exceeding five pounds.
- (6) In this section "borough" includes metropolitan borough.

### **34 Traffic regulation in London Traffic Area**

- (1) The Minister may make regulations for controlling or regulating vehicular and other traffic on roads within the London Traffic Area and in particular, but without prejudice to the generality of the foregoing words, for any of the purposes, or with respect to any of the matters, mentioned in the Fourth Schedule to this Act.
- (2) Any such regulations may be made so as to apply—
  - (a) to the London Traffic Area as a whole, or to particular parts thereof, or to particular places or streets, or parts of streets, therein;
  - (b) throughout the day, or during particular periods;
  - (c) on special occasions only, or at special times only;
  - (d) to vehicles and traffic of any particular class;and, for the purposes of paragraph (d) of this subsection, may classify vehicles and traffic by reference to any one or more of the following considerations, that is to say, weight, motive power, speed, the character of the load carried or the absence of any load, the number of passengers the vehicle is adapted to carry and the purpose for which, and the direction in which, the traffic is being conducted, and, in the case of public service vehicles, the nature of the service provided by the vehicle, the route on which the vehicle is being operated and whether it is for the time being engaged in carrying passengers or not.
- (3) Any regulations so made by the Minister may provide for the suspension or modification so long as the regulations remain in force of any provisions of any Acts (whether public general or local or private, and including provisions contained in this Act), byelaws or regulations, dealing with the same subject matter as the regulations made by the Minister, or of any Acts conferring power of making byelaws or regulations dealing with the same subject matter, so far as such provisions apply to any place or street to which the regulations made by the Minister apply.
- (4) Any such regulations may provide for imposing fines recoverable summarily in respect of breaches thereof not exceeding in the case of a first offence twenty pounds, or in the case of a second or subsequent offence fifty pounds, together with, in the case of a continuing offence, a further fine not exceeding five pounds for each day the offence continues after notice of the offence has been given in such manner as may be prescribed by the regulations.
- (5) Before making any regulations under this section the Minister shall refer the matter to the London and Home Counties Traffic Advisory Committee for their advice and report.
- (6) Before making any such regulations which will impose new or additional duties on the police, the Minister shall consult the Secretary of State.
- (7) The making of any regulations under this section shall be conclusive evidence that the requirements of this section have been complied with.

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- (8) This section shall not apply in relation to any part of a special road on or after such date as may be declared by a notice published by the highway authority, in manner prescribed for the publication of notices under subsection (5) of section twenty of this Act, to be the date on which it is open for use as a special road.
- (9) In this section and in the Fourth Schedule to this Act " street" includes any highway and any bridge carrying a highway, and any lane, mews, footway, square, court, alley or passage whether a thoroughfare or not.

### **35 Experimental traffic schemes in London**

- (1) Where it appears to the commissioner of police expedient so to do for the purpose of carrying out within his area an experimental scheme of traffic control, he may with the consent of the Minister, and after giving such notice as the Minister may direct, make regulations for regulating vehicular traffic in any manner specified in the Fifth Schedule to this Act.
- (2) Any provision contained in regulations under this section may be made so as to apply at all times or on specified days or during specified periods, and either throughout the day or during any specified part of the day, and to vehicular traffic generally or to such traffic of any class or description specified in the regulations, and regulations under this section may make different provision for different classes or descriptions of traffic.
- (3) If a person contravenes, or fails to comply with, regulations under this section he shall be liable on summary conviction to a fine not exceeding twenty pounds, or in the case of a second or subsequent conviction to a fine not exceeding fifty pounds.
- (4) Regulations under this section may suspend or modify regulations made by the Minister under the last foregoing section.
- (5) Regulations under this section shall not continue in force for a period longer than six months after the making thereof, together with such further period (if any) not exceeding twelve months as the Minister may at any time before the expiration of the regulations direct; and (without prejudice to the power of the commissioner of police to revoke regulations under this section) such regulations may be revoked by regulations of the Minister under the last foregoing section.
- (6) A document purporting to be a copy, certified by a person authorised by the commissioner of police, of regulations under this section shall be evidence of the contents of such regulations.
- (7) This section shall apply within the metropolitan police district and the City of London, but not elsewhere; and in this section " the commissioner of police " means, in relation to the metropolitan police district, the commissioner of police of the metropolis, and in relation to the City of London, the commissioner of police for the City of London.