



Road Traffic Act 1960

1960 CHAPTER 16

PART I

GENERAL PROVISIONS RELATING TO ROAD TRAFFIC

Traffic Regulation in special Cases

36 Temporary prohibition or restriction of traffic on roads

- (1) Subject to the provisions of this section, if a highway authority are satisfied that traffic on a road for the maintenance of which they are responsible should, by reason of any works' being executed or proposed to be executed on or near the road, be restricted or prohibited, they may by order restrict or prohibit the use of that road or of any part thereof by vehicles or by vehicles of any particular class or description to such extent and subject to such conditions or exceptions as they may consider necessary.

A highway authority, when considering the question of the making of an order under this subsection, shall have regard to the existence of alternative routes suitable for the traffic which will be affected by the order.

- (2) A highway authority may at any time by notice restrict or prohibit temporarily the use of a road or any part of a road by vehicles or by vehicles of any particular class or description where, owing to the likelihood of danger to the public or of serious damage to the highway, it appears to them necessary that such restriction or prohibition should come into force without delay.
- (3) The provision which may be made by any such order or notice as aforesaid shall be any such provision as is mentioned in subsection (3) of section twenty-six of this Act.
- (4) Where an order under subsection (1) or a notice under subsection (2) of this section is made or issued by a highway authority, any such provision as is specified in paragraph (a), (b) or (c) of subsection (3) of section twenty-six of this Act may be made, as respects any alternative road,—
- (a) where that authority is the highway authority for the alternative road, by order made by them;

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- (b) where that authority is not the highway authority therefor, by order made,—
- (i) where the alternative road is other than a trunk road, by that authority, with the consent of the highway authority for the alternative road;
 - (ii) where the alternative road is a trunk road, by the appropriate Minister on the application of that authority;

and subsections (4) and (5) of the said section twenty-six shall apply to an order under this subsection as they apply to an order under that section.

Any power conferred by this subsection to make an order shall include power to vary or revoke it.

- (5) An order made or notice issued under the foregoing provisions of this section may suspend any statutory provision of a description which could have been contained in the order or notice or, in the case of an order under the last foregoing subsection, any statutory provision prohibiting the use of roads by through traffic, and any such provision (other than one contained in the order or notice) shall have effect subject to the order or notice.
- (6) An order under subsection (1) or subsection (4) of this section, not being an order made by a Minister, shall not without the approval of the appropriate Minister continue in force for a longer period than six weeks from the making thereof; and where the appropriate Minister has refused to approve the continuing in force of an order made under the said subsection (1) then except with the approval of the appropriate Minister no subsequent order shall be made under that subsection as respects any length of road to which the previous order related unless at least three months have expired from the time when the previous order ceased to have effect
- (7) A notice issued under subsection (2) of this section shall not continue in force for a longer period than fourteen days from the date thereof.
- (8) A person who uses or permits the use of a vehicle in contravention of a restriction or prohibition imposed under this section shall be liable on summary conviction to a fine not exceeding five pounds, or in the case of a second or subsequent conviction to a fine not exceeding ten pounds.
- (9) The provisions of the Sixth Schedule to this Act shall have effect as to the notification of the exercise or proposed exercise of the powers conferred by this section and otherwise in relation thereto; and in that Schedule " the principal section " means this section.
- (10) In this section "alternative road", in relation to a road as respects which an order under subsection (1) or notice under subsection (2) of this section is made or issued, means a road providing an alternative route for traffic diverted from the first-mentioned road or from any other alternative road, or capable of providing such an alternative route apart from any statutory provision authorised by the foregoing provisions of this section to be suspended by an order under subsection (4) of this section.
- (11) The powers conferred by this section on the appropriate Minister to make orders shall be exercisable by statutory instrument.