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 STATUTORY INSTRUMENTS
 

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1972 No. 729

## ROAD TRAFFIC

**The London Authorities' Traffic Orders (Procedure)  
Regulations 1972**

<i>Made</i>	- - -	10th May 1972
<i>Laid before Parliament</i>		22nd May 1972
<i>Coming into Operation</i>		12th June 1972

The Secretary of State for the Environment makes these Regulations in exercise of his powers under section 84C of the Road Traffic Regulation Act 1967(a), as amended by Part IX of the Transport Act 1968(b), and of all other enabling powers, after consultation with the Greater London Council in accordance with section 84C(4) of the said Act of 1967 and with representative organisations in accordance with section 107(2) of that Act:—

## PART I

## GENERAL

*Citation and Commencement*

1. These Regulations may be cited as the London Authorities' Traffic Orders (Procedure) Regulations 1972 and shall come into operation on 12th June 1972.

*Interpretation*

2.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:—

“the Act” means the Road Traffic Regulation Act 1967 as amended by Part IX of the Transport Act 1968;

“the applying authority”, in relation to an order under section 35 of the Act, means the local authority applying, or proposing to apply, to the Greater London Council for the making by them of such an order;

“consolidation order” means an order which revokes provisions of one or more existing orders, reproduces those provisions without any change in substance and makes no other provision, but so, however, that for the purpose of this definition the inclusion in the order (by way of addition to the provisions of any existing order or orders) of an exemption required by the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1971(c) in respect of a disabled person's vehicle shall not be regarded as constituting a change in substance;

(a) 1967 c. 76.

(b) 1968 c. 73.

(c) S.I. 1971/1493 (1971 III, p. 4185).

“local authority” means the Council of a London Borough or the Common Council of the City of London;

“local newspaper” includes any newspaper published in Greater London and circulating throughout the whole of Greater London (whether or not that newspaper also circulates outside Greater London);

“the notice of application”, in relation to an order under section 35 of the Act on the application of a local authority, means the notice required to be published under Regulation 5(1) of these Regulations, and “the notice of proposals”, in relation to any other order to which these Regulations apply, means the notice required to be published under Regulation 5(2) of these Regulations;

“the notice of making”, in relation to any order to which these Regulations apply, means the notice required to be published under Regulation 18 of these Regulations;

“the objection period” means the period within which objections to an order may be made in accordance with Regulation 8 of these Regulations;

“the order” means:—

- (a) in relation to anything occurring or falling to be done before the application by a local authority for an order under section 35 of the Act, the order as proposed to be applied for by that authority and in relation to anything occurring or falling to be done on or after that application but before the making of such an order, the order as so applied for,
- (b) in relation to anything occurring or falling to be done before the making of any other order to which these Regulations apply, the order as proposed to be made by the order making authority, and,
- (c) in relation to anything occurring or falling to be done on or after the making of any order to which these Regulations apply, the order as made;

“the order making authority” means:—

- (a) in relation to an order under section 35 of the Act on the application of a local authority, the Greater London Council, and
- (b) in relation to any other order to which these Regulations apply, whichever authority, that is to say, the Greater London Council or a local authority, are the authority having power to make the order and are making or proposing to make it;

“road” includes any length of road and any part of the width of a road and, in relation to an order under section 6 of the Act, any length of a street as defined in section 6(12) of the Act and any part of the width of such a street.

(2) Any reference in these Regulations to an order under any particular section of the Act includes—

- (a) a reference to an order varying or revoking an order made, or having effect as if made, under that section, and
- (b) in relation to the variation or revocation of an order, or to the application of the provisions of an order, a reference to an order having effect as if made under that section.

(3) Any reference in these Regulations to an order under section 35 of the Act includes a reference to an order under that section containing provisions having, or to have, effect under section 36 or 37 of the Act or under both of those sections.

(4) Without prejudice to paragraph (2) or (3) of this Regulation, any reference in these Regulations to the variation or revocation of an order under section 36 or 37 of the Act, or to the application of the provisions of an order under either of those sections, shall include a reference to the variation or revocation, or (as the case may be) to the application of the provisions, of an order which has been continued in operation by virtue of paragraph 9 of Schedule 8 to the Act.

(5) Any reference in these Regulations to any enactment shall be construed as a reference to that enactment as amended or applied by or under any subsequent enactment.

(6) The Interpretation Act 1889<sup>(a)</sup> shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

#### *Application of Regulations*

3.—(1) These Regulations apply to:—

- (a) orders made or proposed to be made by the Greater London Council under or by virtue of any of the following provisions of the Act, that is to say, sections 6, 9, 31, 33, 35, 36, 37(2) and (3), 73(3) and 74;
- (b) orders made or proposed to be made by a local authority under or by virtue of section 31 or 33 of the Act;
- (c) orders for the making of which by the Greater London Council under section 35 of the Act a local authority have applied or propose to apply to that Council.

(2) Except where otherwise stated, each Regulation applies to every such order.

(3) Except where otherwise stated, these Regulations apply to an order under any of the above-mentioned provisions of the Act made or proposed to be made by the Greater London Council or a local authority in pursuance of a direction of the Secretary of State under section 84A(1) of the Act in the same way as they apply to an order in relation to which no such direction has been given.

(4) Where, in connection with an order to which these Regulations apply, procedural steps which accord substantially with the relevant requirements of these Regulations have been taken before the coming into operation of these Regulations or are in the course of being taken when these Regulations come into operation (whether or not they were taken or are being taken in the sequence required by these Regulations), but the order has not been made before these Regulations come into operation, then those steps need not be repeated and for the purpose of these Regulations they shall be deemed to have been taken under and in accordance with these Regulations, and any remaining procedural steps in connection with the order shall be determined by, and carried out or completed in accordance with, these Regulations as nearly as may be.

(5) Nothing in these Regulations shall apply to any order made before the coming into operation of these Regulations.

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(a) 1889 c. 63.

## PART II

## PROCEDURE BEFORE MAKING THE ORDER

*Consultation*

4.—(1) Before applying for an order under section 35 of the Act the applying authority shall:—

- (a) where they are not the highway authority for any road to which the order relates, consult with the highway authority for that road, and
- (b) in all cases consult with one or more organisations representing persons who use any road to which the order relates, unless it appears to the applying authority that there is no such organisation which can appropriately be consulted.

(2) Before making any order to which these Regulations apply (other than an order under section 35 of the Act on the application of a local authority) the order making authority shall:—

- (a) where they are not the highway authority for any road to which the order relates, consult with the highway authority for that road, and
- (b) in all cases consult with one or more organisations representing persons who use any road to which the order relates or are likely to be otherwise affected by any provisions of the order, unless it appears to the order making authority that there is no such organisation which can appropriately be consulted.

(3) The consultations referred to in paragraph (1) or (2) of this Regulation are additional to the consultation with the chief officer of police required by section 84C(1) of the Act, the consultation with the relevant local authority required by section 8 of the Act and any other consultation required by the Act.

(4) This Regulation has effect subject to Regulations 7, 19, 20 and 21 below.

*Publication of the application or the proposals*

5.—(1) After the consultations referred to in Regulation 4(1) above, but before applying to the Greater London Council for an order under section 35 of the Act, the applying authority shall:—

- (a) publish once at least in a local newspaper circulating in the area in which any road to which the order relates is situated a notice of the application containing the particulars specified in Part I of Schedule 1 to these Regulations;
- (b) publish a similar notice in the London Gazette;
- (c) comply with the relevant requirements of Schedules 2 and 3 to these Regulations as to the notices to be displayed in each road to which the order relates and as to the availability of documents for inspection.

(2) Before making any order to which these Regulations apply (other than an order under section 35 of the Act on the application of a local authority), the order making authority shall:—

- (a) publish once at least in a local newspaper circulating in the area in which any road or other place to which the order relates is situated a notice of proposals containing the particulars specified in Part II of Schedule 1 to these Regulations;
  - (b) publish a similar notice in the London Gazette;
  - (c) except where the order is an order under section 6 of the Act, comply with the relevant requirements of Schedule 2 to these Regulations as to the notices to be displayed in each road or other place to which the order relates;
  - (d) comply with the relevant requirements of Schedule 3 to these Regulations as to the availability of documents for inspection.
- (3) This Regulation has effect subject to Regulations 7, 19, 20 and 21 below.

*Submission of application to the Greater London Council*

6. A local authority's application to the Greater London Council for an order under section 35 of the Act shall be accompanied by the documents specified in Schedule 4 to these Regulations.

*Action by local authority in relation to certain procedural steps*

7.—(1) Where, in relation to any order to which these Regulations apply and for which the Greater London Council are the order making authority (other than an order under section 35 of the Act on the application of a local authority), the local authority in whose area the road or other place to which the order relates is situated carry out, with the concurrence of the Greater London Council, any one or more of the following procedural steps, that is to say:—

- (a) the consultation required by Regulation 4(2)(b) above,
- (b) any publication or display of notices required by Regulation 5(2)(a), (b) or (c) above,
- (c) any requirement of Regulation 5(2)(d) above as to the availability of documents for inspection,

then it shall not be necessary for the Greater London Council themselves to carry out such step or steps in relation to that order and the relevant provisions of Regulation 4 or 5 above shall be regarded as having been complied with in relation to that order.

(2) For the purposes of the carrying out by the local authority under paragraph (1) of this Regulation of a procedural step referred to therein in relation to any such order the provisions of Regulations 4(2) and 5(2) above and of Schedules 1, 2 and 3 to these Regulations shall have effect as if references therein to the order were construed as references to the order which the local authority desire the Greater London Council to make, as if references therein to the order making authority's statement of reasons for proposing to make the order were construed as references to the local authority's statement of reasons for desiring the Greater London Council to make the order and as if references to the offices of the order making authority were construed as references to the offices of the local authority.

*Objections*

8.—(1) The period during which objections can be made to an order under section 35 of the Act applied for by a local authority shall begin not earlier than the date on which the applying authority have complied with the requirements of paragraph (1)(a) and (b), and have begun to display the notices required by paragraph (1)(c), of Regulation 5 above, and shall continue for not less than 21 days.

(2) The period during which objections can be made to any order to which these Regulations apply, other than an order under section 35 of the Act on the application of a local authority, shall begin not earlier than the date on which the order making authority, or the local authority acting with their concurrence as mentioned in Regulation 7 above, have complied with the requirements of paragraph (2)(a) and (b), and (where such display is required) have begun to display the notices required by paragraph (2)(c), of Regulation 5 above, and shall continue, in the case of orders under section 73(3) or 74 of the Act, for not less than 28 days, and, in the case of all other orders, for not less than 21 days.

(3) Any person desiring to object to the order shall send within the period, and to the address, specified in the notice of application or proposals (as the case may be) published as required by Regulation 5 above a written statement of his objection and of the grounds thereof.

(4) Where objections are made in accordance with this Regulation to an order under section 35 of the Act applied for by a local authority or to an order in relation to which the local authority have taken procedural steps as mentioned in Regulation 7 above, the order making authority shall as soon as may be after the expiration of the objection period furnish to the applying authority or the local authority in question (as the case may be) copies of all such objections.

(5) This Regulation has effect subject to Regulations 19, 20 and 21 below.

*Public Inquiries*

9.—(1) Before making any order to which these Regulations apply the order making authority may cause a public inquiry to be held in connection with that order.

(2) The order making authority shall appoint as the person to hold the public inquiry a person selected by them from a panel of persons chosen by the Secretary of State for the purpose of holding public inquiries under these Regulations.

(3) Where a public inquiry is to be held in connection with an order under section 35 of the Act for which a local authority have applied or an order in relation to which the local authority have taken procedural steps as mentioned in Regulation 7 above, the Greater London Council shall inform the applying authority or the local authority in question (as the case may be) of the date, time and place of the inquiry as soon as may be after the Council have decided that the inquiry shall be held.

(4) This Regulation has effect subject to Regulation 19 below.

*Notice of public inquiry*

**10.**—(1) Where the order making authority decide, before publishing the notice of proposals under Regulation 5 above, that a public inquiry shall be held, that notice shall contain, in addition to the particulars required by that Regulation, the particulars specified in Part III of Schedule 1 to these Regulations.

(2) In all other cases where, in connection with an order to which these Regulations apply, the order making authority decide that a public inquiry shall be held, that authority shall, after the requirements of Regulation 5 above (where applicable) have been complied with:—

- (a) publish once at least in a local newspaper circulating in the area in which any road or other place to which the order relates is situated a notice of the inquiry containing the particulars specified in Part IV of Schedule 1 to these Regulations;
- (b) publish a similar notice in the London Gazette;
- (c) except where the order is an order under section 6 or 9 of the Act, comply with the relevant requirements of Schedule 2 to these Regulations as to the notices to be displayed in each road or other place to which the order relates;
- (d) comply with the relevant requirements of Schedule 3 to these Regulations as to the availability of documents for inspection;
- (e) not later than the date of the first publication of the notice required by sub-paragraph (a) of this paragraph, inform in writing any person who has objected to the order in accordance with Regulation 8 above and who has not withdrawn the objection, of the date, time and place of the inquiry.

(3) Where the notice of proposals announces the holding of a public inquiry, there shall be at least 42 days between the date on which the publication of that notice in the local newspaper and the London Gazette under the foregoing provisions of these Regulations is completed and the date on which the inquiry is due to begin, and in all other cases there shall be at least 21 days between the date on which the publication as aforesaid of the notice announcing the holding of the public inquiry is completed or the date of the expiration of the objection period (whichever is later) and the date on which the inquiry is due to begin.

*Procedure at public inquiry*

**11.**—(1) Any person interested in the subject matter of a public inquiry may appear at the inquiry either in person or by counsel, solicitor or other representative.

(2) Any person so interested may, whether or not he proposes to appear at the inquiry, send to the address given in the notice of application or notice of proposals for the receipt of objections, such written representations as he may wish to make in relation to the subject matter of the inquiry with a view to their transmission to and consideration by the person appointed to hold the inquiry.

(3) The person holding the inquiry may refuse to hear any person, or to consider any objection or representation made by any person, if he is satisfied that the views of that person or the objection or representation are frivolous or that such views have already been adequately stated by some other person at the inquiry.

(4) Where the inquiry is held in connection with an order under section 35 of the Act for which a local authority have applied, the applying authority shall be entitled to appear at the inquiry and where the inquiry is held in connection with an order in relation to which the local authority have taken procedural steps as mentioned in Regulation 7 above, the local authority in question shall be entitled to appear at the inquiry.

(5) Subject as aforesaid, the procedure at the inquiry shall be in the discretion of the person holding it.

#### *Consent of the Secretary of State*

**12.** Where the order is one which under section 84B of the Act requires the consent of the Secretary of State, the order making authority's application to the Secretary of State for such consent shall be accompanied by copies of such of the documents specified in Schedule 5 to these Regulations as may be applicable.

#### *Consideration of objections*

**13.** Before making the order the order making authority shall consider all objections duly made in accordance with Regulation 8 above and not withdrawn and also the report and recommendations (if any) of the person holding any public inquiry in connection with the order.

#### *Modifications*

**14.—(1)** The order making authority shall not make the order with modifications where:—

- (a) any of the modifications would involve a departure from the order in the form to which the Secretary of State has given his consent, or
- (b) in a case where under section 84A(1) of the Act the Secretary of State has directed the authority to make the order, any of the modifications would involve a departure from the form in which the Secretary of State has directed the order to be made,

but subject as aforesaid the order making authority may make the order with modifications (whether in consequence of any objections or otherwise) and such modifications may include additions, exceptions or other modifications of any description.

(2) Where the order making authority propose to make, or the Secretary of State proposes to consent to, the order with modifications which appear to that authority or, as the case may be, to the Secretary of State substantially to affect the character of the order, the order making authority shall, before making the order, take such steps as appear to them to be appropriate or, in a case involving the Secretary of State's consent, as the Secretary of State may require, for informing the persons likely to be concerned of the effect of the modifications, for giving to those persons an opportunity to make representations in connection therewith and for ensuring that any such representations are duly considered by that authority and, where the Secretary of State so requests, by the Secretary of State.



## PART III

## THE FORM OF THE ORDER

*The map*

**15.**—(1) Subject to the provisions of this Regulation, there shall be prepared in connection with an order under section 35 of the Act a map on a scale of not less than 1:1250 which clearly indicates by distinctive markings each length of road to which the order relates.

(2) The said map shall be prepared—

(a) in the case of an order on the application of a local authority, by the applying authority, and

(b) in the case of any other order under section 35, by the order making authority.

(3) There may be prepared in connection with any order to which these Regulations apply (not being an order in connection with which a map is required to be prepared under the foregoing provisions of this Regulation) a map which indicates by such markings and in such manner as the order making authority may determine such matters in connection with the order as that authority may consider appropriate, and such map may be prepared by the order making authority or, with the concurrence of the order making authority, by a local authority in whose area the order will have effect.

(4) Where a map is prepared under the provisions of this Regulation, the map shall be for purposes of illustration only and the matter indicated on it shall not prevail over the actual text of the order in the event of any discrepancy between the map and the text.

(5) So long as any provision of an order to which the map relates is operative, a copy of a map required to be prepared under the foregoing provisions of this Regulation shall be kept by the authority who prepared it and by the order making authority (if different) and a copy of any other map prepared under the foregoing provisions of this Regulation shall be kept by the order making authority.

(6) Paragraphs (1) and (2) of this Regulation shall not apply to:—

(a) an order which provides only for the revocation of the provisions of any previous order, or

(b) an order which provides only for the variation of the provisions of a previous order which relate to any one or more of the following matters, namely:—

(i) the charges for leaving a vehicle in a parking place,

(ii) the charges in connection with the issue or use of such a permit as is mentioned in section 35(1A) of the Act,

(iii) the time limits applicable to the use of a parking place,

(iv) the classes of vehicle which may use a parking place,

(v) the conditions applicable to the use of a parking place,

(vi) the width of a parking place as described in the previous order.

*Operative date of the Order*

**16.—**(1) The order shall specify the date on which it comes into operation or, in a case where different operative dates are provided for different provisions of the order, each of the dates on which a provision of the order comes into operation.

(2) No date on which an order, or a provision of an order, comes into operation shall be earlier than the date on which the notice of the making of the order is published in the local newspaper under Regulation 18 below.

**PART IV****THE DECISION TO MAKE THE ORDER AND SUBSEQUENT PROCEDURE***Notification to applying authority*

**17.—**(1) Where the order is an order under section 35 of the Act for which a local authority have applied, the order making authority shall, as soon as may be after deciding to make the order:—

- (a) inform the applying authority of their decision;
- (b) if objections have been duly made in accordance with Regulation 8 above, notify in writing the applying authority and each person who has so objected and has not withdrawn his objection, of the order making authority's reasons for deciding to make the order in spite of the objections;
- (c) if a public inquiry has been held in connection with the order, supply to the applying authority a copy of the report and recommendations (if any) of the person appointed to hold the inquiry.

(2) Any notification under paragraph (1) of this Regulation to a person who has objected to an order shall be a notification of the order making authority's decision in relation to the objection and, where the objection has not been, or not wholly been, acceded to, of the authority's reasons therefor.

*Notice of the making of the order*

**18.—**(1) When the order has been made, the order making authority shall:—

- (a) forthwith give notice in writing of the making of the order to the appropriate commissioner of police;
- (b) except where notification of the decision to make the order has previously been given to such person, notify in writing each person who has duly objected to the order in accordance with Regulation 8 above and has not withdrawn his objection, of the order making authority's decision in relation to the objection and, where the objection has not been, or not wholly been, acceded to, of the authority's reasons therefor;

- (c) within 14 days of the making of the order publish once in a local newspaper circulating in the area in which any road or other place to which the order relates is situated a notice of the making of the order containing the particulars specified in Part V of Schedule 1 to these Regulations;
  - (d) within the same period publish a similar notice in the London Gazette;
  - (e) comply with the relevant requirements of Schedule 3 to these Regulations as to the availability of documents for inspection;
  - (f) where the order relates to any road and no other authority are required by a provision of the order or by a direction under section 55 of the Act to take appropriate action in relation thereto, take such steps as are necessary to secure, before the order comes into operation—
    - (i) the placing on or near the road of such traffic signs in such positions as the authority may consider requisite for the purpose of securing that adequate information as to the effect of the order is made available to persons using the road, and
    - (ii) in a case where the order contains provisions for revoking, or altering the application of, a previous order, such removal or replacement of existing traffic signs as the authority may consider requisite for the purpose of avoiding confusion to users of the road or the continuance of traffic signs in incorrect positions.
- (2) The provisions of paragraph (1)(f) above are without prejudice to section 75 of the Act.
- (3) This Regulation has effect subject to Regulation 19 below.

## PART V

### SPECIAL PROCEDURAL PROVISIONS FOR CERTAIN ORDERS

#### *Special provisions for consolidation orders and for certain variation orders*

**19.**—(1) Regulations 4(1) and (2), 5, 8 and 9 above shall not apply to a consolidation order, and Regulation 18 above shall have effect in relation to such an order with the following modifications, namely, that the particulars to be contained in the notice of the making of the order may consist only of:—

- (i) where appropriate, the name of the authority applying for the order;
- (ii) the name of the authority making the order;
- (iii) the title of the order;
- (iv) a statement of the titles of the orders the provisions of which are reproduced in the consolidation order;
- (v) the operative date or dates of the order; and
- (vi) the items numbered 8 and (so far as appropriate) 9 and 10 in Part V of Schedule 1 to these Regulations.

(2) Regulations 4(1) and (2), 5 and 8 above shall not apply to an order the sole effect of which would be:—

- (a) to postpone for a period of not more than six months the coming into operation of any provision of an existing order; or
- (b) to vary an order under section 6, 9, 35 or 36 of the Act so as to include in the order being varied an exemption in respect of a disabled person's vehicle of the same kind as is mentioned in Regulation 3 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1971.

*Special provisions for experimental traffic orders and for orders giving permanent effect to such orders*

20.—(1) Regulations 4(2)(b), 5 and 8 above shall not apply to any order under section 9 of the Act, but every such order shall be framed so as to come into operation on a date not less than 7 days after the publication in the local newspaper of the notice of the making of the order.

(2) Regulations 4(2)(b), 5 and 8 above shall not apply to an order under section 6 of the Act where the sole effect of the order would be to reproduce and continue in force indefinitely provisions of an order under section 9 of the Act which have been in operation for a continuous period of not less than 12 months and have not at any time been modified or suspended under section 9(5) of the Act or varied by a further order under section 9 of the Act, and where the following requirements have been complied with in relation to the order under section 9 of the Act—

- (a) the notice of the making of the order under section 9 of the Act has contained the following statements—
  - (i) that the order making authority will consider in due course whether the particular provisions which it is proposed to reproduce, or provisions including these provisions, should be reproduced and continued in force indefinitely by means of an order under section 6 of the Act,
  - (ii) that within a period of 12 months from the coming into operation of the said order under section 9 of the Act any person may object to the making of an order under section 6 of the Act for the purpose of such reproduction and continuation in force, and
  - (iii) that any such objection must be in writing, must give the ground thereof and must be made to an address of the order making authority specified in the statement,
- (b) the documents which the order making authority are required by Regulation 18(1)(e) above to make available for inspection in connection with the making of the order under section 9 of the Act have been accompanied by a statement setting out that authority's reasons for making that order, and
- (c) the said documents and statement have continued to be available for inspection in accordance with Schedule 3 to these Regulations during the period of 12 months from the coming into operation of that order.

(3) In the application of Regulations 10(2), 11, 13 and 18 above and of Part IV of Schedule 1 and Schedule 5 to these Regulations to an order under section 6 of the Act in a case where the provisions of paragraph (2) of this Regulation have effect—

- (a) the notice of the making of the order under section 9 of the Act shall be treated as the notice of proposals for the order under section 6 of the Act, and
- (b) any objection made in accordance with the statement contained in the notice of the making of the order under section 9 of the Act shall be treated as an objection duly made under Regulation 8 above to the order under section 6 of the Act.

*Special provisions for certain other orders*

**21.—**(1) Regulation 4(1)(b) and (2)(b) above shall not apply to—

- (a) an order under section 35 of the Act where the sole effect of the order would be to provide for either or both of the following matters—
  - (i) revoking the designation of any area of a highway as a parking place for vehicles, and
  - (ii) designating any area of a highway as a parking place for vehicles in a case where the area to be so designated includes the whole or a part of an area of that highway which is already so designated, and applying to the area to be designated by the order provisions contained in an order under section 36 or 37 of the Act which apply to the area of that highway already so designated; or
- (b) an order under section 35, 36 or 37 of the Act where the sole effect of the order would be to vary provisions of a previous order under any of those sections relating to any one or more of the matters specified in Regulation 15(6)(b) above, in a case where the variation does not involve any increase in the charges for leaving a vehicle in a parking place or in the charges in connection with the issue or use of a permit.

(2) Regulation 4(2)(b) above shall not apply to an order under section 6 of the Act where the sole effect of the order would be to provide for any one or more of the following matters:—

- (a) revoking the designation of any area of a road as a parking place for vehicles,
- (b) designating any area of a road as a parking place for vehicles in a case where the area to be so designated includes the whole or a part of an area of that road which is already so designated, and applying to the area to be designated by the order provisions contained in an order under section 6 of the Act which apply to the area of that road already so designated,
- (c) varying the provisions of a previous order under section 6 of the Act which relate to any one or more of the matters specified in Regulation 15(6)(b) (iii) to (vi) (inclusive) above,
- (d) prescribing or prohibiting, either generally or between specified times, the driving of vehicles, or vehicles of any class, in a particular direction in or into or from any road,

- (e) prescribing streets which are not to be used by vehicles exceeding specified weights,
  - (f) prescribing places where vehicles, or vehicles of any class, may not turn so as to face in the opposite direction to that in which they were proceeding,
  - (g) restricting or prohibiting the stopping or waiting of vehicles, or vehicles of any class, in any area of any road, being an area the whole of which lies within 150 feet of any means of entrance to, or egress from, a school, and
  - (h) restricting or prohibiting the stopping or waiting of vehicles, or vehicles of any class, in any area of any road, being an area marked or to be marked on the carriageway of the road by a traffic sign for indicating that the area in question is a place where stage or express carriages may stop to pick up or set down passengers or where hackney carriages may stand.
- (3) Regulation 4(2)(b) above shall not apply to an order under section 73(3) of the Act the sole effect of which would be to direct that a road which immediately before its classification as mentioned in section 72(6) of the Act is a restricted road for the purposes of section 71 of the Act shall be a restricted road as aforesaid after such classification.
- (4) Regulation 4(2)(b), 5 and 8 above shall not apply to any order under section 6 of the Act where the sole effect of the order would be to:—
- (a) prohibit the riding of cycles or mopeds on a footbridge or in a pedestrian subway or in the approaches to such bridge or subway, or
  - (b) restrict the driving of vehicles into a boxed area, or
  - (c) revoke or vary the provision of an order, being a provision the sole effect of which is as mentioned in sub-paragraph (a) or (b) of this paragraph.
- (5) In paragraph (4) of this Regulation—
- “boxed area” means an area of the carriageway of a road, at or near its junction with another road, marked or to be marked by a traffic sign consisting of cross hatched yellow lines, bounded by a yellow line, placed on the carriageway to indicate that a vehicle must not be driven into the area at a time when, by reason of the presence of one or more other vehicles in or near to that area, it cannot be driven out of that area without stopping;
- “cycle” means a pedal cycle which is not a motor vehicle; and
- “moped” means a motor cycle which is equipped with pedals by means whereof it is capable of being propelled and which has an engine with a cylinder capacity not exceeding 50 cubic centimetres.
- (6) Nothing in this Regulation shall apply to any order which by reason of the inclusion therein of any provision such as is mentioned in section 84B(1)(e) or (f) of the Act requires the consent of the Secretary of State before it can be made.

Signed by authority of the Secretary of State.

10th May 1972.

*John Peyton,*  
Minister for Transport Industries,  
Department of the Environment.

## SCHEDULE 1

## PARTICULARS TO BE INCLUDED IN PRESS NOTICES

## PART I

(See Regulation 5(1))

*Particulars to be included in the notice of application by a local authority for an order under section 35 of the Act*

1. The name of the applying authority and of the Greater London Council.
2. The title of the order.
3. A statement of the general nature and effect of the order.
4. The name or other brief description of every road to which the order relates.
5. A statement of all the charges proposed to be made for the use of the parking place to which the order relates, and of the time limits and the classes of vehicle for which the parking place will be available.
6. A statement of all the documents required by Regulation 5(1)(c) of these Regulations to be available for inspection, of each address at which those documents can be inspected and of the times when inspection can take place at each such address.
7. The period during which, and the address of the Greater London Council to which, objections to the order can be made, and a statement that all objections must be made in writing and must specify the grounds thereof.

## PART II

(See Regulation 5(2))

*Particulars to be included in the notice of proposals for an order (other than an order under section 35 of the Act on the application of a local authority)*

1. The name of the order making authority and of any local authority taking procedural steps with the concurrence of the order making authority.
2. The title of the order.
3. A statement of the general nature and effect of the order.
4. Where the order relates to any road, the name or other brief description of the road and, in a case where the order is an order under section 73(3) or 74 of the Act, a statement of the approximate length of that road to which the order will apply.
5. Where the order relates to an off street parking place, a brief description of that place and of its location.
6. Where the order relates to a parking place, a statement of all the charges (if any) proposed to be made for the use of the parking place and of the time limits and the classes of vehicles for which the parking place will be available.
7. A statement of all the documents required by Regulation 5(2)(d) of these Regulations to be available for inspection, of each address at which those documents can be inspected and of the times when inspection can take place at each such address.
8. The period during which, and the address to which, objections to the order can be made, and a statement that all objections must be made in writing and must specify the grounds thereof.

## PART III

(See Regulation 10(1))

*Additional particulars to be included in the notice of proposals which announces the holding of a public inquiry*

1. A statement that a public inquiry will be held in connection with the order.
2. The date, time and place of the inquiry.

## PART IV

(See Regulation 10(2))

*Particulars to be included in the separate notice of a public inquiry*

1. Where appropriate, the name of the applying authority.
2. The name of the order making authority.
3. The title of the order.
4. A statement which refers to the published notice of application or the published notice of proposals (if any) for the order and which indicates that a public inquiry will be held in connection with the order.
5. A brief statement of the general nature and effect of the order and of the name or other brief description of any road or other place to which the order will apply.
6. The date, time and place of the inquiry.
7. A statement of all the documents required by Regulation 10(2)(d) of these Regulations to be available for inspection, of each address at which those documents can be inspected and of the times when inspection can take place at each such address.

## PART V

(See Regulation 18(1)(c))

*Particulars to be included in the notice of making the order*

1. Where appropriate, the name of the applying authority.
2. The name of the order making authority.
3. The title of the order.
4. A statement of the general nature and effect of the order and of its operative date or dates.
5. Where the order relates to any road, the name or other brief description of the road.
6. Where the order relates to an off street parking place, a brief description of that place and of its location.
7. Where the order relates to a parking place, a statement of all the charges (if any) proposed to be made for the use of the parking place and of the time limits and the classes of vehicle for which the parking place will be available.
8. A statement of all the documents required by Regulation 18(1)(c) of these Regulations to be available for inspection, of each address at which those documents can be inspected and of the times when inspection can take place at each such address.
9. Where the order making authority propose to make copies of the order available for purchase by members of the public, a statement of this fact and of each address at which copies can be purchased.



10. In the case of an order under section 6, 9, 33, 35, 36 or 37 of the Act, a statement that any person who desires to question the validity of the order or of any provision contained in the order on the ground that it is not within the powers of the relevant section of the Act or on the ground that any requirement of that section or of section 84A, 84B or 84C of the Act or of any regulations made under the said section 84C has not been complied with in relation to the order, may, within six weeks of the date on which the order is made (such date being stated in the notice) make application for the purpose to the High Court.

## SCHEDULE 2

(See Regulations 5 and 10)

### REQUIREMENTS AS TO NOTICES TO BE DISPLAYED IN A ROAD OR OTHER PLACE

#### PART I

##### *Particulars to be included in the notice*

1. Where appropriate, the name of the applying authority.
2. The name of the order making authority and of any local authority taking procedural steps with the concurrence of the order making authority.
3. The title of the order.
4. A brief statement of the effect of the order in relation to the road or other place where it is displayed.
5. A statement of all the documents required by Regulation 5(1)(c), 5(2)(d) or 10(2)(d) of these Regulations to be available for inspection, of each address at which those documents can be inspected and of the times when inspection can take place at each such address.
6. Where the notice is a notice of application or of proposals, the address to which, and the period during which, objections can be made, and a statement that all objections must be made in writing and must specify the grounds thereof.
7. Where the notice announces the holding of a public inquiry, the date, time and place of the inquiry.

#### PART II

##### *Other requirements as to the display of the notice*

1. Where the order relates to any road, the notice shall be displayed in a prominent position at or near each end of the road and in any other position which the authority who display the notice think requisite for securing that adequate information about the subject matter of the notice is made available to users of the road.
2. Where the order relates to an off street parking place, the notice shall be displayed in one or more prominent positions in the road or roads giving access to the parking place, and, where the parking place is in public use, in the parking place itself.
3. The notice shall first be displayed as aforesaid not later than the first publication of the corresponding notice in the local newspaper and the authority who display the notice shall take all reasonable steps to ensure that it remains in a legible condition and continues to be so displayed:—

- (a) in the case of a notice of application or a notice of proposals not announcing the holding of a public inquiry, until the end of the objection period;
- (b) in the case of a notice announcing the holding of a public inquiry, until the date on which the inquiry begins.

### SCHEDULE 3

(See Regulations 5, 10 and 18)

#### REQUIREMENTS AS TO THE AVAILABILITY OF DOCUMENTS FOR INSPECTION

1. There shall be available for inspection:—

- (i) in the case of an order under section 35 of the Act on the application of a local authority, at the offices of the applying authority, and
- (ii) in the case of any other order to which these Regulations apply, at the offices of the order making authority,

during normal office hours, and (if the authority in question think fit) at such other places within that authority's area and during such times respectively at those places as the authority may determine, the following documents:—

- (a) a copy of the order as applied for, proposed to be made or made (as the case may be);
- (b) a copy of any map prepared under Regulation 15 of these Regulations;
- (c) in the case of an order which varies, revokes, applies or suspends a previous order or which modifies, suspends or revokes regulations made or having effect as if made under section 11 of the Act, a copy of that order or, as the case may be, of those regulations;
- (d) in the case of a proposed order under section 35 of the Act for which a local authority have applied, a copy of the statement setting out the applying authority's reasons for applying for the order;
- (e) in the case of any proposed order to which these Regulations apply (other than an order under section 35 of the Act on the application of a local authority), a copy of a statement setting out the order making authority's reasons for proposing to make the order; and
- (f) in the case of an order made after the holding of a public inquiry, a copy of the report and recommendations (if any) of the person appointed to hold the inquiry.

2. The said documents shall be made available as aforesaid not later than the first publication in the local newspaper of the notice in connection with which they are required to be made available, and they shall continue to be so available:—

- (a) where the notice is a notice of application or a notice of proposals not announcing the holding of a public inquiry, until the end of the objection period;
- (b) where the notice is one announcing the holding of a public inquiry, until the date on which the inquiry begins; and
- (c) where the notice is a notice of making the order, until the end of six weeks from the date on which the order is made.

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**SCHEDULE 4**

(See Regulation 6)

**DOCUMENTS TO ACCOMPANY A LOCAL AUTHORITY'S APPLICATION TO THE GREATER  
LONDON COUNCIL FOR AN ORDER UNDER SECTION 35 OF THE ACT**

1. Eight copies of a draft of the order applied for.
2. Eight copies of any map prepared under Regulation 15 of these Regulations.
3. Eight copies of a statement of the applying authority's reasons for applying for the order.
4. One copy of the issues of each local newspaper and of the London Gazette containing the notice of application.
5. One copy of the notice displayed in each road to which the order relates.
6. Eight copies of a list of any persons and organisations consulted by the applying authority and of a statement of the views (if any) expressed by each such person or organisation or, where no such persons or organisations have been consulted, a statement to this effect.

**SCHEDULE 5**

(See Regulation 12)

**DOCUMENTS TO ACCOMPANY THE APPLICATION FOR THE SECRETARY OF STATE'S  
CONSENT**

1. The order as proposed to be made.
2. A copy of any map prepared under Regulation 15 of these Regulations.
3. The statement of the applying authority's reasons for applying for, or of the order making authority's reasons for proposing to make, the order.
4. The issues of each local newspaper and of the London Gazette containing the notice of application or of proposals (if any).
5. Each unwithdrawn objection or, in a case where there are no objections or no unwithdrawn objections, a statement to this effect.
6. Copies of any reply or replies sent to each objector.
7. A list of any persons and organisations consulted by the applying authority or by or on behalf of the order making authority and a statement of the views (if any) expressed by each such person or organisation or where no such persons or organisations have been consulted, a statement to this effect.
8. In a case where a public inquiry has been held, the report and recommendations (if any) of the person holding the inquiry.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

1. These Regulations lay down the procedure to be followed by the Greater London Council, the London Borough Councils and the Common Council of the City of London in connection with the making of the main types of traffic regulation, parking place and speed limit orders under the Road Traffic Regulation Act 1967, as amended by Part IX of the Transport Act 1968.

2. Regulation 3 specifies the orders to which the Regulations apply. These include traffic regulation orders, experimental traffic orders, orders relating to parking places both on and off the highway (including bus station and parking meter orders) and orders relating to speed limits.

3. Regulations 4 and 5 and 8 to 14 lay down the procedure to be followed before the order is made. They provide for preliminary consultations (Regulation 4), publication of the proposals (Regulation 5), objections to the order (Regulations 8 and 13), public inquiries (Regulations 9 to 11), the modification of the proposals (Regulation 14) and for certain cases where the consent of the Secretary of State is required (Regulation 12). Regulation 6 deals with the documents which a London Borough Council or the Common Council are to submit when they apply to the Greater London Council for a parking place designation order under section 35 of the 1967 Act. Regulation 7 exempts the Greater London Council from carrying out certain procedural steps in a case where the London Borough Council or the Common Council have, with the concurrence of the Greater London Council, already taken these steps.

4. Regulations 15 and 16 contain certain requirements about the order itself, in particular about the use of a map to illustrate the order and about the operative date of the order.

5. Provisions as to the notification of the order-making authority's decision on an order and as to the giving of notice of its making are contained in Regulations 17 and 18.

6. Certain of the above-mentioned requirements are modified in relation to certain classes of order by virtue of Regulations 19 to 21.

7. Schedules 1 to 3 contain particulars of the details to be included in the press notices of an order, of the requirements as to the display of notices of an order in the road itself, and of the requirements about making documents relating to an order available for public inspection. Schedule 4 lists the documents to accompany the application of a London Borough Council or the Common Council to the Greater London Council for a parking place designation order under section 35 of the 1967 Act while Schedule 5 specifies the documents which must accompany an application for the Secretary of State's consent to an order for which such consent is required.

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