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STATUTORY INSTRUMENTS

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**1996 No. 2489**

**The Local Authorities' Traffic Orders (Procedure)  
(England and Wales) Regulations 1996**

**PART I  
GENERAL**

**Citation and commencement**

1. These Regulations may be cited as the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 and shall come into force on 1st December 1996.

**Revocation and transitional provisions**

2.—(1) Subject to paragraph (2), the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1989(1) and the Local Authorities' Traffic Orders (Procedure) (England and Wales) (Amendment) Regulations 1993(2) are hereby revoked.

(2) Where a notice relating to an order has been published pursuant to regulation 6 or 16 of the Local Authorities' Traffic Order (Procedure) (England and Wales) Regulations 1989, those Regulations shall continue to apply to that order as if they had not been revoked and nothing in these Regulations shall apply to the order.

(3) Nothing in these Regulations shall be taken as affecting the operation of sections 16 and 17 of the Interpretation Act 1978(3) (effect of repeals).

**Interpretation**

3.—(1) In these Regulations—

“the 1984 Act” means the Road Traffic Regulation Act 1984;

“the 1985 Act” means the Local Government Act 1985;

“the 1991 Act” means the New Roads and Street Works Act 1991;

“Crown road” and “appropriate Crown authority” have the meanings given by section 131(7) of the 1984 Act(4);

“deposited documents” in relation to an order means such documents as are required in connection with that order to be kept available for public inspection in accordance with Schedule 2;

“experimental order” means an order made under section 9 of the 1984 Act;

“inspector” means a person appointed pursuant to regulation 9(2) to hold a public inquiry;

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(1) S.I.1989/1120.

(2) S.I. 1993/1500.

(3) 1978 c. 30.

(4) Section 131(7) was amended by the New Roads and Street Works Act 1991, Schedule 8, paragraph 75.

“local authority” means—

- (a) in relation to England—
  - (i) the council of a county, district, or London borough;
  - (ii) the Common Council of the City of London;
  - (iii) the Council of the Isles of Scilly; or
  - (iv) a parish council;

in relation to Wales—

- (i) a county council;
- (ii) a county borough council; or
- (iii) a community council;

“local service” has the meaning given by section 2 of the Transport Act 1985<sup>(5)</sup>;

“London authority” means a London borough council or the Common Council of the City of London;

“London bus service” has the meaning given by section 34(2)(b) of the Transport Act 1985;

“minor order” has the meaning given by regulation 21(1)(b);

“notice of making” has the meaning given by regulation 17(2);

“notice of proposals” has the meaning given by regulation 7(1)(a);

“order making authority”, in relation to an order, means the authority which has made it or has proposed to make it;

“public service vehicle” has the meaning given by section 1 of the Public Passenger Vehicles Act 1981<sup>(6)</sup>; and

“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 1984 Act, any length of a street as defined in sub-section (6) of that section and any part of the width of such a street.

(2) A reference in these Regulations to an order is to an order or a proposed order as appropriate and, in the case of a proposed order, a reference to the effect of the order (however expressed) is to its effect if it were to be made.

(3) A reference in these Regulations to an order under a specified section of the 1984 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.

(4) Without prejudice to paragraph (3), a reference in these Regulations to—

- (a) the variation or revocation of an order under section 46 or 49 of the 1984 Act, or
- (b) the application of a provision of an order under either of those sections,

includes a reference to the variation, revocation or application (as the case may be) of the provisions of an order which has been continued in force by paragraph 11(1) of Schedule 10 to the 1984 Act.

(5) Except where it is expressly provided otherwise—

- (a) a reference to a numbered regulation or Schedule is a reference to the regulation or Schedule so numbered in these Regulations; and

<sup>(5)</sup> 1985 c. 67.

<sup>(6)</sup> 1981 c. 14. Section 1 was amended by the Transport Act 1985, Schedule 8.

- (b) a reference to a numbered paragraph is a reference to the paragraph so numbered of the regulation or Schedule in which the reference occurs.

#### **Application of Regulations**

4.—(1) This Part and Parts II, III and IV of these Regulations apply to orders made or proposed to be made by a local authority under section 1, 6, 9, 19, 29, 32, 35, 37, 38, 45, 46, 49, 61, 83(2) or 84 of the 1984 Act and this Part and Part V apply to notices given or proposed to be given under section 35C or 46A of that Act.

(2) Except as provided by regulation 14(2)(a), these Regulations apply to orders made or proposed to be made pursuant to a direction by the Secretary of State under Part I of Schedule 9 to the 1984 Act as they apply to orders not so made.