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STATUTORY INSTRUMENTS

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**1999 No. 614**

**The Local Authorities' Traffic Orders  
(Procedure) (Scotland) Regulations 1999**

**PART V**

**SPECIAL PROCEDURAL PROVISIONS FOR CERTAIN ORDERS**

**Making an order in part**

**18.**—(1) Subject to the provisions of this regulation, where the authority have complied with regulations 4 (consultation), 5 and 6 (publication of proposals) and 12 (consideration of objections and report), they may make the order in part by making an order giving effect to some of the proposals to which the order relates whilst deferring a decision on the remainder.

(2) Where an order has been made in part in accordance with paragraph (1), the authority may subsequently deal with the remaining proposals to which the order relates in any, or any combination, of the following ways—

- (a) abandon them;
- (b) defer a decision on them;
- (c) make an order or orders giving effect to them in whole or in part.

(3) Where, pursuant to paragraph (2), an authority has deferred a decision on any proposals, it may subsequently deal with those proposals in any way permitted by that paragraph.

(4) Where an order is made or proposed to be made in part by virtue of paragraph (1), (2) or (3) of this regulation, Parts II, III and IV of these Regulations shall apply to it as if the procedural steps previously taken under these Regulations, and any notices published in connection with the order as originally proposed had related only to the provisions of the order as made or proposed to be made in part.

(5) The notice of making published, or any notification under regulation 17(1)(c) given, on the making of an order by virtue of this regulation shall—

- (a) indicate briefly the proposals (if any) to be given effect in the order as originally proposed which have been abandoned or in relation to which the decision of the order making authority has been deferred; and
- (b) where the order is made by virtue of paragraph (3), give particulars of the title and date of every previous order made by virtue of this regulation in relation to the same order as originally proposed.

(6) In the application of regulation 13 to an order made by virtue of paragraph (1), (2) or (3) of this regulation, such an order shall be regarded for the purposes of regulation 13(2) as an order made with modifications.

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

**19.**—(1) Regulations 4, 5, 6 and 7 shall not apply to a consolidation order or any of the orders set out in Schedule 6, and regulation 17 where appropriate shall have effect in relation to any such order with the following modifications, namely, that the particulars to be contained in the notice of the making of the order shall consist only of—

- (a) the name of the authority;
- (b) the title of the order;
- (c) if appropriate, a statement of the titles of the orders the provisions of which are reproduced in the consolidation order;
- (d) the operative date or dates of the order; and
- (e) the items numbered 5 and (if appropriate) 6 in Part III of Schedule 1.

(2) Any order to which this regulation applies shall be framed so as to come into force on a date not less than 14 days after the publication in the local newspaper of the notice of the making of the order.

### **Special provisions for certain experimental traffic orders**

**20.**—(1) This regulation applies to the following orders:—

- (a) an order under section 9(1) of the Act which provides only for one or more of the following matters:—
  - (i) the revocation of an order made, or having effect as if made, under the said section 9(1);
  - (ii) the variation of an order made, or having effect as if made, under the said section 9(1) so as to reduce the extent of its application or the stringency of any prohibition or restriction imposed by it;
- (b) an order under section 9(4) of the Act.

(2) Regulations 5, 6 and 7 shall not apply to any order to which this regulation applies.

### **Saving**

**21.** Where in connection with any order, consultation in accordance with regulation 4 is commenced before the date of coming into force of these Regulations, then the remaining procedural steps in connection with that order shall be determined by the Local Roads Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1987, notwithstanding their revocation by regulation 1(2).

### **Revocation**

**22.** The Local Roads Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1987(1) are hereby revoked.