STATUTORY INSTRUMENTS

1986 No. 179

ROAD TRAFFIC

The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1986

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The Secretary of State for Transport (as respects England) and the Secretary of State for Wales (as respects Wales) in exercise of their powers under section 124 of, and Part III of Schedule 9 to, the Road Traffic Regulation Act 1984(**a**), and of all other enabling powers, after consultation with representative organisations in accordance with section 134(2) of the said Act of 1984, hereby make the following Regulations:—

PART I

GENERAL

Citation, commencement and revocation

1.— (1) These Regulations may be cited as the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1986 and shall come into operation on the 1st April 1986.

(2) The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1969(**b**), the Local Authorities' Traffic Orders (Procedure) (England and Wales) (Amendment) Regulations 1975(**c**) and the Local

(**a**) 1984 c. 27; Schedule 9 was amended by the Local Government Act 1985 (c. 51), Schedule 5, paragraph 4(39).
(**b**) S.I. 1969/463.
(**c**) S.I. 1975/2030.

Authorities' Traffic Orders (Procedure) (England and Wales) (Amendment) Regulations 1982(a) are hereby revoked.

Interpretation

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

"the Act" means the Road Traffic Regulation Act 1984;

"the authority", in relation to any order, means the local authority making, or proposing to make, the order under the Act or under section 36B(5) of the Road Traffic Act 1972(b) (as the case may be);

"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 following shall not be regarded as a change in substance:—

(a) the inclusion in the order (by way of an 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 1986(c) in respect of a disabled person's vehicle, or of a provision conferring on a traffic warden functions similar to those conferred by the existing order or orders on a police constable in uniform or of both such exemption and such provision, or

(b) the substitution in the order in place of a prohibition or restriction in any existing order or orders, of a prohibition or restriction of the type specified in regulation 20(1)*(b)* or *(c)*;

"Crown road" and "the appropriate Crown authority" have the same meanings as in section 131(7) of the Act;

"London local authority" means the Council of a London Borough, or the Common Council of the City of London;

"the notice of proposals" and "the notice of making", in relation to an order, mean respectively the notices required to be published under regulations 5 and 17;

"the objection period" means the period within which objections to an order may be made in accordance with regulation 6;

"the order" means, in relation to anything occurring or falling to be done before its making, the order as proposed to be made, and in relation to anything occurring or falling to be done on or after its making, the order as made; and

"relevant map", in relation to an order, means the map required to be prepared and kept in connection with that order by regulation 14.

(2) Any reference in these Regulations to an order under any particular section of the Act or under section 36B(5) of the Road Traffic Act 1972 includes

(a) S.I. 1982/291.
(b) 1972 c. 20; section 36B was inserted by the Road Traffic Act 1974 (c. 50), section 7.
(c) S.I. 1986/178.

a reference to an order varying or revoking an order made, or having effect as if made, under that section.

(3) In relation to an order under section 36B(5) of the Road Traffic Act 1972 any reference in these Regulations to Part I or III of Schedule 9 to the Act shall be construed as a reference to that Part as applied by section 36B(7) of the said Act of 1972.

(4) Any reference in these Regulations to a numbered regulation or Schedule is a reference to the regulation or Schedule bearing that number in the Regulations except where otherwise expressly provided.

Application of Regulations

3.— (1) These Regulations apply to orders made or proposed to be made by a local authority (other than a London local authority) under any of the following provisions of the Act, that is to say sections 1 to 3, 9, 19, 29, 32, 35, 37, 38, 45, 46, 49(2) and (4), 54(9), 83(2) and 84 or under section 36B(5) of the Road Traffic Act 1972.

(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 or of the said Act of 1972 made or proposed to be made by such a local authority in pursuance of a direction of the Secretary of State under paragraphs 1 and 2 of Schedule 9 to 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 any order to which these Regulations apply some, but not all, of the necessary procedural steps have been taken before the coming into operation of these Regulations, then the remaining procedural steps in connection with that order shall be determined by, and carried out in accordance with, these Regulations, as nearly as may be.

PART II

PROCEDURE BEFORE MAKING THE ORDER

Consultation

4.— (1) Before making the order the 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) where the order relates to a Crown road, consult with the appropriate Crown authority for that road, and

(c) in all cases consult with 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 authority that there is no such organisation which can appropriately be consulted.

(2) The consultations referred to in paragraph (1) of this Regulation are additional to the consultation with the chief officer of police required by paragraph 20 of Schedule 9 to the Act, any other consultation required by the Act, and the consultation required of metropolitan district councils by paragraph 6(3)*(c)* of Schedule 5 to the Local Government Act 1985(**a**).

(3) This regulation has effect subject to regulations 18 and 20.

Publication of proposals

5.— (1) After the consultations referred to in regulation 4 but before making the order the 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 I of Schedule 1;

(b) publish a similar notice in the London Gazette;

(c) comply with the relevant requirements of Schedules 2 and 3 as to the notices to be displayed in each road or other place to which the order relates and as to the availability of documents for inspection.

(2) At the same time as they comply with the requirements of paragraph (1) of this regulation, any authority who are a metropolitan district council shall send copies of the particulars mentioned in sub-paragraph *(a)* of that paragraph to each person whom they are required to consult under paragraph 6(3)*(c)* of Schedule 5 to the Local Government Act 1985.

(3) This regulation has effect subject to regulations 18, 19 and 20.

Objections

6.— (1) The period during which objections to the order can be made shall begin not earlier than the date on which the authority have complied with the requirements of paragraph (1)*(a)* and *(b)*, have begun to display the notices required by paragraph (1)*(c)* and have complied with the requirements of paragraph (2), of the last foregoing regulation, and shall continue, in the case of orders under section 83(2) or 84(1) of the Act, for not less than 28 days, and in the case of all other orders, for not less than 21 days.

(2) Any person desiring to object to the authority's proposal to make the order shall send within the period, and to the address, specified in the notice of proposals published as required by the last foregoing regulation a written statement of his objection and of the grounds thereof.

(3) Where the authority making, or proposing to make, the order are a metropolitan district council, the requirements of paragraph (1) and (2) of this regulation are additional to the requirements of paragraph 7(2) of Schedule 5 to the Local Government Act 1985.

(4) This regulation has effect subject to regulations 18, 19 and 20.

(**a**) 1985 c. 51.

Public inquiries

7.— (1) Before making any order to which these Regulations apply the authority may hold a public inquiry in connection with that order and the authority shall hold such an inquiry before making the order in the following cases:—

(a) where the order is:—

(i) an order under section 1, 37, or 45 of the Act which contains a provision which prohibits, or has the effect of prohibiting, the loading or unloading of vehicles in any road either at all times or for any period of time unless such period falls wholly between 08.00 hours and 09.30 hours or between 16.30 hours and 18.30 hours in any day, or

(ii) an order under section 9 of the Act which contains a provision such as is mentioned in sub-sub-paragraph (i) above and which is proposed to be made within 6 months of the date on which a previous order under section 9 of the Act containing a similar provision as respects that road ceased to be in force,

and an objection to that provision in the order is made by any person in accordance with regulation 6 and is not withdrawn;

(b) where the order is:—

(i) an order under section 1, 37, or 45 of the Act which contains a provision for requiring vehicular traffic generally, or vehicular traffic of any class, to proceed on a road in a specified direction, or for prohibiting such traffic from so proceeding, or

(ii) an order under section 9 of the Act which contains a provision for requiring vehicular traffic generally, or vehicular traffic of any class, to proceed on a road in a specified direction, or for prohibiting such traffic from so proceeding, and which is proposed to be made within 6 months of the date on which a previous order under section 9 of the Act containing a similar provision as respects that road ceased to be in force, or

(iii) an order under section 19 of the Act which provides that any highway shall not be used either at all times or for a limited period or periods in the year by public service vehicles or such vehicles of a specified class,

and an objection to that provision in the order is made in accordance with regulation 6 by a person who provides a relevant service on any road to which the order relates, and is not withdrawn; and

(c) where the order is one which requires the consent of the Secretary of State under paragraph 13 of Schedule 9 to the Act, and he has notified the authority that he will not be willing to consider giving his consent to the making of the order until a public inquiry has been held by the authority in connection with it.

(2) The 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) For the purposes of paragraph (1)*(b)* of this regulation, "a relevant service" means—

(a) a service which is a local service within the meaning of the Transport Act 1985(**a**); or

(b) a service for the carriage of passengers for hire or reward at separate fares which is not—

(i) a local service (within the meaning aforesaid); or

(ii) a service in relation to which the conditions set out in Part III of Schedule 1 to the Public Passenger Vehicles Act 1981(**b**) are met in respect of each journey made by the vehicles used in providing the service.

Notice of public inquiry

8.— (1) Where the authority decide, before publishing the notice of proposals under regulation 5, to hold a public inquiry, the notice of proposals shall contain, in addition to the particulars required by that regulation, the particulars specified in Part II of Schedule 1.

(2) In all other cases where, in connection with an order to which these Regulations apply, a public inquiry is to be held (whether as a result of the authority's decision or the requirements of regulation 7) the authority shall, after complying with the requirements of regulation 5:—

(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 III of Schedule 1;

(b) publish a similar notice in the London Gazette;

(c) comply with the relevant requirements of Schedules 2 and 3 as to the display of notices in each road or other place to which the order relates and as to the availability of documents for inspection;

(d) 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 6 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 expiration of the objection period (whichever is later) and the date on which the inquiry is due to begin.

(**a**) 1985 c. 67.
(**b**) 1981 c. 14.

Procedure at public inquiry

9.— (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 person appointed to hold the inquiry, at the address given in the 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 consideration by that person at 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) Subject as aforesaid, the procedure at the inquiry shall be in the discretion of the person holding it.

Consent of the Secretary of State

10. Where the order is one which under paragraph 13 of Schedule 9 to the Act requires the consent of the Secretary of State, the authority's application to him for such consent shall be accompanied by copies of such of the documents specified in Schedule 4 as may be applicable.

Consideration of objections

11.— (1) Before making the order the authority shall consider all objections duly made in accordance with regulation 6 and not withdrawn and also the report and recommendations (if any) of the person holding any public inquiry in connection with the order.

(2) Where the authority making, or proposing to make, the order are a metropolitan district council, the requirements of paragraph (1) of this regulation are additional to the requirements of paragraph 7(2) of Schedule 5 to the Local Government Act 1985.

Modifications

12.— (1) The 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 or Crown authority have given their consent, or

(b) in a case where under paragraphs 1 and 2 of Schedule 9 to 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 he has directed the order to be made, or

(c) in a case where the consent of the Secretary of State is not required by or under paragraph 13 of Schedule 9 to the Act, any of the

modifications would extend the application of the order or increase the stringency of any prohibition or restriction contained in it,

but subject as aforesaid the authority may make the order with modifications (whether in consequence of any objections or otherwise).

(2) Where the Secretary of State proposes to consent to the order with modifications which appear to him substantially to affect the character of the order as submitted to him, the authority shall, before making the order, take such steps 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 the authority and (if he so requests) by the Secretary of State.

Special provisions for transmission of documents to Secretary of State in certain cases

13. Where the order is one in connection with which the holding of a public inquiry is required by regulation 7(1)*(a)* or *(b)* and the authority decide to make the order in a form which includes any provision at variance with the recommendations of the person who held the inquiry, they shall:—

(a) before making the order, send to the Secretary of State a copy of the order as proposed to be made, a copy of the relevant map, a copy of the report and recommendations of the person who held the inquiry and a statement of the authority's reasons for not accepting the relevant recommendations of that person;

(b) at the same time as they send to the Secretary of State the documents specified above, give written notification of this fact to each person who has duly objected to the order in accordance with regulation 6 and has not withdrawn his objection;

(c) not make the order before the expiration of one month from the date on which the said documents were sent to the Secretary of State, unless he gives the authority earlier notification that he has no observations to make about the order.

PART III

THE FORM OF THE ORDER

The relevant map

14.— (1) The authority shall prepare and keep in connection with the order a map on a scale of not less than 6 inches to 1 mile which clearly indicates by distinctive colours, symbols or markings:—

(a) each road to which the order relates,

(b) in a case where any provision of the order prohibits the use of a road by all vehicles, or by all vehicles of a particular class, the alternative route available for the vehicles to which the provision applies, and

(c) in a case where the order does not relate to a road, the location of the site or other place to which the order applies and the relationship of that site or place to adjacent roads and premises.

(2) Except in the case of an order under section 38 of the Act, it shall not be obligatory for the text of the order to make any specific reference to the relevant map or for that map to be made a part of the order.

(3) Where the relevant map is neither specifically referred to in the text of the order nor made a part of the order, 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.

(4) None of the foregoing paragraphs of this regulation applies to:—

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

(b) an order which relates only to a parking place and provides only for the variation of any one or more of the following matters, namely:—

(i) the charges for the use of the parking place,

(ii) the time limits applicable to such use,

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

(iv) the conditions applicable to the use of the parking place by vehicles.

Operative date of order

15.— (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 17.

PART IV

MAKING THE ORDER AND SUBSEQUENT PROCEDURE

Making the order

16. Subject to the foregoing provisions of these Regulations the authority may make the order and the order as made shall bear the authority's seal duly authenticated in accordance with the relevant standing orders of the authority.

Notice of the making of the order

17.— (1) When the authority have made the order, they shall:—

(a) forthwith give notice in writing of the making of the order to the chief officer of police for the police area in which any road or other place to which the order relates is situated;

(b) notify in writing each person who has duly objected to the order in accordance with regulation 6 and has not withdrawn his objection of the authority's reasons for making the order in spite of the objection;

(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 IV of Schedule 1;

(d) within the same period publish in the London Gazette a notice of the making of the order containing the particulars specified in Part V of Schedule 1;

(e) comply with the relevant requirements of Schedule 3 as to the availability of documents for inspection;

(f) where the order relates to any road, forthwith take such steps as are necessary to secure:—

(i) the erection 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 given 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,

but where the road is a Crown road only after consultation with the appropriate Crown authority.

(2) This regulation has effect subject to regulation 18.

PART V

SPECIAL PROCEDURAL PROVISIONS FOR CERTAIN ORDERS

Special provisions for consolidation orders

18.— (1) Regulations 4(1)*(a)* and *(c)*, 5 and 6 shall not apply to a consolidation order and regulation 17 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 shall consist only of:—

(a) the name of the authority;

(b) the title of the order;

(c) a statement of the titles of the orders the provisions of which are reproduced in the consolidation order;

(d) in a case where the consolidation order contains a substitution of the type specified in regulation 20(1)*(b)* or *(c)* a statement of the prohibitions or restrictions which have been replaced by the consolidation order;

(e) the operative date or dates of the order; and

(f) the items numbered 8 and (if appropriate) 9 in Part IV of Schedule 1.

(2) A consolidation order shall be framed so as to come into operation 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

19.— (1) This regulation applies to the following orders, that is to say:—

(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 and 6 shall not apply to any order to which this regulation applies.

Special provisions for certain variation orders

20.— (1) Regulations 4(1)*(a)* and *(c)*, 5 and 6 shall not apply:—

(a) to an order the sole effect of which is to vary an order under section 1, 9, 35, 45 or 46 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 4 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986 or a provision conferring on a traffic warden functions similar to those conferred by the order on a police constable in uniform, or both such exemption and such provision;

(b) to an order the sole effect of which is to vary an order made under section 1 or 9 of the Act so as to substitute for a prohibition or restriction on the use of vehicles the weight of which (however described) exceeds a weight expressed in imperial units an identical prohibition or restriction on the use of vehicles the weight of which exceeds the metric weight equivalent to that weight; or

(c) to an order the sole effect of which is to vary an order made under section 1 or 9 of the Act so as to substitute for a prohibition or restriction on the use of vehicles the weight of which exceeds a specified unladen weight an identical prohibition or restriction on the use of vehicles the weight of which exceeds the corresponding maximum gross weight;

(2) For the purpose of this regulation a metric weight is equivalent to any weight expressed in imperial units where it is the metric equivalent of that weight (calculated by reference to the approximate values shown in Part I of Schedule 3 to the Units of Measurement Regulations 1980(**a**)) but expressed in tonnes either to the nearest tonne or to the nearest 0.5 tonne.

(**a**) S.I. 1980/1070.

(3) In this regulation:—

"the corresponding maximum gross weight" means the maximum gross weight expressed in metric units specified in Column 2 of Schedule 5 opposite the corresponding specified unladen weight;

"maximum gross weight" has the same meaning as in the Traffic Signs Regulations and General Directions 1981(a); and

"a specified unladen weight" means one of the weights specified in Column 1 of Schedule 5 to these Regulations expressed in imperial units or the metric weight equivalent to any of those weights.

Nicholas Ridley,
Secretary of State
for Transport.

3rd February 1986.

Nicholas Edwards,
Secretary of State
for Wales.

4th February 1986.

(a) S.I. 1981/859.

Regulations 5(1)(*a*) 8(1) and (2), 17(1)(*c*) and (*d*)

SCHEDULE 1

PARTICULARS TO BE INCLUDED IN PRESS NOTICES

PART I—PARTICULARS TO BE INCLUDED IN THE NOTICE OF PROPOSALS

1. The name of the 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 83(2) or 84(1) 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 vehicle for which the parking place will be available.

7. Each address at which a copy of the order, as drafted, a copy of the relevant map, and a copy of the authority's statement of reasons for proposing to make the order can be inspected, and 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 II—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.

3. The name of the person appointed to hold the inquiry.

PART III—PARTICULARS TO BE INCLUDED IN THE SEPARATE NOTICE OF A PUBLIC INQUIRY

1. The name of the authority.

2. The title of the order.

3. A statement which refers to the published notice of proposals for the order

and which indicates that a public inquiry will be held in connection with the order.

4. 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.

5. The date, time and place of the inquiry and the name of the person appointed to hold the inquiry.

6. Each address at which a copy of the order, as drafted, a copy of the relevant map, and a copy of the authority's statement of reasons for proposing to make the order can be inspected, and the times when inspection can take place at each such address.

PART IV—PARTICULARS TO BE INCLUDED IN THE NOTICE OF MAKING THE ORDER PUBLISHED IN A LOCAL NEWSPAPER

1. The name of the authority.

2. The title of the order, and the date on which it was made.

3. A statement of the general nature and effect of the order and of its operative date or dates.

4. In the case of an order to which regulation 20(1)*(b)* or *(c)* applies a statement of the prohibitions or restrictions which have been replaced.

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. Each address at which a copy of the order, as made, and a copy of the relevant map can be inspected, and the times when inspection can take place at each such address.

9. In the case of an order under section 1, 9, 19, 32, 37, 38 or 45 of the Act or under section 36B(5) of the Road Traffic Act 1972, a statement that any person wishing to question the validity of the order or of any of its provisions on the ground that it is not within the powers of the relevant enabling Act or that a requirement of any such enabling Act or of any relevant regulations made thereunder has not been complied with may, within 6 weeks from the date on which the order was made, make application for the purpose to the High Court.

PART V—PARTICULARS TO BE INCLUDED IN THE NOTICE OF MAKING THE ORDER PUBLISHED IN THE LONDON GAZETTE

1. The name of the authority.

2. The title of the order.

3. The date of making of the order and its operative date or dates.

4. Except in the case of an order to which regulation 19 or 20 applies, the issue number and date of issue of the London Gazette containing the relevant notice of proposals previously published pursuant to regulation 5(1)*(b)*, the reference number of that notice therein, and a statement that the effect of the order is as described in that notice, save for such modifications (if any) as are described in the statement.

5. In the case of an order to which regulation 19 or 20 applies, a statement of the general nature and effect of the order.

6. Each address at which a copy of the order, as made, and a copy of the relevant map can be inspected, and the times when inspection can take place at each such address.

7. In the case of an order under section 1, 9, 19, 32, 37, 38 or 45 of the Act or under section 36B(5) of the Road Traffic Act 1972, a statement that any person wishing to question the validity of the order or of any of its provisions on the ground that it is not within the powers of the relevant enabling Act or that a requirement of any such enabling Act or of any relevant regulations made thereunder has not been complied with may, within 6 weeks from the date on which the order was made, make application for the purpose to the High Court.

Regulations 5(1)(*c*) and 8(2)(*c*)

SCHEDULE 2

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

PART I—PARTICULARS TO BE INCLUDED IN THE NOTICE

1. The name of the authority.

2. The title of the order.

3. A brief statement of the effect of the order in relation to the road or other place where it is displayed.

4. An address at which a copy of the order, a copy of the relevant map and a copy of the authority's statement of reasons for proposing to make the order can be inspected, and the times when such inspection can take place.

5. Where the notice is a notice of proposals, the address to which, and the period during 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.

6. Where the notice announces the holding of a public inquiry, the date, time and place of the inquiry and the name of the person appointed to hold 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 such other positions as the authority think requisite for securing that adequate information about the subject matter of the notice is given to persons using 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 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

Regulations 5(1)*(c)*, 8(2)*(c)* and 17(1)*(e)*

REQUIREMENTS AS TO THE AVAILABLITY OF DOCUMENTS FOR INSPECTION

1. There shall be available for inspection at the authority's offices during normal officer hours and (if the authority think fit) at such other places within the 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 drafted or made (as the case may be);

(b) a copy of the relevant map;

(c) in the case of an order which varies or revokes a previous order, a copy of that order and of its relevant map;

(d) in the case of a proposed order, a copy of a statement setting out the authority's reasons for proposing to make the order, and, if it be an experimental order under section 9, setting out the authority's reasons for proceeding by way of experiment; and

(e) in the case of an order made after the holding of a public inquiry, a copy of the report and the 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 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 6 weeks from the date on which the order is made.

Regulation 10

SCHEDULE 4

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

1. The order as proposed to be made.

2. The relevant map.

3. The statement of the 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 proposals.

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 the reply or replies sent to each objector.

7. A list of the persons and organisations consulted by the 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.

9. In a case where the order relates to a Crown road, the consent of the appropriate Crown authority.

10. In a case where the order relates to a Crown road and will apply to persons or vehicles in the service of the Crown, particulars of the Crown authority or authorities whose persons and vehicles are known to be involved.

SCHEDULE 5 Regulation 20(3)

Column 1	Column 2
Specified unladen weight (in tons)	Corresponding maximum gross weight (in tonnes)
2	5
2.5	5
3	7.5
5	16.5
10	30

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations lay down the procedure to be followed by local authorities in England (outside Greater London) and Wales in connection with the making by them of the main types of traffic and parking place orders under the Road Traffic Regulation Act 1984, and under Section 36B of the Road Traffic Act 1972.

Regulation 3 specifies the orders to which the Regulations apply. These include traffic regulation orders, experimental traffic orders, orders relating to the use of roads by public service vehicles, street playground orders, orders relating to parking places both on and off the highway (including bus station and parking meter orders), orders relating to speed limits, and orders for exempting roads from the prohibition of the parking of vehicles on verges, central reservations and footways.

Regulations 4 to 13 lay down the procedure to be followed before the order is made. They provide for preliminary consultations (regulation 4), publication of proposals (regulation 5), objections to the order (regulations 6 and 11), public inquires (regulations 7 to 9), the modification of proposals (regulation 12) and for certain cases where the Secretary of State's consent is required or where the Secretary of State has to be notified of the local authority's proposals (regulations 10 and 13).

Regulations 14 and 15 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.

Provisions as to the matter of making the order and as to the giving notice of its making are contained in regulations 16 and 17.

Certain of the above requirements are modified in relation to consolidation orders, some experimental traffic orders and certain variation orders by regulations 18 to 20.

Schedules 1 to 3 contain particulars of the details to be included in the press notices of an order, of the requirements as to 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 which must accompany an application for the appropriate Secretary of State's consent. Schedule 5 relates specified unladen weights to corresponding maximum gross weights of vehicles.

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