



Road Traffic Regulation Act 1984

1984 CHAPTER 27

PART IV

PARKING PLACES

Control of off-street parking

44 Control of off-street parking outside Greater London.

- (1) With a view to providing further means of regulating traffic in urban areas, Her Majesty may by Order in Council provide for enabling the operation of public off-street parking places to be regulated—
 - [^{F1}(a) in English counties, by the county council or metropolitan district council, and in [^{F2}Welsh counties or county boroughs by the county council or (as the case may be) county borough council], by the county council; and]
 - (b) in Scottish [^{F3}local authority areas by the council constituted under section 2 of the Local Government etc. (Scotland) Act 1994] .
- (2) An Order in Council under this section may make any such provision for the remainder of England and Wales, or for Scotland as the case may be, as is made for Greater London by section 43 of this Act and shall be so framed as to conform with the London provisions as respects all matters there dealt with, subject only to the modifications permitted or required by the following subsection and other minor and incidental modifications.
- (3) The modifications referred to above are that the Order—
 - (a) shall provide for controlled areas to be so designated that they comprise only premises to which there is no road access otherwise than (directly or indirectly) from one or more urban roads;
 - [^{F4}(b) may in relation to non-metropolitan counties in England and ^{F5} . . . provide for certain functions of local authorities under the London provisions in respect of areas designated as controlled areas to be conferred on district councils or on both county councils and district councils, and may in consequence of

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- any such distribution of functions make such incidental and supplementary provision as appears to Her Majesty to be necessary or expedient;]
- (c) may take account of Scottish legislation corresponding to legislation for England and Wales; and
- (d) may include, in place of references and requirements which are apposite only for London, corresponding references and requirements apposite for other areas of Great Britain.
- (4) Any such Order shall also require councils—
- (a) to consult organisations representative of the disabled before deciding to propose the designation of a controlled area under the Order; and
- (b) if representations are received from such organisations about the proposal, to send to the Secretary of State (together with copies of representations received from other organisations consulted) a statement of how parking requirements of the disabled arising from implementation of the proposal are met by existing facilities or, if in the opinion of the council they are not already so met, how it is intended to meet them.
- (5) In this section—
- (a) “the London provisions” means section 43 of, and Schedule 4 to, this Act; and
- (b) “urban road” means a road which—
- (i) is a restricted road for the purposes of section 81 of this Act; or
- (ii) is subject to an order [^{F6}made by virtue of section 84(1)(a)] of this Act imposing a speed limit of not more than 40 m.p.h.
- (6) An Order in Council made under this section shall be subject to annulment by resolution of either House of Parliament.

Textual Amendments

- F1** S. 44(1)(a) substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), **Sch. 5 para. 4(18)(a)**
- F2** Words in s. 44(1)(a) substituted (1.4.1996) by 1994 c. 19, s. 22(1), **Sch. 7 Pt. II para. 38(2)(a)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 3, **Sch. 1**
- F3** Words in s. 44(1)(b) substituted (S.) (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 134(6)**; S.I. 1996/323, **art. 4**
- F4** S. 44(3)(b) substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), **Sch. 5 para. 4(18)(b)**
- F5** Words in s. 44(3)(b) repealed (1.4.1996) by 1994 c. 19, ss. 22(1), 66(8), **Sch. 7 Pt. II para. 38(2)(b) Sch. 18** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 3, **Sch. 1**
- F6** Words in s. 44(5)(b)(ii) substituted (1.7.1992) by [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), s. 48, **Sch. 4, para. 26**; S.I. 1992/1286, art. 2, **Sch.**

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