

*Status: Point in time view as at 14/04/2020.*

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## SCHEDULES

### SCHEDULE 8

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### Extent Information

- E1** [Sch. 8](#) extends to England and Wales and to Scotland or Northern Ireland also if amended enactment so extends see [s. 169](#)

#### PART II

#### AMENDMENTS OF THE ROAD TRAFFIC REGULATION ACT 1984

##### *Parking places*

- 39 In section 32 of the Road Traffic Regulation Act 1984 (power of local authorities to provide parking places), in subsection (4)(a) (meaning of “local authority”) for “the local roads authority” substitute “ a regional or islands council ”.

##### Commencement Information

- I1** [Sch. 8 para. 39](#) wholly in force; [Sch. 8 para. 39](#) in force (S.) at 01.11.1991 see [s. 170\(1\)](#) and [S.I. 1991/2286](#) art. 2(2), [Sch. 2](#); [Sch. 8 para. 39](#) in force (E. W.) at 01.11.1991 see [s. 170\(1\)](#) and [S.I. 1991/2288](#), [art. 3](#), [Sch.](#)

- 40 In section 34 of the <sup>M1</sup>Road Traffic Regulation Act 1984 (provision of access to premises through off-street parking place), in subsection (1)—
- (a) in the opening words omit the words “in England or Wales”, and
- (b) for paragraph (a) substitute—
- “(a) that it would relieve or prevent congestion of traffic on a highway or, in Scotland, a road if use were made of the parking place to provide a means of access from the highway or road to premises adjoining, or abutting on, the parking place, and”.

##### Commencement Information

- I2** [Sch. 8 para. 40](#) wholly in force; [Sch. 8 para. 40](#) in force (S.) at 01.11.1991 see [s. 170\(1\)](#) and [S.I. 1991/2286](#) art. 2(2), [Sch. 2](#); [Sch. 8 para. 40](#) in force (E. W.) at 01.11.1991 see [s. 170\(1\)](#) and [S.I. 1991/2288](#), [art. 3](#), [Sch.](#)

##### Marginal Citations

- M1** [1984 c. 27](#).

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- 41 (1) Section 37 of the Road Traffic Regulation Act 1984 (extension of powers for purposes of general scheme of traffic control) is amended as follows.
- (2) For subsection (1) substitute—
- “(1) This section applies to an order made under both section 1 and section 32 of this Act by—
- (a) the council of a county or metropolitan district in England and Wales, or
- (b) by a regional or islands council in Scotland,
- where the order is, and is stated to be, made by virtue of this section and for the purposes of a general scheme of traffic control in a stated area.”
- (3) In subsection (3) for “a trunk road” substitute “ a road for which the Secretary of State is the traffic authority ”.

**Commencement Information**

- I3** [Sch. 8 para. 41](#) wholly in force; [Sch. 8 para. 41](#) in force (S.) at 01.11.1991 see [s. 170\(1\)](#) and [S.I. 1991/2286 art. 2\(2\)](#), [Sch. 2](#); [Sch. 8 para. 41](#) in force (E.W.) at 01.11.1991 see [s. 170\(1\)](#) and [S.I. 1991/2288, art. 3](#), [Sch.](#)

- 42 In section 38 of the Road Traffic Regulation Act 1984 (parking place to be used as bus or coach station), in subsection (3) for “street” substitute “ road ”.

**Commencement Information**

- I4** [Sch. 8 para. 42](#) wholly in force; [Sch. 8 para. 42](#) in force (S.) at 01.11.1991 see [s. 170\(1\)](#) and [S.I. 1991/2286 art. 2\(2\)](#), [Sch. 2](#); [Sch. 8 para. 42](#) in force (E.W.) at 01.11.1991 see [s. 170\(1\)](#) and [S.I. 1991/2288, art. 3](#), [Sch.](#)

- 43 In section 43 of the Road Traffic Regulation Act 1984 (control of off-street parking in Greater London) in subsection (14), in the definition of “public off-street parking place”, for “parking space for motor vehicles off the highway” substitute “ off-street parking accommodation ” and for “space” substitute “ accommodation ”.

- 44 (1) Section 45 of the Road Traffic Regulation Act 1984 (designation of paying parking places on highways) is amended as follows.

- (2) For subsection (1) (power to make orders) substitute—

“(1) A local authority may by order designate parking places on highways or, in Scotland, roads in their area for vehicles or vehicles of any class specified in the order; and the authority may make charges (of such amount as may be prescribed under section 46 below) for vehicles left in a parking place so designated.

The exercise of this power by a local authority outside Greater London in relation to a highway or road for which they are not the traffic authority is subject to obtaining the consent of the traffic authority.”

- (3) In subsection (3)(c) (matters to be taken into account in making orders), for the words from “parking accommodation” to “highways” or, in Scotland, “roads” substitute “ off-street parking accommodation, whether in the open or under cover, ”.
- (4) In subsection (7) (meaning of “local authority”), in paragraph (c) for “local roads authority” substitute “ regional or islands council ”.

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#### Commencement Information

**I5** Sch. 8 para. 44 wholly in force; Sch. 8 para. 44 in force (S.) at 01.11.1991 see s. 170(1) and S.I. 1991/2286 art. 2(2), Sch. 2; Sch. 8 para. 44 in force (E.W.) at 01.11.1991 see s. 170(1) and S.I. 1991/2288, art. 3, Sch.

- 45 In section 53(1) of the Road Traffic Regulation Act 1984, for “highways” or, in Scotland, “roads” substitute “ highways or, in Scotland, roads ”.

#### Commencement Information

**I6** Sch. 8 para. 45 wholly in force; Sch. 8 para. 45 in force (S.) at 01.11.1991 see s. 170(1) and S.I. 1991/2286 art. 2(2), Sch. 2; Sch. 8 para. 45 in force (E.W.) at 01.11.1991 see s. 170(1) and S.I. 1991/2288, art. 3, Sch.

- 46 (1) Section 55 of the <sup>M2</sup>Road Traffic Regulation Act 1984 (financial provisions relating to designation orders) is amended as follows.
- (2) In subsection (4)(b) and (c) for the words from “parking accommodation” to the end substitute “ off-street parking accommodation, whether in the open or under cover; ”.
- (3) For subsection (4)(d) substitute—
- “ (d) if it appears to the local authority that the provision in their area of further off-street parking accommodation is unnecessary or undesirable, the following purposes—
- (i) meeting costs incurred, whether by the local authority or by some other person, in the provision or operation of, or of facilities for, public passenger transport services, and
- (ii) the purposes of a highway or road improvement project in the local authority’s area.”.
- (4) After subsection (4) insert—
- “(4A) For the purposes of subsection (4)(d)(ii)—
- (a) a highway improvement project means a project connected with the carrying out by the appropriate highway authority (whether the local authority or not) of any operation which constitutes the improvement (within the meaning of the Highways Act 1980) of a highway in the area of a local authority in England or Wales; and
- (b) a road improvement project means a project connected with the carrying out by the appropriate roads authority (whether the local authority or not) of any operation which constitutes the improvement (within the meaning of the Roads (Scotland) Act 1984) of a road in the area of a local authority in Scotland.”.
- (5) Omit subsection (5).

#### Commencement Information

**I7** Sch. 8 para. 46 wholly in force; Sch. 8 para. 46 in force (S.) at 01.11.1991 see s. 170(1) and S.I. 1991/2286 art. 2(2), Sch. 2; Sch. 8 para. 46 in force (E.W.) at 01.11.1991 see s. 170(1) and S.I. 1991/2288, art. 3, Sch.

#### Marginal Citations

**M2** 1984 c. 27.

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