



# Transport (London) Act 1969

## 1969 CHAPTER 35

### PART V

#### PROVISIONS AS TO HIGHWAYS AND TRAFFIC

#### **29 Amendments as to metropolitan roads**

- (1) Subsections (1) to (3) of section 17 of the London Government Act 1963 (which specify the highways which are to be metropolitan roads, that is to say, the highways for which the Council are the highway authority) shall cease to have effect, and references in any enactment to metropolitan roads shall be construed as references to—
  - (a) any highway or proposed highway in Greater London which is for the time being classified under section 27(2) of the Local Government Act 1966 as a principal road for the purposes of advances under section 235 of the Highways Act 1959 ; and
  - (b) any other highway or proposed highway in Greater London which is for the time being designated as a metropolitan road by an order under section 7 of the said Act of 1959 directing that the highway shall cease to be a trunk road.
- (2) A certificate by or on behalf of the Minister that any highway or proposed highway in Greater London is, or is not, for the time being classified as aforesaid shall be evidence of the fact stated and any such certificate may describe the highway or proposed highway in question by reference to a map.
- (3) The Council shall prepare and maintain a list of, and a map showing, the highways and proposed highways which are for the time being metropolitan roads and shall deposit a copy of that list and of that map with each of the councils of the London boroughs and the Common Council, and the Council and each of those other authorities shall make that list and map, or as the case may be the copies thereof so deposited with them, available for inspection by the public at all reasonable hours.
- (4) In section 18 of the London Government Act 1963 (which relates to the delegation of functions of the Council with respect to a metropolitan road to the council of a London borough or the Common Council), after subsection (1) there shall be inserted the following subsection:—

---

*Status: This is the original version (as it was originally enacted).*

---

“(1A) For the avoidance of doubt it is hereby declared that the functions of the Greater London Council which may be delegated by virtue of subsection (1) of this section include, and shall be deemed always to have included, the functions of that Council under the provisions of section 12 of the Road Traffic Regulation Act 1967 (being provisions relating to the temporary prohibition or restriction of traffic on roads), or, as respects any period before the coming into operation of the said section 12, under the corresponding provisions contained in section 36 of the Road Traffic Act 1960, with respect to any metropolitan road in the case of which that Council have so delegated their functions with respect to the maintenance of that road.”

- (5) In this section, any expression (other than " metropolitan road ") which is also used in the Highways Act 1959 has the same meaning as in that Act.
- (6) The provisions of this section other than subsection (4) thereof shall be deemed for the purposes of section 84 of the London Government Act 1963 (which relates to the making of supplementary and transitional provision by order) to be included in that Act.

### **30 Planning permission for development affecting metropolitan road**

- (1) The Minister may from time to time, after consultation with the Council, with the councils of the London boroughs and with the Common Council, direct that, for the purposes of regulations made by the Minister of Housing and Local Government under section 24(6) of the London Government Act 1963 (which enables that Minister by regulations to require particular applications, or applications of a particular class, for planning permission for development in Greater London to be referred in certain cases to that Minister or to the Council before they are dealt with by the local planning authority), metropolitan roads and proposed metropolitan roads shall be divided into categories specified in the direction; and any such regulations—
  - (a) may designate a class of development, or a class of applications for planning permission for development, by reference to a particular category or categories only of those so specified ; and
  - (b) may designate a class of such applications by reference to those only of the said roads included in a particular category or categories so specified in the case of which the Council have given to the local planning authority written notice containing such particulars as may be prescribed by the regulations of proposals by the Council with respect to the roads in question of such class as may be so prescribed, being proposals for the construction, improvement or alteration of those roads or for the regulation of means of access between premises and those roads.
- (2) The Council shall prepare and maintain a list of, and a map showing, the metropolitan roads and the proposed metropolitan roads included in each respectively of the categories for the time being provided for by directions under subsection (1) of this section and shall deposit a copy of that list and of that map with each of the councils of the London boroughs and the Common Council, and the Council and each of those other authorities shall make that list and map, or as the case may be the copies thereof so deposited with them, available for inspection by the public at all reasonable hours.
- (3) In this section the expression " proposed metropolitan road " means land which is not a proposed highway as defined by section 295(1) of the Highways Act 1959, but in the case of which—

- (a) the Council have applied to the Minister for the classification as a principal road of the highway proposed to be constructed on it; or
- (b) the Council have given written notice to the local planning authority that the Council consider that it should be used for the provision of a metropolitan road.

### **31 Powers of Council where obstruction of highway is greater or longer than necessary**

- (1) If, in the case of any highway in Greater London which is not a trunk road, it appears to the Council that any of the following persons (hereafter in this section referred to as an " authorised person "), namely—
- (a) any undertakers acting in the exercise of a statutory power to break up or open that highway; or
  - (b) where that highway is not a metropolitan road, the highway authority acting as aforesaid; or
  - (c) any person acting in the exercise of the power conferred by section 15(1) of the Pipe-lines Act 1962 ; or
  - (d) any person acting in the exercise of the power conferred by section 34(2) of the Public Health Act 1936,

has by the deposit of excavated matter or other material, or by means of the erection of barriers, or otherwise, created an obstruction in the highway to a greater extent or for a longer period than is reasonably necessary, the Council may by notice require that authorised person to take such steps as may appear to the Council to be necessary and as are specified in the notice to mitigate or discontinue the obstruction; and, subject to subsection (2) of this section, if that authorised person fails to comply with any such requirement within twenty-four hours of the receipt of the notice, the Council may take the necessary steps and may recover any expenses reasonably incurred by them in connection therewith from that authorised person.

- (2) If, within twenty-four hours of receiving a notice under subsection (1) of this section, the authorised person in question makes representations to the Minister that the obstruction to which the notice relates is not greater, or has not been continued for a longer period, than is reasonably necessary, and sends to the Council a copy of the representations so made, the Council shall not take any such steps as aforesaid without the consent of the Minister.
- (3) The Council may, if they think fit, delegate to an officer of the Council the power of making requirements conferred on the Council by this section.
- (4) In this section, the expression " undertakers" means persons (other than persons acting on behalf of the Crown) having powers to break up or open highways in Greater London for the purposes of any sewerage system, or any water, gas, electricity, tramway or other undertaking, and any other expression (other than " metropolitan road ") which is also used in the Highways Act 1959 has the same meaning as in that Act.
- (5) The provisions of section 139 of the Highways Act 1959 as to the powers of highway authorities in the case of such obstruction as aforesaid shall cease to apply in relation to any metropolitan road, but save as provided in the foregoing provisions of this subsection or by subsection (6) of this section nothing in this section shall affect the operation of the said section 139.

---

*Status: This is the original version (as it was originally enacted).*

---

- (6) In subsection (1) of the said section 139 as amended by section 19 of the Pipe-lines Act 1962, after the words " Pipe-lines Act 1962 " there shall be inserted the words " or by section 34(2) of the Public Health Act 1936 ".

### **32 Amendments as to pedestrian crossings**

- (1) The Council shall be the local authority as respects Greater London for the purposes of section 21 of the Act of 1967 (which empowers a local authority to make schemes for the establishment on roads in their district other than trunk roads of crossings for foot passengers); and accordingly—
- (a) in subsection (6) of that section (which defines the expression " local authority " as respects England and Wales other than Greater London and as respects Scotland) after paragraph (b) there shall be added the following paragraph:—  
 “(c) as respects Greater London, the Greater London Council”;  
 and
  - (b) for subsection (8) of that section (which defines that expression in relation to Greater London and requires the Council to consult other authorities in Greater London before submitting certain schemes under that section) there shall be substituted the following:—  
 “(8) Before the Greater London Council submit any scheme under this section with respect to any road they shall consult with any other council, being the council of a London borough or the Common Council of the City of London, within whose area that road is situated.”
- (2) Any scheme with respect to a road in Greater London made, or having effect as if made, under the said section 21 by an authority other than the Council and in force immediately before the appointed day for the purposes of subsection (1) of this section shall be deemed to have been made by the Council and shall continue in force accordingly until varied or revoked by the Council or the Minister in accordance with subsection (4) of that section.
- (3) On the appointed day aforesaid there shall be transferred to the Council—
- (a) all traffic signs within the meaning of section 54(1) of the Act of 1967 placed in connection with any such scheme as aforesaid made in relation to a road in Greater London by any authority other than the Council; and
  - (b) subject to subsections (4) and (5) of this section, all other property or rights which, immediately before that day, were vested in that other authority for the purposes of that scheme, and all liabilities incurred by that other authority for those purposes and not discharged before that day.
- (4) There shall not be transferred to the Council by virtue of subsection (3) of this section any right or liability in respect of work done, services rendered, goods (including gas and electricity) supplied or money due for payment before the appointed day aforesaid.
- (5) The Council and the other authority concerned may make agreements with respect to the transfer of property, rights and liabilities under subsection (3) of this section, including agreements for defining the property, rights and liabilities transferred, and for the transfer or retention of property, rights or liabilities held or incurred partly for the purposes of such a scheme as aforesaid and partly for other purposes ; and any dispute between the Council and that other authority as to the property, rights or liabilities transferred shall be determined by the Minister.

### **33 Expenditure on arrangements for patrolling school crossings**

In section 24 of the Act of 1967 (under which the appropriate authority for making arrangements for patrolling school crossings is, as respects places in England and Wales which are not in the metropolitan police district, other than places in the City of London, the council of the county or borough in which the places in question are and, as respects places in the metropolitan police district, the commissioner of police of the metropolis), after subsection (6) there shall be inserted the following subsection:—

“(6A) The expenses incurred for the purposes of this section by the council of a county any part of which is for the time being comprised in the metropolitan police district shall not be chargeable on that part.”

### **34 Traffic signs**

(1) In section 64 of the Highways Act 1959 (which confers on a highway authority a general power to improve a highway maintainable at the public expense by them) at the end there shall be added the following subsection:—

“(4) In relation to any highway in Greater London maintainable at the public expense which is neither a trunk road nor a metropolitan road, subsections (2) and (3) of this section shall have effect for the purposes of, and of the provision of equipment for, the erection, maintenance, alteration or removal of traffic signs which are light signals for controlling the movement of vehicular traffic or of pedestrians, but for those purposes only, as if that highway were maintainable by the Greater London Council and not by the London borough council concerned or, as the case may be, by the Common Council.”

(2) In section 55 of the Act of 1967 (which relates to the powers and duties of highway authorities as to the placing of traffic signs) at the end there shall be added the following subsection:—

“(4) For the purposes of the provisions of this section and any other provisions of this Act relating to traffic signs—

- (a) in the application of those provisions to traffic signs in Greater London which are light signals for controlling the movement of vehicular traffic or of pedestrians, but not in their application to any other matter, the Greater London Council shall at all times be deemed to be the highway authority for all roads in Greater London other than trunk roads;
- (b) without prejudice to the powers of the highway authority for the road in question, the Greater London Council shall also be deemed to be the highway authority for any road in Greater London for which they are not in fact the highway authority for the purposes, but for the purposes only, of the exercise by them as respects that road under section 56(1) of this Act of any powers exercisable by the highway authority for that road”;

and accordingly subsection (2) of section 56 of that Act (which enables the Council to give directions to other highway authorities with respect to such light signals as aforesaid) shall cease to have effect.

(3) In subsection (1) of the said section 56 (under which the Council may, to such extent as the Council may consider necessary in connection with any order under section 6 or 9 of the Act of 1967 made or proposed to be made by the Council, exercise, as

---

*Status: This is the original version (as it was originally enacted).*

---

respects any road in Greater London which is not a trunk road, any powers exercisable by the highway authority for that road in connection with the placing of traffic signs on or near that road)—

- (a) the provisions of that subsection shall be divided so that the words from "may" in the first place where it occurs to the words "the Council" in the third place where those words occur form paragraph (a) of that subsection;
- (b) after that paragraph (a) there shall be inserted the words "and
  - (b) may in any other circumstances after consultation with the highway authority concerned";
- (c) for the words "not a trunk road" there shall be substituted the words "neither a trunk road nor a metropolitan road".

(4) At the end of the said section 56 there shall be inserted the following subsection:—

“(4) The powers of the Council by virtue of paragraph (b) of subsection (1) above shall extend to the removal or repositioning of any traffic sign on or near the road in question whether or not placed by the Council, and on the removal or repositioning by the Council of any such sign placed by an authority other than the Council that sign shall vest in the Council; and, except with the consent of the Council or in pursuance of a direction under section 55(2) of this Act, the highway authority for that road shall not remove, alter or in any way interfere with any traffic sign placed or repositioned on or near that road by the Council by virtue of that paragraph.”

(5) In section 104(1) of the Act of 1967, in the definition of "highway authority", after the words "trunk road" in the first place where those words occur there shall be inserted the words "and subject to the provisions of section 55(4) of this Act".

(6) On the appointed day for the purposes of subsection (2) of this section, there shall be transferred to the Council—

- (a) all traffic signs which are such light signals as are mentioned in the subsection added by the said subsection (2) to section 55 of the Act of 1967 and which immediately before that date were vested in the council of any London borough or in the Common Council; and
- (b) subject to subsections (7) and (8) of this section, all other property or rights which, immediately before that day, were vested in the council of a London borough or in the Common Council for the purposes of such light signals, and all liabilities incurred by the council of any London borough or the Common Council for such purposes and not discharged before that date.

(7) There shall not be transferred to the Council by virtue of subsection (6) of this section any right or liability in respect of work done, services rendered, goods (including gas and electricity) supplied or money due for payment before the appointed day aforesaid.

(8) The Council and the other authority concerned may make agreements with respect to the transfer of property, rights and liabilities under subsection (6) of this section, including agreements for defining the property, rights and liabilities transferred, and for the transfer or retention of property, rights or liabilities, held or incurred partly for the purposes of such light signals as are mentioned in that subsection and partly for other purposes; and any dispute between the Council and that other authority as to the property, rights or liabilities transferred shall be determined by the Minister.

- (9) Nothing in this section shall cause the Council to be treated for the purposes of the Public Utilities Street Works Act 1950 as the highway authority for any highway for which they would not be the highway authority apart from this section.

### **35 Operation of parking places on highways where charges are made**

In section 35 of the Act of 1967, after subsection (5) (which enables the Council, without any application being made by the local authority, that is to say, the council of a London borough or the Common Council, to designate parking places on highways in the local authority's area where charges may be made for vehicles left therein, and by paragraph (b) empowers the Council to enter into an agreement with the local authority for the transfer to the local authority of the operation of any parking place so designated and of property, rights and liabilities of the Council in connection with that parking place) there shall be inserted the following subsection:—

- “(5A) Where in the case of a parking place designated by an order made, or having effect as if made, by virtue of subsection (5) above, the Greater London Council have offered to enter into such an agreement with the local authority as is mentioned in paragraph (b) of that subsection but are satisfied that such an agreement cannot be reached, then, subject to sections 84A, 84B and 84C of this Act, the Council may by order provide that the operation of that parking place, and such apparatus or other things held by, and rights or liabilities of, the Council in connection with the parking place as may be specified in the order, shall be transferred to the local authority as from such date and on such terms (including terms as to the making of payments to or by the Greater London Council by or to the local authority) as may be so specified; and—
- (a) paragraph (c) of subsection (5) above shall apply to the transfer of the operation of the parking place under the order as if it were a transfer in pursuance of an agreement under paragraph (b) of that subsection ; and
  - (b) if the local authority fail to discharge any of their functions by virtue of the order the Greater London Council may themselves discharge those functions and recover from the local authority summarily as a civil debt—
    - (i) any expenses incurred by the Council in discharging those functions; and
    - (ii) the amount of any payments falling to be made to the Council by the local authority under the order.”

### **36 Control of off-street parking**

- (1) The provisions of this section shall apply to any area in Greater London which the Council may by regulations designate as a controlled area for the purposes of this section; and any such regulations—
- (a) in addition to including any such provision as is authorised by subsection (6) of this section, may prescribe forms to be used for the purposes of this section and any other matters which under this section or Schedule 5 to this Act are to be prescribed ;
  - (b) may include such supplementary, incidental and consequential provision as appears to the Council to be necessary or expedient for the purposes of this section ; and

---

*Status: This is the original version (as it was originally enacted).*

---

(c) may make different provision as respects like matters in different circumstances;

but the provisions of Part I of the said Schedule 5 shall apply to the making of any such regulations and no such regulations shall designate as aforesaid any area which for the purposes of the Airports Authority Act 1965 forms part of the British Airports Authority's aerodrome at Heathrow.

- (2) Subject to subsection (15) of this section, in a controlled area no person other than the local authority shall operate a public off-street parking place of a prescribed description except under and in accordance with the terms and conditions of a licence granted to that person by the local authority.
- (3) An applicant for a licence in respect of any premises may apply either for a permanent licence or for a licence for such limited period not exceeding five years as the applicant may specify, and any application to the local authority for a licence shall be accompanied by the prescribed fee appropriate to the type of licence applied for towards the administrative expenses of the local authority under this section; and, subject to subsection (6) of this section, on any such application the local authority may at their discretion either grant the applicant a licence of the type applied for or refuse the application.
- (4) Subject to subsection (6) of this section, every licence shall specify—
- (a) the period of its duration, that is to say, whether it is a permanent licence or a licence for a limited period and, if for a limited period, the period for which it is granted;
  - (b) the maximum number of parking spaces to be provided at the licensed parking place for all, and, if the local authority think fit, for any respectively, of the following descriptions of parking, namely, short-term parking, long-term parking, casual parking and regular parking or any particular category of regular parking ;
  - (c) any conditions in addition to those specified in subsection (5) of this section subject to which the licence is granted, being such conditions, if any, as the local authority may think fit with respect to all or any of the following matters, namely—
    - (i) the scale of charges, or the minimum charges, or the maximum and minimum charges, to be made for the use of parking spaces at the licensed parking place for all, or for any respectively, of the descriptions of parking referred to in paragraph (b) of this subsection ;
    - (ii) the proportion of parking spaces to be available respectively for casual parking and for, or for any specified category of, regular parking ;
    - (iii) the times of opening and closing of the licensed parking place for the reception of vehicles ;
    - (iv) the manner in which users of the licensed parking place are to be informed of the effect of the terms and conditions of the licence ;
    - (v) the keeping by the operator of the licensed parking place as respects all, or as respects any respectively, of the descriptions of parking referred to in the said paragraph (b) of records showing for each day the number of vehicles using parking spaces at the licensed parking place and the sums received by way of charges for the use of those parking spaces.



- (5) It shall be a condition of every licence—
- (a) that any person authorised in that behalf in writing by the local authority or by the Council may, subject to production if requested of his authority, at all reasonable hours enter upon and inspect the licensed parking place; and
  - (b) that the holder of the licence shall, on being given reasonable notice for the purpose by any such person, produce to that person and permit him to examine and make copies of, or take extracts from, any records required by virtue of subsection (4)(c)(v) of this section to be kept in connection with the operation of that parking place;

but if any such person discloses to any other person otherwise than in the performance of his duty any information with regard to the operation of that parking place or to any trade secret obtained by him at that parking place or from any such examination, or if any member or officer of the local authority to whom any such information is disclosed by reason of his official position discloses that information to any other person otherwise than in the performance of his duty, that person or, as the case may be, that member or officer shall be liable on summary conviction to a fine not exceeding £100.

- (6) Regulations made by the Council under subsection (1) of this section may include provision—
- (a) as to the maximum number of parking spaces to be made available at licensed parking places for all, or for any respectively, of the descriptions of parking referred to in subsection (4)(b) of this section in, or in any specified part of, any controlled area comprised within the area of a particular local authority ;
  - (b) requiring that, in the case of licensed parking places in a particular controlled area or part of a controlled area, all or any of the matters referred to in subsection (4)(c) of this section shall or as the case may be shall not be the subject of conditions specified in the licence;
  - (c) regulating the conditions which may be imposed with respect to any of the matters aforesaid ;

and every local authority shall exercise their functions under subsections (3) and (4) of this section in conformity with any regulations for the time being in force by virtue of this subsection.

- (7) Where the local authority decide in pursuance of subsection (3) of this section—
- (a) to refuse an application for a licence ; or
  - (b) to grant a licence subject to any conditions which they are not required by regulations under subsection (6) of this section to impose with respect to any of the matters referred to in subsection (4)(c)(i) to (v) of this section, they shall inform the applicant in writing of the reasons for their decision at the same time as they inform him of that decision.
- (8) Where a licence has been granted—
- (a) the local authority shall, if so requested by a successor in title to the business (so far as it consists of the operation of the licensed parking place) of the person to whom the licence was granted, transfer the licence to that successor in title, but a licence shall not otherwise be transferable;
  - (b) the holder of the licence may at any time surrender it by giving notice in writing for the purpose to the local authority which shall include a statement certifying either that the holder is the only person entitled to any interest in the licensed premises or that not less than twenty-one days before the date of the

---

*Status: This is the original version (as it was originally enacted).*

---

- notice the holder has notified all other persons known to him to be so entitled of his intention to serve the notice;
- (c) the local authority may at any time on the application or with the agreement of the holder of the licence vary any of the terms and conditions specified in the licence under subsection (4)(b) and (c) of this section;
  - (d) in the case of a permanent licence, the local authority shall have the powers of revocation or variation of the licence conferred by Part II of Schedule 5 to this Act.
- (9) The provisions of Parts III and IV of Schedule 5 to this Act shall have effect with respect to appeals and compensation in connection with certain decisions of a local authority under this section; and the local authority shall comply with the prescribed requirements as to the giving to an applicant for a licence of information as to the rights conferred by the said Parts III and IV; and every person who applies for or is the holder of a licence in respect of any premises shall give to any other person known to him to be entitled to any interest in those premises information as soon as may be—
- (a) of the making of the application ; and
  - (b) of any decision of the local authority relating to the premises of which he is, or is deemed under paragraph 14(2) of the said Schedule to have been, notified by the local authority; and
  - (c) of the bringing, and of the determination or abandonment, of any appeal from any such decision brought by that person under the said Part III.
- (10) Subject to subsection (15) of this section and to the provisions of Part V of Schedule 5 to this Act, any holder of a licence who contravenes or fails to comply with any of the terms and conditions of the licence and who does not show that the contravention or failure was due to an act or omission of a person not connected with the operation of the licensed parking place which the persons so connected could not reasonably have been expected to prevent shall be liable on summary conviction—
- (a) in the case of a term imposed under subsection (4)(b) or a condition with respect to any of the matters referred to in subsection (4)(c)(i), (ii), (iii) or (v) of this section, to a fine not exceeding £100 ;
  - (b) in any other case to a fine not exceeding £50 ;
- and on the conviction of the holder of a licence of an offence under this subsection the court before whom he is convicted may, if on an application made for the purpose by the local authority the court is satisfied that it is proper so to do by reason of the extent to which, or the period over which, or the frequency with which, the holder of the licence has contravened or failed to comply with the terms and conditions of the licence or by reason of the wilfulness of the offence, make an order for the revocation of the licence.
- (11) Save as provided by subsection (10) of this section or Part II of Schedule 5 to this Act, a licence shall not be revoked; and the revocation of a licence in pursuance of an order under that subsection or the revocation or variation of a licence under the said Part II shall not take effect—
- (a) before the expiration of the period for giving notice of appeal from the order or, as the case may be, notice of appeal under Part III of that Schedule from the local authority's decision to revoke or, as the case may be, vary the licence ; or
  - (b) if such a notice of appeal is duly given, until the effectiveness or otherwise of the order or, as the case may be, the local authority's decision is finally determined in accordance with the relevant procedure.

- (12) Subject to subsection (15) of this section and to the provisions of Part V of Schedule 5 to this Act, any person who, in contravention of subsection (2) of this section, operates a public off-street parking place without holding a licence for the purpose shall be liable on summary conviction—
- (a) to a fine not exceeding £200 ; or
  - (b) in the case of a second or subsequent conviction of an offence under this subsection, to a fine not exceeding £400.
- (13) The local authority for a controlled area shall have regard to any regulations for the time being in force under this section when exercising in that area any of their functions under sections 28 to 32 of the Act of 1967 ; and where a public off-street parking place is provided in a controlled area by the local authority under the said section 28, any such regulations shall apply to the operation of that parking place with such modifications as may be prescribed for the purpose, being modifications appearing to the Council to be necessary to ensure that the parking place is operated by or on behalf of the local authority with suitable provision as to the matters referred to in subsection (4)(b) and (c)(i) to (iv) of this section in like manner as if it were being operated under a licence granted by the local authority.
- (14) In this section and in Schedule 5 to this Act—
- " licence " means a licence under this section ;
  - " local authority ", in relation to a parking place, means, where the parking place is situated in a London borough, the council of that borough or, where the parking place is situated in the City of London, the Common Council;
  - " long-term parking " and " short-term parking " mean parking for a continuous period exceeding, or, as the case may be, not exceeding, four hours or such longer period as may be prescribed ;
  - " public off-street parking place " means a place, whether above or below ground and whether or not consisting of or including buildings, where parking space for motor vehicles off the highway is made available by any person to the public for payment; and references to operating, or to the operator of, such a parking place shall be construed as references to making, or as the case may be to the person making, such parking space at the parking place so available.
- (15) The Minister, after consultation with the Council, may at any time, if it appears to him expedient so to do by reason of any emergency which appears to him to have arisen or to be likely to arise, by order, which shall be laid before Parliament after being made, provide that this subsection shall apply either in relation to all areas for the time being designated as controlled areas or in relation to such part or parts of any of those areas as may be specified in the order ; and—
- (a) during the period while any such order is in force in relation to any controlled area or part thereof, any public off-street parking place in that area or part may be operated as if that area or part were not, or, as the case may be, were not comprised in, a controlled area; and
  - (b) nothing in subsection (10) or (12) of this section shall apply to anything done at any such parking place during that period.