

*Status: Point in time view as at 27/07/2000.*

*Changes to legislation: There are currently no known outstanding effects for the Road Traffic Regulation Act 1984, Part II. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 4

#### CONTROL OF OFF-STREET PARKING

##### PART II

###### REVOCATION OR VARIATION OF PERMANENT LICENCE

- 7 Subject to the provisions of Parts III and IV of this Schedule with respect to appeals and compensation, the provisions of this Part of this Schedule shall apply in relation to any permanent licence granted by the local authority.
- 8 If at any time it appears to the local authority expedient to do so in the interests of the proper planning of transport in [<sup>F1</sup>their area], they may by not less than twelve months' notice in writing to the holder of the licence either—
- (a) revoke the licence; or
  - (b) vary the terms and conditions thereof specified under section 43(4)(b) and (c) of this Act.

##### Textual Amendments

**F1** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), [Sch. 5 para. 4\(38\)\(c\)](#)

- 9 If at any time it appears to the local authority that the holder of a licence (whether the person for the time being holding that licence or a previous holder thereof) has discontinued making parking spaces available to the public at the licensed parking place and that the discontinuance has lasted for a period of not less than two years, then, subject to paragraph 13 below, they may by notice in writing to the holder of the licence revoke it.
- 10 If at any time it appears to the local authority that for a period of not less than two years the person, or each of the persons, who was for the time being during that period the holder of a licence in respect of a licensed parking place has made available to the public at that parking place a substantially lower number of parking spaces than that authorised by the licence, then, subject to paragraph 13 below, they may by notice in writing to the holder of the licence vary the terms and conditions of the licence specified under section 43(4)(b) and (c) of this Act so as to authorise the provision at the licensed parking place of only that number of parking spaces which it appears to the local authority was being provided at the date of the notice.
- 11 If in the case of a licensed parking place which was ready for operation at the date of the grant of the licence the local authority are satisfied at any time that for a period of not less than two years beginning with that date the person, or each of the persons, who was for the time being during that period the holder of the licence has not made any significant number of parking spaces available to the public at the

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licensed parking place, then, subject to paragraph 13 below, they may by notice in writing to the holder of the licence revoke it.

- 12 (1) Where at the date when the licence was granted the development as a public off-street parking place of the premises in respect of which the licence was granted had not been begun or had not been completed then, subject to paragraph 13 below—
- (a) if there has been a period of not less than three years since that date without that development being begun, or
  - (b) if there has been a period of not less than seven years since that date without that development being completed, or
  - (c) if for a period of not less than two years beginning with the date of the completion of that development the person, or each of the persons, who was for the time being during that period the holder of the licence has not made any significant number of parking spaces available to the public at the licensed parking place,
- the local authority may by notice in writing to the holder of the licence revoke it.
- (2) For the purposes of sub-paragraph (1) above the development there referred to shall be taken to begin at the earliest date on which [<sup>F2</sup>any material operation within the meaning of section 56(4) of the Town and Country Planning Act 1990] comprised in that development begins to be carried out.

#### Textual Amendments

- F2** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\), s. 4, Sch. 2 para. 64\(2\)\(a\)](#)

- 13 Where notice under paragraph 9, 10, 11 or 12(1) above is given after the expiration of the relevant period referred to in the paragraph in question the notice shall be of no effect if it is given more than three months after the expiration of that period.

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