



Road Traffic Regulation Act 1984

1984 CHAPTER 27

PART IV

PARKING PLACES

Provision of parking places by parish or community councils

59 Consents for, and provisions as to use of, parking places under s. 57(1)(b).

- (1) A parish or community council shall not exercise their powers under section 57(1)(b) of this Act without the consent of the council of the county [^{F1}or metropolitan district] in which the parish or community is situated; and any consent given by the county council [^{F1}or metropolitan district council] may be subject to such conditions or restrictions as they think fit.
 - (2) A parish or community council proposing to exercise their powers under section 57(1)(b) of this Act shall—
 - (a) for the purpose of obtaining the consent of the county council [^{F2}or metropolitan district council] under subsection (1) above, make an application in writing to [^{F3} that council] giving details of the parking place which they propose to provide, and
 - (b) [^{F4}in the case of an application to a county council, send a copy of it] to the council of the district in which the parish ^{F5} . . . is situated;and [^{F6}, in that case,] the county council, in considering whether or not to give their consent, or to make their consent subject to any conditions or restrictions, shall have regard to any representations made to them by that district council.
- [^{F7}(2A) In subsection (2) above, paragraph (b) and the words which follow it do not apply in relation to Wales.]
- (3) Subject to subsections (4) to (6) below, section 35 of this Act shall apply in relation to a parking place provided under section 57(1)(b) of this Act as if—
 - (a) the parish or community council were a local authority for the purposes of sections 32 and 35 of this Act, and

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- (b) the parking place were provided by the parish or community council under section 32 of this Act.
- (4) A parish or community council shall not, by virtue of subsection (3) above, make an order under section 35(1) of this Act without the consent of the county council [^{F8}or metropolitan district council]; and any consent given by the county council [^{F8}or metropolitan district council] may be subject to such conditions or restrictions as they think fit.
- (5) Where, by virtue of subsection (3) above, a parish or community council proposes to make an order under section 35(1) of this Act, the council shall submit a draft of the order to the county council [^{F9}or metropolitan district council] who (without prejudice to their power to give or withhold consent to the making of the order) may require such modifications of the terms of the proposed order as they think appropriate.
- (6) The powers of a county council [^{F10}or metropolitan district council] under section 35 of this Act shall apply in relation to a parking place provided by a parish or community council under section 57(1)(b) of this Act as they apply in relation to a parking place provided by a county council [^{F10}or metropolitan district council]; and the power to vary or revoke an order made by a parish or community council under section 35(1) of this Act shall be exercisable by the county council [^{F10}or metropolitan district council] as well as by the parish or community council.
- (7) If, by virtue of subsection (6) above, a county council [^{F11}or metropolitan district council] proposes to make an order under section 35(1) of this Act in relation to a parking place provided by a parish or community council, they shall send a copy of the proposed order to the parish or community council.

Textual Amendments

- F1** Words inserted by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 2, 8(1), **Sch. 5 para. 4(24)(a)**
- F2** Words inserted by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 2, 8(1), **Sch. 5 para. 4(24)(b)**
(i)
- F3** Words in s. 59(2)(a) substituted by (1.7.1992) by 1985 c. 51, s. 8, **Sch. 5 para. 4 (24)(b)**
- F4** Words substituted by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 2, 8(1), **Sch. 5 para. 4(24)(b)(ii)**
- F5** Words in s. 59(2)(b) repealed (1.4.1996) by 1994 c. 19, ss. 22(1), 66(8), Sch. 7 Pt. II para. 38(7), **Sch. 18** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 22(3)); S.I. 1996/396, art. 3, **Sch. 1**
- F6** Words inserted by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 2, 8(1), **Sch. 5 para. 4(24)(b)**
(iii)
- F7** **S. 59(2A)** inserted (1.4.1996) by 1994 c. 19, s. 22(1), **Sch. 7 Pt. II para. 38(7)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 22(3)); S.I. 1996/396, art. 3, **Sch. 1**
- F8** Words inserted by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 2, 8(1), **Sch. 5 para. 4(24)(c)**
- F9** Words inserted by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 2, 8(1), **Sch. 5 para. 4(24)(d)**
- F10** Words inserted by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 2, 8(1), **Sch. 5 para. 4(24)(e)**
- F11** Words inserted by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 2, 8(1), **Sch. 5 para. 4(24)(f)**

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Changes to legislation:

There are currently no known outstanding effects for the Road Traffic Regulation Act 1984, Section 59.