

Status: Point in time view as at 28/02/2024. This version of this schedule contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Traffic Management Act 2004, SCHEDULE 8. (See end of Document for details)

SCHEDULES

SCHEDULE 8

Section 74

CIVIL ENFORCEMENT AREAS AND ENFORCEMENT AUTHORITIES

PART 1

IN GREATER LONDON

Civil enforcement of parking contraventions relating to parking places

- 1 (1) The whole of Greater London is a civil enforcement area for parking contraventions within paragraph 2 of Schedule 7 (contraventions relating to parking places).
- (2) References in this Part of this Act to the enforcement authority in relation to such contraventions are to the authority by whom the parking place in question was designated or provided.

Commencement Information

- II** Sch. 8 para. 1 in force at 31.3.2008 for E. by [S.I. 2007/2053](#), arts. 1(2), 3(1)(2)(f) (with arts. 5-8) (as amended (17.3.2008) by [S.I. 2008/757](#), arts. 3, 5)

Civil enforcement of other parking contraventions

- 2 (1) The Secretary of State may, on an application by a London authority, make an order designating the whole or part of the authority's area as a civil enforcement area for parking contraventions within paragraph 3 of Schedule 7 (contraventions other than those relating to parking places).
- (2) An application may be made—
 - (a) by Transport for London, to the extent that the civil enforcement area is to consist of GLA roads;
 - (b) by a London local authority, to the extent that the civil enforcement area is to consist of roads other than GLA roads.
- (3) Before making an order under this paragraph the Secretary of State shall consult the Commissioner of Police of the Metropolis or the Commissioner of Police for the City of London or, if appropriate, both of them.
- (4) An order in force immediately before the commencement of this Part of this Act designating an area in Greater London as a special parking area under section 76 of the Road Traffic Act 1991 (c. 40) has effect on and after the commencement of this Part of this Act as if it were an order under this paragraph designating that area as a civil enforcement area for such parking contraventions as are mentioned in subparagraph (1).

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- (5) References in this Part of this Act to the enforcement authority in relation to such contraventions in Greater London are—
- (a) as respects parking, or any matter connected with or relating to parking, on or adjacent to a GLA road, to Transport for London;
 - (b) as respects parking, or any matter connected with or relating to parking, on or adjacent to a road other than a GLA road, to the London local authority in whose area the road is situated.

Commencement Information

- I2** Sch. 8 para. 2 in force at 31.3.2008 for E. by [S.I. 2007/2053](#), [arts. 1\(2\)](#), [3\(1\)\(2\)\(f\)](#) (with [arts. 5-8](#)) (as amended (17.3.2008) by [S.I. 2008/757](#), arts. 3, 5)

Variation of civil enforcement area by Mayor of London

- 3 (1) The Mayor of London may by order under this paragraph amend an order for the time being in force under paragraph 2 so as to vary the area that for the time being constitutes the civil enforcement area.
- (2) No such order may be made without the consent of the relevant London authority for every road that the order has the effect of bringing within, or removing from, the civil enforcement area.
- (3) The relevant London authority is—
- (a) as regards GLA roads, Transport for London;
 - (b) as regards roads other than GLA roads, the London local authority in whose area the road is situated.
- (4) An order under this paragraph must not be such as to bring within a civil enforcement area an area as to which the Secretary of State has specified by order that it is expedient on grounds of national security that no part of it should be included in a civil enforcement area.
- (5) An order in force immediately before the commencement of this Part of this Act under section 76A(1) or (3)(a) of the Road Traffic Act 1991 (c. 40) has effect on and after the commencement of this Part of this Act as if made under the corresponding provision of this paragraph.

Commencement Information

- I3** Sch. 8 para. 3 in force at 31.3.2008 for E. by [S.I. 2007/2053](#), [arts. 1\(2\)](#), [3\(1\)\(2\)\(f\)](#) (with [arts. 5-8](#)) (as amended (17.3.2008) by [S.I. 2008/757](#), arts. 3, 5)

PROSPECTIVE

Civil enforcement of bus lane contraventions

- 4 (1) The whole of Greater London is a civil enforcement area for bus lane contraventions.

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- (2) References in this Part of this Act to the enforcement authority in relation to bus lane contraventions in Greater London are—
 - (a) in relation to contraventions on GLA roads, to Transport for London or the relevant London local authority acting with the written consent of Transport for London;
 - (b) in relation to contraventions on roads other than GLA roads, to the relevant London local authority or Transport for London acting with the written consent of the relevant London local authority.
- (3) Consent under sub-paragraph (2)(a) or (b) may be given with respect to the whole or part of the area of the relevant London local authority.
- (4) In this paragraph “the relevant London local authority” means the London local authority in whose area the contravention is committed.
- (5) Any consent in force immediately before the commencement of this Part of this Act for the purposes of the provisions of regulations under section 144 of the Transport Act 2000 (c. 38) corresponding to the provisions of this paragraph has effect on and after the commencement of this Part of this Act as if given under this paragraph.

PROSPECTIVE

Civil enforcement of London lorry ban contraventions

- 5 (1) The whole of Greater London is a civil enforcement area for London lorry ban contraventions.
- (2) References in this Part of this Act to the enforcement authority in relation to such contraventions are—
 - (a) in relation to contraventions on GLA roads, to Transport for London;
 - (b) in relation to contraventions on roads other than GLA roads, to the London local authority in whose area the contravention is committed.

PROSPECTIVE

Civil enforcement of moving traffic contraventions: London local authorities

- 6 (1) A London local authority may by resolution declare the whole or part of its area to be a civil enforcement area for moving traffic contraventions.
- (2) The resolution must specify the date on which it is to have effect, which must be not less than three months after publication of the notice required by sub-paragraph (3).
- (3) The authority shall cause notice to be published in a local newspaper circulating in their area—
 - (a) of the passing of the resolution, and
 - (b) of the general effect of the provisions of this Act coming into operation as a result of it.

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- (4) A photocopy or other reproduction certified by the officer appointed for that purpose by the authority to be a reproduction of a page or part of a page of any such newspaper bearing the date of its publication and containing any such notice shall be evidence of the publication of the notice and of the date of publication.
- (5) A civil enforcement area declared by resolution under this paragraph does not extend to any GLA road.
- (6) In relation to moving traffic contraventions in a civil enforcement area created by resolution under this paragraph, references in this Part of this Act to the enforcement authority are to the London local authority by whom the resolution was passed or Transport for London acting with the written consent of that authority.

Consent may be given with respect to the whole or part of the area of the London local authority.

PROSPECTIVE

Civil enforcement of moving traffic contraventions: Transport for London

- 7 (1) Transport for London may declare the whole or part of one or more GLA roads to be a civil enforcement area for moving traffic contraventions.
- (2) The declaration must specify the date on which it is to have effect, which must be not less than three months after publication of the notice required by sub-paragraph (3).
- (3) Transport for London shall cause notice to be published in a local newspaper circulating in the area of each London local authority in which a road, or part of a road, to which the declaration relates is situated—
 - (a) of the making of the declaration, and
 - (b) of the general effect of the provisions of this Act coming into operation as a result of it.
- (4) A photocopy or other reproduction certified by the officer appointed for that purpose by Transport for London to be a reproduction of a page or part of a page of any such newspaper bearing the date of its publication and containing any such notice shall be evidence of the publication of the notice and of the date of publication.
- (5) In relation to moving traffic contraventions in a civil enforcement area declared under this paragraph, references in this Part of this Act to the enforcement authority are to Transport for London or the London local authority in whose area the contravention is committed acting with the written consent of Transport for London.

Consent may be given with respect to the whole or part of the area of a London local authority.

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PART 2

OUTSIDE GREATER LONDON

Designation of civil enforcement areas for parking contraventions

- 8 (1) The appropriate national authority may, on an application under this paragraph, make an order designating the whole or part of a local authority's area as a civil enforcement area for parking contraventions.
- (2) An application under this paragraph may be made—
- (a) with respect to the whole or part of their area, by a county council in England;
 - (b) with respect to the whole or part of their area, by a county council or county borough council in Wales;
 - (c) with respect to the whole of their area, by a metropolitan district council;
 - (d) with respect to the whole of their areas, by two or more metropolitan district councils acting jointly;
 - (e) with respect to the whole or part of the Isles of Scilly, by the Council of the Isles of Scilly.
- (3) Before making an order under this paragraph the appropriate national authority shall consult the appropriate chief officer of police.
- (4) An order in force immediately before the commencement of this Part of this Act designating an area outside Greater London as a permitted parking area and special parking area under paragraphs 1(1) and 2(1) of Schedule 3 to the Road Traffic Act 1991 (c. 40) has effect on and after the commencement of this Part of this Act as an order under this paragraph designating the area as a civil enforcement area for parking contraventions.
- (5) References in this Part of this Act to the enforcement authority in relation to parking contraventions in a civil enforcement area outside Greater London, are—
- (a) in relation to contraventions relating to a parking place—
 - (i) provided or authorised under section 32(1)(a) or (b) of the Road Traffic Regulation Act 1984 (c. 27), or
 - (ii) designated by order under section 45 of that Act,to the authority by whom the parking place was provided, authorised or designated;
 - (b) in relation to other parking contraventions, to the local authority in whose area the contravention is committed.

Commencement Information

- I4** Sch. 8 para. 8 in force at 31.3.2008 for E. by [S.I. 2007/2053](#), [arts. 1\(2\)](#), [3\(1\)\(2\)\(f\)](#) (with [arts. 5-8](#)) (as amended (17.3.2008) by [S.I. 2008/757](#), [arts. 3, 5](#))
- I5** Sch. 8 para. 8(1)(2)(b)(3)-(5) in force at 31.3.2008 for W. by [S.I. 2007/3174](#), [art. 2](#), [Sch.](#)

Designation of civil enforcement areas for bus lane contraventions

- 9 (1) The appropriate national authority may make an order designating the whole or part of a local authority's area as a civil enforcement area for bus lane contraventions.

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- (2) An area may only be so designated if it is within, or is co-extensive with, an area already designated as a civil enforcement area for parking contraventions.
- (3) An order in force immediately before the commencement of this Part of this Act approving a local authority for the purposes of section 144 of the Transport Act 2000 (c. 38) (civil penalties for bus lane contraventions) has effect on and after the commencement of this Part of this Act as an order under this paragraph designating as a civil enforcement area for bus lane contraventions so much of that authority's area as is a civil enforcement area for parking contraventions.
- [^{F1}(3A) A notice given (and not withdrawn) before the commencement of this Part of this Act approving a local authority in England for the purposes of section 144 of the Transport Act 2000 (civil penalties for bus lane contraventions) has effect on and after the commencement of this Part of this Act (in relation to England) as an order under this paragraph designating as a civil enforcement area for bus lane contraventions so much of that authority's area as is a civil enforcement area for parking contraventions.]
- (4) References in this Part of this Act to the enforcement authority in relation to bus lane contraventions outside Greater London are to the local authority in whose area the contravention is committed.

Textual Amendments

F1 Sch. 8 para. 9(3A) inserted (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(3)(p), **Sch. 11 para. 19**

Modifications etc. (not altering text)

C1 Sch. 8 para. 9: functions made exercisable concurrently (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), **15**

Commencement Information

I6 Sch. 8 para. 9 in force at 31.3.2008 for W. by [S.I. 2007/3174](#), art. 2, **Sch.**

I7 Sch. 8 para. 9 in force at 31.5.2022 for E. by [S.I. 2022/66](#), **arts. 1(2), 2(2)(c)** (with art. 3(1)-(3))

Designation of civil enforcement areas for moving traffic contraventions

- 10 (1) The appropriate national authority may, on an application under this paragraph, make an order designating the whole or part of a local authority's area as a civil enforcement area for moving traffic contraventions.
- (2) An area may only be so designated if it is within, or is co-extensive with, an area already designated as a civil enforcement area for parking contraventions.
- (3) An application under this paragraph may be made—
- (a) with respect to the whole or part of their area, by a county council in England;
 - (b) with respect to the whole or part of their area, by a county council or county borough council in Wales;
 - (c) with respect to the whole or part of their area, by a metropolitan district council;
 - (d) with respect to the whole of their areas, by two or more metropolitan district councils acting jointly;

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- (e) with respect to the whole or part of the Isles of Scilly, by the Council of the Isles of Scilly.
- (4) Before making an order under this paragraph the appropriate national authority shall consult the appropriate chief officer of police.
- (5) In relation to a civil enforcement area designated by order under this paragraph, references in this Part of this Act to the enforcement authority are to the authority on whose application the order was made or, if the application was a joint application, any of the authorities on whose application the order was made.

Modifications etc. (not altering text)

- C2** Sch. 8 para. 10: functions made exercisable concurrently (20.12.2023) by [The York and North Yorkshire Combined Authority Order 2023 \(S.I. 2023/1432\)](#), arts. 1(2), **15**
- C3** Sch. 8 para. 10: functions made exercisable concurrently (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\)](#), regs. 1(2), **17**
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Commencement Information

- 18** Sch. 8 para. 10 in force at 31.5.2022 for E. by [S.I. 2022/66](#), arts. **1(2)**, 2(2)(c) (with art. 3(1)-(3))
- 19** Sch. 8 para. 10(1)(2)(3)(b)(4)(5) in force at 31.3.2008 for W. by [S.I. 2007/3174](#), art. 2, **Sch.**

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