

## 1977 No. 548

## ROAD TRAFFIC

**The Crown Roads (Royal Parks) (Application of Road  
Traffic Enactments) Order 1977**

<i>Made - - - -</i>	<i>23rd March 1977</i>
<i>Laid before Parliament</i>	<i>1st April 1977</i>
<i>Coming into Operation</i>	<i>22nd April 1977</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 149 and 157 of the Transport Act 1968(a), and now vested in him (b), and of all other enabling powers, and with the consent of the Secretary of State for the Environment as the appropriate Crown authority for the Crown roads to which this Order relates, hereby makes the following Order:—

*Citation and commencement*

1. This Order may be cited as the Crown Roads (Royal Parks) (Application of Road Traffic Enactments) Order 1977 and shall come into operation on 22nd April 1977.

*Revocation*

2. The Crown Roads (Royal Parks) (Application of Road Traffic Enactments) Order 1974(c) and the Crown Roads (Royal Parks) (Application of Road Traffic Enactments) (Amendment) Order 1974(d) are hereby revoked.

*Interpretation*

3.—(1) In this Order—

“park constable” has the meaning assigned to that expression by section 3 of the Parks Regulation Act 1872(e), as amended by section 2 of the Parks Regulation (Amendment) Act 1974(f);

“the Royal Parks” means all parks, gardens, recreation grounds, open spaces and other land to which the Parks Regulation Act 1872, as amended by the Parks Regulation (Amendment) Act 1926(g), applies; and includes all roads deemed to be under the management of the Secretary of State by virtue of section 7(5) of the Crown Estate Act 1961(h).

(2) Any reference in this Order to any enactment or instrument shall be construed as a reference to that enactment or instrument as amended.

(a) 1968 c. 73.

(c) S.I. 1974/797 (1974 II, p. 3052).

(e) 1872 c. 15.

(h) 1961 c. 55.

(b) S.I. 1970/1681 (1970 III, p. 5551).

(d) S.I. 1974/1202 (1974 II, p. 4586).

(f) 1974 c. 29.

(g) 1926 c. 36.

(3) The Interpretation Act 1889(a) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament, and as if for the purposes of section 38 of the said Act of 1889 these Regulations were an Act of Parliament and the Regulations revoked by regulation 2 above were an Act of Parliament thereby repealed.

*Application of certain road traffic enactments to certain Crown roads*

4. The Secretary of State hereby directs that, subject to section 149(3) of the Transport Act 1968, the road traffic enactments specified in column 1 of the Schedule to this Order shall apply to the Crown roads in the Royal Parks, subject to the exceptions, adaptations and modifications specified in column 2 of the said Schedule, as they apply in relation to other roads to which the public has access.

*William Rodgers,*  
Secretary of State for Transport.

23rd March 1977.

SCHEDULE

Column 1 Road Traffic enactments applied	Column 2 Exceptions, adaptations and modifications
In the Road Traffic Regulation Act 1967(b) Section 22	For the words "the appropriate Minister" there shall be substituted the words "the Secretary of State" and for the words "trunk roads" there shall be substituted the words "Crown roads in the Royal Parks".
Section 23	In subsection (6), for the words "or by the appropriate Minister in the discharge of the duty imposed on him by section 22 hereof" there shall be substituted the words "or by the Secretary of State under section 22 hereof as applied to Crown roads in the Royal Parks and modified by an Order under section 149 of the Transport Act 1968".
Section 54	

(a) 1889 c. 63.

(b) 1967 c. 76.

Column 1 Road Traffic enactments applied	Column 2 Exceptions, adaptations and modifications
Section 55	In subsection (1), for the words "a highway authority" there shall be substituted the words "the Secretary of State", and for the words "road in their area" there shall be substituted the words "Crown road in a Royal Park".
Section 61	Subsection (4) shall be omitted. In subsection (1), for the words "the highway authority" in both places where they occur there shall be substituted the words "the Secretary of State", and for the words "themselves" and "them" there shall be substituted respectively the words "himself" and "him".
Section 80	Subsections (2) and (3) shall be omitted. In subsections (2), (3) and (7) after the word "constable" there shall be inserted the words "or park constable".
In the Road Traffic Act 1972(a) Section 168	In subsection (1), after paragraph (b) there shall be added the following new paragraph:— “(c) to any offence which relates to the use of a vehicle on a road and which consists of a failure to comply with, or a contravention of, regulations made under section 2(1) of the Parks Regulation (Amendment) Act 1926(b).”
Section 181	In subsection (2), after the words "a chief officer of police" there shall be inserted the words "or the Secretary of State". In subsection (1) after the word "constable" in both places where it occurs there shall be inserted the words "or park constable".
In the Road Traffic Act 1974(c) Section 1	In subsections (3) and (6)(a) and (b), after the words "the chief officer of police" there shall be inserted the words "or the Secretary of State".
Section 3	In subsections (2) and (5), for the words "local authority" there shall be substituted the words "the Secretary of State".
Section 4 Section 5	In subsection (1), in the definition of appropriate period, for the word "authority" there shall be substituted the words "the Secretary of State".
The "Pelican" Pedestrian Crossings Regulations and General Directions 1969(d)	In Regulation 3(1) in Part I, for the definition of "crossing" there shall be substituted the following:— ““crossing” means a crossing for foot passengers established by the Secretary of State under section 22 of the Act of 1967 as applied to Crown roads in the Royal Parks and modified by an order under section 149 of the Transport Act 1968;”

(a) 1972 c. 20.  
(c) 1974 c. 50.

(b) 1926 c. 36.  
(d) S.I. 1969/888 (1969 II, p. 2527).

Column 1 Road Traffic enactments applied	Column 2 Exceptions, adaptations and modifications
The "Zebra" Pedestrian Crossings Regulations 1971(a)	<p>In paragraph 1(2) of Schedule 2, for the words "as may be authorised in writing by the appropriate Minister" there shall be substituted the words "as the Secretary of State shall determine".</p> <p>In Schedule 2 for references to the appropriate authority there shall be substituted references to the Secretary of State, and in paragraph 3(9) the definition of the appropriate authority shall be omitted.</p> <p>In Regulation 3(1), for the definition of "appropriate authority" there shall be substituted the following:—  "appropriate authority" means the Secretary of State;  and for the definition of "crossing" there shall be substituted the following:—  "crossing" means a crossing for foot passengers established by the Secretary of State under section 22 of the Act of 1967 as applied to Crown roads in the Royal Parks and modified by an order under section 149 of the Transport Act 1968, but does not include a "Pelican" crossing within the meaning of the "Pelican" Pedestrian Crossings Regulations 1969;".</p> <p>In Regulation 5(3) the words from "but, if by virtue of this paragraph it is proposed that no area" to the end of the paragraph shall be omitted.</p> <p>In paragraph 1(2) in Part I of Schedule 2, for the words "as the appropriate Secretary of State may authorise in writing" there shall be substituted the words "as the Secretary of State shall determine".</p>
The Fixed Penalty (Procedure) (No. 2) Regulations 1974(b)	<p>In Regulation 5—  after the word "constable", there shall be inserted the words "park constable";  in sub-paragraph (a), after the words "the chief officer of police", there shall be inserted the words "or the Secretary of State";  sub-paragraph (b) shall be omitted.</p> <p>In Regulation 9(1), for the words "traffic warden or local authority" there shall be substituted the words "park constable or traffic warden".</p> <p>In Regulation 10, for sub-paragraph (b) there shall be substituted the following sub-paragraph:—  "(b) notify the chief officer of police and the Secretary of State that such payment has been made, except where the chief officer of police or the Secretary of State, as the case may be, has informed the clerk that he does not wish to be notified."</p>

(a) S.I. 1971/1524 (1971 III, p. 4281).

(b) S.I. 1974/1475 (1974 III, p. 5633).

Column 1 Road Traffic enactments applied	Column 2 Exceptions, adaptations and modifications
	In Schedule 1, for the words "Police Constable/ Traffic Warden" there shall be substituted the words "Police Constable/Park Constable/ Traffic Warden".

#### EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order applies specified road traffic enactments to Crown Roads in Royal Parks. The Order consolidates, with amendments, the Crown Roads (Royal Parks) (Application of Road Traffic Enactments) Order 1974 as amended. The principal amendments of substance consist in the application of section 61 of the Road Traffic Regulation Act 1967, sections 168 and 181 of the Road Traffic Act 1972, and certain provisions of the Road Traffic Act 1974 relating to the liability of vehicle owners in respect of certain fixed penalty offences. References to park constables have been substituted for references to park-keepers to take account of the provisions of the Parks Regulation (Amendment) Act 1974.

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