

2009 No. 1116

ROAD TRAFFIC, ENGLAND

The Local Authorities' Traffic Orders (Procedure) (England and Wales) (Amendment) (England) Regulations 2009

<i>Made</i> - - - -	<i>29th April 2009</i>
<i>Laid before Parliament</i>	<i>5th May 2009</i>
<i>Coming into force</i> - -	<i>1st June 2009</i>

The Secretary of State for Transport makes these Regulations in exercise of the powers conferred by section 124(1) of, and paragraphs 21, 22, 23 and 25 of Schedule 9 to, the Road Traffic Regulation Act 1984(a), after consultation with representative organisations in accordance with section 134(2)(b) of that Act.

Citation, commencement and application

1.—(1) These Regulations may be cited as the Local Authorities' Traffic Orders (Procedure) (England and Wales) (Amendment) (England) Regulations 2009 and shall come into force on 1st June 2009.

(2) These Regulations apply in relation to England only.

Amendment of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996

2. In regulation 18 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996(c), after paragraph (3) insert the following—

“(4) Nothing in this regulation requires the placing of any traffic sign on or near a road, or the maintenance of such signs, in a special enforcement area in England for the purpose of providing information to road users as to the effect of section 85 or 86 of the Traffic Management Act 2004 in that area.

(5) In paragraph (4) a “special enforcement area” means an area designated as a special enforcement area by means of—

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- (a) 1984 c.27. Paragraph 21 was amended by paragraph 4(39)(i) of Schedule 5 to the Local Government Act 1985 (c.51) and by Part III of Schedule 8 and paragraph 80 of Schedule 9 to the New Roads and Street Works Act 1991 (c.22). Paragraph 23 was amended by paragraph 4(39)(j) of Schedule 5 to the Local Government Act 1985, by Part II of Schedule 8 and paragraph 80 of Schedule 9 to the New Roads and Street Works Act 1991, and by S.I. 2000/1547. Paragraph 25 was also amended by Part II of Schedule 8 to the New Roads and Street Works Act 1991. The functions of the Secretary of State, so far as exercisable in relation to Wales, are vested in the Welsh Ministers. Those functions were transferred to the National Assembly for Wales constituted by the Government of Wales Act 1998 (c.38) by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c.32), they were transferred to the Welsh Ministers immediately after the end of the initial period as defined by section 161(5) of that Act.
- (b) Section 134(2) was amended by paragraph 77 of Part II of Schedule 8 to the New Roads and Street Works Act 1991; there are other amendments but none is relevant.
- (c) S.I. 1996/2489, to which there are amendments not relevant to these Regulations.

- (a) an order made under paragraph 1(1) or 3(1) of Schedule 10 to the Traffic Management Act 2004(a); or
- (b) an order which, by virtue of paragraph 2(5) or 3(5) of that Schedule, has effect as if it were an order so made.”

Signed by authority of the Secretary of State for Transport

Paul Clark
Parliamentary Under Secretary of State

29th April 2009

Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. Sections 85 and 86 of the Traffic Management Act 2004 impose prohibitions on double parking and parking at dropped or raised footways in special enforcement areas designated under that Act. Sections 85(8) and 86(9) of the 2004 Act provide that the prohibitions are enforceable as if imposed by orders under section 1 or 6 of the Road Traffic Regulation Act 1984. *Regulation 2* of these Regulations amends regulation 18 of the 1996 Regulations so as to provide that there is no requirement to place and maintain traffic signs to indicate the effect of sections 85 or 86 on roads in a special enforcement area.

No impact assessment has been prepared for this instrument as it has no significant effect on the cost to business and the voluntary sector.

(a) 2004 c.18.

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£4.00