

## Road Traffic Regulation Act 1984 c. 27

### s. 45 Designation of paying parking places on highways.



Law In Force

Version 6 of 6

3 July 2000 - Present

#### Subjects

Road traffic

#### Keywords

Authorisations; Designation; Fees; Highways; Local authorities' powers and duties; Parking

#### 45.— Designation of paying parking places on highways.

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(1) A local authority may by order designate parking places on highways or, in Scotland, roads in their area for vehicles or vehicles of any class specified in the order; and the authority may make charges (of such amount as may be prescribed under [section 46](#) below) for vehicles left in a parking place so designated. The exercise of this power by a local authority [...] <sup>2</sup> in relation to a highway or road for which they are not the traffic authority is subject to obtaining the consent of the traffic authority.

] <sup>1</sup> [

(1A) Transport for London may not by virtue of subsection (1) above designate parking places on any highway which is not a GLA road.

] <sup>3</sup>

(2) An order under this section may designate a parking place for use (either at all times or at times specified in the order) only by such persons or vehicles, or such persons or vehicles of a class specified in the order, as may be authorised for the purpose by a permit from the authority operating the parking place [or both by such persons or vehicles or classes of persons or vehicles and also, with or without charge and subject to such conditions as to duration of parking or times at which parking is authorised, by such other persons or vehicles, or persons or vehicles of such other class, as may be specified] <sup>4</sup>; and

(a) in the case of any particular parking place and any particular vehicle, or any vehicle of a particular class, the authority operating the parking place [...] <sup>5</sup>, may issue a permit for that vehicle to be left in the parking place while the permit remains in force, either at all times or at such times as may be specified in the permit, and

(b) except in the case of a public service vehicle, may make such charge in connection with the issue or use of the permit, of such amount and payable in such manner, as the authority by whom the designation order was made may by order prescribe.

(3) In determining what parking places are to be designated under this section the authority concerned shall consider both the interests of traffic and those of the owners and occupiers of adjoining property, and in particular the matters to which that authority shall have regard include—

(a) the need for maintaining the free movement of traffic;

(b) the need for maintaining reasonable access to premises; and

(c) the extent to which [off-street parking accommodation, whether in the open or under cover,]<sup>6</sup> is available in the neighbourhood or the provision of such parking accommodation is likely to be encouraged there by the designation of parking places under this section.

(4) The exercise by an authority of functions under this section shall not render the authority subject to any liability in respect of the loss of or damage to any vehicle in a parking place or the contents or fittings of any such vehicle.

(5) Nothing in this section shall affect the operation of [section 6](#) or [32](#) of this Act.

(6) Subject to [Parts I to III of Schedule 9](#) to this Act, where it appears to the authority concerned to be expedient to do so having regard to any objections duly made in respect of proposals made by that authority for a designation order [...] <sup>7</sup> they may, if they think fit, make an interim order pursuant to the proposals or application in respect of any one or more of the sites affected, or in respect of any part of any of those sites, and postpone for further consideration the making of any further order in pursuance of the proposals or application.

(7) In this section and in [sections 46 to 55](#) of this Act, “local authority” —

(a) in England, means the council of a county [, metropolitan district]<sup>8</sup> or London borough or the Common Council of the City of London [ or Transport for London]<sup>9</sup> ;

(b) in Wales, means the council of a county [or county borough]<sup>10</sup> ; and

(c) in Scotland, means [a council constituted under [section 2](#) of the [Local Government etc. \(Scotland\) Act 1994](#)]<sup>11</sup> ,

and “the local authority” , in relation to a parking place or proposed parking place on any site, [...] <sup>12</sup> means the local authority (as defined above) in whose area the site is [...] <sup>12</sup> [ unless the site is in Greater London, in which case—

(i) if the site is on a GLA road and the parking place is, or is proposed to be, designated by Transport for London, “the local authority” means Transport for London;

(ii) if the site is on a GLA road and the parking place is, or is proposed to be, designated by the London local authority in whose area the site is, “the local authority” means that London local authority; and

(iii) if the site is on a highway which is not a GLA road, “the local authority” means the London local authority in whose area the site is

] <sup>13</sup> .[...] <sup>6</sup>

[

(8) In this section “London local authority” means the council of a London borough or the Common Council of the City of London.

(9) For the purposes of this section and [sections 46 to 55](#) of this Act, Transport for London's area shall be taken to be Greater London.

] <sup>14</sup>

## Notes

- 1 Substituted by New Roads and Street Works Act 1991 c. 22 [Sch.8\(II\) para.44\(2\)](#) (November 1, 1991: represents law in force as at date shown )
  - 2 Words repealed by Greater London Authority Act 1999 c. 29 [Sch.34\(VI\) para.1](#) (July 3, 2000)
  - 3 Added by Greater London Authority Act 1999 c. 29 [Pt IV c.XIV s.281\(3\)](#) (July 3, 2000)
  - 4 Words inserted by Road Traffic Regulation (Parking) Act 1986 (c.27), s. 1(a)
  - 5 Word repealed by Road Traffic Regulation (Parking) Act 1986 (c.27), s. 1(b)
  - 6 Words substituted by New Roads and Street Works Act 1991 c. 22 [Sch.8\(II\) para.44\(3\)](#) (November 1, 1991: represents law in force as at date shown )
  - 7 Words repealed by Local Government Act 1985 (c.51), ss. 1, 102(2)(3), Sch. 17
  - 8 Words inserted by Local Government Act 1985 (c.51), ss. 1, 2, 8(1), Sch. 5 para. 4(19)(b)
  - 9 Words added by Greater London Authority Act 1999 c. 29 [Pt IV c.XIV s.281\(4\)](#) (July 3, 2000)
  - 10 Words substituted by Local Government (Wales) Act 1994 c. 19 [Sch.7\(II\) para.38\(3\)\(a\)](#) (April 1, 1996)
  - 11 Words substituted by Local Government etc. (Scotland) Act 1994 c. 39 [Sch.13 para.134\(7\)](#) (April 1, 1996)
  - 12 Words repealed by Local Government (Wales) Act 1994 c. 19 [Sch.18 para.1](#) (April 1, 1996 as SI 1996/396)
  - 13 Added by Greater London Authority Act 1999 c. 29 [Pt IV c.XIV s.281\(5\)](#) (July 3, 2000)
  - 14 Added by Greater London Authority Act 1999 c. 29 [Pt IV c.XIV s.281\(6\)](#) (July 3, 2000)
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*Part IV PARKING PLACES > Parking on highways for payment  
> s. 45 Designation of paying parking places on highways.*

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