STATUTORY INSTRUMENTS

1974 No. 797

ROAD TRAFFIC

The Crown Roads (Royal Parks) (Application of Road Traffic Enactments) Order 1974

Made - - - -	3*rd May* 1974
Laid before Parliament	14*th May* 1974
Coming into Operation	17*th June* 1974

The Secretary of State for the Environment, in exercise of the powers conferred by section 149 of the Transport Act 1968(a), and now vested in him(b), and of all other enabling powers, and 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 1974 and shall come into operation on 17th June 1974.

Interpretation

2.—(1) In this Order—

"park-keeper" means a person appointed a keeper of a Royal Park under section 3 of the Parks Regulation Act 1872(c);

"the Royal Parks" means those Royal Parks, Gardens and Possessions under the control or management of the Secretary of State, including the Outer Circle and all roads within the Outer Circle notwithstanding the powers exercisable by any other authority in Regent's Park.

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

(3) The Interpretation Act 1889(d) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

(a) 1968 c. 73.
(b) S.I. 1970/1681 (1970 III, p. 5551).
(c) 1872 c. 15.
(d) 1889 c. 63.

Application of certain road traffic enactments to certain Crown roads

3. The Secretary of State hereby directs that, subject to section149 (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.

Signed by authority of the Secretary of State

3rd May 1974.

Fred Mulley,
Minister for Transport,
Department of the Environment.

SCHEDULE

Column 1 Road Traffic enactments applied	Column 2 Exceptions, adaptations and modifications
In the Road Traffic Regulation Act 1967**(a)**	
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	
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 80	In subsections (2), (3) and (7) after the word "constable" there shall be inserted the words "or park-keeper in the Royal Parks".

(a) 1967 c. 76.

Column 1 Road Traffic enactments applied	Column 2 Exceptions, adaptations and modifications
Section 85	For subsection (1) there shall be substituted the following:— "(1) This section applies to any offence of failing to comply with or acting in contravention of regulations made under section 2(1) of the Parks Regulation (Amendment) Act 1926**(a)** being an offence of failing to conform to any direction for the regulation of traffic given by a Park-Keeper or Police Constable or by a notice or sign exhibited by order in a Royal Park or an offence of leaving a vehicle unattended in a Royal Park elsewhere than in a place for the time being appointed for that purpose."; In subsection (2), for the words "(ii) in the case of an offence under section 31(3) or against section 42 of this Act, by or on behalf of a chief officer of police or, in writing, by or on behalf of the local authority for the parking place in question;" there shall be substituted the words "(ii) by or on behalf of the Secretary of State;" and the words from "and in relation to" to the end of the subsection shall be omitted.
Section 89	In subsection (1) after the word "constable" there shall be inserted the words "or park-keeper in the Royal Parks".
The "Pelican" Pedestrian Crossing Regulations and General Directions 1969**(b)**	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;"; 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"; 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.

(a) 1926 c. 36.

(b) S.I. 1969/888 (1969 II, p. 2527).

Column 1 Road Traffic enactments applied	Column 2 Exceptions, adaptations and modifications
The "Zebra" Pedestrian Crossing Regulations 1971(a)	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;"; 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. In paragraph 1(2) 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".
The Fixed Penalty (Procedure) Regulations 1974(b)	In Regulation 5— for the words "or traffic warden", there shall be substituted the words "traffic warden or park-keeper in the Royal Parks"; in sub-paragraph (*a*), for the words "the chief officer of police that he does not wish to receive a copy of any such notice; and", there shall be substituted the words "the chief officer of police or the Secretary of State that he does not wish to receive a copy of any such notice."; sub-paragraph (*b*) shall be omitted; In Regulation 9(1), for the words "traffic warden or local authority" there shall be substituted the words "traffic warden or park-keeper in the Royal Parks"; 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.".

(a) S.I. 1971/1524 (1971 III, p. 4281). (b) S.I. 1974/476 (1974 I, p. 1656).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order applies certain provisions of the Road Traffic Regulation Act 1967 and regulations made thereunder to the Royal Parks. It enables the Secretary of State to establish pedestrian crossings and to erect traffic signs in the Royal Parks and it applies the fixed penalty procedure under section 80 of the Road Traffic Regulation Act to certain offences against the regulations made under section 2(1) of the Parks Regulation (Amendment) Act 1926 in cases where enforcement is undertaken by park-keepers.

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