STATUTORY INSTRUMENTS

1986 No. 180

ROAD TRAFFIC

The Secretary of State's Traffic Orders (Procedure) (England and Wales) Regulations 1986

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The Secretary of State for Transport (as respects England) and the Secretary of State for Wales (as respects Wales) in exercise of their powers under section 124 of, and Part III of Schedule 9 to, the Road Traffic Regulation Act 1984**(a)**, and of all other enabling powers, after consultation with representative organisations in accordance with section 134(2) of the said Act of 1984, hereby make the following Regulations:—

PART I

GENERAL

Citation, commencement and revocation

1.—(1) These Regulations may be cited as the Secretary of State's Traffic Orders (Procedure) (England and Wales) Regulations 1986 and shall come into operation on the 1st April 1986.

(2) The Secretary of State's Traffic Orders (Procedure) (England and Wales) Regulations 1973**(b)**, the Secretary of State's Traffic Orders (Procedure) (England and Wales) (Amendment) Regulations 1975**(c)** and the Secretary of State's Traffic Orders (Procedure) (England and Wales) (Amendment) Regulations 1982**(d)** are hereby revoked.

Interpretation

2.—(1) In these Regulations the following expressions have the meanings hereby respectively assigned to them:—

"the Act" means the Road Traffic Regulation Act 1984;

"consolidation order" means an order which revokes provisions of one or more existing orders, reproduces those provisions without any change in substance and makes no other provision, but so, however, that for the purpose of this definition the following shall not be regarded as a change in substance:—

(a) the inclusion in the order (by way of an addition to the provisions of any existing order or orders) of an exemption of the same kind as is mentioned in the Local Authorities' Traffic Orders (Exemptions for

(a) 1984 c. 27; Schedule 9 was amended by the Local Government Act 1985 (c. 51), Schedule 5, paragraph 4(39).
(b) S.I. 1973/1028. **(c)** S.I. 1975/2029. **(d)** S.I. 1982/292.

Disabled Persons) (England and Wales) Regulations 1986**(a)** in respect of a disabled person's vehicle, or of a provision conferring on a traffic warden functions similar to those conferred by the existing order or orders on a police constable in uniform or of both such exemption and such provision, or

(b) the substitution in the order, in place of a prohibition or restriction in any existing order or orders, of a prohibition or restriction of the type specified in regulation 13(3)(*c*), or (*d*).

"countryside road order" has the meaning given to that expression in regulation 3;

"local newspaper", for the purposes of the procedure for any order relating to any road or other place in Greater London, includes any newspaper published in Greater London and circulating throughout the whole of Greater London (whether or not that newspaper also circulates outside Greater London);

"the notice of proposals" and "the notice of making", in relation to an order, mean respectively the notices required to be published under regulations 5 and 12;

"the objection period" means the period within which objections to an order may be made in accordance with regulation 6;

"the order" means, in relation to anything occurring or falling to be done before its making, the order as proposed to be made, and in relation to anything occurring or falling to be done on or after its making, the order as made;

"the relevant local authority" means:—

(*a*) in relation to a reserve power order—

(i) where the order is made or proposed to be made by virtue of paragraph 3 of Schedule 9 to the Act, the Council of a London Borough, the Common Council of the City of London or other local authority to whom there has been given under paragraph 2 of the said Schedule 9 the direction, for the purpose of securing the object for which the order is made or proposed to be made,

(ii) where the order is made or proposed to be made under paragraph 7 of Schedule 9 to the Act the Council of a London Borough, the Common Council of the City of London or other local authority whose order is or is proposed to be varied or revoked by the reserve power order,

(*b*) in relation to a trunk road order—

(i) where the order applies or will apply to a road in Greater London, the Council of a London Borough or the Common Council of the City of London,

(ii) where the order applies or will apply to a road outside Greater London, the local authority who would have the power under the Act to make the order if the road were not a trunk road,

(a) S.I. 1986/178.

(*c*) in relation to a countryside road order, the local authority who have power under section 1 of the Act to make such an order as respects the road to which the countryside road order applies or will apply,

and where under the foregoing provisions of this definition there would in relation to any particular order be more than one relevant local authority, that expression shall in the case of that order include all of those authorities;

"reserve power order" and "trunk road order" have the meanings respectively given to those expressions in regulation 3; and

"road" includes any length of road and any part of the width of a road and, in relation to an order under section 6 of the Act, any length of a street as defined in section 6(6) of the Act and any part of the width of such a street.

(2) Any reference in these Regulations to an order under any particular section of the Act or under section 36B(5) of the Road Traffic Act 1972**(a)** includes—

(*a*) a reference to an order (whether made by virtue of paragraph 27 of Schedule 9, or under paragraph 7 of the said Schedule, to the 1984 Act) varying or revoking an order made, or having effect as if made, under the section in question, and

(*b*) a reference to an order under the section in question made or proposed to be made by virtue of paragraph 3 of Schedule 9 to the Act.

(3) In relation to an order under section 36B(5) of the Road Traffic Act 1972 any reference in these Regulations to Part I or III of Schedule 9 to the Act shall be construed as a reference to that Part as applied by section 36B(7) of the said Act of 1972.

(4) Any reference in these Regulations to a numbered regulation or Schedule is a reference to the regulation or Schedule bearing that number in the Regulations except where otherwise expressly provided.

Application of Regulations

3.—(1) These Regulations apply to:—

(*a*) orders made or proposed to be made by the Secretary of State by virtue of paragraph 3 or under paragraph 7 of Schedule 9 to the 1984 Act (any such order being in these Regulations referred to as a "reserve power order");

(*b*) orders made or proposed to be made by the Secretary of State with respect to trunk roads under any of the following provisions of the Act, that is to say, sections 1 to 3, 6, 9, 83 and 84 or under section 36B(5) of the Road Traffic Act 1972 (any such order being in these Regulations referred to as a "trunk road order"); and

(*c*) orders made or proposed to be made by the Secretary of State with respect to roads which are not trunk roads under sections 22 and 132 of the Act (any such order being in these Regulations referred to as a "countryside road order").

(a) 1972 c. 20; section 368 was inserted by the Road Traffic Act 1974 (c. 50), section 7.

(2) Except where otherwise stated, each regulation applies to every such order.

(3) Where, in connection with an order to which these Regulations apply, procedural steps which accord substantially with the relevant requirements of these Regulations have been taken before the coming into operation of these Regulations or are in the course of being taken when these Regulations come into operation (whether or not they were taken or are being taken in the sequence required by these Regulations), but the order has not been made before these Regulations come into operation, then those steps need not be repeated and for the purpose of these Regulations they shall be deemed to have been taken under and in accordance with these Regulations, and any remaining procedural steps in connection with the order shall be determined by, and carried out or completed in accordance with, these Regulations as nearly as may be.

(4) Nothing in these Regulations shall apply to any order made before the coming into operation of these Regulations.

PART II

PROCEDURE BEFORE MAKING THE ORDER

Consultation with Police

4.—(1) Before making any order to which these Regulations apply, other than an order under section 6 of the Act, the Secretary of State shall consult with the chief officer of any police area in which any road or other place to which the order is to relate is situated.

(2) The consultation referred to in paragraph (1) of this regulation is additional to any consultation required by the Act.

(3) This regulation has effect subject to regulation 13.

Publication of proposals

5.—(1) Before making the order the Secretary of State shall:—

(*a*) publish once at least in a local newspaper circulating in the area in which any road or other place to which the order relates is situated a notice of proposals containing the particulars specified in Part I of Schedule 1;

(*b*) publish a similar notice in the London Gazette;

(*c*) serve upon the relevant local authority a copy of the notice of proposals containing the particulars aforesaid and a copy of the order as drafted;

(*d*) except where the order is—

(i) an order under section 6 of the Act; or

(ii) a reserve power order under paragraph 7 of Schedule 9 to the Act which provides for the variation or revocation of an order made, or having effect as if made, under section 6 of the Act,

comply with the relevant requirements of Schedule 2 as to the notices to be displayed in each road or other place to which the order relates;

(*e*) comply with the relevant requirements of Schedule 3 as to the availability of documents for inspection.

(2) Where the order is one which relates to a road, or to roads, situated in more than one locality, it shall be sufficient for the purposes of this regulation if the notice published in each local newspaper states the general nature and effect of the order so far as it affects the road or roads situated in the locality in which that newspaper circulates and names or otherwise describes only the road or roads so affected in that locality, but the notice in the London Gazette shall state the general nature and effect of the entire order and name or otherwise describe the whole road, or all the roads, to which the order relates.

(3) This regulation has effect subject to regulations 13 and 14.

Objections

6.—(1) The period during which objections to the order can be made shall begin not earlier than the date on which the Secretary of State has complied with the requirements of paragraph (1)(*a*), (*b*) and (*c*) of regulation 5 and (where such display is required) has begun to display the notices required by paragraph 1(*d*) of that regulation, and shall continue, in the case of orders under section 83 or 84 of the Act, for not less than 28 days, and in the case of all other orders, for not less than 21 days.

(2) Any person desiring to object to the Secretary of State's proposals to make the order shall send within the period, and to the address, specified in the notice of proposals published as required by regulation 5 a written statement of his objection and of the grounds thereof.

(3) This regulation has effect subject to regulations 13 and 14.

Notice of public inquiry

7.—(1) Where the Secretary of State decides, before publishing the notice of proposals under regulation 5, that a public inquiry shall be held, the notice of proposals shall contain, in addition to the particulars required by that regulation, the particulars specified in Part II of Schedule 1.

(2) In any case where the Secretary of State decides that a public inquiry shall be held in connection with an order to which these Regulations apply but the published notice of proposals has not contained the particulars specified in Part II of Schedule 1, the Secretary of State shall:—

(*a*) publish once at least in a local newspaper circulating in the area in which any road or other place to which the order relates is situated a notice of the inquiry containing the particulars specified in Part III of Schedule 1;

(*b*) publish a similar notice in the London Gazette;

(*c*) serve upon the relevant local authority a copy of the notice of inquiry containing the particulars aforesaid;

(*d*) except where the order is an order under section 6 or 9 of the Act, or an order under section 36B(5) of the Road Traffic Act 1972 with

respect to a road in Greater London, comply with the relevant requirements of Schedule 2 as to the notices to be displayed in each road or other place to which the order relates;

(*e*) comply with the relevant requirements of Schedule 3 as to the availability of documents for inspection;

(*f*) not later than the date of the first publication of the notice required by sub-paragraph (*a*) of this paragraph, inform in writing any person who has objected to the order in accordance with regulation 6 and who has not withdrawn the objection, of the date, time and place of the inquiry.

(3) The provisions of paragraph (2) of regulation 5 shall apply in relation to the publication of a notice under paragraph (2) of this regulation as they apply in relation to the publication of a notice of proposals under regulation 5.

(4) Where the notice of proposals announces the holding of a public inquiry, there shall be at least 42 days between the date on which the publication of that notice in the local newspaper and the London Gazette under the foregoing provisions of these Regulations is completed and the date on which the inquiry is due to begin, and in all other cases there shall be at least 21 days between the date on which the publication as aforesaid of the notice announcing the holding of the public inquiry is completed or the date of the expiration of the objection period (whichever is later) and the date on which the inquiry is due to begin.

Procedure at public inquiry

8.—(1) Any person interested in the subject matter of a public inquiry may appear at the inquiry either in person or by counsel, solicitor or other representative.

(2) Any person so interested may, whether or not he proposes to appear at the inquiry, send to the address given in the notice of proposals for the receipt of objections, such written representations as he may wish to make in relation to the subject matter of the inquiry with a view to their transmission to and consideration by the person appointed to hold the inquiry.

(3) The person holding the inquiry may refuse to hear any person, or to consider any objection or representation made by any person, if he is satisfied that the views of that person or the objection or representation are frivolous or that such views have already been adequately stated by some other person at the inquiry.

(4) Subject as aforesaid, the procedure at the inquiry shall be in the discretion of the person holding it.

Consideration of objections

9. Before making the order the Secretary of State shall consider all objections duly made in accordance with regulation 6 and not withdrawn and also the report and recommendations (if any) of the person holding any public inquiry in connection with the order.

Modifications

10. The Secretary of State may make the order with modifications (whether in consequence of any objections or otherwise), but where the modifications which the Secretary of State proposes to make appear to him substantially to affect the character of the order as drafted, then, before making the order, he shall take such steps as appear to him to be appropriate for informing the persons likely to be concerned of the effect of the proposed modifications and for giving to those persons an opportunity to make representations in connection therewith, and shall consider any such representations which are made to him.

PART III

MAKING THE ORDER AND SUBSEQUENT PROCEDURE

Operative date of order

11.—(1) The order shall specify the date on which it comes into operation or, in a case where different operative dates are provided for different provisions of the order, each of the dates on which a provision of the order comes into operation.

(2) No date on which an order, or a provision of an order, comes into operation shall be earlier than the date on which the notice of the making of the order is published in the local newspaper under regulation 12.

Notice of the making of the order

12.—(1) When the Secretary of State has made the order, he shall:—

(*a*) forthwith give notice in writing of the making of the order to the relevant local authority and to the chief officer of police for the police area in which any road or other place to which the order relates is situated;

(*b*) except where such notification has previously been given to such person, notify in writing each person who has duly objected to the order in accordance with regulation 6 above and has not withdrawn his objection, of the Secretary of State's decision in relation to the objection and, where the objection has not been, or not wholly been, acceded to, of the Secretary of State's reasons therefor;

(*c*) within 14 days of the making of the order publish once in a local newspaper circulating in the area in which any road or other place to which the order relates is situated a notice of the making of the order containing the particulars specified in Part IV of Schedule 1;

(*d*) within the same period publish in the London Gazette a notice of the making of the order containing the particulars specified in Part V of Schedule 1;

(*e*) comply with the relevant requirements of Schedule 3 as to the availability of documents for inspection;

(*f*) where the order relates to any road, forthwith take such steps as it is practicable for the Secretary of State to take to ensure, before the order comes into operation—

(i) the placing on or near the road of such traffic signs in such positions as the Secretary of State may consider requisite for the purpose of securing that adequate information as to the effect of the order is made available to persons using the road, and

(ii) in a case where the order contains provisions for revoking, or altering the application of, a previous order, such removal or replacement of existing traffic signs as the Secretary of State may consider requisite for the purpose of avoiding confusion to users of the road or the continuance of traffic signs in incorrect positions.

(2) The provisions of paragraph (2) of regulation 5 shall apply in relation to the publication of a notice under paragraph (1)(*c*) of this regulation as they apply in relation to the publication of a notice of proposals under regulation 5.

(3) The provisions of paragraph (1)(*f*) above are without prejudice to section 85 of the Act.

(4) This regulation has effect subject to regulation 13.

PART IV

SPECIAL PROCEDURAL PROVISIONS FOR CERTAIN ORDERS

Special provisions for consolidation orders and for certain variation orders

13.—(1) Regulations 4, 5 and 6 shall not apply to any trunk road order which is a consolidation order and regulation 12 shall have effect in relation to such an order with the following modifications, namely, that the particulars to be contained in the notice of the making of the order shall consist only of:—

(*a*) the title of the order;

(*b*) a statement of the titles of the orders the provisions of which are reproduced in the order;

(*c*) in a case where a consolidation order contains a substitution of the type specified in paragraph (3)(*c*) or (*d*) a statement of the prohibitions or restrictions which have been replaced by the consolidation order;

(*d*) the operative date or dates of the order; and

(*e*) the items numbered 6 and (if necessary) 7 in Part IV of Schedule 1.

(2) A trunk road order which is a consolidation order shall be framed so as to come into operation on a date not less than 14 days after the publication in the local newspaper of the notice of the making of the order.

(3) Regulations 4, 5 and 6 shall not apply to an order the sole effect of which would be:—

(*a*) to postpone for a period of not more than 6 months the coming into operation of any provision of an existing order;

(*b*) to vary an order under section 1, 6 or 9 of the Act so as to include in the order being varied an exemption in respect of a disabled person's vehicle of the same kind as is mentioned in regulation 4 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986**(a)**, or a provision for conferring on a traffic warden functions similar to those conferred by the order being varied on a police constable in uniform, or both such exemption and such provision;

(*c*) to vary an order under section 1, 6 or 9 of the Act so as to substitute for a prohibition or restriction on the use of vehicles the weight of which (however described) exceeds a weight expressed in imperial units an identical prohibition or restriction on the use of vehicles the weight of which exceeds the metric equivalent to that weight; or

(*d*) to vary an order made under section 1, 6 or 9 of the Act so as to substitute for a prohibition or restriction on the use of vehicles the weight of which exceeds a specified unladen weight an identical prohibition or restriction on the use of vehicles the weight of which exceeds the corresponding maximum gross weight;

(4) For the purpose of this regulation a metric weight is equivalent to any weight expressed in imperial units where it is the metric equivalent of that weight (calculated by reference to the approximate values shown in Part I of Schedule 3 to the Units of Measurement Regulations 1980**(b)**) but expressed in tonnes either to the nearest tonne or to the nearest 0.5 tonne.

(5) In this regulation:—

"the corresponding maximum gross weight" means the maximum gross weight expressed in metric units specified in Column 2 of Schedule 4 to these Regulations opposite the corresponding specific unladen weight;

"maximum gross weight" has the same meaning as in the Traffic Signs Regulations and General Directions 1981**(c)**; and

"a specified unladen weight" means one of the weights specified in Column 1 of Schedule 4 expressed in imperial units or the metric equivalent to any of those weights.

Special provisions for certain experimental traffic orders and other orders

14.—(1) This regulation applies to the following orders, that is to say:—

(*a*) a trunk road order under section 9 of the Act;

(*b*) a reserve power order under paragraph 7 of Schedule 9 to the Act which provides only for one or more of the following matters:—

(i) the revocation of an order made, or having effect as if made, under section 9(1) of the Act;

(ii) the variation of an order made, or having effect as if made, under the said section 9(1) so as to reduce the extent of its application or the stringency of any prohibition or restriction imposed by it;

(a) S.I. 1986/178. (b) S.I. 1980/1070. (c) S.I. 1981/859.

(*c*) a reserve power order under section 9(3) of the Act by virtue of paragraph 3 of Schedule 9 thereto;

(*d*) an order under section 1 or 6 of the Act where the sole effect of the order would be to—

(i) prohibit the riding of cycles or mopeds on a footbridge or in a pedestrian subway or in the approaches to such bridge or subway, or

(ii) restrict the driving of vehicles into a boxed area, or

(iii) revoke or vary the provision of an order, being a provision the sole effect of which is as mentioned in (i) or (ii) of this subparagraph;

(*e*) an order under section 36B(5) of the Road Traffic Act 1972 with respect to a road in Greater London.

(2) Regulations 5 and 6 shall not apply to any order to which this regulation applies, but where the order is a reserve power order the Secretary of State shall, not less than 14 days before making the order, serve upon the relevant local authority a notice of his proposal to make the order, a copy of the order as drafted and a statement of his reasons for proposing to make the order.

(3) In paragraph (1)(*d*) of this regulation—

"boxed area" means an area of the carriageway of a road, at or near its junction with another road, marked or to be marked by a traffic sign consisting of cross hatched yellow lines, bounded by a yellow line, placed on the carriageway to indicate that a vehicle must not be driven into the area at a time when, by reason of the presence of one or more other vehicles in or near to that area, it cannot be driven out of that area without stopping;

"cycle" means a pedal cycle which is not a motor vehicle; and

"moped" has the same meaning as in regulation 46 of the Motor Vehicles (Construction and Use) Regulations 1978**(a)**.

Nicholas Ridley,
Secretary of State for Transport.

3rd February 1986.

Nicholas Edwards,
Secretary of State for Wales.

4th February 1986.

(a) S.I. 1978/1017, to which there are no relevant amending instruments.

SCHEDULE 1 Regulations 5(1)(*a*), 7(1) and (2), and 12(1)(*c*) and (*d*)

PARTICULARS TO BE INCLUDED IN PRESS NOTICES

PART I—PARTICULARS TO BE INCLUDED IN THE NOTICE OF PROPOSALS

1. The title of the order.

2. A statement of the general nature and effect of the order.

3. Where the order relates to any road, the name or other brief description of the road and, in a case where the order is an order under sections 83 and 84 of the 1984 Act, a statement of the approximate length of that road to which the order will apply.

4. Where the order does not relate to a road, a brief description of the place to which it does relate and of the location of that place.

5. Where the order is a reserve power order to be made under paragraph 7 of Schedule 9 to the 1984 Act a statement of the title, date and general nature of the order proposed to be varied or revoked and the name of the authority who made that order.

6. A statement of all the documents required by regulation 5(1)(*e*) to be available for inspection, of each address at which those documents can be inspected and of the times when inspection can take place at each such address.

7. The period during which, and the address to which, objections to the order can be made, and a statement that all objections must be made in writing and must specify the grounds thereof.

PART II—ADDITIONAL PARTICULARS TO BE INCLUDED IN THE NOTICE OF PROPOSALS WHICH ANNOUNCES THE HOLDING OF A PUBLIC INQUIRY

1. A statement that a public inquiry will be held in connection with the order.

2. The date, time and place of the inquiry.

PART III—PARTICULARS TO BE INCLUDED IN THE SEPARATE NOTICE OF A PUBLIC INQUIRY

1. The title of the order.

2. A statement which refers to the published notice of proposals for the order and which indicates that a public inquiry will be held in connection with the order.

3. A brief statement of the general nature and effect of the order and of the name or other brief description of any road or other place to which the order will apply.

4. The date, time and place of the inquiry.

5. A statement of all the documents required by regulation 7(2)(*e*) to be available for inspection, of each address at which those documents can be inspected and of the times when inspection can take place at each such address.

PART IV—PARTICULARS TO BE INCLUDED IN THE NOTICE OF MAKING THE ORDER PUBLISHED IN A LOCAL NEWSPAPER

1. The title of the order, and the date on which it was made.

2. A statement of the general nature and effect of the order and of its operative date or dates.

3. In the case of an order to which regulation 13(3)(*c*) or (*d*) applies, a statement of the prohibitions or restrictions which have been replaced.

4. Where the order relates to any road, the name or other brief description of the road.

5. Where the order does not relate to a road, a brief description of the place to which it does relate and of the location of that place.

6. Where the order is a reserve power order made under paragraph 7 of Schedule 9 to the Act a statement of the title, date and general nature of the order varied or revoked and of the name of the authority who made that order.

7. A statement of all the documents required by regulation 12(1)(*e*) to be available for inspection, of each address at which those documents can be inspected and of the times when inspection can take place at each such address.

8. In the case of an order under section 1, 6, 9, 19, 32, 37, 38 or 45 of the Act or under Section 36B(5) of the Road Traffic Act 1972, a statement that any person wishing to question the validity of the order or of any of its provisions on the ground that it is not within the powers of the relevant enabling Act or that a requirement of any such enabling Act or of any relevant regulations made thereunder has not been complied with, may, within 6 weeks of the date on which the order was made, make application for the purpose to the High Court.

PART V—PARTICULARS TO BE INCLUDED IN THE NOTICE OF MAKING THE ORDER PUBLISHED IN THE LONDON GAZETTE

1. The name of the authority.

2. The title of the order.

3. The date of making of the order and its operative date or dates.

4. Except in the case of an order to which regulation 13 or 14 applies, the issue number and date of issue of the London Gazette containing the relevant notice of proposals previously published pursuant to regulation 5(1)(*b*), the reference number of that notice therein, and a statement that the effect of the order is as described in that notice, save for such modifications (if any) as are described in the statement.

5. In the case of an order to which regulation 13 or 14 applies, a statement of the general nature and effect of the order.

6. Each address at which a copy of the order, as made, and a copy of the relevant map can be inspected, and the times when inspection can take place at each such address.

7. In the case of an order under section 1, 6, 9, 19, 32, 37, 38, or 45 of the Act or under section 36B(5) of the Road Traffic Act 1972, a statement that any person wishing to question the validity of the order or of any of its provisions on the ground that it is not within the powers of the relevant enabling Act or that a requirement of any such enabling Act or of any relevant regulations made thereunder has not been complied with may, within 6 weeks from the date on which the order was made, make application for the purpose to the High Court.

SCHEDULE 2 Regulations 5(1)(*d*) and 7(2)(*d*)

REQUIREMENTS AS TO NOTICES TO BE DISPLAYED IN A ROAD OR OTHER PLACE

PART I—PARTICULARS TO BE INCLUDED IN THE NOTICE

1. The title of the order.

2. A brief statement of the effect of the order in relation to the road or other place where it is displayed.

3. A statement of all the documents required by regulation 5(1)(*e*) or 7(2)(*e*) to be available for inspection, of each address at which those documents can be inspected and of the times when inspection can take place at each such address.

4. Where the notice is a notice of proposals, the address to which, and the period during which, objections to the order can be made, and a statement that all objections must be made in writing and must specify the grounds thereof.

5. Where the notice announces the holding of a public inquiry, the date, time and place of the inquiry.

PART II—OTHER REQUIREMENTS AS TO THE DISPLAY OF THE NOTICE

1. Where the order relates to any road, the notice shall be displayed in a prominent position at or near each end of the road and in such other positions (if any) as the Secretary of State thinks requisite for securing that adequate information about the subject matter of the notice is made available to persons using the road.

2. Where the order does not relate to a road, the notice shall be displayed in one or more prominent positions in the road or roads giving access to the place to which it does relate, and, where that place is in public use, in that place itself.

3. The notice shall first be displayed as aforesaid not later than the first publication of the corresponding notice in the local newspaper and the Secretary of State shall take all steps which it is reasonably practicable for him to take to ensure that it remains in a legible condition and continues to be so displayed:—

(*a*) in the case of a notice of proposals not announcing the holding of a public inquiry, until the end of the objection period;

(*b*) in the case of a notice announcing the holding of a public inquiry, until the date on which the inquiry begins.

Regulations 5(1)(*e*), 7(2)(*e*) and 12(1)(*e*) SCHEDULE 3

REQUIREMENTS AS TO THE AVAILABILITY OF DOCUMENTS FOR INSPECTION

1. There shall be available for inspection at such address or addresses, and during such times, as may be specified in the notice in connection with which they are required to be made available (one such address being, so far as practicable, an address in the area in which any road or other place to which the order relates is situated) the following documents:—

(*a*) a copy of the order as proposed to be made or made (as the case may be);

(*b*) in the case of an order which varies, revokes, applies or suspends a previous order or which modifies, suspends or revokes regulations made or having effect as if made under section 12 of the Act, a copy of that order or, as the case may be, of those regulations;

(*c*) in the case of a reserve power order made or proposed to be made by virtue of paragraph 3 of Schedule 9 to the 1984 Act, a copy of the direction for the purpose of securing the object of which the order is made or proposed to be made;

(*d*) in the case of a proposed order, a copy of a statement setting out the Secretary of State's reasons for proposing to make the order, and, if it be an experimental order under section 9, setting out the Secretary of State's reasons for proceeding by way of experiment; and

(*e*) in the case of an order made after the holding of a public inquiry, a copy of the report and the recommendations (if any) of the person appointed to hold the inquiry.

2. The said documents shall be made available as aforesaid not later than the first publication in the local newspaper of the notice in connection with which they are required to be made available, and they shall continue to be so available:—

(*a*) where the notice is a notice of proposals not announcing the holding of a public inquiry, until the end of the objection period;

(*b*) where the notice is one announcing the holding of a public inquiry, until the date on which the inquiry begins; and

(*c*) where the notice is a notice of making the order, until the end of 6 weeks from the date on which the order is made.

Regulation 13(5) SCHEDULE 4

Column 1	Column 2
Specified unladen weight (in tons)	Corresponding maximum gross weight (in tonnes)
2	5
2.5	5
3	7.5
5	16.5
10	30

EXPLANATORY NOTE

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

These Regulations lay down the procedure to be followed by the Secretary of State for Transport and the Secretary of State for Wales in connection with the making by them of various types of traffic orders under the Road Traffic Regulation Act 1984, and under Section 36B of the Road Traffic Act 1972.

Regulation 3 specifies the orders to which the Regulations apply. These include traffic regulation orders, experimental traffic orders, speed limit orders and orders for exempting roads from the prohibition of the parking of vehicles on verges, central reservations and footways in respect of trunk roads, and orders being made in respect of non-trunk roads whether under Section 22 of the 1984 Act or under the reserve powers of the Secretaries of State by virtue of paragraph 3 or under paragraph 7 of Schedule 9 to that Act.

Regulations 4 to 10 lay down the procedure to be followed before the order is made. They provide for preliminary consultation with the police (regulation 4), publication of the proposals (regulation 5), objections to the order (regulations 6 and 9), public inquiries (regulations 7 and 8) and the modification of the proposals (regulation 10).

Provisions as to the making of the order and the subsequent procedure, including the publication of a notice of its making, the notification of the police, the local authority and objectors, and the provision of traffic signs, are contained in regulations 11 and 12.

Certain of the above-mentioned requirements are modified in relation to certain classes of order by virtue of regulations 13 and 14.

Schedules 1 to 3 contain particulars of the details to be included in the press notice of an order, of the requirements as to the display of notices of an order in the road itself, and of the requirements about making documents relating to an order available for public inspection. Schedule 4 relates specific unladen weight of vehicles to the corresponding maximum gross weight.

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