

2006 No. 2082

ROAD TRAFFIC, ENGLAND

The Quiet Lanes and Home Zones (England) Regulations 2006

<i>Made</i> - - - -	<i>26th July 2006</i>
<i>Laid before Parliament</i>	<i>31st July 2006</i>
<i>Coming into force</i> - -	<i>21st August 2006</i>

The Secretary of State for Transport makes these Regulations in exercise of the powers conferred by section 268 of the Transport Act 2000(a).

Citation, commencement and application

1.—(1) These Regulations may be cited as the Quiet Lanes and Home Zones (England) Regulations 2006 and shall come into force on 21st August 2006.

(2) These Regulations apply to England.

Interpretation

2. In these Regulations—

“the Act” means the Transport Act 2000;

“authority”, in relation to a designated road, means the local traffic authority making, or proposing to make, the designation, or a use order or speed order, in relation to the designated road, under the Act;

“designated road” means a road designated by a local traffic authority as a quiet lane or a home zone under section 268(1) of the Act and “designate” and “designation” shall be construed accordingly;

“fire and rescue authority” shall be construed in accordance with the Fire and Rescue Services Act 2004(b);

“local planning authority” has the meaning given by section 1(1), (2) and (3) of the Town and Country Planning Act 1990(c);

“NHS trust” has the meaning given by section 5(1) of the National Health Service and Community Care Act 1990(d);

“NHS foundation trust” has the same meaning as in section 1 of the Health and Social Care (Community Health and Standards) Act 2003(e);

(a) 2000 c. 38.

(b) 2004 c. 21, see sections 1 to 4.

(c) 1990 c. 8; section 1(3) was amended by the Local Government (Wales) Act 1994 (c. 19) section 18(6) and Schedule 18.

(d) 1990 c. 19; section 5(1) was amended by the Health Act 1999 (c. 8), section 13(1) and Schedule 5.

(e) 2003 c. 43.

“notice of proposals” means, in relation to a designation, the notice required to be published under regulation 5(a) and, in relation to a use order or a speed order, the notice required to be published under regulation 11(1)(a);

“Passenger Transport Authority” means a metropolitan county passenger transport authority;

“public passenger transport services” has the meaning given by section 63(10)(a) of the Transport Act 1985(a);

“relevant map”, in relation to a designation or order, means the map required by regulation 17 to be prepared and kept in connection with that designation or order; and

“writing” includes communication by electronic means.

Development of proposals

3.—(1) Before developing a proposal to designate a road, an authority shall give occupiers of premises in the area which the authority considers would be affected by the designation (“the relevant area”), and such other persons as the authority considers appropriate, an opportunity to make representations.

(2) The authority shall hold at least one public meeting to discuss designation in premises in, or within a reasonable distance of, the relevant area.

(3) The authority shall give notice of the opportunity to make representations and of each such meeting by—

(a) publishing, in a newspaper circulating in the relevant area, a notice—

(i) describing the relevant area;

(ii) inviting representations on the making of a designation; and

(iii) stating the time and place of the meeting;

(b) sending a copy of that notice to all occupiers of premises within that area; and

(c) taking such other steps as they consider appropriate.

(4) In developing a proposal to designate a road in that area, the authority shall have regard to representations received by them within 21 days of the publication of the notice under paragraph (3) or of the closure of the last meeting held in accordance with paragraph (2), whichever occurs later.

Consultation on designation

4. Before designating a road in a case specified in column (2) of an item in the table below, the authority shall consult the persons specified in column (3) of the item.

(a) 1985 c. 67.

Table

<i>(1) Item No</i>	<i>(2) Case</i>	<i>(3) Consultee</i>
1.	Where the designation of the road appears to the authority to be likely to affect traffic on a road for which another authority is the highway authority	The other authority
2.	Where the designation of the road appears to the authority to be likely to affect traffic on a road for which another authority is the traffic authority	The other authority
3.	Where the designation of the road relates to, or appears to the authority to be likely to affect traffic on, a road on which a public passenger transport service is provided	The operator of the service and the appropriate Passenger Transport Authority (if any)
4.	Where the road is situated in Greater London	The Greater London Authority and Transport for London
5.	All cases	(a) The local planning authority for the area in which the road is situated; (b) The parish council (if any) for the area in which the road is situated; (c) The chief officer of the appropriate NHS Trust, or NHS Foundation Trust, for the area in which the road is situated; (d) The fire and rescue authority for the area in which the road is situated; (e) The chief officer of police of the police area in which the road is situated; (f) Any occupier of premises which adjoin the road or to which the principal means of access is from the road; (g) The Road Haulage Association; (h) The head teacher of any school on, adjoining or adjacent to the road; (i) The Freight Transport Association; (j) Such other organisations (if any) representing persons or individuals likely to be affected by any provision in the designation as the authority thinks appropriate.

Notice of proposals to designate a road

5. Before designating a road the authority shall—
- publish at least once a notice of proposals, containing the particulars specified in Part 1 of Schedule 1, in a local newspaper circulating in the area in which the road to which the designation relates is situated;
 - send a copy of the notice of proposals so published to each person that the authority is required to consult under regulation 4;
 - display copies of the notice of proposals in accordance with Part 3 of Schedule 1;

- (d) take such other steps as they consider appropriate for ensuring that adequate publicity about the proposed designation is given to persons likely to be affected by its provisions; and
- (e) make available for inspection in accordance with Schedule 2 the documents mentioned in that Schedule.

Objections to designations

6.—(1) Any person may object to the designation of a road by the date specified in the notice of proposals or, if later, the end of the period of 21 days beginning with the date on which the authority has complied with all the requirements of regulation 5.

(2) An objection under paragraph (1) shall—

- (a) be in writing;
- (b) state the grounds on which it is made; and
- (c) be sent to the address specified in the notice of proposals.

Consideration of objections to designations

7. Before designating a road the authority shall consider all the objections duly made under regulation 6 and not withdrawn.

Use Orders

8.—(1) An authority who have designated a road as a quiet lane or a home zone may make a use order permitting the use of that road, or any part of the width of that road, for any of the purposes described in paragraph (2).

(2) The purposes are—

- (a) communal;
- (b) social;
- (c) cultural;
- (d) spiritual;
- (e) educational;
- (f) entertainment;
- (g) recreational.

(3) A use order may permit a use for a specified purpose permanently or temporarily at such times, on such days and during such periods as may be specified in the order.

Speed Orders

9.—(1) An authority who have designated a road as a quiet lane or a home zone may make a speed order, which complies with the requirements in the following paragraph, as respects the designated road.

(2) The requirements are that the speed order shall—

- (a) state that it is made with a view to reducing the speed of—
 - (i) motor vehicles;
 - (ii) cycles; or
 - (iii) both motor vehicles and cycles;
- (b) describe in general terms the measures which the local traffic authority is authorised to take with a view to reducing that speed below the speed specified in the order; and
- (c) specify the speed referred to in paragraph (b) above.

Consultation on use orders and speed orders

10. Before making a use order or a speed order in relation to a designated road in a case specified in column (2) of an item in the table below, the authority shall consult the persons specified in column (3) of the item.

Table

<i>(1) Item No</i>	<i>(2) Case</i>	<i>(3) Consultee</i>
1.	Where the use order or speed order appears to the authority to be likely to affect traffic on a road for which another authority is the highway authority	The other authority
2.	Where the use order or speed order appears to the authority to be likely to affect traffic on a road for which another authority is the traffic authority	The other authority
3.	Where the use order or speed order relates to, or appears to the authority to be likely to affect traffic on, a road on which a public passenger transport service is provided	The operator of the service and the appropriate Passenger Transport Authority (if any)
4.	Where the road is situated in Greater London	The Greater London Authority and Transport for London
5.	All cases	(a) The local planning authority for the area in which the road is situated (b) The parish council (if any) for the area in which the road is situated (c) The chief officer of the appropriate NHS Trust, or NHS Foundation Trust, for the area in which the road is situated (d) The fire and rescue authority for the area in which the road is situated (e) The chief officer of police of the police area in which the road is situated (f) Any occupier of premises which adjoin the road or to which the principal means of access is from the road (g) The Road Haulage Association (h) The head teacher of any school on, adjoining or adjacent to the road (i) The Freight Transport Association (j) Such other organisations (if any) representing persons or individuals likely to be affected by the use order or the speed order as the authority thinks appropriate

Notice of proposal to make use or speed orders

11.—(1) Before making a use order or a speed order the authority shall—

- (a) publish at least once a notice of proposals to make the use order or the speed order containing the particulars specified in Part 2 of Schedule 1 in a local newspaper circulating in the area in which the road to which the order relates is situated;
- (b) send a copy of the notice of proposals so published to each person whom the authority is required to consult under regulation 10;
- (c) display copies of the notice of proposals in accordance with Part 3 of Schedule 1;
- (d) take such other steps as they may consider appropriate for ensuring that adequate publicity about the order is given to persons likely to be affected by its provisions;
- (e) make available for inspection in accordance with Schedule 2 the documents mentioned in that Schedule.

(2) In the case of a road which has not been designated, the authority shall not publish the notice required by paragraph (1) before publishing the notice required by regulation 5.

Objections to use and speed orders

12.—(1) Any person may object to the making of a use order or a speed order by the date specified in the relevant notice of proposals or, if later, the end of the period of 21 days beginning with the date on which the authority has complied with all the requirements of regulation 11.

(2) An objection under paragraph (1) shall—

- (a) be made in writing;
- (b) state the grounds on which it is made; and
- (c) be sent to the address specified in the notice of proposals.

Consideration of objections to speed orders

13. Before making a use order or a speed order the authority shall consider all objections duly made under regulation 12 and not withdrawn.

Modifications of designations and of use orders and speed orders

14.—(1) Subject to the provisions of this regulation, an authority may, notwithstanding that the requirements of regulation 5 or 11 have been completed, modify a proposed designation or use order or speed order, whether in consequence of any objections or otherwise, before it is made.

(2) Before a proposed designation or use order or speed order is made with modifications which appear to the authority to make a substantial change in it, the authority shall take the steps required by paragraph (3).

(3) The steps are such steps as appear to the authority appropriate for—

- (a) informing persons likely to be affected by the modifications;
- (b) giving those persons an opportunity of making objections; and
- (c) ensuring that any such objections are duly considered by the authority.

(4) In this regulation “modifications” includes additions, exceptions or any other modification of any description and “modify” shall be construed accordingly.

Notice of designation and of making use orders and speed orders

15.—(1) When the authority have made a designation, a use order or a speed order they shall—

- (a) forthwith give notice in writing of the making of the designation or use order or speed order to the appropriate chief officer of police, the chief officer of the appropriate NHS Trust or NHS Foundation Trust and the appropriate fire and rescue authority;

- (b) notify in writing each person, who has objected to the designation or use order or speed order in accordance with regulation 6 or regulation 12 and has not withdrawn the objection, of the authority's reasons for making the designation, use order or speed order in spite of the objection;
- (c) within 14 days of the making of the designation or the use order or the speed order publish once in a local newspaper circulating in the area, in which the road to which the designation or use order or speed order relates is situated, a notice of the making of the order;
- (d) comply with the relevant requirements of Schedule 2 as to the availability of documents for inspection.

(2) A notice given under paragraph (1) shall state the date on which the designation or order is to come into force.

(3) If, after publishing a notice of proposals in accordance with regulation 5 or regulation 11, the authority decides not to designate a road or to make a use order or a speed order, it shall within 14 days of that decision publish once in a local newspaper circulating in the area in which the road, to which the designation or use order or speed order would have related, a notice of that decision.

Varying and revoking designations

16. The procedure specified in regulations 4 to 15 shall apply to the variation and revocation of designations and of use orders and speed orders as they apply to their making.

Map

17. The authority shall prepare and keep in connection with the designation, use order or speed order a map to which the provisions of Schedule 3 apply.

Traffic Signs

18. Where a road has been designated, the authority shall take such steps as are necessary to secure

- (a) the placing on or near the road of appropriate traffic signs as prescribed in the Traffic Signs Regulations and General Directions 2002(a), or as specially authorised by the Secretary of State, in such positions (if such positions are not prescribed) as the authority may consider requisite for securing that adequate information as to the designation is made available to persons using the road;
- (b) the maintenance of such signs for so long as the designation remains in force; and
- (c) in a case where a designation is varied or revoked, the removal or replacement of existing traffic signs as the authority considers requisite to avoid confusion to road users by signs being left in the wrong positions.

Signed by authority of the Secretary of State

26th July 2006

G. Merron
Parliamentary Under Secretary of State
Department for Transport

(a) S.I 2002/3113, to which there are amendments not relevant to these Regulations.

SCHEDULE 1

Regulations 5 and 11

NOTICES

PART 1

PARTICULARS TO BE INCLUDED IN NOTICES OF PROPOSALS FOR DESIGNATIONS

1. The name of the authority.
2. The name of the road to be designated.
3. A brief statement of the general nature and effect of the designation and a description of the length of road to which it relates.
4. The addresses at which copies of the draft designation, the relevant map and the authority's statement of reasons for proposing to make the designation can be inspected, and the times when such inspection can take place.
5. Where the notice is a notice of proposals, the address to which, and the date on or before which objections to the designation can be made, such date being the date of the end of the objection period mentioned in regulation 6(1), and a statement that all objections must be made in writing and must specify the grounds thereof.

PART 2

PARTICULARS TO BE INCLUDED IN NOTICES OF PROPOSALS FOR USE ORDERS AND SPEED ORDERS

1. The name of the authority.
2. A description of the designated road, or the road proposed to be designated if no designation has yet been made, to which the use order or speed order relates.
3. A brief statement of the general nature and effect of the use order or speed order in relation to the road or other place where it is displayed, a description of the length to which it relates and, in the case of a use order which relates to part of the width of the road, a description of that part.
4. Addresses at which copies of the draft use order or speed order, the relevant map and the authority's statement of reasons for proposing to make the order may be inspected, and the times when such inspection may take place.
5. Where the notice is a notice of proposals, the address to which, and the date on or before which objections to the making of the order can be made, such date being the date of the end of the objection period mentioned in regulation 12(1), and a statement that all objections must be made in writing and must specify the grounds thereof.

PART 3

DISPLAY OF NOTICES

1. The notice shall be displayed in a prominent position at or near each end of the length of road to which the designation, use order or speed order relates and in such other positions as the

authority consider necessary to ensure that adequate information about the subject matter of the notice is given to persons using the road.

2. The notice shall first be displayed at the same time as the corresponding notice is first published in the local newspaper and the authority shall take all reasonable steps to ensure that it remains in a legible condition and continues to be so displayed until the end of the objection period.

SCHEDULE 2

Regulations 5, 11 and 15

REQUIREMENTS AS TO THE AVAILABILITY OF DOCUMENTS FOR INSPECTION

1. There shall be available for inspection at the authority's offices and a local library during normal office hours, and (if the authority think fit) at such other places within the authority's area and during such times respectively at those places as the authority may determine, the following documents—

- (a) in the case of a proposed designation or a designation, a copy of the designation as drafted or made, as the case may be;
- (b) in the case of a proposed use order or speed order or a use order or speed order, a copy of the use order or speed order, as drafted or made, as the case may be;
- (c) in all cases, a copy of the relevant map;
- (d) in the case of a designation, use order or speed order, as proposed or made as the case may be, which varies or revokes a previous designation, use order or speed order, a copy of that designation, use order or speed order and of its relevant map;
- (e) in the case of a proposed designation, use order or speed order, or a proposed variation or revocation of a previous designation, use order or speed order, a copy of a statement setting out the authority's reasons for its proposal.

2. The documents shall be made available not later than the date of 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 of the matter is a notice of proposals, until the end of the objection period; and
- (b) where the notice of the matter is a notice of making the designation or use order or speed order, until the end of 6 weeks from the date on which the designation or user order or speed order is made.

SCHEDULE 3

Regulation 17

REQUIREMENTS AS TO THE MAP

1. The map shall clearly indicate by distinctive colours, symbols or markings each road to which the designation use order or speed order relates.

2. Where the map is neither specifically referred to in the text of the designation, the use order or the speed order, nor made a part of the designation, the use order or the speed order, it shall be for the purposes of illustration only and the matter indicated on it shall not prevail over the text in the event of any discrepancy between the map and the text.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the making, variation and revocation of designations of roads as quiet lanes or home zones under section 268 of the Transport Act 2000 and of use orders and speed orders in respect of those roads.

They require the local traffic authority to give persons in the area of the relevant road an opportunity to make representations before a proposal for designation is developed. At least one public meeting must be held (*regulation 3*).

They require an authority, before designating a road, to consult prescribed persons, to publish details of the designation proposals and to consider objections (*regulations 4 to 7*).

They provide for the making of use orders and speed orders in respect of designated roads. A use order permits the road to be used, for as long as may be specified, for a purpose which is communal, social, cultural, spiritual, educational, entertainment or recreational (*regulation 8*). A speed order describes in general terms the measures to be taken to reduce the speed of motor vehicles or cycles below the speed specified in the order (*regulation 9*).

The Regulations require an authority, before making such an order, to consult prescribed persons, to publish details of the order proposals and to consider objections (*regulations 10 to 13*).

They permit the modification of proposed designations or orders, subject to persons affected by substantial changes being given an opportunity to object (*regulation 14*).

They require notices to be given by an authority after it has made a designation or use or speed order (*regulation 15*) and provide for the variation or revocation of a designation or order subject to similar procedures as those for designation or making an order (*regulation 16*).

A map showing a designation is to be kept by the authority (*regulation 17*).

Traffic signs informing road users of the designation are to be placed appropriately (*regulation 18*).

A Regulatory Impact Assessment has been produced and a copy placed in the library of both Houses of Parliament. Copies may be obtained from the Department for Transport, Great Minster House, 76 Marsham Street, London SW1P 4DR. Alternatively copies can be obtained from the Department's website which is at www.dft.gov.uk.

STATUTORY INSTRUMENTS

2006 No. 2082

ROAD TRAFFIC, ENGLAND

The Quiet Lanes and Home Zones (England) Regulations 2006

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