

Road Traffic Regulation Act 1984

Section 1(1)

Reasons which can be invoked to control use on **any** road (usually, but not exclusively, vehicles) by means of a Traffic Regulation Order:-

- (a) For avoiding danger to persons or other traffic using the road or any other road or for preventing any other likelihood of any such danger arising, or
- (b) For preventing damage to the road or to any building on or near the road, or
- (c) For facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or
- (d) For preventing the use of the road by vehicular traffic (including pedestrians), or
- (e) (Without prejudice to the generality of paragraph 4 above) for preserving the character of the road in a case where it is especially suitable for use by persons on horseback or on foot, or
- (f) For preserving or improving the amenities of the area through which the road runs.

Section 22(1)(a)

Lists types of areas in which Section 22(2) can be applied to roads and highways:

- 1. A National Park
- 2. An Area of Outstanding Natural Beauty*
- 3. A Country Park
- 4. An area in which the Countryside Commission is conducting a project or scheme
- 5. A Nature Reserve
- 6. A Long Distance Route**
- 7. Land belonging to the National Trust

And on the implementation of the CROW Act:

- 8. A Site of Special Scientific Interest

Note:

- * The Ridgeway falls within the North Wessex Downs Area of Outstanding Natural Beauty

** A National Trail, in legal terms, is a Long Distance Route as designated under the National Parks and Access to the Countryside Act 1949, Sections 50A to 55

CROW Act additions to the Road Traffic Regulation Act 1984

Section 66 of the CROW Act 2000 amends Sub-Section 22(2) and adds Sub-Section 22(5) and Section 22A to the Road Traffic Regulation Act 1984

Sub-Section 22(2) now states:

"This Act shall have effect as respects roads to which this section applies as if the list of purposes for which a TRO may be made under Section 1 of this Act ---- included the purpose of conserving or enhancing the natural beauty of the area, or of affording better opportunities for the public to enjoy the amenities of the area, or recreation or the study of the nature in the area."

Sub-Section 22(5) states:

"In Sub-Section (2) above the reference to conserving the natural beauty of an area shall be construed as including a reference to conserving its flora, fauna and geological and physiographical features."

This means that the Section 1(1) list applies to **all** highways but that the additional reason for conserving the amenities, flora and fauna etc., as listed in Section 22(2), only applies to the list of types of roads in Section 22(1).

Section 22A states:

- (1) This section applies to roads other than
 - (a) roads to which Section 22 applies
 - (b) special roads, or
 - (c) any road which is a trunk road, a classified road, a GLA road, a cycle track, a bridleway or a footpath

Sub-Sections 2 and 3 are the same as in Section 22.

The only types of road not already identified in the previous sections are Private Roads and Byways. Section 22A would therefore extend the effect of Section 22(2) as above by applying the criteria of "conserving or enhancing the natural beauty of the area" as a reason for the application of a TRO to Byways which are not in an AONB or which do not form part of the National Trail.

Note:

Smeathe's Ridge forms part of a National Trail and is within the North Wessex Downs AONB

Section 122 of the Road Traffic Act

"(1) It shall be the duty of ---- every other local authority upon whom functions are conferred by or under this Act, so to exercise the functions conferred on them by this Act ---- to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) ----"

Disability Discrimination Act 1995

When proposals are being drawn up to control traffic of any category, due consideration and regard must be given to the requirements of people with sensory and mobility impairments and with reference to the duties and requirements of a highway authority under the Disability Discrimination Act 1995. Under Section 20 of the Chronically Sick and Disabled Persons Act 1970, invalid carriages, whether or not mechanically propelled, are not treated as being motor vehicles and consequently will be exempt from this TRO.