SCHEDULES

SCHEDULE 7

HIGHWAYS, ROAD TRAFFIC AND TRANSPORT

PART II

ROAD TRAFFIC AND TRANSPORT

The Transport Act 1968 (c. 73)

35 In section 159 of the Transport Act 1968 (interpretation), at the end add—

"(3) In this Act—

(a) any reference to a county (other than one to a metropolitan county) shall be construed in relation to Wales as including a reference to a county borough;

(b) any reference to a county council shall be construed in relation to Wales as including a reference to a county borough council; and

(c) section 17(4) and (5) of the Local Government (Wales) Act 1994 (references to counties and districts to be construed generally in relation to Wales as references to counties and county boroughs) shall not apply."

The Public Passenger Vehicles Act 1981 (c. 14)

36 In section 82 of the Public Passenger Vehicles Act 1981 (general interpretation provisions), at the end add—

"(3) In this Act—

(a) any reference to a county shall be construed in relation to Wales as including a reference to a county borough;

(b) any reference to a county council shall be construed in relation to Wales as including a reference to a county borough council; and

(c) section 17(4) and (5) of the Local Government (Wales) Act 1994 (references to counties and districts to be construed generally in relation to Wales as references to counties and county boroughs) shall not apply."

The Transport Act 1981 (c. 56)

37 In section 35 of the Transport Act 1981 (charges for licensing of cabs and cab drivers), after subsection (3) insert—

"(3A) In subsection (3) above, references to a district council shall be read, in relation to Wales, as references to a county council or a county borough council."

The Road Traffic Regulation Act 1984 (c. 27)

38 (1) In section 39 of the Road Traffic Regulation Act 1984 (supplementary provisions as to exercise of powers under sections 32 to 35 in England or Wales), in subsection (4), omit "a district council in Wales proposes to make an order under section 32 or 35 of this Act, or", and after subsection (7) insert—

"(7A) Subsection (7) above does not apply in Wales."

(2) In section 44 of that Act (control of off-street parking outside Greater London)—

(a) in subsection (1)(a), for "Welsh counties" substitute "Welsh counties or county boroughs, by the county council or (as the case may be) county borough council"; and

(b) in subsection (3)(b) omit "and counties in Wales".

(3) In section 45(7) of that Act (definition of "local authority" for purposes of sections making provision for parking on highways)—

(a) in paragraph (b), for the words "or of a district" substitute "or county borough"; and

(b) omit "in England and Scotland" and the words from "and in Wales" to the end.

(4) In section 49 of that Act (supplementary provisions as to designation orders and designated parking places), omit subsection (3).

(5) Omit section 54 of that Act (designation orders in Wales).

(6) In section 55 of that Act (financial provisions relating to designation orders)—

(a) in subsections (2) and (4)(a) after "general fund" insert "or, in Wales, council fund"; and

(b) omit subsection (6).

(7) In section 59 of that Act (consents for, and provisions as to use of, parking places under section 57(1)(b)), in subsection (2), in paragraph (b) omit "or community" and after that subsection insert—

"(2A) In subsection (2) above, paragraph (b) and the words which follow it do not apply in relation to Wales."

(8) In section 100 of that Act (interim disposal of vehicles removed under section 99), in subsection (5), in paragraph (b) of the definition of "local authority", for "or of a district" substitute "or county borough".

(9) In section 125(4) of that Act (boundary roads), omit the words from "or, in relation to" to the end.

(10) In section 142 of that Act (interpretation), after subsection (1) insert—

"(1A) In this Act—

(a) any reference to a county shall be construed in relation to Wales as including a reference to a county borough;

(b) any reference to a county council shall be construed in relation to Wales as including a reference to a county borough council; and

(c) section 17(4) and (5) of the Local Government (Wales) Act 1994 (references to counties and districts to be construed generally in relation to Wales as references to counties and county boroughs) shall not apply."

(11) In Schedule 9 to that Act (special provisions as to certain orders)—

(a) omit paragraph 11;

(b) in paragraph 24, for "sections 39 and 54" substitute "section 39"; and

(c) in paragraph 27(2), omit "54(5)".

The Transport Act 1985 (c. 67)

39 (1) In section 63(4) of the Transport Act 1985 (functions of local councils with respect to passenger transport outside passenger transport areas), omit "and Wales".

(2) In section 64(1) of that Act (consultation and publicity with respect to policies as to services), omit "and Wales".

(3) In section 66(1) of that Act (exclusions of powers of certain councils to run bus undertakings) for "and Wales" substitute "a county council or county borough council in Wales".

(4) Section 81 of that Act (provision, maintenance and operation of bus stations) is amended as provided in subsections (5) to (7).

(5) After subsection (2) insert—

"(2A) Where, immediately before 1st April 1996, a council (the "former council") had power, by virtue of subsection (2) above, to maintain, repair and operate a bus station and any associated facilities, that power is, on and after that date, exercisable—

(a) where the bus station and any such associated facilities—

(i) was or were, immediately before 1st April 1996, situated wholly within the area of the former council, and

(ii) is or are, on and after that date, situated wholly within a single Welsh county or county borough,

by the council of that county or county borough; and

(b) in any other case, by such Welsh county council or county borough council as the Secretary of State may by order designate."

(6) After subsection (5) of that section insert—

"(5A) Any Welsh county council or county borough council by whom any power is exercisable in relation to a bus station and any associated facilities by virtue of subsection (2A) above shall have power—

(a) to make reasonable charges for the use of accommodation for public service vehicles at that bus station; and

(b) to make reasonable charges for the use of, or let on hire to any person, those facilities (if any)."

(7) In subsection (6) of that section, for "(3) or (5)" substitute "(3), (5) or (5A)".

(8) In section 87 of that Act (interpretation of Part IV), at the end add—

"and

(f) references to a district council shall be read, in relation to Wales, as references to a county council or county borough council, and references to a district shall be so read as references to a county or, as the case may be, county borough."

(9) In section 105 of that Act (travel concessions on services provided by local authorities), after subsection (2) insert—

"(2A) In subsection (2) above, the reference to the general fund shall be read, in relation to Wales, as a reference to the council fund."

(10) In section 137 of that Act (general interpretation), after subsection (2) insert—

"(2A) In this Act—

(a) any reference to a county shall be construed in relation to Wales as including a reference to a county borough;

(b) any reference to a county council shall be construed in relation to Wales as including a reference to a county borough council; and

(c) section 17(4) and (5) of the Local Government (Wales) Act 1994 (references to counties and districts to be construed generally in relation to Wales as references to counties and county boroughs) shall not apply."

The Road Traffic Act 1988 (c. 52)

40 (1) In section 192 of the Road Traffic Act 1988 (general interpretation of Act), after subsection (1) insert—

"(1A) In this Act—

(a) any reference to a county shall be construed in relation to Wales as including a reference to a county borough; and

(b) section 17(4) and (5) of the Local Government (Wales) Act 1994 (references to counties and districts to be construed generally in relation to Wales as references to counties and county boroughs) shall not apply."

(2) In paragraph 1(b) of Schedule 2 to that Act (deferred tests of condition of vehicles)—

(a) omit "and Wales"; and

(b) after "Greater London" insert "in such county or county borough in Wales".

The Road Traffic Offenders Act 1988 (c. 53)

41 (1) Section 4 of the Road Traffic Offenders Act 1988 (offences for which local authorities in England and Wales may institute proceedings) is amended as follows.

(2) In subsection (5)—

(a) for "or district" substitute "or county borough"; and

(b) omit the words from "except, in Wales," to the end.

(3) After subsection (7) add—

"(8) In relation to Wales, any reference in subsections (1) to (4) above to a county shall be read as including a reference to a county borough."

The Road Traffic Act 1991 (c. 40)

42 In section 47 of the Road Traffic Act 1991 (applications for licences to drive hackney carriages etc.), after subsection (2) add—

"(3) In subsection (2), the reference to a district council shall be read in relation to Wales as including a reference to a county council or county borough council."

43 In Schedule 3 to the Road Traffic Act 1991 (permitted and special parking areas outside London)—

(a) in paragraphs 1(1)(a) and 2(1)(a), omit "and Wales";

(b) after paragraphs 1(1)(a) and 2(1)(a) insert, in both places—

"(aa) with respect to the whole, or any part, of their area, by a county council or county borough council in Wales;"; and

(c) omit paragraphs 1(1)(e) (except the word "or" immediately before paragraph (f)) and (2) and 2(2).