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PROSPECTIVE

SCHEDULES

SCHEDULE 7

Sections 22 to 31

CONSULTATIONS UNDER PART 4

Introductory

- 1 A consultation under this Schedule about a proposal—
- (a) must be initiated as follows; and
 - (b) thereafter must be carried out in accordance with the closures guidance.

Newspaper notification

- 2 (1) The person carrying out the consultation must publish a notice under this paragraph, in two successive weeks—
- (a) in a local newspaper circulating in the area affected by the proposal; and
 - (b) in two national newspapers.
- (2) The notice must set out—
- (a) the proposal date;
 - (b) the other particulars of the proposal;
 - (c) the address at which—
 - (i) the initial assessment, and
 - (ii) a summary of the results of that assessment,are available for inspection, or from which a copy of that assessment and summary may be obtained;
 - (d) the fees payable for a copy of the assessment and summary;
 - (e) a statement that any representations about the proposal may be sent to the person carrying out the consultation within such period as may be specified in the notice.
- (3) In the case of a consultation carried out about a proposal to which section 23, 24, 27, 28, 30 or 31 applies, the proposal date must be not less than six months after the notice is last published in a local newspaper for the purposes of sub-paragraph (1).
- (4) The period specified under sub-paragraph (2)(e) must be a period ending no less than 12 weeks after the notice is last published in a local newspaper for the purposes of sub-paragraph (1).

Specific notification to particular persons

- 3 (1) The person carrying out the consultation must—

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- (a) send to every person specified in sub-paragraph (2) (apart from himself) both a copy of every notice published under paragraph 2 and a summary of the results of the initial assessment; and
 - (b) in such manner as he considers appropriate, consult such other persons (if any) as he thinks fit.
- (2) Those persons are—
- (a) in the case of a consultation for the purposes of section 22(7)(a), 25(6)(a), 26(7)(a) or 29(7)(a), the person making the proposal in question;
 - (b) in the case of a consultation for the purposes of—
 - (i) subsection (4)(b) of section 24,
 - (ii) subsection (3)(b) of section 27,
 - (iii) subsection (3)(b) of section 28,
 - (iv) subsection (3)(b) of section 30, or
 - (v) subsection (3)(b) of section 31,
 the national authority for the purposes of that section;
 - (c) if the proposal affects Wales, the National Assembly for Wales;
 - (d) if the proposal affects Greater London, the Mayor of London;
 - (e) every Passenger Transport Executive whose area is affected by the proposal;
 - (f) every local authority in whose area there are persons living, working or studying who appear to the person carrying out the consultation to be persons affected by the proposal;
 - (g) the Rail Passengers' Council;
 - (h) if the proposal affects its area, the London Transport Users' Committee;
 - (i) every person designated by order made by the Secretary of State for the purposes of this Schedule as a body representing interests of railway passengers;
 - (j) every railway funding authority appearing to the person carrying out the consultation to be a party to financial arrangements that are or may be affected by the proposal;
 - (k) every person providing railway services who appears to the person carrying out the consultation to be affected by the proposal;
 - (l) every person providing station services in relation to a station affected by the proposal.
- (3) The person carrying out the consultation must require every operator of a station in the area affected by the proposal to whom he sends a copy of a notice under sub-paragraph (1) to secure that a copy of it is published by being displayed at that station until the end of the interim period.
- (4) An order under sub-paragraph (2)(i) is subject to the negative resolution procedure.
- (5) In the case of a consultation carried out for the purposes of section 25, sub-paragraph (2) has effect with the omission of paragraph (j).
- (6) In this paragraph “local authority”—
- (a) in relation to England and Wales, means a county council or county borough council, a community council or a council for a district in an area for which there is no county council; and
 - (b) in relation to Scotland, has the same meaning as in the Local Government (Scotland) Act 1973 (c. 65).

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Interpretation of Schedule

- 4 In this Schedule “the initial assessment” means the assessment relating to the proposal that has been carried out under section 22(5), 23(5), 24(6), 25(4), 26(5), 27(5), 28(5), 29(5), 30(5) or 31(5).
- 5 In this Schedule “the area affected”, in relation to a proposal, means—
- (a) in the case of a proposal for the discontinuance of railway passenger services on a particular line or from a particular station, the area in which the line or station is situated;
 - (b) in the case of a proposal relating to a network, or part of a network, the area in which the network, or part of a network, is situated;
 - (c) in the case of a proposal relating to a station, or part of a station, the area served by the station, or that part.
- 6 (1) A newspaper is to be regarded as a national newspaper for the purposes of paragraph 2(1)(b) as it applies in relation to a proposal if—
- (a) it is a newspaper circulating generally in the United Kingdom; or
 - (b) the proposal relates to services operating, or a network or station, or part of a network or station that is—
 - (i) entirely in England,
 - (ii) entirely in Wales, or
 - (iii) entirely in Scotland,and it is a newspaper circulating generally in England, Wales or (as the case may be) Scotland.
- (2) For the purposes of this paragraph, a service operates entirely in England, entirely in Wales or entirely in Scotland if it begins and ends in, and does not make any other scheduled call outside, England, Wales or (as the case may be) Scotland.

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Changes and effects yet to be applied to :

- Sch. 7 para. 1 coming into force by [S.I. 2006/2911 art. 2Sch.](#)
- Sch. 7 para. 2 coming into force by [S.I. 2006/2911 art. 2Sch.](#)
- Sch. 7 para. 3 coming into force by [S.I. 2006/2911 art. 2Sch.](#)
- Sch. 7 para. 4 coming into force by [S.I. 2006/2911 art. 2Sch.](#)
- Sch. 7 para. 5 coming into force by [S.I. 2006/2911 art. 2Sch.](#)
- Sch. 7 para. 6 coming into force by [S.I. 2006/2911 art. 2Sch.](#)
- Sch. 7 para. 3(2)(g) words substituted by [S.I. 2010/439 Sch. para. 9\(8\)](#)
- Sch. 7 para. 3(2)(c) words substituted by [S.I. 2018/631 Sch. para. 66](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 36](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 12(3)(aa) inserted by [S.I. 2018/631 Sch. para. 40\(2\)\(a\)](#)
- s. 12(3)(da) inserted by [S.I. 2018/631 Sch. para. 40\(2\)\(c\)](#)
- s. 19A inserted by [2008 c. 26 s. 74](#)
- s. 19A words substituted by [S.I. 2010/439 Sch. para. 9\(4\)\(a\)](#)
- s. 19A heading words substituted by [S.I. 2010/439 Sch. para. 9\(4\)\(b\)](#)
- s. 22(11)(aa) inserted by [S.I. 2018/631 Sch. para. 42](#) (comes into force 2.00am on the 14/10/2018)
- s. 23(9)(aa) inserted by [S.I. 2018/631 Sch. para. 43](#) (comes into force 2.00am on the 14/10/2018)
- s. 24(11)(aa) inserted by [S.I. 2018/631 Sch. para. 44\(3\)](#) (comes into force 2.00am on the 14/10/2018)
- s. 25(7)(aa) inserted by [S.I. 2018/631 Sch. para. 45](#) (comes into force 2.00am on the 14/10/2018)
- s. 29(11)(12) inserted by [S.I. 2018/631 Sch. para. 46\(3\)](#) (comes into force 2.00am on the 14/10/2018)
- s. 30(9)(10) inserted by [S.I. 2018/631 Sch. para. 47\(3\)](#) (comes into force 2.00am on the 14/10/2018)
- s. 31(10)(11) inserted by [S.I. 2018/631 Sch. para. 48\(3\)](#) (comes into force 2.00am on the 14/10/2018)
- s. 33(2)(da) inserted by [2009 c. 20 Sch. 6 para. 119](#)
- s. 34(2A)(2B) inserted by [S.I. 2018/631 Sch. para. 50](#) (comes into force 2.00am on the 14/10/2018)
- s. 35(6A)-(6C) inserted by [S.I. 2018/631 Sch. para. 51\(3\)](#) (comes into force 2.00am on the 14/10/2018)
- s. 36(1)(ba) inserted by [S.I. 2018/631 Sch. para. 52\(a\)](#) (comes into force 2.00am on the 14/10/2018)
- s. 38(2)(ba)(bb) inserted by [S.I. 2018/631 Sch. para. 53\(2\)](#) (comes into force 2.00am on the 14/10/2018)
- s. 38(2A) inserted by [S.I. 2018/631 Sch. para. 53\(3\)](#) (comes into force 2.00am on the 14/10/2018)

- s. 40(4)(c)-(e) substituted for s. 40(c) by S.I. 2018/631 Sch. para. 54(4) (comes into force 2.00am on the 14/10/2018)
- s. 40(4)(aa)(ab) inserted by S.I. 2018/631 Sch. para. 54(3) (comes into force 2.00am on the 14/10/2018)
- s. 42(1A)(1B) inserted by S.I. 2018/631 Sch. para. 55(2) (comes into force 2.00am on the 14/10/2018)
- s. 43(2A) inserted by S.I. 2018/631 Sch. para. 56(2)
- s. 43(3A) inserted by S.I. 2018/631 Sch. para. 56(3)
- s. 45(5)(aa) inserted by S.I. 2018/631 Sch. para. 58(3) (comes into force 2.00am on the 14/10/2018)
- s. 45(5A) inserted by S.I. 2018/631 Sch. para. 58(4) (comes into force 2.00am on the 14/10/2018)
- s. 46(5A) inserted by S.I. 2018/631 Sch. para. 59(2) (comes into force 2.00am on the 14/10/2018)
- s. 46(7)(c) and word added by S.I. 2005/3050 Sch. 1 para. 5(b)
- s. 46(7)(c) words substituted by S.I. 2019/700 reg. 25(2)
- s. 46(9) inserted by S.I. 2018/631 Sch. para. 59(3) (comes into force 2.00am on the 14/10/2018)
- s. 48A inserted by S.I. 2018/631 Sch. para. 60 (comes into force 2.00am on the 14/10/2018)
- s. 56(3)(d)(e) word omitted by S.I. 2018/631 Sch. para. 62(4)(b)
- s. 57(1A) inserted by S.I. 2018/631 Sch. para. 63(3)
- s. 59(5A) added by S.I. 2005/3050 Sch. 1 para. 6
- s. 59(5A) words substituted by S.I. 2019/700 reg. 25(3)
- Sch. 3 para. 7(4) inserted by 2006 c. 49 s. 51(1)
- Sch. 3 para. 1(5)(ba) inserted by 2013 c. 32 Sch. 12 para. 83
- Sch. 3 para. 4(4A) inserted by 2013 c. 32 Sch. 12 para. 85
- Sch. 5 para. 16(2)(c) and word inserted by S.I. 2010/439 art. 5(2)(b)
- Sch. 9 para. 1(2A) inserted by S.I. 2018/631 Sch. para. 67(b) (comes into force 2.00am on the 14/10/2018)
- Sch. 10 para. 11(3) inserted by 2010 c. 4 Sch. 1 para. 478(2)(b)

Commencement Orders yet to be applied to the Railways Act 2005

Commencement Orders bringing legislation that affects this Act into force:

- S.I. 2008/113 art. 2 commences (2007 c. 24)
- S.I. 2009/107 art. 2-5 Sch. 1-5 Commencement Order
- S.I. 2009/3318 art. 2-4 commences (2009 c. 20)
- S.I. 2011/2329 art. 23 commences (2011 c. 5)