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STATUTORY INSTRUMENTS

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**1986 No. 81**

**LOCAL GOVERNMENT, ENGLAND AND WALES**

**The Public Passenger Transport Policies  
(Anticipatory Exercise of Powers) Order 1986**

<i>Made</i>	- - - -	<i>22nd January 1986</i>
<i>Laid before Parliament</i>		<i>23rd January 1986</i>
<i>Coming into Operation</i>		<i>13th February 1986</i>

The Secretary of State, in exercise of the power conferred by section 101 of the Local Government Act 1985(1), and of all other enabling powers, hereby makes the following Order:—

*Citation, commencement and interpretation*

1. This Order may be cited as the Public Passenger Transport Policies (Anticipatory Exercise of Powers) Order 1986 and shall come into operation on 13th February 1986.

2. In this Order—

“area of the authority” means the area for which an authority will become the Passenger Transport Authority on 1st April 1986(2);

“authority” means a metropolitan county passenger transport authority established pursuant to sections 23 and 28 of the Local Government Act 1985;

“Executive” means the Passenger Transport Executive for the area of an authority;

“Passenger Transport Authority” means the Passenger Transport Authority for a passenger transport area for the purposes of Part II of the Transport Act 1968(3);

“public passenger transport services” has the same meaning as in the Transport Act 1985.

*Anticipatory exercise of powers*

3.—(1) An authority may at any time before 1st April 1986 take any steps to which this article applies which are required to be taken as a preliminary to the exercise of the powers necessary to

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(1) section 101 is extended by the Transport Act 1985 (c.67), section 58(5).

(2) By virtue of the Transport Act 1985, section 58(2)(a)(ii).

(3) Part II, as it applies in England and Wales, was amended by the Local Government Act 1972 (c.70), section 202 and Schedule 24, Part I (as amended by the Transport Act 1985, Schedule 3, paragraph 11); and by the Local Government Act 1974, section 35 and Schedule 6, paragraph 22; and by the Transport Act 1983 (c.10), section 9; and by the Transport Act 1985, section 57 and Schedule 3 and Schedule 7, paragraphs 7 to 9.

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perform the duties imposed by section 9A(1) and (7) of the Transport Act 1968<sup>(4)</sup> (which duties will on that date become duties of the authority).

(2) This article applies to the following steps—

- (a) seeking and having regard to the advice of the Executive;
- (b) consulting with every Passenger Transport Authority or county or regional council whose area may be affected by the proposed policies of the authority;
- (c) consulting with persons operating public passenger transport services within the area of the authority or with organisations appearing to the authority to be representative of such persons;
- (d) consulting with councils of districts in the area of the authority about the requirements for transport arising out of or in connection with the exercise and performance by those councils of their functions as local education authorities or of their social services functions; and
- (e) having regard to the transport needs of members of the public who are elderly or disabled.

22nd January 1986

*Nicholas Ridley*  
Secretary of State for Transport

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<sup>(4)</sup> Section 9A was inserted by the Transport Act 1985, section 57(2).

### EXPLANATORY NOTE

This Order enables the metropolitan county passenger transport authorities established pursuant to sections 23 and 28 of the Local Government Act 1985 to take, at any time before 1st April 1986, the steps specified in article 3(2) which are required to be taken as a preliminary to the exercise of the powers necessary to perform the duties imposed by section 9A(1) and (7) of the Transport Act 1968 (as amended by the Transport Act 1985). These duties relate to the formulation of policies for the provision of public passenger transport services, and will on 1st April 1986 become duties of the above mentioned authorities.