
STATUTORY INSTRUMENTS

2002 No. 412

The Chester Guided Busway Order 2002

PART IV

OPERATION OF BUSWAY SYSTEM

Powers of disposal, agreements for operation, etc.

32.—(1) The Council may, with the consent of the Secretary of State, sell, lease, charge or otherwise dispose of, on such terms and conditions as it thinks fit, the whole or any part of the busway system or the right to operate the busway system under this Order.

(2) Without prejudice to the generality of paragraph (1), the Council may enter into and carry into effect agreements with respect to any of the following matters, namely, the construction, maintenance, use and operation of the busway system, or any part or parts of that system or of any works comprised in it, by any other person, and other matters incidental or subsidiary thereto or consequential thereon, and the defraying of, or the making of contributions towards, the cost of the matters aforesaid by the Council or any other person.

(3) Any agreement under this article may provide (inter alia) for the exercise of the powers of the Council under this Order by any other person and for the transfer to any person of the busway system or any part or parts thereof together with the rights and obligations of the Council in relation thereto.

(4) The exercise of the powers of any enactment (including this Order) by any person in pursuance of any sale, lease, charge or disposal under paragraph (1), or any agreement under this article, shall be subject to the same restrictions, liabilities and obligations as would apply under this Order if those powers were exercised by the Council.

(5) For the avoidance of doubt it is hereby declared that nothing in section 15(2) of the Transport Act 1968(1) (restriction on alteration of charges) shall apply in relation to the operation of the busway system by any person other than the Council, but this paragraph is without prejudice to any provision with respect to charges that may be made in an agreement under this article.