
STATUTORY INSTRUMENTS

2011 No. 908

The Greater Manchester Combined Authority Order 2011

PART 3

Transport

Abolition and transfer of functions

6.—(1) The Greater Manchester integrated transport area is dissolved and the ITA is abolished.

(2) On the abolition of the ITA—

- (a) its functions; and
- (b) its property, rights and liabilities

are transferred to the GMCA.

Adaptation of enactments

7.—(1) This article has effect in consequence of article 6.

(2) In any enactment (whenever passed or made)—

- (a) any reference to an integrated transport area; or
- (b) any reference which falls to be read as a reference to such an area,

is to be treated as including a reference to the combined area.

(3) In any enactment (whenever passed or made)—

- (a) any reference to an integrated transport authority; or
- (b) any reference which falls to be read as a reference to such an authority,

is to be treated as including a reference to the GMCA.

(4) Schedule 2 (which amends section 9 of the Transport Act 1968 in consequence of article 6) has effect, but this does not affect the generality of paragraphs (2) and (3).

Delegation of certain transport functions

8.—(1) There are delegated to the GMCA the functions of the constituent councils—

- (a) under section 65 (placing of traffic signs) of the Road Traffic Regulation Act 1984⁽¹⁾ so far as it relates to traffic signs that are traffic light signals;
- (b) under section 23 of that Act (pedestrian crossings) so far as it relates to Pelican and Puffin crossings as defined by regulation 3(1) of the Zebra, Pelican and Puffin Crossings Regulations 1997⁽²⁾; and

(1) 1984 c. 27. Section 65 was amended by the Local Government and Housing Act 1989 (c. 42) section 153, by the New Roads and Street Works Act 1991 (c. 22) Schedule 8, paragraph 48 and by the Road Traffic Act 1991 (c. 40) Schedule 4, paragraph 29.

(2) Part I of S.I. 1997/2400, to which there are amendments not relevant to this Order.

(c) under section 2 of the Road Traffic Reduction Act 1997(3) (duty of principal councils to make reports).

(2) In consequence of subparagraphs (a) and (b) of paragraph (1) the GMCA, in the discharge of the functions delegated to it by those provisions, is to be treated as a highway authority for the purposes of sections 62 and 278 of the Highways Act 1980(4).

(3) In this article “traffic light signal” means a traffic sign of the size, colour and type prescribed by regulation 33, 34, 37, 39, 41, 44, 45, 46, 47, 48, 49 or 52 of the Traffic Signs Regulations 2002(5) or another traffic sign of a like nature prescribed by those Regulations as from time to time amended or by any regulations for the time being replacing those Regulations.

(4) The costs incurred by the GMCA in discharging the functions delegated to it by this article shall, except so far as the constituent councils agree otherwise, be defrayed by the GMCA.

(5) The costs so defrayed shall, for the purposes of section 74(10) of the Local Government Finance Act 1988(6), fall to be treated as expenses attributable to the exercise of the GMCA’s functions relating to transport.

(6) The functions delegated by paragraph (1) are not exercisable by the constituent councils either concurrently or instead of the GMCA, except so far as the GMCA sub-delegates any such function back to a constituent council.

(7) In the application of section 101 of the Local Government Act 1972(7) (arrangements for the discharge of functions) to the GMCA the functions delegated to the GMCA by paragraph (1) are to be treated as if they were functions of the GMCA.

Passenger Transport Executive

9.—(1) In this article “the Executive” means the Greater Manchester Passenger Transport Executive established by the South East Lancashire and North East Cheshire Passenger Transport Area (Designation) Order 1969(8).

(2) The Executive is to be an executive body of the GMCA for the purposes of Part 5 of the Local Transport Act 2008 and Part 6 of the 2009 Act and is to be known as “Transport for Greater Manchester”.

(3) In the application of section 101 of the Local Government Act 1972 (arrangements for the discharge of functions) to the GMCA the Executive is to be treated as if it were an officer of the GMCA.

(4) Where arrangements are in force for the discharge of functions of a constituent council by the GMCA by virtue of—

(a) section 101(1)(b) of the Local Government Act 1972; or

(3) 1997 c. 54.

(4) 1980 c. 66; section 62 was amended by the Transport Act 1981 (c. 56), Schedule 10, paragraph 1, by the Traffic Calming Act 1992 (c. 30) section 1(1), 3 and by the Local Government Act 1985 (c. 51) Schedule 17; section 278 was substituted by the New Roads and Street Works Act 1991 section 23.

(5) Part 1 of S.I. 2002/3113, to which there are amendments not relevant to this Order.

(6) 1988 c. 41; subsection (10) of section 74 was inserted by the Local Democracy, Economic Development and Construction Act 2009 (c. 20), Schedule 6, paragraph 75.

(7) 1972 c. 70; section 101 was amended by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41) Schedule 10; the Local Government Act 1985 (c. 51) Schedule 14, paragraph 15, Schedule 17; the Statute Law (Repeals) Act 1986 (c. 12); the Local Government and Housing Act 1989 (c. 42) Schedule 12; the Education Act 1993 (c. 35) Schedules 19 and 21; the Local Government (Wales) Act 1994 (c. 19) Schedule 15, paragraph 26; the Police and Magistrates’ Courts Act 1994 (c. 29) Schedule 9; the Environment Act 1995 (c. 25) Schedule 24; the Greater London Authority Act 1999 (c. 29) section 332(1); the Licensing Act 2003 (c. 17) Schedule 6, paragraphs 56, 58; the Children Act 2004 (c. 31) Schedule 5; the Local Government and Public Health Involvement Act 2007 (c. 28), Schedule 13, paragraphs 1, 9; the Planning Act 2008 (c. 29) section 224(1); the Local Democracy, Economic Development and Construction Act 2009 (c. 20) Schedule 6, paragraphs 6, 10; the Marine and Coastal Access Act 2009 (c. 23) Schedule 22, Part 4; and by S.I. 2001/1517, 2002/803.

(8) S.I. 1969/95, amended by S.I. 1973/1727.

(b) section 19 of the Local Government Act 2000⁽⁹⁾ and regulation 7 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000⁽¹⁰⁾, the Executive is to be treated as if it were an officer of the GMCA for the purposes of section 101 of the Act of 1972 and for the purposes of those Regulations.

(5) The Executive has power to discharge any function which is the subject of arrangements entered into with it by virtue of paragraph (3) or (4).

⁽⁹⁾ 2000 c. 22.

⁽¹⁰⁾ S.I. 2000/2851.