
EXPLANATORY NOTE

(This note is not part of the Regulations)

This Order brings into force on 1 April 2009 the following provisions of the Local Transport Act 2008 (“the Act”).

Part 2

Part 2 of the Act makes amendments to the Transport Act 2000 in relation to local transport plans. Whilst the Act makes changes to the arrangements in England, existing arrangements in Wales are preserved.

Sections 7 and 8 of the Act, together with Schedule 1, insert the new term “local transport policies” into Parts 2 and 3 of the Transport Act 2000. This term is defined as the policies developed under section 108(1)(a) of the Transport Act 2000.

Section 9 preserves, in relation to Wales, the duty in section 108 of the Transport Act 2000, for local transport authorities to produce a local transport plan (“LTP”). Section 9(1) provides that an LTP in Wales must be a document containing local transport policies in line with the Wales Transport Strategy.

Section 10 repeals the requirement under the Transport Act 2000 for local transport authorities to prepare a bus strategy. Following on from this, subsections (8) to (11) make consequential amendments to the Transport Act 1968 and the Transport Act 1985.

Section 11 amends the duty upon local transport authorities in section 112(2) of the Transport Act 2000 to have regard to the needs of elderly persons or those with disabilities when developing their policies.

Section 12 removes the previous joint duty on Passenger Transport Authorities and metropolitan district councils in a passenger transport area in England to produce a local transport plan under section 108(1)(a), and place the duty in future solely with the Integrated Transport Authority.

Part 3

Section 13 amends section 114 of the Transport Act 2000. Section 13(2) replaces the requirement for a local transport authority to be satisfied that a quality partnership scheme would implement policies set out in the bus strategy. This amendment is consequential on the commencement of section 10 of the Act, which removes the requirement for a local transport authority to produce a bus strategy.

Section 46 introduces a statutory definition of voluntary partnership agreements. This section also introduces Schedule 2 to the Act. The provisions in Schedule 2 amend the competition test in Schedule 10 to the Transport Act 2000 (competition test for exercise of bus functions).

Part 4

Sections 64 and 65 amend section 155 of the Transport Act 2000. The new provisions extend the powers of traffic commissioners to impose penalties where local bus services are not operated as registered, or where operators fail to provide prescribed performance data. Section 64 is subject to transitional arrangements which prevent the use of the new powers in respect of failures which took place before the coming into force of this section.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Sections 68 to 70 extend the powers of Passenger Transport Authorities and Executives, local authorities, and the Welsh Ministers to subsidise the provision of certain passenger transport services.

Section 71 removes certain disabilities and requirements for local authorities to seek the consent of the Welsh Ministers in connection with public transport companies. The transitional provision in the Schedule provides that any applications for consent which are outstanding on the date on which this section comes into force will no longer require the consent of the Welsh Ministers.

Section 75 empowers the Welsh Ministers to require certain bodies to display prescribed transport-related information.

Part 6

Part 6 of the Act is commenced, save for sections 119 and 120. Part 6 amends, in relation to Wales, provisions in Part 3 of the Transport Act 2000 relating to local charging schemes.