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## SCHEDULES

### SCHEDULE 1

Section 3

#### SUBSTITUTE PROVISIONS FOR CERTAIN PROVISIONS IN PART 2 OF THE 1959 ACT

1 For sections 6 to 14 of the 1959 Act there is substituted—

##### **“Constitution of Board**

- (1) The Board is to consist of six directors to be appointed as follows—
  - (a) one director by the East Riding of Yorkshire Council;
  - (b) one director by Kingston upon Hull City Council;
  - (c) one director by North Lincolnshire Council;
  - (d) one director by North East Lincolnshire Council; and
  - (e) two directors appointed by the directors of the Board for the time being appointed by the constituent authorities, the appointments being made from amongst persons nominated for this purpose by the Humber Local Enterprise Partnership or such body or bodies as the Secretary of State may from time to time by order made by statutory instrument substitute as the nominating body.
- (2) Each director appointed under subsection (1)(e) must be a person who appears to the directors appointing that director to have special knowledge or experience of the operation of commerce in the whole or some part of the area of the constituent authorities.

##### **Making of and term of Board appointments**

- (1) Any vacancy occurring amongst directors of the Board must be filled at a meeting of the constituent authority responsible for the appointment or, in the case of an appointment by directors of the Board, at a meeting of the Board.
- (2) Where a vacancy amongst the directors of the Board is due to occur by reason of the resignation of a director or the expiry of a director's term of office, the vacancy may be filled in advance so as to have effect when the vacancy occurs.
- (3) Where a vacancy amongst the directors of the Board occurs which has not been filled in advance in accordance with subsection (2), it must be filled as soon as possible after the vacancy occurs.
- (4) Subject to section 14 (removal of a director), a director of the Board is to hold office for such period not being more than 3 years as may be determined by the constituent authority or, as the case may be, the Board when making the appointment.
- (5) A director of the Board may be re-appointed for a further term.

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### **Continuation of appointments pending replacement**

A director of the Board whose term of office has expired and who is not otherwise disqualified from doing so is to continue in office until a replacement has been appointed.

### **Qualification for appointment**

- (1) A person may not be appointed to the Board by a constituent authority or be nominated as a deputy for such a director under section 24 (appointment of deputies) unless he is a member of the constituent authority by whom that person is appointed.
- (2) A person may not be appointed to the Board by the Board or as a deputy for such a director if that person is a member of a constituent authority.
- (3) In making an appointment the Board must have regard to any guidance issued by the Secretary of State in respect of the exercise of such functions.

### **Directors to hold one appointment only**

A person is not qualified to act as a director in respect of more than one appointment at a time and, if appointed by more than one constituent authority or by a constituent authority and by directors of the Board for any period, must choose which appointment to take within one month of the second appointment, at which point the other appointment is deemed void.

### **Disqualification of directors**

- (1) If a director of the Board appointed by a constituent authority ceases to be a member of the constituent authority by whom that director is appointed or becomes disqualified, the director also ceases to be a director of the Board except where the director ceases to be a member of such authority only by reason of the expiry of that member's term of office and is immediately re-elected a member of such authority.
- (2) Section 80 (disqualification) and subsection (1) of section 85 (vacation of office for failure to attend meetings) of the Local Government Act 1972 apply to the Board as if it were a local authority within the meaning of that Act.
- (3) The following provisions of or made under the Localism Act 2011 apply to the Board as if it were a relevant authority within the meaning of that Act:—
  - (a) subsection (3) of section 30 (disclosable pecuniary interests);
  - (b) subsections (1), (2) and (4) of section 31 (effect of disclosable pecuniary interests on participation in meetings);
  - (c) subsections (1) and (3) of section 32 (sensitive interests);
  - (d) section 33 (dispensations);
  - (e) section 34 (offences); and
  - (f) the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012 \(S.I. 2012/1464\)](#).

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### **Certificate of appointment of director**

- (1) The appointment of a director is not effective unless—
  - (a) in the case of an appointment by a constituent authority, this is certified to the Board by the chief executive of the constituent authority; and
  - (b) in the case of an appointment by directors of the Board, this is certified to the chief executive of each constituent authority by the clerk to the Board.
- (2) A copy of every certificate given under subsection (1)(a) must be copied to the chief executive of every other constituent authority.
- (3) Any such certificate is conclusive evidence of such appointment.

### **Resignation of directors**

Any director of the Board may at any time resign from that office by notice in writing addressed to the clerk.

### **Removal of director**

Any director of the Board may be removed at any time by resolution of the constituent authority or the directors of the Board for the time being responsible for the appointment of that director.”.

2 For section 24 of the 1959 Act there is substituted—

### **“Appointment of deputies**

- (1) A constituent authority and the directors of the Board responsible for the appointment of a director may each appoint a deputy to take the place of that director and to speak and vote at any meeting of the Board, or of a committee or sub-committee of the Board to which that director belongs, which that director is unable to attend.
- (2) Section 12 (certificate of appointment of director) applies to the appointment of deputies as it applies to the appointment of directors.”.

## **SCHEDULE 2**

## **Section 11**

### **TOLLS**

In this Schedule—

“large bus” and “small bus” have the same meanings as in section 19(1) of the Transport Act 1985;

“motor car” and “motor cycle” have the same meanings as in section 185(1) of the Road Traffic Act 1988 except that the reference to seven passengers in the definition of “motor car” shall be taken to be a reference to eight passengers;

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“goods vehicle”, “trailer” and “motor caravan” have the same meanings as in regulation 3(2) of the [Road Vehicles \(Construction and Use\) Regulations 1986 \(S.I. 1986/1078\)](#);

“sidecar” has the same meaning as in section 137(1) of the Road Traffic Regulation Act 1984;

“maximum weight”, in relation to any vehicle, means the total laden weight which must not be exceeded in the case of that vehicle if it is to be used in Great Britain without contravening any regulation for the time being in force or treated as being in force under section 41 of the Road Traffic Act 1988 (construction and use regulations);

“between”—

- (a) in relation to a time period, covers the period starting with the first mentioned time in the period and ending with the moment immediately before the second mentioned time in the period;
- (b) in relation to a width range, covers the width starting with the lowest point in the range and ending with the highest point in the range;
- (c) in relation to a weight range, covers the weight starting with the lowest point in the range and ending with the highest point in the range.

<i>Class of Vehicle</i>	<i>Authorised Toll</i>
1. Motor cycle with or without sidecar.	Nil
2. (a) Motor car; (b) Motor caravan; (c) Goods vehicle having a maximum weight not exceeding 3.5 tonnes.	£1.50
3. (a) Goods vehicle having a maximum weight exceeding 3.5 tonnes but not exceeding 7.5 tonnes irrespective of number of axles; (b) Small bus.	£4.00
4. (a) Goods vehicle having a maximum weight exceeding 7.5 tonnes with 2 axles; (b) Large bus.	£4.00
5. Goods vehicle exceeding 7.5 tonnes maximum weight with 3 axles.	£12.00
6. Goods vehicle exceeding 7.5 tonnes maximum weight with 4 or more axles.	£12.00
7. Any other vehicle using the bridge and not specifically identified in classes 1 to 6.	The toll mentioned in this column for a vehicle in the same weight range and (where necessary to avoid overlap) with the same number of axles.
8. Pedestrians.	Nil
9. Pedal cycles.	Nil

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<i>Class of Vehicle</i>	<i>Authorised Toll</i>
10. Vehicles with abnormal loads.	The amount applicable to that vehicle plus the abnormal load charge referred to in the following table.

#### ABNORMAL LOAD CHARGES

##### Loads between 3.05m and 3.5m wide:—

	<b>Day (between 07.00 - 22.00)</b>	<b>Night (between 22.00 - 07.00)</b>
less than 50 tonnes	£4.50	£2.50
between 50 and 100 tonnes	£12.00	£6.00
above 100 and not more than 150 tonnes	£30.00	£15.00
above 150 tonnes	Such additional charges as the Board may specify in each case	

##### Loads wider than 3.5m wide

less than 50 tonnes	£9.00	£4.50
between 50 and 100 tonnes	£24.00	£12.00
above 100 and not more than 150 tonnes	£30.00	£15.00
above 150 tonnes	Such additional charges as the Board may specify in each case	

### SCHEDULE 3

Section 13

#### AMENDMENTS

- 1 The 1959 Act is amended as follows—
- for “member of the Board” in all places substitute “director of the Board” and for any other reference to “member” and “members” in reference to the Board substitute “director” and “directors” respectively;
  - in the definition of “the bridge” in subsection (2) of section 4 (interpretation) omit “the urban district of” in both places;
  - in section 63 (list of tolls to be exhibited), omit “this Act” and substitute “by the Humber Bridge Acts 1959 to 2013”;
  - in section 64 (regulations as to payment of tolls and charges), omit “by this Act”;
  - in section 68 (exemption from tolls), omit “this Act” in each place where it appears and substitute “the Humber Bridge Acts 1959 to 2013”;
  - in section 98 (byelaws) at the beginning insert “(1)” and at end insert—
    - “(2) The maximum fine for an offence under any byelaw made under this section is level 3 on the standard scale.”; and

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- (g) in Part II of the Schedule, omit “Section 251 (fines for offences against byelaws)”.
- 2 In subsection (1)(a) of section 2 (interpretation) of the Humber Bridge Act 1971 for “and 1971” substitute “to 2013”.
- 3 In section 6 (further provisions as to agreements) of the Humber Bridge Act 1973 for “1973” substitute “2013”.

## SCHEDULE 4

Section 14

### REPEALS AND REVOCATIONS

#### REPEALS

<i>Enactment</i>	<i>Extent of repeal</i>
Humber Bridge Act 1959 (c. xlvi)	Section 61 (tolls). Section 66 (power to compound for payment of tolls). Section 68(5) (fine for wrongfully claiming or taking toll exemption). Section 69 (power to borrow). Section 70 (application of Act of 1933 to borrowing of money by Board). Section 71 (suspension of payments into sinking fund). Section 76 (apportionment of deficiency). Section 81 (accounts and audit).
Humber Bridge Act 1971 (c. xlvi)	Section 3 (power to borrow). Section 4 (amendment of section 69 of Act of 1959). Section 6 (power to suspend provision for repayment of moneys borrowed). Section 9 (accounts). Section 10 (revision of tolls). Section 11 (further provision as to revision of tolls).

#### REVOCATIONS

<i>Enactment</i>	<i>Extent of revocation</i>
The Local Authorities etc. (Miscellaneous Provision) (No.2) Order 1974 (S.I. 1974/595)	Article 3(9).

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<i>Enactment</i>	<i>Extent of revocation</i>
The Local Government Changes for England (Miscellaneous Provision) Order 1996 (S.I. 1996/446)	Article 3.
The Humber Bridge (Revision of Tolls) Order 2011 (S.I. 2011/1516)	The whole Order.
The Humber Bridge Board (Membership) Order 2012 (S.I. 2012/1392)	The whole Order.

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