

SCHEDULE 2

Article 7(4)

Modification of Part 2 of the Transport Act 1968

1. The Transport Act 1968(1) is amended as follows.
- 2.—(1) Section 9 (areas, authorities and executives) is amended as follows.
 - (2) In subsection (1)(c)—
 - (a) in sub-paragraph (i), after .England and Wales. there is inserted “(except as mentioned in sub-paragraph (ia))”;
 - (b) after sub-paragraph (i) there is inserted—
 - “(ia) in relation to the area of the West Yorkshire Combined Authority, that Authority;”.
 - (3) After subsection (6) there is inserted—
 - “(6A) This section applies in relation to the West Yorkshire Combined Authority as if—
 - (a) subsections (2) to (4) were omitted; and
 - (b) in subsection (5), the words “the Executive and any subsidiary of the Executive” were omitted.”
3. In section 9A (general functions of Authorities and Executives), after subsection (11) there is inserted—
 - “(12) This section applies to the West Yorkshire Combined Authority as if—
 - (a) the duty under subsection (3) were a duty for the Authority to secure the provision of such public passenger transport services as it considers appropriate for meeting any public transport requirements within its area which in the view of the Authority would not be met apart from any action taken by it for that purpose;
 - (b) subsection (3A) were omitted;
 - (c) in subsection (5)—
 - (i) the words “for the Executive of that area” were omitted;
 - (ii) for the words “by the Executive for that area, and the Executive” there were substituted “and”;
 - (d) in subsections (6) and (7), the references to the Executive were omitted.”
4. In section 10 (general powers of Executive), after subsection (9) there is inserted—
 - “(10) This section applies to the West Yorkshire Combined Authority as if—
 - (a) in subsection (1)—
 - (i) in paragraph (xxiii), the words “subject, in the case of a disposal of land, to the approval of the Authority” were omitted, and
 - (ii) any other reference to the approval of the Authority were omitted;
 - (b) in subsection (7), the words “the approval of the Authority or” were omitted.”
5. In section 11 (financial duty of Executive), after subsection (3A) there is inserted—
 - “(3B) Subsection (3A) applies to the West Yorkshire Combined Authority as if the words from “and the Authority” to “the application thereof” were omitted.”

(1) 1968 c. 73; section 9 was amended by the Local Government (Scotland) Act 1973 (c. 65) Schedule 18, paragraph 1; by the Transport Act 1985 (c. 67) sections 57(1), 58(2), Schedule 3, paragraph 3, Schedule 8; by the Local Government (Scotland) Act 1994 (c. 39) Schedule 13, paragraph 80(2); and in relation to England and Wales only by the Local Transport Act 2008 (c. 26) section 98(4), Schedule 4, paragraph 2 and Schedule 7, Part 4 and by S.I. 2011/908.

Draft Legislation: This is a draft item of legislation and has not yet been made as a UK Statutory Instrument. This draft has been replaced by a new draft, The West Yorkshire Combined Authority Order 2014 ISBN 978-0-11-11142-0

6. In section 12 (borrowing powers of Executive), after subsection (7) there is inserted—
 - “(8) This section does not apply to the West Yorkshire Combined Authority.”
7. In section 13 (power to make grants)—
 - (a) the existing text is renumbered as subsection (1);
 - (b) after that subsection there is inserted—
 - “(2) This section does not apply to the West Yorkshire Combined Authority.”
8. In section 14 (accounts of Executive), after subsection (3) there is inserted—
 - “(4) This section does not apply to the West Yorkshire Combined Authority.”
9. In section 15 (further functions of Authority), after subsection (7) there is inserted—
 - “(8) This section does not apply to the West Yorkshire Combined Authority.”
10. In section 15A (additional provisions as to control of Executive by Authority), after subsection (3) there is inserted—
 - “(4) This section does not apply to the West Yorkshire Combined Authority.”
11. In section 16 (publication of annual report by Authority and Executive and prevention of improper conduct of subsidiary activities), after subsection (2) there is inserted—
 - “(2A) In its application to the West Yorkshire Combined Authority, subsection (2) has effect as if—
 - (a) the words “jointly by the Authority and the Executive” were omitted;
 - (b) “and the Executive” (in the second place) were omitted; and
 - (c) for “their respective” there were substituted “its”.