



Transport Act 1985

1985 CHAPTER 67

PART VI

MISCELLANEOUS AND GENERAL

Road passenger transport services in place of railway services

123 Supplementary and consequential provisions.

- (1) For the purposes of sections 120 to 122 of this Act and this section—
- (a) “Area Committee” means an Area Transport Users Consultative Committee established under section 56 of the 1962 Act or, in relation to the London area, the [^{F1}London Transport Users’ Committee];
 - (b) the appropriate Area Committee is the Area Committee for the area in which any locality or point affected by the proposed withdrawal of service is situated; and
 - (c) “the Central Committee” means the Central Transport Consultative Committee for Great Britain established under section 56 of the 1962 Act.

In paragraph (a) above “the London area” means the area for which for the time being [^{F2}the London Transport Users’ Committee is the Rail Users’ Consultative Committee by virtue of section 2(9) of the Railways Act 1993.].

- (2) Where objections with respect to any proposed withdrawal of service have been lodged with more than one Area Committee, the committees in question—
- (a) may report to the Secretary of State jointly under section 121 of this Act; or
 - (b) may agree that the consideration of objections and representations relating to the withdrawal and the making of a report to the Secretary of State shall be delegated to any of those committees appearing to them to be principally concerned;

and references in sections 121 and 122 of this Act to a committee and to the appropriate Area Committee shall be read accordingly.

Status: Point in time view as at 03/07/2000.

Changes to legislation: Transport Act 1985, Section 123 is up to date with all changes known to be in force on or before 19 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (3) Section 54(1) of the 1962 Act (advance information about railway and shipping closures) shall apply in relation to plans of the Railways Board for withdrawals of services (in the event of securing the necessary revocation or variation of the relevant bus service conditions) as it applies in relation to the Board's plans for closures.
- (4) The duty of the Central Committee and of each Area Committee (other than the London Regional Passengers' Committee) under section 56(4) of the 1962 Act (duty to consider and make recommendations with respect to certain matters) shall apply to any matter affecting bus substitution services as it applies to any matter affecting the services and facilities provided by the Railways Board.
- (5) References in sections 40 and 41 of the London Regional Transport Act 1984 (which deal with the functions of the London Regional Passengers' Committee) to services and facilities provided by the Railways Board or any subsidiary of theirs shall include references to bus substitution services.
- (6) Nothing in section 56(4) of the 1962 Act or section 40(4) of the London Regional Transport Act 1984, as it has effect by virtue of subsection (4) or (5) above in relation to matters affecting bus substitution services, shall entitle any committee to consider the charges made for any bus substitution service, or to consider any question relating to a withdrawal of service except as provided by section 121 of this Act.
- (7) Section 56(13) of the 1962 Act (public hearings) shall apply in relation to hearings for the purposes of section 121(3) of this Act as it applies in relation to hearings for the purposes of subsection (9) of section 56 (objections to closures).
- (8) In section 54(5) of the 1968 Act (power of Secretary of State to impose conditions in consenting to a closure)—
- (a) at the beginning of paragraph (b) there shall be inserted the words “subject to section 119(4) of the Transport Act 1985”;
 - (b) in paragraph (c), for the words from “as to the provision” to the end of the paragraph there shall be substituted the words “requiring the Railways Board to provide or (as the case may be) secure the provision of alternative services; and”;
 - (c) in paragraph (d), the words from “and to the Bus Company” to “Scottish Group” shall be omitted; and
 - (d) in the words following paragraph (d), the words from “or, where” to “jointly” and the words from “or, as the case may be” to the end shall be omitted.
- (9) Subsection (6) of that section shall be omitted, and in subsection (7), for the words “subsections (5) and (6)” there shall be substituted the words “subsection (5)”.
- (10) In this section “closure” has the same meaning as in section 119 of this Act.

Textual Amendments

- F1** Words in s. 123(1)(a) substituted (3.7.2000) by 1999 c. 29, s. 252(2), **Sch. 19 para. 4(1)(2)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. 3**
- F2** Words in s. 123(1) substituted (3.7.2000) by 1999 c. 29, s. 252(2), **Sch. 19 para. 4(1)(3)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. 3**

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Modifications etc. (not altering text)

- C1** Ss. 119-124 modified (1.4.1994) by 1993 c. 43, **ss. 47(1)(2)**, 152(2) (with Sch. 13 para. 3(2)); S.I. 1994/571, **art. 5**
- Ss. 119-124 extended (1.4.1994) by 1993 c. 43, **ss. 47(6)**, 152(2) (with Sch. 13 para. 3(2)); S.I. 1994/571, **art. 5**
- Ss. 120-124 applied (1.4.1994) by 1993 c. 43, **ss. 76(9)**, 77(11); S.I. 1994/571, **art. 5**
- Ss. 119-124: certain functions transferred (1.4.1994) by 1993 c. 43, **ss. 47(1)(b)**, 152(2) (with Sch. 13 para. 3(2)); S.I. 1994/571, **art. 5**

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