



Local Transport Act 2008

2008 CHAPTER 26

PART 2

TRANSPORT POLICIES

7 Local transport policies

- (1) The TA 2000 is amended as follows.
- (2) In section 108 (local transport plans) after subsection (4) insert—
 - “(5) In this Part “local transport policies” means policies developed under subsection (1)(a).”.
- (3) In section 162(1) (interpretation of Part 2) insert the following definition at the appropriate place—
 - ““local transport policies” has the meaning given in section 108(5).”.
- (4) In section 198(1) (interpretation of Part 3) insert the following definition at the appropriate place—
 - ““local transport policies” has the meaning given in section 108(5).”.
- (5) Schedule 1 to this Act (which substitutes references to local transport policies for certain references to local transport plans or bus strategies and makes other related amendments) has effect.

8 Nature of duty to develop transport policies

- (1) Section 108 of the TA 2000 (local transport plans) is amended as follows.
- (2) In subsection (1)(a), omit “facilities and services”.
- (3) In subsection (2)—
 - (a) for the words from the beginning to “are” substitute “In subsection (1), “transport” means”,

Status: This is the original version (as it was originally enacted).

- (b) for “those”, in both places, substitute “the transport”,
- (c) for “include” substitute “includes”.

(4) After subsection (2) insert—

“(2ZA) Each local transport authority whose area is in England must—

- (a) in developing policies in accordance with subsection (1)(a), and
 - (b) in carrying out their functions in accordance with subsection (1)(b),
- comply with the duties set out in subsection (2ZB).

(2ZB) The duties are—

- (a) to take into account any policies announced by Her Majesty’s government, and
- (b) to have regard to any guidance issued for the purposes of this paragraph by the Secretary of State,

with respect to mitigation of, or adaptation to, climate change or otherwise with respect to the protection or improvement of the environment.

(2ZC) The power to issue guidance under subsection (2ZB)(b) does not affect the generality of the power to issue guidance under section 112(1).”.

9 Local transport plans

(1) For subsection (3) of section 108 of the TA 2000 (duty to prepare local transport plan) substitute—

“(3) Each local transport authority whose area is in England must prepare a document to be known as (or two or more documents to be known together as) the local transport plan containing—

- (a) their policies under subsection (1)(a);
- (b) their proposals for the implementation of those policies.

(3A) Each local transport authority whose area is in Wales must prepare a document to be known as the local transport plan containing—

- (a) their policies under subsection (1)(a), and
- (b) their policies under subsection (2A).

(3B) A local transport authority whose area is in England must, in complying with the duty under subsection (1)(b), have regard to the proposals contained in their plan.”.

(2) Section 109 of that Act (further provision about plans: England) is amended as follows.

(3) For subsection (2) substitute—

“(2) The authority may replace their plan as they think fit.”.

(4) After subsection (2) insert—

“(2A) In preparing their local transport plan, and in keeping it under review, an authority other than an Integrated Transport Authority must consult—

- (a) the Secretary of State in relation to functions which the Secretary of State has—

- (i) as highway authority by virtue of section 1 of the Highways Act 1980, or
 - (ii) as traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984,
 - (b) if the local transport authority is a county council, the councils of the districts in the county (if any).
 - (2B) In preparing their local transport plan, and in keeping it under review, an Integrated Transport Authority must consult—
 - (a) each local traffic authority (within the meaning of the Road Traffic Regulation Act 1984) for any area within the integrated transport area of the Integrated Transport Authority,
 - (b) the Secretary of State in relation to functions which the Secretary of State has—
 - (i) as highway authority by virtue of section 1 of the Highways Act 1980, or
 - (ii) as traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984,
 - (c) each county council and each district council for any area within the integrated transport area of the Integrated Transport Authority.
 - (2C) In preparing their local transport plan, and in keeping it under review, the authority must consult such of the following persons as they consider appropriate—
 - (a) operators of any network or station, or of any railway services, in their area;
 - (b) operators or providers of other transport services in their area, or organisations appearing to the authority to be representative of the interests of such persons;
 - (c) organisations appearing to the authority to be representative of the interests of users of transport services and facilities in their area;and must also consult any other persons whom they consider appropriate.
 - (2D) Any expression which is used in subsection (2C)(a) or (b) and in Part 1 of the Railways Act 1993 has the meaning given in that Part, taking “railway” to have its wider meaning (see section 81 of that Act).”
- (5) Omit subsections (5) and (6).

10 Bus strategies no longer required

- (1) The TA 2000 is amended as follows.
- (2) Omit sections 110 and 111 (bus strategies).
- (3) Section 112 (plans and strategies: supplementary) is amended as follows.
- (4) In subsection (1)—
 - (a) for “sections 108 to 111” substitute “sections 108 to 109B”;
 - (b) omit “(and bus strategies)” and (in each place) “(and strategies)”.
- (5) In subsection (2) omit “and their bus strategy”.

Status: This is the original version (as it was originally enacted).

- (6) In each of sections 113A(1) and 113B(1) (plans and strategies: Wales) for “sections 108 to 111” substitute “sections 108 to 109B”.
- (7) In section 162(1) (interpretation) for the definition of “bus services” substitute—
 ““bus services” means services using public service vehicles,”.
- (8) In section 9A of the TA 1968 (general functions of Passenger Transport Areas and Executives), in subsection (7), omit the words from “and to the bus strategy” to the end.
- (9) The TA 1985 is amended as follows.
- (10) In section 63 (functions of local councils with respect to passenger transport)—
 - (a) in subsection (8), omit “and to the appropriate bus strategy”;
 - (b) omit subsection (8A).
- (11) In section 89 (obligation to invite tenders for subsidised services) omit subsections (7)(b) and (8).

11 Duty to have regard to transport needs of disabled persons

- (1) Section 112 of the TA 2000 (plans and strategies: supplementary) is amended as follows.
- (2) In subsection (2) (duty to have regard to needs of certain persons in developing transport policies)—
 - (a) after “developing” insert “and implementing”;
 - (b) after “needs of” insert “disabled persons (within the meaning of the Disability Discrimination Act 1995) and of”.

12 Development of policies by ITA no longer joint duty with district councils

- (1) Section 113 of the TA 2000 (role of metropolitan district councils) is amended as follows.
- (2) Omit subsection (1).
- (3) For subsection (2) substitute—
 - “(2) The duties imposed on an Integrated Transport Authority for an integrated transport area by—
 - (a) section 108(1)(b), (2ZA) and (3B), and
 - (b) section 109(4),
 are also duties of each of the councils for the metropolitan districts comprised in the area, subject to the modifications set out in subsection (2A).
 - (2A) The modifications are—
 - (a) in section 108(1)(b), the reference to “those policies” is a reference to the policies developed by the Integrated Transport Authority for that area;
 - (b) in section 108(3B), the reference to “their plan” is a reference to the local transport plan of the Integrated Transport Authority for that area;

Status: This is the original version (as it was originally enacted).

- (c) in section 109(4), the reference to “their local transport plan” is a reference to the local transport plan of the Integrated Transport Authority for that area.”.
- (4) Omit subsection (3).
- (5) In section 162 of that Act (interpretation for the purposes of Part 2) omit subsection (6).
- (6) In section 198(2) of that Act (interpretation of certain references to authority’s local transport plan)—
 - (a) for “local transport plan” (in the first place) substitute “local transport policies”;
 - (b) for “the local transport plan made jointly by” substitute “the local transport policies of”;
 - (c) omit the words from “and the councils” to the end.