



Local Transport Act 2008

2008 CHAPTER 26

PART 5 **E+W**

INTEGRATED TRANSPORT AUTHORITIES ETC

CHAPTER 3 **E+W**

POWER TO PROMOTE WELL-BEING

102 Procedure for orders under section 101 **E+W**

- (1) Before making an order under section 101 the Secretary of State must consult—
 - (a) such representatives of ITAs,
 - (b) such representatives of local government, and
 - (c) such other persons (if any),as appear to the Secretary of State likely to be affected by the proposals.
- (2) If, following consultation under subsection (1), the Secretary of State proposes to make an order under section 101, the Secretary of State must lay before each House of Parliament a document which—
 - (a) explains the proposals,
 - (b) sets them out in the form of a draft order, and
 - (c) gives details of consultation under subsection (1).
- (3) Where a document relating to proposals is laid before Parliament under subsection (2), no draft of an order under section 101 to give effect to the proposals (with or without modifications) is to be laid before Parliament in accordance with section 101(5) until after the expiry of the period of sixty days beginning with the day on which the document was laid.
- (4) In calculating the period mentioned in subsection (3) no account is to be taken of any time during which—
 - (a) Parliament is dissolved or prorogued, or

Changes to legislation: Local Transport Act 2008, Section 102 is up to date with all changes known to be in force on or before 05 June 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) View outstanding changes

- (b) either House is adjourned for more than four days.
- (5) In preparing a draft order under section 101 the Secretary of State must consider any representations made during the period mentioned in subsection (3).
- (6) A draft order under section 101 which is laid before Parliament in accordance with section 101(5) must be accompanied by a statement of the Secretary of State giving details of—
 - (a) any representations considered in accordance with subsection (5), and
 - (b) any changes made to the proposals contained in the document laid before Parliament under subsection (2).
- (7) Nothing in this section applies to an order under section 101 which is made only for the purpose of amending an earlier order under that section—
 - (a) so as to extend the earlier order, or any provision of the earlier order, to a particular ITA or to ITAs of a particular description, or
 - (b) so that the earlier order, or any provision of the earlier order, ceases to apply to a particular ITA or to ITAs of a particular description.

Commencement Information

II S. 102 in force at 9.2.2009 by [S.I. 2009/107](#), art. 2(1), [Sch. 1 Pt. 1](#)

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Commencement Orders yet to be applied to the Local Transport Act 2008

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2009/579 art. 2](#) commences (2008 c. 26)
- [S.I. 2009/3294 art. 2](#) commences (2008 c. 26)