

**EXPLANATORY MEMORANDUM TO
THE TRANSPORT (GUIDED SYSTEMS) (ENGLAND) (AMENDMENT)
ORDER 2005**

2005 No. 2290

1. This explanatory memorandum has been prepared by the Department for Transport and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 This Order is made to amend the Transport (Guided Systems) Order 1992 (S.I.1992/2004). The effect is to vary the list of systems of guided transport to which Chapter I of Part II of the Transport and Works Act 1992 will apply.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

4. Legislative Background

4.1 Chapter I of Part II of the Transport and Works Act 1992 (Offences involving Drink or Drugs), (the "TWA") empowers the Secretary of State to make orders which specify the systems of guided transport to which its provisions will apply. The Order that was made in 1992 specified guided transport systems at Birmingham International, Gatwick and Stansted Airports and at the Merry Hill Centre in Dudley in the West Midlands.

5. Extent

5.1 This instrument applies to England.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1 The main policy objective of Chapter I of Part II of the TWA and of the Orders is to ensure that the application of provisions involving drink and drugs extends to include those transport systems using certain specified guided transport systems. The Order, made in 1992 specifying various guided transport systems, now requires amendment. This is because a number of transport system operators have made various changes to the systems and in one instance to the location of

the guided transport system by way of extension to the station end of the terminus connecting with Birmingham International Airport as specified in the Schedule to the Order made in 1992.

- 7.2 The magnetic levitation system used for transferring the travelling public between Birmingham International Railway Station and the passenger termini at Birmingham International Airport has now been replaced by a track-based with side guidance transport system. This guided transport system is one of a number of multi modal transport operations now in place.
- 7.3 The reference to Birmingham International railway station and Birmingham International Airport also requires revision. There have been significant developments at the location of both termini, including an extension of the station end of the terminus by approximately 10 metres. The termini are now known as Birmingham International Interchange/ Birmingham International Railway Station and Terminal 1 Birmingham International Airport, respectively.
- 7.4 The South Terminal to South Terminal Satellite/Pier 3 transit system at Gatwick Airport is now closed and has been replaced with a walkway.
- 7.5 The transit system at Stansted Airport has been extended to include Satellite 2.
- 7.6 Given the purpose of this Order, no consultation has been carried out.

8. Impact

- 8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.
- 8.2 The impact on the public sector is negligible

9. Contact

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