



# Glasgow Commonwealth Games Act 2008

2008 asp 4

## *Transport*

### **37 Transport plan**

- (1) It is for the Organising Committee to make a plan about transport matters relating to the Games (“the Games transport plan”).
- (2) Before it does so, the Organising Committee must consult—
  - (a) Ministers,
  - (b) every council in whose area a Games location is situated,
  - (c) every chief constable of a police force maintained for an area in which a Games location is situated, and
  - (d) any other person whom the Organising Committee considers appropriate.

### **38 Games traffic regulation orders**

- (1) A traffic authority for a road may make an order under section 14(1) (temporary traffic regulation orders) of the Road Traffic Regulation Act 1984 (c. 27) (“the 1984 Act”) in relation to the road for the purposes of—
  - (a) implementing the Games transport plan,
  - (b) facilitating transport services in connection with the Games,
  - (c) facilitating travel by any person for a purpose connected to the Games, or
  - (d) carrying out an experimental scheme of traffic control for a purpose connected to the Games.

An order made by virtue of this subsection is called a “Games traffic regulation order”.

- (2) A Games traffic regulation order may be made irrespective of whether the traffic authority is satisfied as mentioned in section 14(1) of the 1984 Act.
- (3) A Games traffic regulation order may suspend any statutory provision to which section 14(7) of the 1984 Act applies without imposing any restriction or prohibition as is mentioned in section 14(1) of that Act.
- (4) Paragraph 2(4)(ba) of Schedule 3 to the Road Traffic Act 1991 (c. 40) (breach of order under section 14(1) of the 1984 Act in relation to waiting, loading and unloading of

vehicles not to be offence in a special parking area) does not apply to section 16(1) of the 1984 Act (contravention of section 14 of the Act to be an offence) in so far as section 16(1) relates to the contravention of a Games traffic regulation order.

### **39 Urgent traffic regulation measures**

- (1) A traffic authority for a road may by notice restrict or prohibit temporarily the use of the road, or any part of it, by vehicles (or any type of vehicles) or pedestrians where it appears to the authority that it is necessary or expedient for any of the purposes mentioned in section 38(1) that the restriction or prohibition should come into force without delay.
- (2) The 1984 Act applies in relation to notices under this section as it applies in relation to notices under section 14(2) of that Act.

### **40 Power to direct councils to regulate road use for Games purposes**

- (1) Ministers may direct a council to make, vary or revoke a traffic regulation instrument where they consider such action to be necessary for any of the purposes mentioned in section 38(1).
- (2) A direction may be made only if—
  - (a) the Organising Committee has notified Ministers that it considers that the council should take the directed action, and
  - (b) the council has failed to take that action within 7 days of being asked by Ministers to do so.
- (3) Subsection (2) need not be complied with where—
  - (a) Ministers consider that action must be taken without delay in order to ensure that the Games transport plan is implemented properly, and
  - (b) the direction narrates that fact.
- (4) If a council fails to comply with a direction—
  - (a) Ministers may take the directed action in place of the council, and
  - (b) such action is to be deemed to have been taken by the council.
- (5) Ministers may recover the cost of so acting from the council.
- (6) A “traffic regulation instrument” means any—
  - (a) Games traffic regulation order, or
  - (b) other order, regulations, notice or instrument regulating road use, which the council concerned has power to make.