



# Greater London Authority Act 1999

## 1999 CHAPTER 29

### PART IV

#### TRANSPORT

### CHAPTER VI

#### RAILWAYS

#### *Closures*

#### **203 Franchising Director to give copy documents to Mayor**

In section 43(1) of the Railways Act 1993 (which requires the Franchising Director to give a copy of any notice of closure etc to the Rail Regulator) after “Regulator” there shall be inserted “, to the Mayor of London if the whole or any part of the area affected by the closure is in Greater London,”.

#### **204 Procedure for closure of certain railway passenger services**

- (1) The Railways Act 1993 shall have effect as if any railway passenger services provided under or by virtue of this Act by Transport for London or a subsidiary of Transport for London (in relation to which section 37 of that Act does not have effect, in consequence of amendments made by section 198 above) were designated by order under section 49(3) of that Act as railway passenger services in relation to which Schedule 5 to that Act (alternative closure procedure) is to have effect.
- (2) Schedule 5 to the Railways Act 1993 shall be amended as follows.
- (3) After paragraph 5 there shall be inserted—

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*“Qualifying services in and around Greater London*

- 5A (1) This paragraph applies to any qualifying services—
- (a) which are provided by Transport for London or a subsidiary of Transport for London; or
  - (b) which do not fall within paragraph (a) above but—
    - (i) are provided wholly within Greater London; and
    - (ii) are services, or services of a class or description, designated in an order made by the Secretary of State as services in relation to which this paragraph is to apply;
 and in the following provisions of this paragraph any such services are referred to as “qualifying London services”.
- (2) In the application of the other paragraphs of this Schedule in relation to qualifying London services, for any reference to the Secretary of State there shall be substituted a reference to the Mayor of London.
- (3) Where the Mayor of London has given consent under paragraph 3(2)(b) above in respect of services provided wholly or partly outside Greater London, any person aggrieved by the decision to give consent may refer that decision to the Secretary of State.
- (4) A referral under sub-paragraph (3) above shall be made by giving notice to the Secretary of State.
- (5) Any notice under sub-paragraph (4) above must be given not later than 4 weeks after the date of the decision referred.
- (6) On a reference under sub-paragraph (3) above, the Secretary of State may—
- (a) confirm the decision to give consent;
  - (b) in the case of a decision to give consent subject to conditions, confirm the decision to give consent but modify the conditions; or
  - (c) substitute his decision for that of the Mayor of London.
- (7) Any person who refers a decision to the Secretary of State under sub-paragraph (3) above shall provide, with his notice under sub-paragraph (4) above, a statement of the reasons why he is aggrieved by the decision.
- (8) On disposing of any reference under sub-paragraph (3) above, the Secretary of State shall give notice of his decision to—
- (a) the Mayor of London;
  - (b) the appropriate consultative committee;
  - (c) the operator concerned; and
  - (d) the person who referred the decision to the Secretary of State under sub-paragraph (3) above (if not falling within paragraphs (a) to (c) above).
- (9) Before the expiration of the period of six weeks following the making of his decision on a reference under sub-paragraph (3) above, the Secretary of State shall publish notice of his decision—

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- (a) in two successive weeks in two local newspapers circulating in the area affected; and
- (b) in such other manner as appears to him appropriate.”