

*Status: Point in time view as at 16/01/2012.*

*Changes to legislation: Local Government Act 1974, Part II is up to date with all changes known to be in force on or before 06 August 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)*

## SCHEDULES

### SCHEDULE 1

#### TERMINATION OR MODIFICATION OF CERTAIN EXISTING GRANTS

#### PART II

##### EXISTING GRANTS FOR HIGHWAYS AND PUBLIC TRANSPORT

- 6 Subject to paragraph 8 below, on and after 1st April 1975 the power of the Secretary of State—
- (a) ..... <sup>F1</sup>
  - (b) to make grants to a Passenger Transport Executive under section 20(8) of the <sup>M1</sup>Transport Act 1968 (towards expenditure incurred by the Executive for certain areas in pursuance of agreements with the Railways Board for the provision of railway passenger services), and
  - (c) to make grants to any person under section 56(1) of the Transport Act 1968 (towards capital expenditure incurred or to be incurred in the provision, improvement or development of facilities for public passenger transport),
- shall cease to be exercisable except in cases where it appears to the Secretary of State that, notwithstanding the grants for which provision is made in Part I of this Act, the whole or any part of any expenditure in respect of which any such advances or grants as are referred to in . . . <sup>F2</sup>, paragraph (b) or paragraph (c) above could be made should not fall on the local highway authority, Passenger Transport Executive or other person concerned.

#### Textual Amendments

- F1** Sch. 1 para. 6(a) repealed by [Highways Act 1980 \(c. 66\)](#), [Sch. 25](#)  
**F2** Words repealed by [Highways Act 1980 \(c. 66\)](#), [Sch. 25](#)

#### Marginal Citations

- M1** [1968 c. 73](#).

- 7 No grants shall be paid under section 34(2) of the Transport Act 1968 (towards expenditure incurred by local authorities in making grants to provide assistance for rural bus or ferry services and in the provision of such ferry services) in respect of expenditure incurred in connection with the provision, improvement or continuance, after the end of the year 1974-75, of any bus service or ferry service, within the meaning of that Act.
- 8 (1) In any case where it appears to the Secretary of State—
- (a) that any person other than a local authority, a Passenger Transport Executive or [<sup>F3</sup>London Regional Transport] has before 1st April 1975 entered upon a

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course of expenditure of a capital nature such as is referred to in section 56(1) of the Transport Act 1968, and

- (b) that the course of expenditure was entered upon in reliance on an undertaking by the Secretary of State to make a grant or grants towards that expenditure under that section,

then, notwithstanding anything in paragraph 6 above, the Secretary of State may, on or after 1st April 1975, make to that person under that section any grant which he considers appropriate in the light of that undertaking.

- (2) In sub-paragraph (1)(a) above “local authority” includes the council of an administrative county, county borough or county district.

#### Textual Amendments

**F3** Words substituted by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), [s. 71\(3\)\(a\)](#), Sch. 6 para. 11(a)

- 9 (1) In any case where it appears to the Secretary of State—
- (a) that a Passenger Transport Executive . . . <sup>F4</sup> has before 1st April 1975 entered upon a course of expenditure of a capital nature such as is referred to in section 56(1) of the <sup>M2</sup>Transport Act 1968, and
- (b) that the course of expenditure was entered upon in reliance on an undertaking by the Secretary of State to make a grant or grants towards that expenditure under that section,
- the Secretary of State shall, as soon as practicable after 1st April 1975, give notice in writing to the appropriate local authority specifying the purpose of the expenditure, the Executive carrying it out and particulars of the grant or grants to which the undertaking relates, including the terms and conditions upon which the grant or grants were to be made and details of the amount or proportion thereof already paid at that date.
- (2) An authority to whom a notice is given under sub-paragraph (1) above shall make to the Executive specified in the notice payments under subsection (2) of section 56 of the Transport Act 1968—
- (a) corresponding in amount to the payments which, in accordance with the particulars specified in the notice, would have been made under the grant or grants concerned, and
- (b) on terms and conditions corresponding, as near as may be, to those so specified,
- and, in relation to the authority, expenditure for the purpose specified in the notice shall be conclusively presumed for the purposes of that subsection to be expenditure towards which payments may be made under that subsection.
- (3) In sub-paragraph (1) above “the appropriate local authority”, in relation to a Passenger Transport Executive, means the county council which is the Passenger Transport Authority for the Executive’s area . . . <sup>F5</sup>

#### Textual Amendments

**F4** Words repealed by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), [s. 71\(3\)\(a\)\(b\)](#), Sch. 6 para. 11(b), Sch. 7

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**F5** Words repealed by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), [s. 71\(3\)\(a\)\(b\)](#), Sch. 6 para. 11(c), Sch. 7

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**Marginal Citations**

**M2** [1968 c. 73](#).

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