

Status: Point in time view as at 01/12/2006.

Changes to legislation: There are currently no known outstanding effects for the Railways Act 2005, SCHEDULE 8. (See end of Document for details)

SCHEDULES

SCHEDULE 8 **E+W+S**

Section 25

PROPOSALS TO DISCONTINUE EXCLUDED LONDON SERVICES

Introductory

- 1 (1) This Schedule applies, where a proposal for the discontinuance of all the excluded London services provided on a particular line, or from a particular station, is made by the person providing them (“the service operator”), to so much of the proposal as relates to excluded London services which are special procedure excluded services.
- (2) In this Schedule “excluded London service” and “special procedure excluded service” have the same meanings as in section 25.

Commencement Information

- II** Sch. 8 para. 1 in force at 1.12.2006 by S.I. 2006/2911, art. 2, Sch.

Notice of proposal

- 2 (1) The service operator—
 - (a) must give notice in the required manner of his proposal; and
 - (b) must not give effect to the closure before the end of the period specified in the notice for the making of objections to the London Transport Users' Committee.
- (2) The notice must set out—
 - (a) the proposal date;
 - (b) the other particulars of the proposal;
 - (c) particulars of alternative services which it appears to the service operator will be available;
 - (d) any proposal of the service operator for providing or augmenting the alternative services;
 - (e) a statement that any objections about the proposal may be sent to the London Transport Users' Committee on or before the proposal date.
- (3) The proposal date must be not less than six weeks after the notice is last published in a local newspaper for the purposes of sub-paragraph (4).
- (4) A notice under this paragraph is published in the required manner if it is published, in two successive weeks—
 - (a) in a local newspaper circulating in the area affected by the proposal;
 - (b) in two newspapers circulating generally in England (or in England and any other part of the United Kingdom); and

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- (c) in such other manner as appears to the person giving the notice to be appropriate.
- (5) The service operator must send a copy of every notice published under this paragraph—
- (a) to the London Transport Users' Committee; and
 - (b) to every person who is the operator of a station within the area affected by the proposal;
- and must require every such operator to publish the notice by displaying it at the stations he operates in that area.
- (6) In this paragraph a reference to the area affected by the proposal is a reference to the area in which is situated the line or station referred to in paragraph 1(1).

Commencement Information

I2 Sch. 8 para. 2 in force at 1.12.2006 by S.I. 2006/2911, art. 2, Sch.

Objections etc.

- 3 (1) Where a notice has been published under paragraph 2 objections about the proposal may be made to the London Transport Users' Committee—
- (a) by any user of a service to which the proposal relates; or
 - (b) by any person representing such users.
- (2) Objections may only be made within the period specified in the notice.

Commencement Information

I3 Sch. 8 para. 3 in force at 1.12.2006 by S.I. 2006/2911, art. 2, Sch.

Consideration of objections and report to Mayor of London

- 4 (1) This paragraph applies where any objection is made under paragraph 3.
- (2) The London Transport Users' Committee must immediately inform—
- (a) the Mayor of London, and
 - (b) the service operator,
- about the objection.
- (3) The service operator may give effect to the proposed closure only if the Mayor of London consents to it.
- (4) As soon as possible after the end of the period for the making of objections to the London Transport Users' Committee, the Committee must—
- (a) consider the objections made during that period;
 - (b) consider any representations made by the service operator; and
 - (c) report to the Mayor of London on the hardship the Committee considers will be caused by the proposed closure.
- (5) If the London Transport Users' Committee decides—

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- (a) to hear an objector orally, or
 - (b) to hear oral representations from the service operator,
- the hearing must be in public.
- (6) The report to the Mayor of London under this paragraph may contain proposals for alleviating any hardship to which it refers.
 - (7) After receiving that report the Mayor of London may require further reports from the London Transport Users' Committee relating to the proposed closure.
 - (8) The London Transport Users' Committee must send to the service operator a copy of every report or further report it makes under this paragraph.

Commencement Information

14 Sch. 8 para. 4 in force at 1.12.2006 by S.I. 2006/2911, art. 2, Sch.

Consent of Mayor to closure

- 5 (1) After—
- (a) receiving—
 - (i) the report from the London Transport Users' Committee required by sub-paragraph (4) of paragraph 4, and
 - (ii) any further reports required by him under that paragraph, and
 - (b) carrying out any consultation required by sub-paragraph (2),
- the Mayor of London must decide whether or not to consent to the proposed closure.
- (2) If any of the services to which the proposed closure relates operates in any area outside Greater London, the Mayor of London must, before deciding whether to consent to the proposed closure, consult the local authority for each such area.
 - (3) At any time after the period for making objections the Mayor of London may make that decision without receiving a report or further report if—
 - (a) he has made such enquiries as he thinks fit, and
 - (b) he considers that the report or further report has been unreasonably delayed.
 - (4) The Mayor of London may give his consent subject to such conditions as he thinks fit.
 - (5) The Mayor of London may at any time vary or revoke conditions that are for the time being required to be complied with.
 - (6) Where the Mayor of London gives his consent to a proposed closure, he must—
 - (a) send a copy of his decision to every person who is the operator of a station in the area affected by the closure; and
 - (b) require that person to publish it by displaying it at the station.
 - (7) In this paragraph a reference to the area affected by the closure is a reference to the area in which is situated the line or station referred to in paragraph 1(1).
 - (8) In this paragraph “local authority” means a county council, a community council or council for a district in an area for which there is no county council.

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Commencement Information

I5 [Sch. 8 para. 5](#) in force at 1.12.2006 by [S.I. 2006/2911](#), [art. 2](#), [Sch.](#)

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