



# Local Transport Act 2008

## CHAPTER 26

### LOCAL TRANSPORT ACT 2008

#### PART 1

##### THE TRAFFIC COMMISSIONERS

- 1 Traffic areas
- 2 Traffic commissioners
- 3 The senior traffic commissioner
- 4 Amendments of Schedule 2 to the PPVA 1981
- 5 Transitional provision for existing traffic commissioners etc
- 6 Consequential amendments

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##### TRANSPORT POLICIES

- 7 Local transport policies
- 8 Nature of duty to develop transport policies
- 9 Local transport plans
- 10 Bus strategies no longer required
- 11 Duty to have regard to transport needs of disabled persons
- 12 Development of policies by ITA no longer joint duty with district councils

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##### *Quality partnership schemes*

- 13 Quality partnership schemes
- 14 Notice and consultation requirements

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- 15 Making a scheme: different dates for different facilities or standards etc
- 16 Postponement of provision of particular facilities or standards of service
- 17 Effect of scheme: different dates for different facilities or standards etc
- 18 Regulations about schemes which specify frequencies, timings or fares

#### *Quality contracts schemes*

- 19 Quality contracts schemes
- 20 Notice and consultation requirements

#### *QCS boards for England and approval by Welsh Ministers in Wales*

- 21 Approval of proposed schemes: required for areas in Wales only
- 22 Boards for proposed schemes for areas in England
- 23 Advice by boards or their Commissioners
- 24 Consideration of proposed schemes by boards
- 25 Practice and procedure of boards

#### *Making and duration of quality contracts schemes*

- 26 Making of scheme
- 27 Appeals against the making of schemes for areas in England
- 28 Postponement of scheme in part
- 29 Effect of scheme: different operational dates and excepted services
- 30 Extension of maximum period of quality contracts

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- 31 Continuation of schemes for further periods
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- 33 Continuation of schemes for areas in England: procedure
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- 37 Variation or revocation of scheme
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- 39 Exemption from s.132 for specific variations directed by Transport Tribunal

#### *Quality contracts schemes: miscellaneous and supplementary provisions*

- 40 Power of authorities to provide services in exceptional circumstances
- 41 Regulations about schemes
- 42 Power to make transitional provision about schemes
- 43 Guidance about schemes
- 44 Quality contracts: application of TUPE
- 45 Power to make traffic regulation orders

#### *Extension of the competition test*

- 46 Competition scrutiny of functions and agreements relating to buses

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### GENERAL PROVISIONS RELATING TO PASSENGER TRANSPORT

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- 47 Detention of certain PSVs used without PSV operators' licences

#### *Registration of local services*

- 48 Determination of applications for registration where restrictions in force  
49 Applications for registration where quality contracts scheme in force  
50 Traffic regulation conditions for anticipated traffic problems  
51 Transport Tribunal to decide appeals against traffic regulation conditions  
52 Fees for registration of services

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- 53 Use of private hire vehicles to provide local services  
54 Application of certain provisions about taxis and hire cars to London  
55 Carrying of passengers in wheelchairs in vehicles providing local services  
56 Carrying of passengers in wheelchairs: supplementary provisions

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- 57 Permits in relation to use of vehicles by educational and other bodies  
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59 Relaxation of rules relating to community bus services  
60 Power to limit permits under section 19 or 22 of TA 1985 to 5 years  
61 Traffic commissioners to keep records about such permits

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- 62 Attachment of conditions to related licences  
63 Powers of traffic commissioners where services not operated as registered  
64 Additional sanctions for failures by bus operators  
65 Operational data

#### *Powers of Passenger Transport Executives*

- 66 Revival of certain powers of PTEs

#### *Subsidised services*

- 67 Subsidy to secure passenger transport services in integrated transport areas  
68 Subsidy to secure passenger transport services in other areas  
69 Subsidy to secure passenger transport services in Wales  
70 Extension of maximum length of subsidised services agreements

#### *Public transport companies etc*

- 71 Removal of certain disabilities and requirements for consent

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*Transport users' advisory committees etc*

- 72 The Disabled Persons Transport Advisory Committee: remuneration
- 73 The Public Transport Users' Committee for England
- 74 Power to confer non-rail functions on the Rail Passengers' Council

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- 75 Power to require display of certain information

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- 76 Appeals to the Transport Tribunal

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- 77 Change of name of passenger transport areas and PTAs

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- 82 Authorities' review of arrangements
- 83 Secretary of State's power to direct a review of arrangements
- 84 Constitutional arrangements
- 85 Provision that may be made in an order under section 84: membership of ITA
- 86 Delegation of functions of the Secretary of State
- 87 Delegation of local authority functions
- 88 Conferral of a power to direct
- 89 Contravention of an order under section 88
- 89A Transfer of functions of combined authority
- 90 Changing the boundaries of an integrated transport area
- 91 Dissolution of an integrated transport area

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- 92 Orders under sections 84 to 91
- 93 Incidental etc provision
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### *Directions and guidance*

- 95 Further provision about directions
- 96 Guidance

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- 97 Change of name of ITA

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- 98 Amendment of power to reorganise functions

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- 99 Power to promote well-being
- 100 Limits on power to promote well-being
- 101 Power to amend or repeal enactments
- 102 Procedure for orders under section 101
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### GENERAL POWERS

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#### *Involvement of Integrated Transport Authorities*

- 103 Power of ITAs to make charging schemes
- 104 Local charging schemes to implement policies of ITAs
- 105 Joint local charging schemes to implement policies of ITAs
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- 108 Joint ITA-London charging schemes
- 109 Consequential amendments

#### *Miscellaneous amendments*

- 110 Abolition of requirement for confirmation of English schemes
- 111 Consultation and inquiries for English schemes
- 112 Charges
- 113 Supplementary provision as to charging schemes
- 114 Suspension of charging schemes
- 115 Interference with functioning of equipment
- 116 Use of equipment for charging schemes
- 117 Power of national authority to require information from charging authorities

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- 118 Information: England and Wales
- 119 Information: Scotland
- 120 London charging schemes: 10 year plan for share
- 121 Other amendments relating to schemes

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#### *Trunk road charging schemes in Wales*

- 122 Powers of the National Assembly for Wales
- 123 Information

#### *Street works*

- 124 Reinstatement and remedial works

#### *Goods vehicles*

- 125 Vehicles authorised to be used under operator's licence
- 126 Vehicles used without operator's licence: power to return detained vehicles

#### *Civil enforcement of traffic contraventions*

- 127 Civil enforcement of traffic contraventions: meaning of “local authority”
- 128 Financial penalty deposits: powers of vehicle examiners in Scotland

#### *Foreign-registered vehicles*

- 129 Disclosure of information relating to foreign-registered vehicles
- 130 Use of information relating to foreign-registered vehicles

## PART 8

### SUPPLEMENTARY PROVISIONS

- 131 Repeals
- 132 Interpretation
- 133 Extent
- 134 Commencement
- 135 Short title

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## SCHEDULES

### SCHEDULE 1 — References to local transport plans

- 1 The TA 2000 is amended as follows.

#### *Quality contracts schemes*

- 2 (1) Section 124 is amended as follows.

#### *Joint and through ticketing schemes*

- 3 (1) Section 135 is amended as follows.

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*Information about bus services*

4 (1) Section 139 is amended as follows.

*Local licensing schemes*

5 (1) Section 179 is amended as follows.

*Joint local licensing schemes*

6 (1) Section 180 is amended as follows.

*Joint local-London licensing schemes*

7 (1) Section 181 is amended as follows.

*Financial provisions relating to road user charging and workplace parking levy*

8 (1) Schedule 12 is amended as follows.

SCHEDULE 2 — Competition test: amendments of Schedule 10 to the Transport Act 2000

1 Schedule 10 to the TA 2000 (competition test for exercise...

*Test for the exercise of functions by local authorities*

2 For the italic heading preceding paragraph 1 substitute— “ Part...

3 (1) Paragraph 1 (functions to which Schedule 10 applies) is...

4 (1) Paragraph 2 (competition test) is amended as follows.

5 Omit paragraphs 3 and 4.

6 In paragraph 5 (investigation by OFT)— (a) for “the OFT”...

7 In paragraph 10 (decisions) omit paragraph (a).

8 Omit paragraph 11.

9 In paragraph 12(1) (enforcement of decision) after “a function to...

10 In paragraph 13(1) (restriction on disclosure of information) after “its...

11 In paragraph 14 (offence of disclosing information) after “its functions...

12 After paragraph 14 insert— Advice and information (1) As soon as is reasonably practicable after the passing...

13 In paragraph 15 (defamation)— (a) after “or notice given” insert...

14 (1) Paragraph 16 (fees) is amended as follows.

*New test for certain agreements, decisions and practices*

15 After paragraph 16 insert— Part 2 Test for certain agreements,...

*Schedule heading*

16 In consequence of the amendments made by this Schedule, the...

SCHEDULE 3 — Detention of certain PSVs used without PSV operators' licences  
The Schedule that is to be inserted as Schedule 2A...

SCHEDULE 4 — Change of name of PTAs: consequential amendments  
Part 1 — AMENDMENTS OF THE TRANSPORT ACT 1968

1 The TA 1968 is amended as follows.

2 (1) Section 9 (Passenger Transport Areas, Authorities and Executives) is...

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- 3 (1) Section 9A (general functions of Passenger Transport Authorities and...  
4 In section 10 (general powers of Executive), in each of...  
5 In section 12(1) (borrowing powers of Executive) after “the Executive...  
6 In section 14(1) (accounts of Executive) after “The Executive for”...  
7 In section 15 (further functions of Authority), in subsections (1)...  
8 In section 16(1) (publication of annual report by Authority and...  
9 In section 20(2) (special duty of Executives with respect to...  
10 In section 23 (consents of, or directions by, Minister under...  
11 In consequence of the amendments made by this Part—  
12 (1) Section 56 (assistance towards capital expenditure on public transport...  
13 In section 134(1) (duty to act in certain cases as...  
14 (1) Section 137 (machinery for negotiation and consultation with staff)...  
15 In section 141(1) (application of Town and Country Planning Acts)...  
16 In section 160(5) (stamp duty) after “any area which is”...  
17 (1) Schedule 5 (Passenger Transport Authorities and Executives) is amended...  
Part 2 — AMENDMENTS OF THE TRANSPORT ACT 1985  
18 The TA 1985 is amended as follows.  
19 In consequence of the amendments made by this Part—  
20 (1) In section 63(9)(b) (functions of local councils with respect...  
21 In section 64(1) (consultation with respect to policies as to...  
22 (1) Section 72 (the public transport companies and their controlling...  
23 In section 73(5) (control over constitution and activities of public...  
24 In section 74(2) (disabilities of directors of public transport companies)  
—...  
25 (1) Section 75 (powers of investment and disposal in relation...  
26 (1) Section 79 (financial backing for public transport companies) is...  
27 (1) In section 80 (duty not to inhibit competition) at...  
28 (1) Section 81 (provision, maintenance and operation of bus stations)...  
29 In section 84(1)(a) (compensation for loss of employment, etc, on...  
30 (1) Section 85 (incorporation of Passenger Transport Executives into Authorities)...  
31 In section 86(1) (amendments consequential on orders under section 85)...  
32 (1) Section 93 (travel concession schemes) is amended as follows....  
33 In section 95(4) (publicity requirements for schemes) after “under section...  
34 In section 96(3) (right of service operators to participate in...  
35 In section 97(10) (compulsory participation in concession schemes) after “the...  
36 (1) Section 104 (travel concessions on services provided by PTEs)...  
37 In section 106(4)(a) (grants for transport facilities and services) after...  
38 In section 130(3) (capital gains tax) after “from a Passenger...  
39 In consequence of the amendments made by this Part, in...  
40 In section 137(5) (interpretation of references to Authorities, etc)—  
Part 3 — AMENDMENTS OF THE TRANSPORT ACT 2000  
41 The TA 2000 is amended as follows.  
42 In section 108(4) (meaning of “local transport authority” for purposes...  
43 (1) Section 124 (quality contracts schemes) is amended as follows....  
44 In section 146 (mandatory concessions: supplementary), in paragraph (c) of...



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- 45 (1) In section 157(1) (grants) for “the Passenger Transport Authority...  
46 (1) Section 162 (interpretation of Part 2) is amended as...  
47 In section 198(2) (interpretation of certain references to authority's  
local...

Part 4 — OTHER AMENDMENTS

*Local Government Act 1972 (c. 70)*

- 48 (1) The Local Government Act 1972 is amended as follows....

*Race Relations Act 1976 (c. 74)*

- 49 (1) The Race Relations Act 1976 is amended as follows....

*Transport Act 1983 (c. 10)*

- 50 (1) The Transport Act 1983 is amended as follows.

*Road Traffic Regulation Act 1984 (c. 27)*

- 51 (1) The Road Traffic Regulation Act 1984 is amended as...

*Rates Act 1984 (c. 33)*

- 52 (1) The Rates Act 1984 is amended as follows.

*Local Government Act 1985 (c. 51)*

- 53 (1) The Local Government Act 1985 is amended as follows....

*Airports Act 1986 (c. 31)*

- 54 (1) The Airports Act 1986 is amended as follows.

*Local Government Act 1988 (c. 9)*

- 55 (1) The Local Government Act 1988 is amended as follows....

*Local Government Finance Act 1988 (c. 41)*

- 56 (1) The Local Government Finance Act 1988 is amended as...

*Local Government and Housing Act 1989 (c. 42)*

- 57 (1) The Local Government and Housing Act 1989 is amended...

*Railways Act 1993 (c. 43)*

- 58 (1) The Railways Act 1993 is amended as follows.

*Value Added Tax Act 1994 (c. 23)*

- 59 (1) The Value Added Tax Act 1994 is amended as...

*Education Act 1996 (c. 56)*

- 60 (1) The Education Act 1996 is amended as follows.

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*Audit Commission Act 1998 (c. 18)*

61 (1) The Audit Commission Act 1998 is amended as follows....

*Local Government Act 1999 (c. 27)*

62 (1) The Local Government Act 1999 is amended as follows....

*Greater London Authority Act 1999 (c. 29)*

63 (1) The Greater London Authority Act 1999 is amended as...

*Freedom of Information Act 2000 (c. 36)*

64 (1) The Freedom of Information Act 2000 is amended as...

*Police Reform Act 2002 (c. 30)*

65 (1) The Police Reform Act 2002 is amended as follows....

*Railways Act 2005 (c. 14)*

66 (1) The Railways Act 2005 is amended as follows.

*Concessionary Bus Travel Act 2007 (c. 13)*

67 (1) The Concessionary Bus Travel Act 2007 is amended as...

*Local Government and Public Involvement in Health Act 2007 (c. 28)*

68 (1) The Local Government and Public Involvement in Health Act...

SCHEDULE 5 — ITAs and charging schemes: minor and consequential amendments

*Introductory*

1 Part 3 of the TA 2000 (road user charging and...

*Preliminary: power to make schemes does not limit other powers*

2 In section 163(6) after “joint local-London charging schemes” insert “and...”

*Conditions for making trunk road schemes*

3 In section 167(2)(b) after “a local traffic authority” insert “,...

*Charging schemes to be made by order*

4 (1) Section 168 is amended as follows.

*Confirmation of charging schemes*

5 In section 169(3) after “joint local-London charging scheme” insert “or...”

*Consultation and inquiries*

6 (1) Section 170 is amended as follows.

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### *Traffic signs*

- 7 In section 177(2) after “joint local-London charging scheme” insert  
“or...”

### *Guidance*

- 8 (1) Section 193 is amended as follows.

### *Interpretation*

- 9 In section 198(1) insert each of the following definitions at...

### *Financial provisions*

- 10 Schedule 12 is amended as follows.  
11 In paragraph 2(4) (net proceeds) after “local traffic authority” insert...  
12 (1) Paragraph 3 (apportionment) is amended as follows.  
13 (1) Paragraph 7 (accounts and funds) is amended as follows...  
14 (1) Paragraph 8 (application of proceeds by non-metropolitan local  
traffic...  
15 After paragraph 11 insert— Application of proceeds by Integrated  
Transport...

## SCHEDULE 6 — Amendments of financial provisions relating to schemes Part 1 — AMENDMENTS OF SCHEDULE 12 TO THE TRANSPORT ACT 2000

- 1 Schedule 12 to the TA 2000 (financial provisions relating to...

### *Application of proceeds by non-metropolitan local traffic authorities*

- 2 (1) Paragraph 8 is amended as follows.

### *Application of proceeds where paragraph 8 does not apply*

- 3 Omit paragraph 9.

### *Plans and programmes for application of proceeds*

- 4 (1) Paragraph 10 is amended as follows.

### *Programme for application of proceeds after end of opening period*

- 5 (1) Paragraph 11 is amended as follows.

### *Application of proceeds by London traffic authorities*

- 6 (1) Paragraph 12 is amended as follows.

### *Application of proceeds by Secretary of State and Welsh Ministers*

- 7 (1) Paragraph 13 is amended as follows.

### *Regulations and orders*

- 8 (1) In consequence of the amendments made by paragraphs 3...  
Part 2 — AMENDMENTS OF SCHEDULE 23 TO THE GREATER LONDON  
AUTHORITY ACT 1999  
9 Schedule 23 to the GLA Act 1999 (road user charging)...

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*Application of net proceeds*

- 10 (1) Paragraph 16 is amended as follows.
- 11 In paragraph 17, omit sub-paragraphs (1), (2) and (6).

*Apportionment of net proceeds*

- 12 (1) Paragraph 18 is amended as follows.

SCHEDULE 7 — Repeals

- Part 1 — REPEALS RELATING TO PART 2 OF THIS ACT
- Part 2 — REPEALS RELATING TO PART 3 OF THIS ACT
- Part 3 — REPEALS RELATING TO PART 4 OF THIS ACT
- Part 4 — REPEALS RELATING TO PART 5 OF THIS ACT
- Part 5 — REPEALS RELATING TO PART 6 OF THIS ACT

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