



# Local Transport Act 2008

## 2008 CHAPTER 26

### <sup>F1</sup><sup>F1</sup>PART 5A

#### SUB-NATIONAL TRANSPORT BODIES

##### *Functions*

#### <sup>F1</sup>102J Exercise of local transport functions

- (1) The Secretary of State may by regulations provide for functions that are exercisable by a local authority in an area that is, or is to become, the area of an STB to be exercisable by the STB.
- (2) Regulations under this section may be made—
  - (a) only in relation to functions that relate to transport, and
  - (b) only if the Secretary of State considers that the function can appropriately be exercised by the STB.
- (3) For the purposes of subsection (2)(a), regulations under this section may be made in respect of a function that relates both to transport and to other matters only so far as the function is exercisable in relation to transport.
- (4) Regulations under this section may make provision for a function to be exercisable by the STB either generally or subject to such conditions or limitations as may be specified in the regulations.
- (5) Regulations under this section may make provision—
  - (a) for a function to be exercisable by the STB instead of by the local authority, or
  - (b) for a function to be exercisable by the STB concurrently with the local authority.
- (6) Regulations under this section may be made only with the consent of—
  - (a) the local authority concerned, and
  - (b) in the case of regulations made in relation to an existing STB, the STB.

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*Changes to legislation: Local Transport Act 2008, Section 102J is up to date with all changes known to be in force on or before 22 June 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) View outstanding changes*

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(7) In this section “local authority” means—

- (a) a combined authority;
- <sup>F2</sup>(aa) [ a combined county authority;]
- (b) an ITA;
- (c) a Passenger Transport Executive;
- (d) a county council in England;
- (e) a unitary district council;
- (f) the Council of the Isles of Scilly.]

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**Textual Amendments**

- F1** Pt. 5A inserted (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by [Cities and Local Government Devolution Act 2016 \(c. 1\)](#), **ss. 21, 25(2)**
- F2** [S. 102J\(7\)\(aa\)](#) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), s. 255(2)(c), **Sch. 4 para. 184** (with s. 247)

**Changes to legislation:**

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[View outstanding changes](#)

**Commencement Orders yet to be applied to the Local Transport Act 2008**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2009/579 art. 2](#) commences (2008 c. 26)
- [S.I. 2009/3294 art. 2](#) commences (2008 c. 26)