
STATUTORY INSTRUMENTS

1993 No. 1300

HIGHWAYS, ENGLAND AND WALES

The Concession Statements (Prescribed Information) Regulations 1993

<i>Made</i>	- - - -	<i>12th May 1993</i>
<i>Laid before Parliament</i>		<i>21st May 1993</i>
<i>Coming into force</i>	- -	<i>14th June 1993</i>

The Secretary of State for Transport as respects England and the Secretary of State for Wales as respects Wales in exercise of powers conferred by paragraph 1(3) and (4) of Schedule 2 to the New Roads and Street Works Act 1991⁽¹⁾ and of all other enabling powers hereby make the following Regulations:

1. These Regulations may be cited as the Concession Statements (Prescribed Information) Regulations 1993 and shall come into force on 14th June 1993.

2. In these Regulations—

“the Act” means the New Roads and Street Works Act 1991;

“concession period” means the period specified in a concession agreement as the period during which the concessionaire is appointed to construct a concession road and to enjoy the right to charge tolls for the use of it after it has been opened to public traffic;

“concession road” means a road proposed to be provided by a highway authority which is a road subject to a concession by virtue of a concession agreement entered into between a concessionaire and the highway authority pursuant to the Act; and

“concession statement” means a statement made available for inspection in accordance with paragraph 1(3) of Schedule 2 to the Act.

3. A concession statement shall contain the following information—

(a) the name and address of the concessionaire or, if the concessionaire is a company within the meaning of the Companies Act 1985⁽²⁾, the name, registered number and registered office of the concessionaire;

(b) if the concessionaire is a company with issued share capital, the name and address of each member of the company who is the registered owner of at least 10 per cent of the issued

(1) 1991 c. 22.
(2) 1985 c. 6.

share capital when the concession statement is made available for inspection in accordance with paragraph 1(3) of Schedule 2 to the Act;

- (c) a statement of the maximum duration of the concession period and as to whether, in accordance with the provisions of the concession agreement, that period may be terminated early;
- (d) a summary of any provisions in the concession agreement regarding the management of traffic (whether by the exercise of the powers conferred on the concessionaire by section 3 of the Act or otherwise) during the execution of works for improving, repairing or maintaining the concession road, including provisions as to maintaining liaison between the concessionaire and the police and other authorities;
- (e) a brief description of any highway functions specified in the concession agreement which the concessionaire is or is to be authorised to exercise pursuant to section 2(1) of the Act;
- (f) a summary of any obligations undertaken by the concessionaire in the concession agreement—
 - (i) to take steps to minimise or avoid any adverse environmental effects arising out of the construction, existence or use of the concession road; and
 - (ii) with regard to the provision of service areas by him or pursuant to an agreement with him; and
- (g) a statement of any improvements of the concession road which the concessionaire has undertaken to make during the concession period and of the nature of those improvements, the time when he proposes to execute them and any conditions (such as the use of the concession road by a specified average number of vehicles during a specified period) to be fulfilled before the concessionaire would execute the improvements.

10th May 1993

John MacGregor
Secretary of State for Transport

12th May 1993

David Hunt
Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the information to be contained in a statement to be published together with a toll order under section 6 of the New Roads and Street Works Act 1991 prepared by the Secretary of State in draft or made by a local authority and submitted to him for confirmation, where that order authorises the charging of tolls by a concessionaire. The information to be included in the statement is set out in regulation 3.