

2010 No. 99

LOCAL GOVERNMENT, ENGLAND

ROAD TRAFFIC, ENGLAND

**The Bus Lane Contraventions (Approved Local Authorities)
(England) (Amendment) Order 2010**

Made - - - - - *28th January 2010*

Laid before Parliament *4th February 2010*

Coming into force in accordance with article 1

The Secretary of State, in exercise of the power conferred by section 144(3)(b) of the Transport Act 2000(a), makes the following order:

Citation and commencement

1.—(1) This order may be cited as the Bus Lane Contraventions (Approved Local Authorities) (England) (Amendment) Order 2010.

(2) Except for article 2(6), so far as it adds the row relating to The Cornwall Council in the new Schedule 2, this order shall come into force on 1st March 2010.

(3) Article 2(6), so far as it adds the row relating to The Cornwall Council in the new Schedule 2, shall come into force on 1st April 2010.

Amendment of the Bus Lane Contraventions (Approved Local Authorities) (England) Order 2005

2.—(1) The Bus Lane Contraventions (Approved Local Authorities) (England) Order 2005(b) (“the principal order”) is amended as follows.

(2) In article 2, for “the Schedule”, wherever it appears, substitute “Schedule 1”.

(3) After article 2, add—

(a) 2000 c.38. Section 144(3) was modified by S.I. 2007/2053 (C.78) (as amended by S.I. 2008/757 (C. 35)), for a transitional period beginning on 31st March 2008. (See also the correction slip dated June 2009 (ISBN 978-0-11-081271-7) which made a minor correction to S.I. 2008/757 (C. 35).) The powers conferred by section 144 are conferred on “the relevant national authority”. By virtue of section 144(14), the Secretary of State is the “relevant national authority”, as respects England, for the purposes of section 144.

(b) S.I. 2005/2755, amended by S.I. 2005/3406, 2006/593, 2006/1447, 2006/1516, 2006/2632, 2006/2820, 2006/3212, 2006/3419, 2006/3425, 2007/551, 2007/647, 2007/1512, 2007/1585, 2007/2323, 2007/2536, 2007/2838 and 2007/3554.

“3. Each authority listed in column (1) of Schedule 2 to this Order, whose area is wholly or partially designated by order as a civil enforcement area for parking contraventions under paragraph 8(1) of Schedule 8 to the Traffic Management Act 2004(a), of which the reference number is given in column (2) of Schedule 2, is an approved local authority for the purposes of section 144 of the Transport Act 2000 (civil penalties for bus lane contraventions).”.

(4) At the start of the schedule to the principal order, for the heading “SCHEDULE” substitute “SCHEDULE 1”.

(5) In the sub-heading to that schedule, for “APPROVED LOCAL AUTHORITIES” substitute “Approved local authorities whose area has been wholly or partially designated as a permitted and special parking area under the Road Traffic Act 1991(b)”.

(6) After that schedule, insert—

“SCHEDULE 2

Approved local authorities whose area has been wholly or partially designated as a civil enforcement area under the Traffic Management Act 2004

<i>(1)</i>	<i>(2)</i>
<i>Name of authority</i>	<i>S.I. number of relevant order</i>
City of Bradford Metropolitan District Council(c)	2009/326
the Cheshire East Borough Council(d)	2010/98
the Cheshire West and Chester Borough Council(e)	2008/3198
The Cornwall Council(f)	2010/98
The Derbyshire County Council(g)	2009/19
The Devon County Council(h)	2008/1051

(a) 2004 c.18.

(b) 1991 c.40.

(c) The Civil Enforcement of Parking Contraventions (City of Bradford) Designation Order 2009 (S.I. 2009/326), made partly under paragraph 8(1) of Schedule 8 to the Traffic Management Act 2004 (c.18) (“the 2004 Act”), designated part of the area of the City of Bradford Metropolitan District Council as a civil enforcement area for parking contraventions.

(d) The Civil Enforcement of Parking Contraventions Designation Order 2010 (S.I. 2010/98), made partly under paragraph 8(1) of Schedule 8 to the 2004 Act, designated part of the area of the Cheshire East Borough Council as a civil enforcement area for parking contraventions.

(e) The Civil Enforcement of Parking Contraventions (County of Cheshire) (City of Chester and Borough of Ellesmere Port & Neston) Designation Order 2008 (S.I. 2008/3198, “the 2008 Chester Order”), made partly under paragraph 8(1) of Schedule 8 to the 2004 Act, designated part of the area of The Cheshire County Council as a civil enforcement area for parking contraventions. By the Cheshire (Structural Changes) Order 2008 (S.I. 2008/634), the county of Cheshire was abolished and its county council wound up and dissolved (article 5). Among other things, that order established a new non-metropolitan county and a new non-metropolitan district, each to be known as Cheshire West and Chester (article 4(1)) and a new district council (the Cheshire West and Chester Council (article 4(2))). The area designated by the 2008 Chester Order is now (by virtue of article 4 of S.I. 2008/634) part of the Cheshire West and Chester Council’s area. By virtue of section 245(1)(a) of the Local Government Act 1972 (c.70), the Cheshire West and Chester Council is now called the Cheshire West and Chester Borough Council following the conferral of borough status on the district of Cheshire West and Chester by Her Majesty on 10th December 2008.

(f) The Civil Enforcement of Parking Contraventions Designation Order 2010 (S.I. 2010/98), made partly under paragraph 8(1) of Schedule 8 to the 2004 Act, designated the whole of the area of The Cornwall Council as a civil enforcement area for parking contraventions.

(g) The Civil Enforcement of Parking Contraventions (County of Derbyshire) Designation Order 2009 (S.I. 2009/19), made partly under paragraph 8(1) of Schedule 8 to the 2004 Act, designated part of the area of The Derbyshire County Council as a civil enforcement area for parking contraventions.

(h) The Civil Enforcement of Parking Contraventions (County of Devon) Designation Order 2008 (S.I. 2008/1051), made partly under paragraph 8(1) of Schedule 8 to the 2004 Act, designated part of the area of The Devon County Council as a civil enforcement area for parking contraventions.

The Borough Council of Dudley(a)	2008/1764
The County Council of Durham(b)	2008/2567
the Council of the City of Newcastle upon Tyne(c)	2009/596
The North Lincolnshire Borough Council(d)	2010/98
The Nottinghamshire County Council(e)	2008/1086
The Rutland District Council(f)	2008/1211
The St. Helens Borough Council(g)	2008/3160
The Walsall Borough Council(h)	2009/439”

Signed by authority of the Secretary of State

Sadiq Khan
Minister of State
Department for Transport

28th January 2010

EXPLANATORY NOTE

(This note is not part of the order)

The Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005 (S.I. 2005/2757), made under section 144 of the Transport Act 2000, provide for the enforcement of bus lane restrictions through the imposition, by approved local authorities, of penalty charges in respect of contraventions of such restrictions. By amending the Bus Lane Contraventions (Approved Local Authorities) (England) Order 2005 (S.I. 2005/2755), this order specifies the following authorities as approved local authorities for the purposes of that section 144:

- (a) City of Bradford Metropolitan District Council;
- (b) the Cheshire East Borough Council;
- (c) the Cheshire West and Chester Borough Council;
- (d) The Cornwall Council;
- (e) The Derbyshire County Council;

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- (a) The Civil Enforcement of Parking Contraventions (Dudley) Designation Order 2008 (S.I. 2008/1764), made partly under paragraph 8(1) of Schedule 8 to the 2004 Act, designated the whole of the area of The Borough Council of Dudley as a civil enforcement area for parking contraventions.
 - (b) The Civil Enforcement of Parking Contraventions (The County Council of Durham) (Durham District) Designation Order 2008 (S.I. 2008/2567), made partly under paragraph 8(1) of Schedule 8 to the 2004 Act, designated part of the area of The County Council of Durham as a civil enforcement area for parking contraventions.
 - (c) The Civil Enforcement of Parking Contraventions (City of Newcastle upon Tyne) Designation Order 2009 (S.I. 2009/596), made partly under paragraph 8(1) of Schedule 8 to the 2004 Act, designated part of the area of the Council of the City of Newcastle upon Tyne as a civil enforcement area for parking contraventions.
 - (d) The Civil Enforcement of Parking Contraventions Designation Order 2010 (S.I. 2010/98), made partly under paragraph 8(1) of Schedule 8 to the 2004 Act, designated part of the area of The North Lincolnshire Borough Council as a civil enforcement area for parking contraventions.
 - (e) The Civil Enforcement of Parking Contraventions (County of Nottinghamshire) Designation Order 2008 (S.I. 2008/1086), made partly under paragraph 8(1) of Schedule 8 to the 2004 Act, designated part of the area of The Nottinghamshire County Council as a civil enforcement area for parking contraventions.
 - (f) The Civil Enforcement of Parking Contraventions (County of Rutland) Designation Order 2008 (S.I. 2008/1211), made partly under paragraph 8(1) of Schedule 8 to the 2004 Act, designated part of the area of The Rutland District Council as a civil enforcement area for parking contraventions.
 - (g) The Civil Enforcement of Parking Contraventions (St. Helens) Designation Order 2008 (S.I. 2008/3160), made partly under paragraph 8(1) of Schedule 8 to the 2004 Act, designated the whole of the area of The St. Helens Borough Council as a civil enforcement area for parking contraventions.
 - (h) The Civil Enforcement of Parking Contraventions (Walsall) Designation Order 2009 (S.I. 2009/439), made partly under paragraph 8(1) of Schedule 8 to the 2004 Act, designated part of the area of The Walsall Borough Council as a civil enforcement area for parking contraventions.

- (f) The Devon County Council;
- (g) The Borough Council of Dudley;
- (h) The County Council of Durham;
- (i) the Council of the City of Newcastle upon Tyne;
- (j) The North Lincolnshire Borough Council;
- (k) The Nottinghamshire County Council;
- (l) The Rutland District Council;
- (m) The St. Helens Borough Council; and
- (n) The Walsall Borough Council.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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