

## Appendix C – Local Transport Powers and Duties

### Local Transport and Local Passenger Transport Services

Legislation	Duty / Power	CA/LA/Shared/Concurrent	Council or Executive Function
<b>Transport Act 2000</b>			
Transport Act 2000 Section 108 (As amended by Local Transport Act 2008)	To prepare a Local Transport Plan (LTP) and in developing this and carrying out functions to taken into account Government Policies and have regard to any guidance issued by the Secretary of State relating to climate change and the protection or improvement of the environment.	Combined authority	Council / Executive  Council to adopt plan
Transport Act 2000 Section 109	To keep consult when preparing the LTP and keep it under review, replacing the LTP every 5 years	Combined authority	Executive
Transport Act 2000 Section 112 (As amended by 2008 Act)	To have regards to any guidance issued by the Secretary of State and the needs of elderly or disabled persons when developing the LTP.	Combined authority	Executive
Transport Act 2000 Section 114 (As amended by 2008 Act)	To have regard, in considering whether to make a Quality Partnership Scheme (QPS), to the desirability of making a scheme jointly with another authority and to cooperate with other authorities when carrying out functions relating to QPS.	Combined authority	Executive
Transport Act 2000 Section 115 (As amended by 2008 Act)	To give notice of proposal to make a QPS and to consult with specified bodies	Combined authority	Executive
Transport Act	To give notice of the	Combined authority	Executive

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Legislation	Duty / Power	CA/LA/Shared/Concurrent	Council or Executive Function
2000 Section 116 (As amended by 2008 Act)	scheme not later than 14 days after it is made		
Transport Act 2000 Section 117 (As amended by 2008 Act)	To give notice and consult specified bodies before deciding to postpone the QPS for a period not exceeding 12 months	Combined authority	Executive
Transport Act 2000 Section 118 (As amended by 2008 Act)	To provide the specified QPS facilities not later than the date specified and throughout the operation of the scheme	Combined authority	Executive
Transport Act 2000 Section 120	Power to vary or revoke QPS	Combined authority	Executive
Transport Act 2000 Section 123	To have regard to any guidance issued by the appropriate national authority concerning the carrying out of functions in relation to the QPS	Combined authority	Executive
Transport Act 2000 Section 124 (As amended by 2008 Act)	To have regard, in considering whether to make Quality Contract Schemes (QCS), to the desirability of making a scheme jointly with another authority, to co-operate with the other authorities and to keep under review the extent to which their quality contracts are complied with.	Combined authority	Executive
Transport Act 2000 Section 125	To give notice of a proposal to make a QCS and to consult with specified	Combined authority	Executive

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<b>Legislation</b>	<b>Duty / Power</b>	<b>CA/LA/Shared/Concurrent</b>	<b>Council or Executive Function</b>
(As amended by 2008 Act)	bodies		
Transport Act 2000 Section 126 (As amended by 2008 Act)	To apply to the appropriate national authority for approval for a QCS	Combined authority	Executive
Transport Act 2000 Section 127 (As amended by 2008 Act)	To make the QCS if approved by the appropriate national authority	Combined authority	Executive
Transport Act 2000 Section 128 (As amended by 2008 Act)	To give notice and consult specified bodies before deciding to postpone the QCS	Combined authority	Executive
Transport Act 2000 Section 129 (As amended by 2008 Act)	To invite tenders within a specified period of the QCS being made	Combined authority	Executive
Transport Act 2000 Section 130 (As amended by 2008 Act)	To invite tenders generally and individually and to give the Traffic Commissioner notice of the nature and duration of the resulting contract	Combined authority	Executive
Transport Act 2000 Section 131A (As inserted by 2008 Act)	To comply with procedure for continuation of QCS	Combined authority	Executive
Transport Act 2000 Section 132 (As amended by 2008 Act)	Before deciding to revoke a QCS to give notice and consult specified bodies	Combined authority	Executive

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Transport Act 2000 Section 132C (As inserted by 2008 Act)	To invite tenders for the provision of a replacement service as soon as reasonably practicable after an old service Ceases unexpectedly	Combined authority	Executive
Transport Act 2000 Section 134A (As inserted by 2008 Act)	To have regard to any guidance issued by the national authority concerning the performance of their QCS functions	Combined authority	Executive
Transport Act 2000 Section 135 (As amended by 2008 Act)	Duty regarding Ticketing Schemes (TS) to co-operate with other local transport authorities and in considering whether to make a TS to have regard to the desirability of making a scheme jointly with another authority	Combined authority	Executive
Transport Act 2000 Section 136	To give notice of a proposal to make a TS and to consult with specified bodies	Combined authority	Executive
Transport Act 2000 Section 137	To make the TS and give notice of it within 14 days after it is made	Combined authority	Executive
Transport Act 2000 Section 139 (As amended by 2008 Act)	To consult on and determine what local bus information should be made available to the public and the way in which it should be made available	Concurrent	Executive
Transport Act 2000 Section 140	To make information available where satisfactory arrangements for information provision cannot be made with the operators	Concurrent	Executive
Transport Act	Duty regarding ss 139 and	Concurrent	Executive

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2000 Section 141	140 to have regard to economy, efficiency and effectiveness, to the desirability of carrying out those functions jointly with another authority and to co-operate with other authorities		
Transport Act 2000 Section 143	Power to obtain information relating to specified matters from operators of local services	Concurrent	Executive
Transport Act 2000 Section 145A (As substituted by Concessionary Bus Travel Act 2007)	To issue permits indicating entitlement to travel concessions to elderly or disabled residents who apply for one (England National Travel Concessionary Scheme)	LA	Executive
Transport Act 2000 Section 149 (As substituted by 2007 Act)	To reimburse the operator for providing travel concessions (ENTCS)	LA	Executive
Transport Act 2000 Section 150	To publish the proposed arrangements for reimbursing operators (ENTCS)	LA	Executive
<b>Transport Act 1985</b>			
Transport Act 1985 Section 63(1)	Duty to secure the provision of such passenger transport services as the Council considers appropriate to meet any public transport requirements which would not otherwise be met	LA	Executive
Transport Act 1985 Section 63(5) (As inserted by	Power to enter into an agreement providing for service subsidies for the purpose of securing any	LA	Executive

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2008 Act)	service		
Transport Act 1985 Section 63(6)	Power to take any measures that appear to be appropriate for the purpose of or in connection with promoting the availability and operation of public passenger transport services other than subsidised services	LA	Executive
Transport Act 1985 Section 63(7) (As amended by 2008 Act)	In exercising their power to promote availability of public passenger transport services, to have regard to a combination of economy, efficiency and effectiveness	LA	Executive
Transport Act 1985 Section 63(8) (As amended by 2008 Act)	In exercising their power to promote availability of public passenger transport services, to have regard to the needs of elderly or disabled persons	LA	Executive
Transport Act 1985 Section 81 (As amended by 2008 Act)	Power to provide, maintain and operate bus stations	LA	Executive
Transport Act 1985 Section 82 (As amended by 2000 Act)	Duty not to discriminate when exercising powers in relation to provision or operation of bus stations in relation to charges to be made for the use of any accommodation at a bus station or of any associated facilities	LA	Executive
Transport Act 1985 Section 93	Power to establish a travel concession scheme for blind and disabled persons, children, persons over 60 and others specified in	LA	Executive

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	regulations		
Transport Act 1985 Section 95 (As amended by 2008 Act)	To publish particulars of the scheme and reimbursement arrangements for service operators	LA	Executive
Transport Act 1985 Section 96 (As amended by 2008 Act)	To admit eligible service operators to participate in travel concession schemes	LA	Executive
Transport Act 1985 Section 97 (As amended by 2008 Act)	To impose obligation to provide travel concessions on any operator (participation notice)	LA	Executive
Transport Act 1985 Section 98 (As amended by 2007 Act)	Further provision in relation to participation notices	LA	Executive
Transport Act 1985 Section 99	Power to release an operator from compulsory participation in travel concession scheme	LA	Executive
Transport Act 1985 Section 101	Power to enforce participation in travel concession schemes	LA	Executive
Transport Act 1985 Section 103 (As amended by 2008 Act)	Subsidies for travel concessions	LA	Executive
Transport Act 1985 Section 105 (As amended by 2000 Act and 2007 Act)	Power to provide travel concessions on services provided by local authorities	LA	Executive

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Transport Act 1985 Section 106 (As amended by 2008 Act and Local Democracy, Economic Development and Construction Act 2009)	Power to make grants to assist the provision of transport facilities for the disabled or to support revenue expenditure incurred in providing services other than those for which a PSV licence is required	LA	Executive
<b>Traffic Management Act 2004</b>			
Traffic Management Act 2004 Section 16	Duty to manage road network to secure the expeditious movement of traffic and to facilitate the expeditious movement of traffic on other Authorities road networks	Shared	Executive
Traffic Management Act 2004 Section 17	To make arrangements for planning and carrying out action to be taken in performing network management duty including the appointment of a Traffic Manager.	Shared	Executive
Traffic Management Act 2004 Section 18	To have regard to any guidance issued by the appropriate national authority in performing network management duty	Shared	Executive