



Local Transport Act 2008

2008 CHAPTER 26

^{F1}[^{F1}PART 5A

SUB-NATIONAL TRANSPORT BODIES

[^{F1}Establishment and constitution of STBs

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\(2\)](#)

102E Power to establish STBs

- (1) The Secretary of State may by regulations establish a sub-national transport body for any area in England outside Greater London.
- (2) In this Part—
 - (a) “STB” means a sub-national transport body established under this section, and
 - (b) references to the area of an STB are to the area in England for which the STB is established.
- (3) Regulations under this section must specify—
 - (a) the name by which the STB is to be known, and
 - (b) the area of the STB.
- (4) The area of an STB must consist of the whole of the area of two or more relevant authorities (whether or not of the same kind).
- (5) Each of the following is a “relevant authority” for the purposes of this Part—
 - (a) a combined authority;
 - [a combined county authority;]

^{F2}(aa)

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- (b) an ITA;
 - (c) a county council that comes within subsection (6);
 - (d) a unitary district council that comes within that subsection;
 - (e) the Council of the Isles of Scilly.
- (6) A council comes within this subsection if no part of its area forms part of—
- (a) the area of a combined authority,
 - [the area of a combined county authority,] or
 - ^{F3}(aa) (b) an integrated transport area.
- (7) An STB is to be established as a body corporate.

Textual Amendments

- F2** S. 102E(5)(aa) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), s. 255(2)(c), [Sch. 4 para. 180\(2\)](#) (with s. 247)
- F3** S. 102E(6)(aa) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), s. 255(2)(c), [Sch. 4 para. 180\(3\)](#) (with s. 247)

102F Requirements in connection with regulations under section 102E

- (1) Regulations under section 102E may be made establishing an STB for an area only if the Secretary of State considers that—
- (a) its establishment would facilitate the development and implementation of transport strategies for the area, and
 - (b) the objective of economic growth in the area would be furthered by the development and implementation of such strategies.
- (2) The reference in subsection (1)(a) to “transport strategies”, in relation to the area of an STB, is a reference to strategies for improving—
- (a) the exercise of transport functions in the area (whether or not exercisable by the STB), and
 - (b) the effectiveness and efficiency of transport to, from or within the area.
- (3) Regulations under section 102E establishing an STB for an area may be made only if—
- (a) the constituent authorities have together made a proposal to the Secretary of State for there to be an STB for the area, and
 - (b) those authorities consent to the making of the regulations.
- (4) For the purposes of this Part, the constituent authorities of an STB are every relevant authority whose area is within the area, or proposed area, of the STB.
- (5) Before making a proposal under this section the constituent authorities must consult—
- (a) each appropriate authority (if it is not a constituent authority), and
 - (b) any other persons whom the constituent authorities consider it is appropriate to consult.
- (6) The Secretary of State may require the constituent authorities to consult any other persons (not already consulted under subsection (5)(b)) whom the Secretary of State considers should be consulted in connection with a proposal under this section.

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- (7) For the purposes of subsection (5), each of the following is an “appropriate authority” if any part of the authority's area adjoins the area of the proposed STB—
- (a) a combined authority;
 - ^{F4}(aa) [a combined county authority;]
 - (b) an ITA;
 - (c) Transport for London;
 - (d) a county council;
 - (e) a unitary district council;
 - (f) a London borough council.

Textual Amendments

- F4** S. 102F(7)(aa) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\), s. 255\(2\)\(c\), Sch. 4 para. 181](#) (with s. 247)

102G Constitution of STBs

- (1) The Secretary of State may by regulations make provision about the constitutional arrangements in relation to an STB.
- (2) “Constitutional arrangements”, in relation to an STB, include arrangements in respect of—
- (a) the membership of the STB (including the number and appointment of members of the STB),
 - (b) the voting powers of members of the STB (including provision for different weight to be given to the vote of different descriptions of member),
 - (c) the executive arrangements of the STB, and
 - (d) the functions of any executive body of the STB.
- (3) Regulations made by virtue of subsection (2)(a) which include provision about the number and appointment of members of the STB must provide—
- (a) for the members of the STB to be appointed by the STB's constituent authorities, and
 - (b) for those members to be appointed from among the elected members of the constituent authorities.
- (4) Regulations made by virtue of subsection (2)(a) may provide for persons, who are not elected members of the constituent authorities, to be appointed as co-opted members of an STB; but such regulations must provide (by virtue of subsection (2)(b)) for those co-opted members to be non-voting members of the STB.
- (5) The voting members of an STB may resolve that provision made in accordance with subsection (4) is not to apply (generally or in relation to particular matters) in the case of the STB.
- (6) In subsection (2)(c) “executive arrangements” means—
- (a) the appointment of an executive;
 - (b) the functions of the STB which are the responsibility of an executive;

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- (c) the functions of the STB which are the responsibility of an executive and which may be discharged by a committee of the STB, by an officer of the STB or by a body other than the STB;
 - (d) arrangements relating to the review and scrutiny of the discharge of functions;
 - (e) access to information on the proceedings of an executive of the STB;
 - (f) the keeping of a record of any arrangements relating to the STB and falling within any of paragraphs (a) to (e).
- (7) The provision which may be made by regulations by virtue of subsection (2)(d) includes—
- (a) provision setting up or dissolving an executive body of an STB, or merging two or more executive bodies of an STB;
 - (b) provision conferring functions on, or removing functions from, an executive body of an STB;
 - (c) provision transferring functions of an STB to an executive body of the STB, and transferring functions of an executive body of an STB to the STB.
- (8) Regulations under this section may authorise an STB to delegate any of its functions to one or more of its constituent authorities (and any such delegation may be made subject to conditions or limitations).
- (9) Regulations under this section may not provide for the budget of an STB to be agreed otherwise than by the STB.
- (10) For the purposes of subsections (3) and (4), the “elected members” of a constituent authority—
- (a) in the case of a combined authority, are the mayor for the area of the combined authority (if there is one) and those members of the authority who are appointed from among the elected members of the authority's constituent councils (see section 85(1)(b) above as applied by section 104(2) of the Local Democracy, Economic Development and Construction Act 2009);
 - ^{F5}(aa) [in the case of a combined county authority, are the mayor for the area of the combined county authority (if there is one) and those members of the authority who are appointed from among the elected members of the authority's constituent councils (see section 10(4)(b) of the Levelling-up and Regeneration Act 2023);]
 - (b) in the case of an ITA, are those members of the ITA who are appointed from among the elected members of the ITA's constituent councils (see section 85(1)(b) above);
 - (c) in the case of a county council, a unitary district council or the Council of the Isles of Scilly, are the elected members of the council.]

Textual Amendments

F5 S. 102G(10)(aa) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), s. 255(2)(c), [Sch. 4 para. 182](#) (with s. 247)

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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)