



Local Transport Act 2008

2008 CHAPTER 26

PART 2

TRANSPORT POLICIES

9 Local transport plans

(1) For subsection (3) of section 108 of the TA 2000 (duty to prepare local transport plan) substitute—

“(3) Each local transport authority whose area is in England must prepare a document to be known as (or two or more documents to be known together as) the local transport plan containing—

- (a) their policies under subsection (1)(a);
- (b) their proposals for the implementation of those policies.

(3A) Each local transport authority whose area is in Wales must prepare a document to be known as the local transport plan containing—

- (a) their policies under subsection (1)(a), and
- (b) their policies under subsection (2A).

(3B) A local transport authority whose area is in England must, in complying with the duty under subsection (1)(b), have regard to the proposals contained in their plan.”.

(2) Section 109 of that Act (further provision about plans: England) is amended as follows.

(3) For subsection (2) substitute—

“(2) The authority may replace their plan as they think fit.”.

(4) After subsection (2) insert—

“(2A) In preparing their local transport plan, and in keeping it under review, an authority other than an Integrated Transport Authority must consult—

Changes to legislation: Local Transport Act 2008, Section 9 is up to date with all changes known to be in force on or before 19 April 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

- (a) the Secretary of State in relation to functions which the Secretary of State has—
 - (i) as highway authority by virtue of section 1 of the Highways Act 1980, or
 - (ii) as traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984,
 - (b) if the local transport authority is a county council, the councils of the districts in the county (if any).
- (2B) In preparing their local transport plan, and in keeping it under review, an Integrated Transport Authority must consult—
- (a) each local traffic authority (within the meaning of the Road Traffic Regulation Act 1984) for any area within the integrated transport area of the Integrated Transport Authority,
 - (b) the Secretary of State in relation to functions which the Secretary of State has—
 - (i) as highway authority by virtue of section 1 of the Highways Act 1980, or
 - (ii) as traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984,
 - (c) each county council and each district council for any area within the integrated transport area of the Integrated Transport Authority.
- (2C) In preparing their local transport plan, and in keeping it under review, the authority must consult such of the following persons as they consider appropriate—
- (a) operators of any network or station, or of any railway services, in their area;
 - (b) operators or providers of other transport services in their area, or organisations appearing to the authority to be representative of the interests of such persons;
 - (c) organisations appearing to the authority to be representative of the interests of users of transport services and facilities in their area;
- and must also consult any other persons whom they consider appropriate.
- (2D) Any expression which is used in subsection (2C)(a) or (b) and in Part 1 of the Railways Act 1993 has the meaning given in that Part, taking “railway” to have its wider meaning (see section 81 of that Act).”.
- (5) Omit subsections (5) and (6).

Commencement Information

- I1** S. 9 in force at 1.4.2009 for W. by [S.I. 2009/579](#), [art. 2\(b\)](#)
- I2** S. 9(1)(3) in force at 1.4.2011 for E. by [S.I. 2009/107](#), [art. 5\(1\)](#) (with [art. 5\(2\)](#))
- I3** S. 9(2) in force at 9.2.2009 for specified purposes for E. by [S.I. 2009/107](#), [art. 2\(2\)](#), [Sch. 2 Pt. 1](#)
- I4** S. 9(2) in force at 1.4.2011 for specified purposes for E. by [S.I. 2009/107](#), [art. 5\(1\)](#) (with [art. 5\(2\)](#))
- I5** S. 9(4)(5) in force at 9.2.2009 for E. by [S.I. 2009/107](#), [art. 2\(2\)](#), [Sch. 2 Pt. 1](#)

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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)