
STATUTORY INSTRUMENTS

2001 No. 2237

The Local Authorities (Executive and Alternative Arrangements) (Modification of Enactments and Other Provisions) (England) Order 2001

Disabilities of directors of public transport companies

13. In section 74 of the Transport Act 1985 (disabilities of directors of public transport companies)—

(a) for subsection (3A)(1), there shall be substituted—

“(3A) Subject to the following provisions of this section, where a director of a public transport company is a member of the executive of any such council as is mentioned in subsection (1)(a) or (b) above which are operating executive arrangements under Part II of the Local Government Act 2000, he shall not, in the course of the discharge of any function that is the responsibility of the executive, take any action in the consideration, or the making of any decision with respect to any contract or proposed contract with, or any other matter relating to the activities of, the public transport company or a subsidiary of that company.

(3B) Subsection (3) or (3A) above shall not prohibit a person from taking part in the consideration or discussion of, or from voting on any question with respect to, a local transport plan or bus strategy.”;

(b) for subsection (4), there shall be substituted—

“(4) The Secretary of State may grant a written dispensation from subsection (3) or (3A) above in the case of any individual member, except that no such dispensation may be granted in the case of a member of a council’s executive acting alone.”;

(c) for subsection (6), there shall be substituted—

“(6) The Secretary of State may confer exemptions from subsection (3) or (3A) above either generally or in the case of any class or description of members except that no such exemption may be granted in the case of a member of a council’s executive acting alone; and—

(a) subsection (5)(a) and (b) above shall apply in relation to any such exemption as they apply in relation to any dispensation that may be granted under subsection (4) above; and

(b) any such exemption may be withdrawn or varied at any time by the Secretary of State.”; and

(d) in subsection (7), after “subsection (3)” there shall be inserted “or (3A)”.