

SCHEDULE 1

MODIFICATION OF ENACTMENTS RELATING TO LONDON REGIONAL TRANSPORT

PART 1

Public General Acts

London Passenger Transport Act 1933

- 1.—(1) The London Passenger Transport Act 1933(1) shall be amended as follows.
- (2) Section 19 (passenger service on the Thames) shall be omitted.
- (3) Section 23 (power to abandon tramways) shall be omitted.

Transport Act 1962

- 2.—(1) The Transport Act 1962(2) shall be amended as follows.
- (2) The following provisions—
 - (a) in section 52(4), the definition of “independent railway undertaking”;
 - (b) the provisions of Schedule 2 specified in sub-paragraph (3); and
 - (c) Schedule 6 (distribution of undertaking of British Transport Commission), except paragraph 5,

shall have effect as if references to the Boards included references to Transport for London or to any of its subsidiaries (within the meaning of the Greater London Authority Act 1999).

- (3) The provisions of Schedule 2 referred to in sub-paragraph (2)(b) are—
 - (a) in Part I, those relating to—
 - (i) section 2 (powers of entry) of the Railway Fires Act 1905(3); and
 - (ii) section 13(1) (interpretation) of the Transport Charges &c (Miscellaneous Provisions) Act 1954(4);
 - (b) in Part III, those relating to sections 54 (arrest), 55 (prevention of trespass), 56 (throwing of stones etc.), 57 (rights of way) and 59 (lights of pre-emption) of the British Transport Commission Act 1949(5); and
 - (c) in Part IV, those relating to sections 97 (lien for non-payment of tolls), 103 (penalty for avoiding fare), 104 (detention of offenders), 105 (carriage of dangerous goods) and 144 (defacement of notice boards) of the Railway Clauses Consolidation Act 1845(6).
- (4) Sections 54 (advance notice of closures) and 67(2A) (byelaws) shall be omitted.

(1) 1993 c. 14.

(2) 1962 c. 46. The reference to “the Boards” in section 52(4) applied to London Regional Transport by virtue of the London Regional Transport Act 1984 (c. 32), Schedule 4, paragraph 6(2)(a). In section 67 subsection (2A) was inserted by the London Regional Transport Act 1984, Schedule 4, paragraph 2.

(3) 1905 c. 11.

(4) 1954 c. 64.

(5) 1949 c. xxix.

(6) 1845 c. 20.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

London Cab Act 1968

3.—(1) Section 3(3) of the London Cab Act 1968(7) shall be amended as follows.

(2) For the words from “or”, where first occurring, to “the reference” there shall be substituted “or Transport for London or any of its subsidiaries (within the meaning of the Greater London Authority Act 1999) the reference”.

(3) For the words “the Board concerned” there shall be substituted “the body concerned”.

Transport Act 1968

4.—(1) The Transport Act 1968(8) shall be amended as follows.

(2) In sections 116 to 119 (bridges and highways on bridges), for the references to London Regional Transport (which were substituted by paragraph 4(1) of Schedule 4 to the 1984 Act for the express references to the London Transport Executive) there shall be substituted references to Transport for London.

(3) In section 121(1) (application to subsidiaries), for the reference to London Regional Transport (which was substituted by paragraph 4(2) of Schedule 4 to the 1984 Act for the express reference to the London Transport Board) there shall be substituted a reference to Transport for London.

(4) Accordingly, in sections 116 to 119 and 121, references (however expressed) to a Board or Boards shall be read as, or as including, references to Transport for London where Transport for London is the authority, or one of the authorities, concerned.

(5) In paragraph 4(5) of Schedule 16—

(a) the words “or any subsidiary of London Regional Transport”; and

(b) the words “or (as the case may be) by London Regional Transport”,

shall be omitted.

Local Government Act 1974

5. In section 35(6) of the Local Government Act 1974(9) (meaning of “local authority”) for the words “the London Transport Executive” there shall be substituted “Transport for London”.

Competition Act 1980

6. In section 11 (references to the Commission) of the Competition Act 1980(10) for paragraph (bb) of subsection (3) there shall be substituted—

“(bb) any person who provides a railway passenger service in pursuance of an agreement entered into by Transport for London or any of its subsidiaries (within the meaning of the Greater London Authority Act 1999) by virtue of section 156(2) or (3) of the Greater London Authority Act 1999;”.

(7) 1968 c. 7. Section 3(3) was, by virtue of the Transport (London) Act 1969 (c. 35), Schedule 3, paragraph 1(1), (2)(d), to have effect as if for the reference to the London Transport Board there were substituted a reference to the London Transport Executive; a reference to London Regional Transport was in turn substituted for the reference to the London Transport Executive by the London Regional Transport Act 1984, Schedule 4, paragraph 1.

(8) 1968 c. 73. The references in sections 116 to 119 and 121 to London Regional Transport were inserted by the London Regional Transport Act 1984, Schedule 4, paragraph 4 (see also the Transport (London) Act 1969 (c. 35), Schedule 3, paragraph 1(2)(1)). Sub-paragraph (5) of paragraph 4 of Schedule 16 was substituted by the London Regional Transport Act 1984, Schedule 4.

(9) 1974 c. 7.

(10) 1980 c. 21; paragraph (bb) of section 11(3) was inserted by the London Regional Transport Act 1984, Schedule 6, paragraph 15.

Highways Act 1980

7.—(1) The Highways Act 1980(11) shall be amended as follows.

(2) In section 115A(2) (scope of Part VIIA: provision of amenities on highways) in the definition of “pedestrian planning order”, after “section 249(2)” there shall be inserted “or (2A)”.

(3) In section 115H(4) (duty to consult or obtain consent of other authorities)—

- (a) for the words “London Regional Transport or any subsidiary of London Regional Transport (within the meaning of the London Regional Transport Act 1984)” there shall be substituted “Transport for London or any of its subsidiaries (within the meaning of the Greater London Authority Act 1999)”; and
- (b) for the words “London Regional Transport or that subsidiary of London Regional Transport” there shall be substituted “Transport for London or that subsidiary of Transport for London”.

(4) In section 115J(8) (consents not to be unreasonably withheld) for the words “London Regional Transport or any subsidiary of London Regional Transport (within the meaning of the London Regional Transport Act 1984)” there shall be substituted “Transport for London, or any of its subsidiaries (within the meaning of the Greater London Authority Act 1999)”.

(5) In section 169(6) (control of scaffolding) for the words “London Regional Transport or any subsidiary of theirs (within the meaning of the London Regional Transport Act 1984)” there shall be substituted “Transport for London or any of its subsidiaries (within the meaning of the Greater London Authority Act 1999)”.

(6) In section 219(4)(i)(i) (payments in respect of street works)—

- (a) for the words “London Regional Transport” where first occurring there shall be substituted “Transport for London”; and
- (b) for the words “other than London Regional Transport, or any subsidiary (whether wholly-owned or not) of London Regional Transport (within the meaning of the London Regional Transport Act 1984)” there shall be substituted “other than Transport for London, or any of its subsidiaries (within the meaning of the Greater London Authority Act 1999)”.

(7) In section 329(4) (property of undertakers) in the second sentence—

- (a) for the words “London Regional Transport” where first occurring there shall be substituted “Transport for London”; and
- (b) for the words “other than London Regional Transport, or any subsidiary (whether wholly-owned or not) of London Regional Transport (within the meaning of the London Regional Transport Act 1984)” there shall be substituted “other than Transport for London, or any of its subsidiaries (within the meaning of the Greater London Authority Act 1999)”.

Public Passenger Vehicles Act 1981

8. In section 5(2)(a)(ii) of the Public Passenger Vehicles Act 1981(12), for the words “London Regional Transport” there shall be substituted “Transport for London”.

(11) 1980 c. 66. Sections 115A, 116H and 115J were inserted by the Local Government (Miscellaneous Provisions) Act 1982 (c. 30), Schedule 1, paragraph 5. The definition of “pedestrian planning order” in section 115A was amended by the Town and Country Planning (Consequential Provisions) Act 1990 (c. 11), Schedule 2, paragraph 45(6). Sections 115H, 115J, 160 and 329 were amended by the Transport Act 1984, Schedule 6, paragraphs 16, 17 and 19 to 21. Section 219(4)(i)(i) was amended by the Transport Act 1981 (c. 14), Schedule 4, paragraph 6 and Schedule 12, by the London Regional Transport Act 1984, Schedule 6, paragraph 20 and Schedule 7, by the Local Government Act 1985 (c. 51), Schedule 17 and by the Statute Law Repeals Act 1989 (c. 43). Section 249(2A) was inserted by the Greater London Authority Act 1999, Schedule 22, paragraph 5(4).

(12) 1981 c. 14; section 5 was substituted by the Transport Act 1985 section 3(2).

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Animal Health Act 1981

9. In section 38(2) of the Animal Health Act 1981(**13**) (duty to provide food and water for animals at railway stations)—

- (a) in paragraph (b) for the words “London Regional Transport” there shall be substituted “Transport for London”; and
- (b) in the second sentence, in paragraph (i) for the words “and in the case of London Regional Transport, any subsidiary (whether wholly owned or not) of London Regional Transport (within the meaning of the London Regional Transport Act 1984)” there shall be substituted “and in the case of Transport for London, any of its subsidiaries (within the meaning of the Greater London Authority Act 1999)”.

Transport Act 1981

10. In paragraph 31(4) of Schedule 3 to the Transport Act 1981(**14**) (powers of Associated British Ports) for the words “London Regional Transport” there shall be substituted “Transport for London”.

Local Government (Miscellaneous Provisions) Act 1982

11. In section 41(12) of the Local Government (Miscellaneous Provisions) Act 1982(**15**) (lost and uncollected property), for paragraph (c) there shall be substituted—

- “(c) on any premises belonging to or under the control of Transport for London or of any of its subsidiaries (within the meaning of the Greater London Authority Act 1999).”

Transport Act 1985

12.—(1) The Transport Act 1985(**16**) shall be amended as follows.

(2) In section 65 (co-operation between certain councils and London Regional Transport)—

- (a) in subsection (1) for the words “London Regional Transport”—
 - (i) in the first place occurring there shall be substituted “Transport for London or any of its subsidiaries (within the meaning of the Greater London Authority Act 1999)”; and
 - (ii) in the second place occurring there shall be substituted “Transport for London or that subsidiary”;
- (b) in subsection (2) for the words “London Regional Transport” there shall be substituted “Transport for London or any of its subsidiaries (within the meaning of the Greater London Authority Act 1999)”; and
- (c) for subsection (3) there shall be substituted—

“(3) Transport for London shall not exercise its powers under section 156(2) or (3) of the Greater London Authority Act 1999, and no subsidiary of Transport for London shall enter into a transport subsidiary’s agreement (within the meaning of section 169 of that Act), in pursuance of any agreement or arrangement entered into under this section except—

- (a) in a case where the service in question would not be provided without a subsidy; and

(13) 1981 c. 22; section 38(2) was amended by the London Regional Transport Act 1984, Schedule 6, paragraph 25.

(14) 1981 c. 56; paragraph 31 of Schedule 3 was amended by the London Regional Transport Act 1984 Schedule 6, paragraph 24 and by S.I.1991/510.

(15) 1982 c. 30; section 41(8) was amended by the London Regional Transport Act 1984, Schedule 6, paragraph 25.

(16) 1985 c. 67.

(b) in accordance with sections 89 to 92 of this Act.”

(d) subsections (4) and (5) shall be omitted.

(3) In section 88(8) (expenditure on public passenger transport services) for the words “London Regional Transport in relation to any exercise of their power under section 3(2) of the London Regional Transport Act 1984 (contracting-out powers)” there shall be substituted “Transport for London in relation to any exercise of its power under section 156(2) or (3) (general powers) of the Greater London Authority Act 1999”.

Agricultural Holdings Act 1986

13.—(1) Paragraph 4 of Schedule 12 (modifications applicable to old tenancies and other similar cases) to the Agricultural Holdings Act 1986⁽¹⁷⁾ shall be amended as follows.

(2) In sub-paragraph (2) for the words “London Regional Transport” there shall be substituted “Transport for London, transferred to the London Transport Executive”.

(3) In sub-paragraph (3) for the words “London Regional Transport” there shall be substituted “Transport for London”.

(4) For sub-paragraph (4) there shall be substituted—

“(4) Sub-paragraph (2) above shall have effect in relation to a company which is a subsidiary (within the meaning of the Greater London Authority Act 1999) of Transport for London as it has effect in relation to Transport for London, so far as relates to land transferred to the London Transport Executive as there mentioned and subsequently transferred to the company (whether before or after it became a subsidiary of Transport for London).”

Town and Country Planning Act 1990

14. In section 264 of the Town and Country Planning Act 1990⁽¹⁸⁾ (cases in which land is to be treated as not being operational land), after subsection (4) there shall be inserted the following subsections—

“(4A) For the purposes of this section an interest in land acquired by Transport for London or any of its subsidiaries (within the meaning of the Greater London Authority Act 1999) under or by virtue of that Act shall be taken to have been acquired by Transport for London or that subsidiary at the time and in the manner in which it was acquired by the relevant predecessor.

(4B) In subsection (4A) “relevant predecessor” means London Regional Transport or such other predecessor in title of Transport for London or the subsidiary of Transport for London as last acquired the interest in question—

(a) as the result of such a transfer as is mentioned in paragraph (a) of subsection (4);
and

(b) in such circumstances as are mentioned in paragraph (b) of that subsection.”

Water Industry Act 1991

15. In section 219(1) (general interpretation) of the Water Industry Act 1991⁽¹⁹⁾, in the definition of “railway undertakers” for the words “London Regional Transport” there shall be substituted

⁽¹⁷⁾ 1986 c. 5.

⁽¹⁸⁾ 1990 c. 8.

⁽¹⁹⁾ 1991 c. 56.

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“Transport for London or any subsidiary (within the meaning of the Greater London Authority Act 1999) of Transport for London.”.

Water Resources Act 1991

16.—(1) The Water Resources Act 1991⁽²⁰⁾ shall be amended as follows.

(2) In section 163 (discharges for works purposes) in the definition of “railway company” in subsection (4), for the words “London Regional Transport” there shall be substituted “Transport for London or any subsidiary (within the meaning of the Greater London Authority Act 1999) of Transport for London.”.

(3) In paragraph 6 of Schedule 22 (protection of undertakings) for the words “London Regional Transport” there shall be substituted “Transport for London or any subsidiary (within the meaning of the Greater London Authority Act 1999) of Transport for London.”.

Land Drainage Act 1991

17. In paragraph 4 of Schedule 6 (protection of undertakings) to the Land Drainage Act 1991⁽²¹⁾ for the words “London Regional Transport” there shall be substituted “Transport for London or any subsidiary (within the meaning of the Greater London Authority Act 1999) of Transport for London.”.

Transport and Works Act 1992

18. In section 20(3) (power to apply for or object to orders) paragraph (c) and the word “and” preceding it shall be omitted.

Railways Act 1993

19. In section 136(5)(b) (grants and subsidies) of the Railways Act 1993⁽²²⁾ for the words “section 59 of the London Regional Transport Act 1984” there shall be substituted “section 177 of the Greater London Authority Act 1999”.

⁽²⁰⁾ 1991 c. 57.

⁽²¹⁾ 1991 c. 59.

⁽²²⁾ 1993 c. 43