

*These notes refer to the Local Transport Act 2008 (c.26)
which received Royal Assent on 26 November 2008*

LOCAL TRANSPORT ACT 2008

EXPLANATORY NOTES

COMMENTARY

Part 4: General provisions relating to passenger transport

Section 71: Removal of certain disabilities and requirements for consent

188. This section repeals various provisions in Part 4 of the TA 1985 which relate to public transport companies and their directors.

*A *public transport company* is defined in section 72 of the TA 1985.

189. *Subsection (2)* repeals the provisions in section 74 of the TA 1985 which require a director of a public transport company who is a councillor of the authority that owns the company to obtain dispensation from the Secretary of State (in England) or Welsh Ministers (in Wales) in order to take part in, or vote on, matters relating to the activities of the company.

190. *Subsection (3)* repeals sections 75(3), 79(3) and 79(7), and some words in section 79(8), of the TA 1985 so as to remove the requirement for local authorities to seek consent of the Secretary of State before exercising the powers contained within these sections. These are powers to dispose of public transport companies owned by the authorities, or shares or significant assets of the companies, as well as the power to provide financial backing for the establishment and operations of public transport companies.

191. The repeal of these requirements extends to England and Wales.