
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision about the registration of local bus services in England and Wales, and the variation or cancellation of such registrations, during the period between the making of a quality contracts scheme and its coming into force. They also make provision about applications for the registration of bus services, or variation of such registrations, where a quality contracts scheme is in force.

A quality contracts scheme is a scheme made under the Transport Act 2000 under which a local transport authority determines the local bus network in the area to which the scheme relates. Where a scheme is in place, local bus services can only (with some exceptions) be provided under quality contracts. A quality contract is a contract made by the authority under which a particular operator is granted the exclusive right to operate specified services. New provisions in the Transport Act 1985 (inserted by the Local Transport Act 2008) allow services to be operated other than under a quality contract in circumstances where the local authority is satisfied that there would be no adverse effect on services provided under the scheme.

Part 1 contains general provisions.

Part 2 prescribes certain notice periods for the purposes of section 6 of the Transport Act 1985 (registration of local services) during the transitional period (as defined in *regulation 2*). *Regulation 3* prescribes the circumstances in which this Part is to apply and provides that, where this Part applies, regulations 5 to 8 of the Public Service Vehicles (Registration of Local Services) Regulations 1986 (S.I. 1986/1671) (“the 1986 Regulations”), which apply to service registrations generally, do not apply.

Regulation 4 prescribes the period of notice for new registrations during the transitional period. If an operator ceases to provide a service before a quality contract comes into force, and the local authority makes an agreement with another operator to provide a replacement service, the notice period ends on the date on which the operator proposes to start operating the replacement service.

Regulation 5 prescribes the period of notice for cancelling a registration during the transitional period. The period is extended from 56 days to 112 days where the service is one which, once the quality contracts scheme is in force, will be provided under a quality contract.

Regulation 6 prescribes the period of notice for varying a service registration during the transitional period. Where the traffic commissioner, having consulted the local transport authority and taken into account other changes to service registrations in the area of the scheme, considers that the variation would have a detrimental effect on passengers, the period is extended from 56 days to 112 days.

Regulations 7 and 8 prescribe exceptions to the periods prescribed in regulations 4 to 6. *Regulation 9* introduces the *Schedule*, which makes consequential amendments to the 1986 Regulations.

Part 3 contains provisions made under new section 6B of the Transport Act 1985 (inserted by section 49(5) of the Local Transport Act 2008) which apply to applications to register a new service, or to vary an existing registration, where a quality contracts scheme is in force. *Regulation 10* prescribes 28 days as the period within which an authority may submit a clearance certificate to the traffic commissioner (without which the commissioner cannot accept the application) if satisfied that the registration or variation will not be detrimental to services provided under the scheme. *Regulation 11* prescribes exceptions to the requirement to obtain a clearance certificate in respect of an application to vary a registration.

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

An impact assessment has been prepared and copies can be obtained from the Department for Transport, Great Minster House, 76 Marsham Street, London, SW1P 4DR. The assessment is annexed to the Explanatory Memorandum which can be found alongside these Regulations on the Office of Public Sector Information website (www.opsi.gov.uk).