



London Regional Transport Act 1984

1984 CHAPTER 32

PART III

MISCELLANEOUS AND GENERAL

Regulation of services by public service vehicles in and around London

43 Regulation of London bus services under control of London Regional Transport

- (1) A road service licence is not required for the provision—
- (a) by London Regional Transport or any subsidiary of theirs; or
 - (b) by any other person in pursuance of any agreement entered into by London Regional Transport by virtue of section 3(2) of this Act;
- of any bus service operated wholly as a London bus service.
- (2) Where a road service licence is granted in respect of a bus service—
- (a) provided as mentioned in paragraph (a) or (b) of subsection (1) above; but
 - (b) operated in part only as a London bus service ;
- no condition shall be attached to the licence with respect to the carriage of passengers who are both taken up and set down in Greater London.
- (3) Where—
- (a) London Regional Transport or any subsidiary of theirs propose to provide a new bus service which is to be operated wholly or in part as a London bus service or to vary a bus service currently provided by them which is being so operated ; or
 - (b) London Regional Transport propose to enter into an agreement by virtue of section 3(2) of this Act for the provision of such a new bus service by any other person or to agree to a variation in any bus service currently provided in pursuance of any such agreement which is being so operated ;
- then, before deciding on, or on the provisions to be contained in any such agreement with respect to, or on any variation affecting, any relevant aspects of that service

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London Regional Transport shall, so far as the service is or is to be provided in Greater London, consult with the commissioner or commissioners of police concerned, with the local authorities affected, with the Passengers' Committee and with any other person they think fit.

(4) In subsection (3) above—

- (a) references to a new bus service are references to a bus service which has not been provided continuously since before the appointed day (disregarding, in the case of a bus service operated during certain periods of the year only, any period other than one during which the service is due to be operated);
- (b) the reference to relevant aspects of the service is a reference to the route of the service, a terminal point, a point at which passengers may or may not be taken up or set down, or a place at which, or street by the use of which, vehicles used for the service may turn at a terminal point; and
- (c) "commissioner of police" means, in relation to the metropolitan police district, the Commissioner of Police of the Metropolis and, in relation to the City of London, the Commissioner of Police for the City of London;

and for the purposes of that subsection the local authorities affected are the Greater London Council and any of the following councils, that is to say, the councils of the London boroughs and the Common Council, in whose area any part of the route in question or (as the case may be) the point, place or street in question is situated.

(5) Where—

- (a) London Regional Transport or any subsidiary of theirs propose to discontinue a bus service currently provided by them which is being operated wholly or in part as a London bus service ; or
- (b) London Regional Transport propose not to renew any agreement entered into by them by virtue of section 3(2) of this Act for the provision by any other person of any bus service which is being so operated or to agree to the discontinuance of any such bus service currently provided in pursuance of any such agreement;

then, before any decision is taken to that effect, London Regional Transport shall, so far as the service is provided in Greater London, consult with the Greater London Council, with any of the following councils, that is to say, the councils of the London boroughs and the Common Council, in whose area any part of the route of the service is situated, with the Passengers' Committee and with any other person they think fit.

(6) Where an agreement entered into by London Regional Transport by virtue of section 3(2) of this Act for the provision of a bus service relates to such a service part only of which is operated as a London bus service, any provision contained in that agreement with respect to the carriage of passengers other than those who are both taken up and set down in Greater London shall be of no effect if or so far as it is inconsistent with any condition for the time being attached to any road service licence under which the bus service is provided.

(7) In this section—

" bus service " means a service for the carriage of passengers by road for which a road service licence is required, or would but for subsection (1) above be required, other than an excursion or tour within the meaning of the Public Passenger Vehicles Act 1981; and

" London bus service " means a bus service which is, or so far as it is, a service on which passengers may be taken up and set down at different places

within Greater London, whether or not any passengers on that service may also be taken up or set down outside Greater London.

44 Provisions consequential on section 43

- (1) The provisions of the Public Passenger Vehicles Act 1981 are subject to section 43 of this Act, but, except as provided by that section, apply for regulating the provision of stage carriage services (within the meaning of that Act) within Greater London as well as elsewhere.
- (2) The following provisions of this section have effect for the purpose of making amendments of that Act consequential on section 43 of this Act (which supersedes provisions of the 1969 Act which, in effect, gave control over all such stage carriage services in Greater London to the Executive).
- (3) In subsection (1) of section 30 (road service licences required for operation of stage carriage services), for the words " section 23 of the Transport (London) Act 1969 " there shall be substituted the words " section 43 of the London Regional Transport Act 1984 ".
- (4) In section 35 (grant of road service licences for certain excursions or tours) for subsection (1)(a)(ii) there shall be substituted the following sub-paragraph—
 - “(ii) any London bus service within the meaning of section 43 of the London Regional Transport Act 1984 which, by virtue of subsection (1) of that section, does not require a road service licence;”.
- (5) In subsection (2) of section 42 (use of certain vehicles by educational and other bodies) the words from "and section 23(2) " to " services) " (which refer to the provisions of the 1969 Act mentioned in subsection (2) above) shall be omitted.
- (6) In section 45(5) (which makes special provision with respect to community bus services provided in whole or in part in Greater London)—
 - (a) for the words from " section 23 " to " of a road service licence) " there shall be substituted the words " section 43 of the London Regional Transport Act 1984 (which exempts London bus services under the control of London Regional Transport from the requirement of a road service licence) "; and
 - (b) the words from " but where " to the end of the subsection shall be omitted.

45 Excursions and tours with stopping places in Greater London

- (1) The following section shall be inserted in the Public Passenger Vehicles Act 1981 immediately after section 35 (grant of road service licences for certain excursions or tours)—

“35A Excursions and tours with stopping places in Greater London.

- (1) If, in the case of any application for a road service licence made to the traffic commissioners for the Metropolitan Traffic Area—
 - (a) the traffic commissioners are satisfied as mentioned in section 35(1) of this Act; and
 - (b) they are also satisfied that the proposed service involves the use of any place in Greater London as a stopping place ;

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the following provisions of this section shall apply in relation to the application and to any licence granted on it instead of section 35(1).

- (2) In this section "stopping place" means, in relation to any service, a point at which passengers are taken up or set down in the course of that service.
- (3) Section 33 of this Act shall not apply in relation to any application for a road service licence to which this section applies or in relation to any licence granted on any such application, and sections 31 and 32 of this Act shall so apply subject to the modifications provided by the following provisions of this section.
- (4) The interests of the public falling to be considered under any provision of section 31 or 32, as that provision applies by virtue of this section, shall be confined to the interests of the public in securing that only places which are suitable for use as such are used as stopping places for the service in question in Greater London.

The reference above in this subsection to the service in question is a reference to the proposed service or the service provided under any road service licence granted on an application to which this section applies (as the case may require).

- (5) For the purposes of this section a place is to be regarded as not being suitable for use as a stopping place for any service if the traffic commissioners are satisfied that its use as such would be prejudicial to the safety or convenience of the public.
- (6) Section 31 shall apply with the omission of—
 - (a) paragraphs (a) and (b) of subsection (3); and
 - (b) subsection (4);
 and subsection (3)(c) of that section shall apply only in relation to objections or representations made by the commissioner or commissioners of police concerned or by any of the local authorities affected.
- (7) In subsection (6) above "commissioner of police" means—
 - (a) in relation to the metropolitan police district, the commissioner of police of the metropolis; and
 - (b) in relation to the City of London, the Commissioner of Police for the City of London;

and for the purposes of that subsection the local authorities affected are the Greater London Council and any of the following councils, that is to say, the councils of the London boroughs and the Common Council of the City of London, in whose area any stopping place for the proposed service is situated.

- (8) Section 32 shall apply with the omission of subsections (1) and (2), but the traffic commissioners in granting a licence on any application to which this section applies may attach to the licence such conditions of a description within section 32(1)(c) as they think fit, having regard to any objections or other representations that fall to be considered in relation to that application by virtue of section 31(3)(c) as it applies by virtue of this section, for securing that only places which are suitable for use as such are used as stopping places for the proposed service in Greater London.

- (9) Any condition attached to a road service licence under subsection (8) above shall be treated for the purposes of the references in sections 30(7) and 32(5) of this Act to a condition attached under section 32 as having been attached to the licence under that section.
- (10) Subsections (2) and (3) of section 35 of this Act shall apply in relation to a road service licence granted in pursuance of section 31, as section 31 applies by virtue of this section, as those subsections apply in relation to a road service licence granted in pursuance of section 35.”
- (2) In section 35(1) of that Act, at the beginning there shall be inserted the words " Subject to section 35A of this Act ".
- (3) In section 54(4) of that Act (procedure of the traffic commissioners in certain cases)—
- (a) in paragraph (a), after the word " Act" there shall be inserted the words " or (as the case may be) as mentioned in section 35(1) of this Act and also as mentioned in section 35A(1)(b) of this Act "; and
 - (b) in paragraph (b), for the words " so satisfied" there shall be substituted the words " satisfied as mentioned in section 34(1) or 35(1), other than an application in the case of which they have determined that they are also satisfied as mentioned in section 35A(1)(b) ".
- (4) Nothing in this section shall apply in relation to an application for a road service licence made before this section comes into force.