

*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 63: Powers of traffic commissioners where services not operated as registered

176. This section introduces a new power to enable a traffic commissioner, when investigating the poor performance of a bus operator, also to investigate and take into account the effect of action taken, or not taken, by the local authority on bus punctuality, and to make recommendations to try to improve punctuality.
177. The section inserts new sections 27A and 27B into the TA 1985 to give new powers to the traffic commissioners to investigate poor punctuality. In particular a commissioner may require a local traffic authority to provide any specified information connected with any aspect of their network management duty under Part 2 of the Traffic Management Act 2004 and to attend any inquiry into an operator's performance. (Section 27 of the TA 1985 requires the traffic commissioner to hold an inquiry, if so requested by the operator, before attaching any conditions to the operator's licence under section 26 of that Act.) The commissioner may prepare a report recommending such remedial measures (for implementation by either operators or the local traffic authority) as he considers necessary to improve performance. The new section 27A(6) places an obligation on the traffic commissioner to send a copy of the report to the operator and, in certain circumstances, to the local authority or Integrated Transport Authority. It also enables him to send the report to relevant persons and authorities (in particular the appropriate national authority) and, if he sees fit, to publish the report.

*The *appropriate national authority* is the Secretary of State (in England) or the Welsh Ministers (in Wales).