
STATUTORY INSTRUMENTS

2000 No. 1462

**LONDON GOVERNMENT
PUBLIC PASSENGER TRANSPORT**

**The Regulation of Bus Services in Greater
London (Transitional Provisions) Order 2000**

<i>Made</i>	- - - -	<i>5th June 2000</i>
<i>Laid before Parliament</i>		<i>7th June 2000</i>
<i>Coming into force</i>	- -	<i>28th June 2000</i>

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred by section 405(2) and 406 of the Greater London Authority Act 1999(1), and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Regulation of Bus Services in Greater London (Transitional Provisions) Order 2000 and shall come into force on 28th June 2000.

Interpretation

2. In this Order—

“the 1985 Act” means the Transport Act 1985(2);

“the 1999 Act” means the Greater London Authority Act 1999;

“London local service” has the meaning given by section 34(1) of the 1985 Act;

“London local service licence” has the same meaning as in Part II of the 1985 Act; and

“transitional period” means the period which begins with 3rd July 2000 and ends with the last day on which a London local service licence granted under the 1985 Act ceases to be in force.

London local service licences

3.—(1) During the transitional period, Part II of the 1985 Act shall have effect with the following modifications—

(1) 1999 c. 29.
(2) 1985 c. 67.

- (a) in section 35, subsections (1), (2) and (6) shall be omitted;
 - (b) section 36 shall be omitted; and
 - (c) in section 37, after subsection (1) there shall be inserted the subsection (1A) set out in paragraph (2).
- (2) That subsection is—
- “(1A) The commissioner shall not grant a licence under this section in pursuance of any application received on or after 3rd July 2000.”
- (3) Part II of the 1985 Act shall cease to have effect immediately after the end of the transitional period.

Provision of London local services

- 4.—(1) During the transitional period, Chapter V of Part IV of the 1999 Act shall have effect with the following modifications.
- (2) Section 180 shall have effect as if for subsection (1) there were substituted—
- “(1) No London local service may be provided—
- (a) except in accordance with the provisions of this Chapter, or
 - (b) under a London local service licence granted in accordance with the provisions of Part II of the Transport Act 1985.”
- (3) Section 185(1) shall have effect as if at the end there were added “or by a London local service licence granted in accordance with the provisions of Part II of the Transport Act 1985”.

Continuation of licence pending determination of application for permit

- 5.—(1) Where—
- (a) a London local service licence granted in accordance with the provisions of Part II of the 1985 Act is due to expire on or after 3rd July 2000, and
 - (b) on the date on which the licence is due to expire, an application has been made under section 186 of the 1999 Act for the grant of a new London service permit in substitution for the licence,

subsections (2) to (4) of section 190 of the 1999 Act (continuation in force of existing permit pending determination of application for new permit) shall have effect in relation to the licence as if it were a London service permit.

- (2) Paragraph (1) is without prejudice to section 40 of the 1985 Act (revocation or suspension of licences).

Agreements under section 3 of the London Regional Transport Act 1984

6. Where—
- (a) an agreement entered into by London Regional Transport under section 3 of the London Regional Transport Act 1984 is in force on 2nd July 2000,
 - (b) the agreement is one in pursuance of which a London local service falls to be provided, and
 - (c) at any time on or after 3rd July 2000, the rights and liabilities of London Regional Transport under the agreement are for the time being vested in Transport for London,

the agreement shall, at any time when those rights and liabilities are so vested, be treated for the purposes of sections 181(4)(b) and 182(1) of the 1999 Act (the London bus network and

London local service agreements) as an agreement entered into by Transport for London under section 156(2) of the 1999 Act.

The guidance document

7.—(1) The Secretary of State shall, before 3rd July 2000, prepare and adopt such a document as is mentioned in section 185(2) of the 1999 Act.

(2) Any such document prepared and adopted by the Secretary of State by virtue of paragraph (1) is in the following provisions of this article referred to as “the Secretary of State’s interim guidance document”.

(3) During the interim guidance period, any reference in the 1999 Act to the guidance document shall be taken (subject to the other provisions of this article) as a reference to the Secretary of State’s interim guidance document.

(4) During the interim guidance period, the functions of the Mayor under section 185(3) and (4) of the 1999 Act (review, revision and re-publication) in relation to the guidance document shall be functions of the Secretary of State (and not of the Mayor) in relation to the Secretary of State’s interim guidance document.

(5) Section 191 of the 1999 Act (consultation) shall not apply in relation to the Secretary of State’s interim guidance document.

(6) Subsections (1) to (3) of section 192 of the 1999 Act (publication, construction of references etc.) shall apply in relation to the Secretary of State and the Secretary of State’s interim guidance document as they apply in relation to the Mayor and the guidance document.

(7) The Secretary of State shall send a copy of the current version of the Secretary of State’s interim guidance document to—

- (a) the Mayor;
- (b) the Assembly;
- (c) Transport for London;
- (d) the Common Council; and
- (e) each London borough council.

(8) In consequence of the preceding provisions of this article—

- (a) section 192(4) of the 1999 Act (time limit for adoption) does not apply in relation to the Secretary of State’s interim guidance document; and
- (b) section 192(5) of that Act (bodies to whom copies are to be sent) does not apply in relation to the current version of the Secretary of State’s interim guidance document.

(9) Nothing in this article affects the duty of the Mayor to prepare and adopt in accordance with sections 191 and 192 of the 1999 Act such a document as is mentioned in section 185(2) of that Act (the guidance document).

(10) In this article, “the interim guidance period” means the period which—

- (a) begins with the day on which the Secretary of State’s interim guidance document is adopted; and
- (b) ends with the day preceding that on which the Mayor adopts the guidance document.

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

Signed by authority of the Secretary of State

5th June 2000

Keith Hill
Parliamentary Under Secretary of State,
Department of the Environment, Transport and
the Regions

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision for the transition from London local service licensing of bus services under Part II of the Transport Act 1985 (“the 1985 Act”) to London service permits under Chapter V of Part IV of the Greater London Authority Act 1999 (“the 1999 Act”).

Articles 3 and 4 make transitional modifications to the 1985 and 1999 Acts. Part II of the 1985 Act remains in force so as to enable all subsisting licences to continue in force and the traffic commissioner to deal with applications for London local service licences received before 3rd July 2000. Part II ceases to have effect only when all such licences have ceased to be in force. The 1999 Act is modified so as to allow holders of London local service licences to continue operating under those licences after the introduction of London service permits.

Article 5 provides for the interim continuation of London local service licences granted under the 1985 Act where the holder has applied for a London service permit under the 1999 Act and article 6 provides for agreements entered into by London Regional Transport under section 3 of the London Regional Transport Act 1984 to be treated as entered into by Transport for London under section 156 of the 1999 Act. Article 7 enables the Secretary of State to issue interim guidance on the criteria to be applied by Transport for London in considering applications for London service permits until such time as the Mayor has adopted his own guidance.