
STATUTORY INSTRUMENTS

2009 No. 3245

**The Public Service Vehicles (Registration of
Local Services) (Quality Contracts Schemes)
(England and Wales) Regulations 2009**

PART 2

REGISTRATION DURING TRANSITIONAL PERIOD

Determination of period by traffic commissioner

7.—(1) In respect of an application to which this Part applies, in any of the circumstances specified in paragraph (2)—

- (a) section 6(2)(b) of the 1985 Act, where it applies, is to have effect as if for the words “the period of notice”, there were substituted the words “such period of notice as the traffic commissioner may determine”; and
- (b) section 6(8)(a) of the 1985 Act, where it applies, is to have effect as if for the words “with the date determined in accordance with regulations under this section” there were substituted the words “on such date as the traffic commissioner may determine”.

(2) The circumstances are—

- (a) where an operator applies to register, except in the situation described in regulation 4(3), particulars of a service, or to vary an existing registration, with respect to a service or part of a service which, if the application were to be accepted, would be substantially similar to and replace a service, or part of a service, which either the operator making the application, or another operator, has ceased to operate;
- (b) where an operator applies to vary or cancel the registration of a service which is either not available to members of the general public or not generally used by them;
- (c) where an operator applies to vary or cancel the registration of a service in response to representations from a person authorised by—
 - (i) a traffic authority, as defined in section 121A of the Road Traffic Regulation Act 1984⁽¹⁾, or
 - (ii) a chief officer of police,
on a matter concerning road traffic regulation or road safety;
- (d) where an operator applies to register particulars of a service, or to vary an existing registration, and the effect is to introduce a new service, or to augment an existing service, for a period not exceeding 21 days in connection with a specified event or occasion which will cause an additional demand for a service;

⁽¹⁾ 1984 c. 27. Section 121A was inserted by the New Roads and Street Works Act 1991 (c. 22), section 168(1) and Schedule 8, Part 2, paragraph 70. It was amended by the Greater London Authority Act 1999 (c. 29), section 271(1) to (3) and S.I. 2001/1400, article 2 and the Schedule, paragraphs 1(1) and (5). There are other amendments but none is relevant.

- (e) where an operator applies to vary a registration by adjusting the timetable of a service without significantly affecting the level of service provision, and the adjusted timings are—
 - (i) in no case more than 10 minutes earlier or later than those which they replace; or
 - (ii) required to adapt the service to a variation in a connecting rail, ferry or air service;
- (f) where an operator applies to vary a registration so as to vary or suspend a service during a period not exceeding 14 days in response to public holidays restricted to the relevant locality or holidays taken by a substantial proportion of the population in that locality;
- (g) where an operator, due to circumstances which could not reasonably have been foreseen, failed to make an application in sufficient time for the completion of the period of notice which would apply apart from this sub-paragraph;
- (h) where an operator applies to register particulars of a service, or vary a registration, with respect to a service or part of a service in order to meet an urgent and exceptional public passenger transport requirement.