
STATUTORY INSTRUMENTS

2018 No. 404

**The Enhanced Partnership Plans and
Schemes (Objections) Regulations 2018**

Sufficient number

11.—(1) For the purposes of sections 138F(5), 138G(4) and 138L(5), the number of persons who, on the relevant day⁽¹⁾, were operators of qualifying local services in the relevant area and who have objected under regulation 4, 5 or 6 is a sufficient number if either paragraph (4) or (5) applies.

(2) For the purposes of sections 138M(5) and 138O(8), the number of persons who were operators of qualifying local services at the qualifying time and who have objected under regulation 7 or 8 is a sufficient number if either paragraph (4) or (5) applies.

(3) Operators within paragraph (1) or (2) are referred to in paragraphs (4) and (5) as “objectors”.

(4) This paragraph applies—

(a) where the total number of all operators of qualifying local services in the relevant area—

(i) is 4 or more, at least 3 of those operators are objectors;

(ii) is less than 4, all of those operators are objectors; and

(b) the registered distance of all qualifying local services operated by the objectors in the relevant area is at least 25% of the registered distance of all such services operated by all operators in that area.

(5) This paragraph applies where—

(a) the number of objectors is at least 50% of the total number of operators of qualifying local services in the relevant area; and

(b) the registered distance of all qualifying local services operated by the objectors in the relevant area is at least 4% of the registered distance of all such services operated by all operators in that area.

(6) Where—

(a) one or more operators are subsidiaries of another operator in the relevant area;

(b) two or more operators are subsidiaries of the same operator in another area,

both or all of those operators are to be treated as one operator for the purposes of this regulation; and in this paragraph “subsidiary” has the meaning given by section 1159 of the Companies Act 2006⁽²⁾ (meaning of “subsidiary” etc).

(1) “Relevant day” is defined respectively in sections 138F(12), 138G(11) and 138L(10) of the Transport Act 2000.

(2) 2006 c.46.