

SCHEDULE

Regulation 10

Amendments

The Public Service Vehicles (Registration of Local Services) Regulations 1986

1.—(1) The Public Service Vehicles (Registration of Local Services) Regulations 1986 are amended as follows.

(2) In regulation 2(interpretation), in paragraph (1)—

- (a) after the definition of “the 1985 Act” insert ““the 2018 Regulations” means the Public Service Vehicles (Registration of Local Services) (Franchising Schemes Transitional Provisions and Amendments) (England) Regulations 2018;”;
- (b) after the definition of “fixed stopping place” insert ““franchising authority” has the same meaning as in section 123A(4) of the Transport Act 2000”;
- (c) in the definition of “relevant authority” after the words “islands council” insert “or franchising authority”.

(3) Regulation 4A is renumbered regulation 4A(1).

(4) After regulation 4A(1), as renumbered, insert—

“(2) Regulations 5(2)(b) and 7(1)(b) do not apply to any application to which regulation 4(2), (3) or (4), or 9(1) of the 2018 Regulations relate.

(3) Regulations 5(1) and 7(1)(a) do not apply to any application to which regulation 5(1) or 8(1) of the 2018 Regulations applies.”.

(5) In regulation 9A in paragraphs (1) and (3)(c)—

- (a) after the words “by virtue of” insert “section 123J(3) (prohibition on provision of certain local services in an area to which a franchising scheme relates) or”;
- (b) omit the words “of the Transport Act 2000”; and
- (c) after “(prohibition on provision of local services other than under a quality contract)” insert “of the Transport Act 2000”.

The Public Service Vehicles (Registration Restrictions) (England and Wales) Regulations 2009

2.—(1) The Public Service Vehicles (Registration Restrictions) (England and Wales) Regulations 2009 are amended as follows.

(2) In regulation 6 (period of notice for purposes of section 6 of the 1985 Act)—

- (a) in paragraphs (1) and (5), for “Where” substitute “Subject to paragraph (7), where”;
- (b) in paragraph (2), for “Unless” substitute “Subject to paragraph (7), unless”;
- (c) in paragraph (4), for “The” substitute “Subject to paragraph (7), the”;
- (d) after paragraph (6) insert the following—

“(7) Where a franchising application is—

- (a) received after section 123J(2) of the 2000 Act has effect in relation to an area to which a franchising scheme relates and in which the service has a stopping place; and

(b) is accepted by a traffic commissioner before the cut-off date,

the period or date determined by a traffic commissioner in accordance with this regulation must not end, or be a date, earlier than the latest date, and paragraph (5) does not apply.

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

(8) For the purposes of this regulation—

“the 2000 Act” means the Transport Act 2000;

“cut-off date” means the date that is 70 days before the latest date;

“expansion notice” means a notice of a decision to vary a franchising scheme pursuant to section 123M(1) of the 2000 Act (variation of scheme) by adding an area to the area to which a franchising scheme already relates;

“excepted service” means a local service which is excepted from regulation arising because of a franchising scheme by any provision of that scheme that is made under section 123H(5) of the 2000 Act;

“exempt service” means a service using a vehicle under a permit granted under section 22 of the 1985 Act (community bus permits);

“franchising application” means a relevant application in respect of a service which—

- (a) has one or more stopping places in an area to which a franchising scheme relates;
- (b) is not an excepted service in every such area; and
- (c) is not an exempt service;

“franchising scheme” has the same meaning as in section 123A(3) of the Transport Act 2000; and

“latest date” means the latest date on which any area in which a service has a stopping place ceases to be part of a franchising scheme as a result of a variation of a scheme pursuant to section 123M(1) of the 2000 Act or as a result of a revocation of a scheme pursuant to section 123N(1) (revocation of a scheme) of that Act.”.