



# Transport (Scotland) Act 2001

## 2001 asp 2

### PART 2

#### BUS SERVICES

#### [<sup>F1</sup>CHAPTER 2]

#### [<sup>F1</sup>LOCAL SERVICES FRANCHISES]

*[<sup>F1</sup>Postponement, variation and revocation of franchise frameworks]*

#### [<sup>F1</sup>13N Applications for approval to vary or revoke franchising frameworks]

- (1) This section applies where a local transport authority wish to vary or revoke a franchising framework they have made.
- (2) The local transport authority must—
  - (a) request that the traffic commissioner convene a panel under section 13O(2) for the purpose of considering whether to approve the proposed variation or revocation of the franchising framework, and
  - (b) provide the traffic commissioner with an application for approval to vary or, as the case may be, revoke the framework.
- (3) An application under subsection (2)(b) must—
  - (a) state the local transport authority's reasons for wishing to vary or revoke the framework,
  - (b) set out how, and to what extent, the local transport authority consider the variation or revocation will contribute to the implementation of their relevant general policies,
  - (c) in the case of a proposal to vary the framework—
    - (i) set out how it is proposed to vary the framework,
    - (ii) describe the expected effect that varying the framework will have on the matters set out in the assessment (or, if more than one, the most recent assessment) of the framework prepared under section 13E, and

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**Changes to legislation:** Transport (Scotland) Act 2001, Section 13N is up to date with all changes known to be in force on or before 18 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- (iii) if a new assessment is not being prepared, state that the local transport authority do not consider it necessary to prepare a new assessment of the framework as it is proposed to be varied,
  - (d) include any other information that the local transport authority think will assist the panel convened under section 13O in deciding whether or not to approve the proposed variation or revocation.
- (4) If a local transport authority consider that the proposed variation will materially affect any part of the assessment (or, as the case may be, the most recent assessment) prepared under section 13E that relates to a matter set out in subsection (2) of that section, they must prepare a new assessment of the proposed framework as varied.
- (5) Where a local transport authority consider under subsection (4) that they are required to prepare a new assessment—
  - (a) sections 13E to 13H apply to the framework as it is proposed to be varied as they apply to a proposed franchising framework, and
  - (b) the local transport authority must, as part of the application under subsection (2)(b), provide to the traffic commissioner—
    - (i) the new assessment,
    - (ii) the report of the auditor on the new assessment,
    - (iii) a summary of the responses received to the consultation carried out under section 13G in respect of the new assessment and any action (other than a modification under section 13H) that was taken to address the responses, and
    - (iv) a description and explanation of any modifications made to the framework as it is proposed to be varied under section 13H.]

#### Textual Amendments

- F1** Pt. 2 Ch. 2 substituted for ss. 13-27 and cross-heading (4.12.2023) by [Transport \(Scotland\) Act 2019](#) (asp 17), **ss. 38(2), 130(2)** (with s. 126); S.S.I. 2023/250, sch.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 2 Ch. 3 applied in part by [2019 asp 17 s. 47\(1\)\(2\)](#)
- Pt. 2 Ch. 3 inserted by [2019 asp 17 s. 41\(2\)](#)
- Pt. 2 Ch. 4 heading inserted by [2019 asp 17 sch. para. 3\(2\)](#)
- s. 27B and cross-heading inserted by [2019 asp 17 s. 42\(2\)](#)
- s. 29(3A)-(3C) inserted by [2019 asp 17 s. 44\(2\)\(a\)](#)
- s. 29(7)(8) inserted by [2019 asp 17 s. 44\(2\)\(c\)](#)
- s. 30(3)(ca)-(cc) inserted by [2019 asp 17 s. 44\(3\)\(b\)](#)
- s. 31(1A) inserted by [2019 asp 17 s. 44\(4\)\(a\)](#)
- s. 31(3)(ca) inserted by [2019 asp 17 s. 44\(4\)\(b\)\(iii\)](#)
- s. 31(5)-(7) inserted by [2019 asp 17 s. 44\(4\)\(d\)](#)
- s. 32A inserted by [2019 asp 17 s. 45\(2\)](#)
- s. 32B and cross-heading inserted by [2019 asp 17 s. 46\(2\)](#)
- s. 35A inserted by [2019 asp 17 s. 40\(2\)](#)
- s. 39(1)(ca) inserted by [2019 asp 17 s. 40\(3\)](#)
- s. 79(1)(ca) inserted by [2019 asp 17 s. 48\(2\)\(b\)](#)