



Transport (Scotland) Act 2001

2001 asp 2

PART

BUS SERVICES

Quality partnership schemes

3 Quality partnership schemes

- (1) A local transport authority, or two or more such authorities acting jointly, may make a quality partnership scheme covering the whole or any part of their area, or combined area, if they are satisfied that the scheme will—
 - (a) to any extent implement their relevant general policies in the area to which the proposed scheme relates; and
 - (b) either—
 - (i) improve the quality of local services and facilities provided in the area to which the proposed scheme relates in such a way as to bring material benefits to persons using those services and facilities; or
 - (ii) reduce or limit traffic congestion, noise or air pollution.
- (2) A quality partnership scheme may not be made unless the authority have complied with the notice and consultation requirements imposed by section 5 of this Act.
- (3) A quality partnership scheme is a scheme under which—
 - (a) the authority provide, during such periods as may be specified in the scheme, such facilities as may be so specified (in this Part of this Act facilities so specified being referred to as “specified facilities”) in the area to which the scheme relates; and
 - (b) operators of local services who wish to use the specified facilities are required to undertake to provide, during such periods as may be specified in the scheme, local services of such standard as may be specified in the scheme (in this Part of this Act any standard so specified being referred to as the “specified standard”) when using them.
- (4) Any specified facilities—

Status: This is the original version (as it was originally enacted).

- (a) shall be provided at such locations within the area to which the scheme relates as may be specified in the scheme along routes served, or proposed to be served, by local services; or
 - (b) shall be facilities which are ancillary to facilities so provided.
- (5) Anything which the authority are required to provide, or secure the provision of, by virtue of section 33 or 34 of this Act may not be a specified facility.
- (6) Any specified standard—
 - (a) may include—
 - (i) requirements which the vehicles being used to provide the services shall meet; and
 - (ii) requirements as to the minimum frequency of services; but
 - (b) may not include requirements as to the maximum frequency, or timing, of services.
- (7) If in relation to a proposed scheme the provision of any of the specified facilities requires the making of a traffic regulation order in respect of a road for which the Secretary of State and the Scottish Ministers are the traffic authority (within the meaning of section 121A of the Road Traffic Regulation Act 1984 (c. 27)), that proposed scheme may not be made unless it is made by the local transport authority and—
 - (a) in a case where the order is to be made by the Secretary of State only, the Secretary of State;
 - (b) in a case where the order is to be made by the Scottish Ministers only, the Scottish Ministers; or
 - (c) in a case where the order is to be made by the Secretary of State and the Scottish Ministers, the Secretary of State and the Scottish Ministers, acting jointly.
- (8) Subject to subsection (9) below, for the purposes of this section (other than subsection (1) above) and sections 5 to 10 of this Act, any reference to a local transport authority shall be construed, in any case where a scheme is made (or proposed to be made)—
 - (a) by two or more such authorities acting jointly, as a reference to both (or, as the case may be, all) of those authorities;
 - (b) by virtue of subsection (7)(a) or (b) above by—
 - (i) the Secretary of State or the Scottish Ministers; and
 - (ii) such an authority or two or more such authorities, acting jointly, as a reference to the Secretary of State or, as the case may be, the Scottish Ministers and that authority or, as the case may be, those authorities; or
 - (c) by virtue of subsection (7)(c) above by—
 - (i) the Secretary of State;
 - (ii) the Scottish Ministers; and
 - (iii) such an authority or two or more such authorities, acting jointly, as a reference to the Secretary of State, the Scottish Ministers and that authority or, as the case may be, those authorities.

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- (9) In construing a reference to a local transport authority for the purposes of subsection (7) above and section 10 of this Act, paragraph (b) of subsection (8) above shall be disregarded.