

*Status: Point in time view as at 01/02/2001.*

*Changes to legislation: Transport Act 1985, Cross Heading: Registration of local services outside London is up to date with all changes known to be in force on or before 01 June 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)*

## SCHEDULES

### SCHEDULE 6

#### TRANSITIONAL PROVISIONS AND SAVINGS

##### *Registration of local services outside London*

- 6 (1) In paragraphs 7 to 12 below—
- “local service” means a local service which is not a London local service;
  - “relevant authority”, in relation to a local service, means any Passenger Transport Executive or non-metropolitan county, <sup>F1</sup>council or, in Scotland, a council within whose area there will be a stopping place for the service;
  - “road service licence” has the same meaning as in the 1981 Act; and
  - “the transitional period” has the same meaning as in paragraph 1 of this Schedule.
- (2) Section 135(3) of this Act shall not apply to any regulations made under paragraphs 7 to 11 below.
- (3) For the purposes of paragraph 8 below, a local service is improved if, but only if, there is any increase in—
- (a) the frequency of the service;
  - (b) the length of its route;
  - (c) the number of stopping places for the service; or
  - (d) the number of passengers which can be carried by the service taken as a whole.

#### Textual Amendments

**F1** Words in [Sch. 6 para. 6\(1\)](#) substituted (S.) (1.4.1996) by 1996/974, art. 2(1), Sch. 1 Pt. 1 para. 7(h)

- 7 (1) Where an application for registration of the prescribed particulars of a local service falls within one of the Cases mentioned in sub-paragraph (2) below—
- (a) the traffic commissioner to whom the application is made shall register those particulars;
  - (b) they shall be deemed to have been registered with him under section 6 of this Act; and
  - (c) the period of notice (mentioned in section 6) in relation to that registration shall be deemed to have expired.

- (2) The Cases are—

#### **Case A**

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Where—

- (a) the application for registration of the prescribed particulars of a local service is received by the traffic commissioner at any time before 1st March 1986; and
- (b) the prescribed requirements are satisfied in relation to the application.

**Case B**

Where—

- (a) the application for registration of the prescribed particulars of a local service is received by the traffic commissioner at any time after the grant of the licence mentioned in paragraph (b) below but before 14th September 1986;
- (b) a road service licence has been granted for that service at any time after 28th February 1986; and
- (c) the prescribed requirements are satisfied in relation to the application.

**Case C**

Where—

- (a) the application for registration of the prescribed particulars of a local service is received by the traffic commissioner at any time during the period beginning with 1st March 1986 and ending with 13th September 1986;
- (b) the particulars of the service are the same as those of a trial area service; and
- (c) the prescribed requirements are satisfied in relation to the application.

In this Case “trial area service” means a local service provided in a trial area (as defined by section 38 of the 1981 Act) and in respect of which the requirements of section 40 of that Act (duty to publish particulars of services in trial areas) have been satisfied.

**Case D**

Where—

- (a) the application for registration of the prescribed particulars of a local service is received by the traffic commissioner at any time during the period beginning with 1st March 1986 and ending with 25th October 1986;
- (b) the application is supported in writing, in accordance with sub-paragraph (3) below, by an authority responsible for expenditure on public passenger transport services (as defined for Part V of this Act by section 88(8)); and
- (c) the prescribed requirements are satisfied in relation to the application.

(3) An authority of the kind mentioned in paragraph (b) of Case D shall give their support to an application in accordance with this sub-paragraph if, but only if, the local service in question is one—

- (a) which the operator has contracted with that authority to operate under an agreement providing for service subsidies; or
- (b) for the provision of which that authority have issued an invitation to tender under section 89 of this Act and for which the person applying for registration of the particulars of the service has submitted a tender to provide the service without subsidy; or
- (c) in respect of which the conditions mentioned in sub-paragraph (4) below are satisfied.

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(4) The conditions are that—

- (a) the service is to be operated by a person who has entered into an agreement with London Regional Transport (“LRT”) to operate it; and
- (b) the authority has entered into an agreement or arrangement with LRT to contribute to the costs incurred by LRT in securing the service.

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