



# Greater London Authority Act 1999

## 1999 CHAPTER 29

### PART IV U.K.

#### TRANSPORT

### CHAPTER V E+W+S

#### REGULATION OF BUS SERVICES IN GREATER LONDON

##### *Introductory*

#### 179 London local services. E+W+S

(1) In this Part—

local service has the meaning given to it by section 2 of the <sup>M1</sup>Transport Act 1985, and

London local service means a local service with one or more stopping places in Greater London.

(2) Where a local service is or is to be provided both inside and outside Greater London, any part of the service which is or is to be provided outside Greater London shall be treated as a separate service for the purposes of this Part if there is any stopping place for that part of the service outside Greater London.

(3) For the purposes of this Part of this Act a service provided in pursuance of an agreement with the <sup>F1</sup>Secretary of State entered into under section 40 of the Railways Act 2005 (substitution services provided for interrupted or discontinued railway services)], is not a London local service.

#### Textual Amendments

- F1** Words in s. 179(3) substituted (24.7.2005) by [Railways Act 2005 \(c. 14\), s. 60\(2\), Sch. 12 para. 14\(4\)](#); [S.I. 2005/1909, art. 2, Sch.](#)

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#### **Marginal Citations**

**M1** 1985 c. 67

### **180 Provision of London local services. E+W+S**

- (1) No London local service may be provided except in accordance with the provisions of this Chapter.
- (2) If a London local service is provided in contravention of subsection (1) above, the operator of the service shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) It shall be a defence for a person charged with an offence under subsection (2) above to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

#### **Modifications etc. (not altering text)**

**C1** S. 180 modified (28.6.2000) by *S.I. 2000/1462, art. 4(1)(2)*

### *The London bus network*

### **181 The London bus network. E+W+S**

- (1) Transport for London shall determine which London local services are required for the purpose of providing safe, integrated, efficient and economic transport services in Greater London.
- (2) The determination made by Transport for London under subsection (1) above shall be kept under review and may be revised at any time.
- (3) The London local services which Transport for London determines are required under this section shall be known collectively as the London bus network.
- (4) A London local service which is part of the London bus network may be provided only—
  - (a) by Transport for London or any of its subsidiaries, or
  - (b) by any other person in pursuance of an agreement entered into by Transport for London under section 156(2) above or in pursuance of a transport subsidiary's agreement.
- (5) Transport for London shall so far as reasonably practicable provide or secure the provision of the London bus network.

### **182 London local service agreements. E+W+S**

- (1) Where a London local service which is part of the London bus network is provided in pursuance of an agreement entered into by Transport for London under section 156(2) above or in pursuance of a transport subsidiary's agreement, the agreement shall be known as a London local service agreement.

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- (2) Where a London local service agreement relates to a local service part of which is to be provided outside Greater London, subsection (3) below applies to any provision contained in the agreement with respect to the carriage of passengers other than those who are both taken up and set down in Greater London.
- (3) A provision of a description specified in subsection (2) above shall be of no effect if or so far as it is inconsistent with any condition attached under section 8 of the <sup>M2</sup>Transport Act 1985 (enforcement of traffic regulation conditions etc by a traffic commissioner)—
  - (a) to a PSV operators' licence held by the operator of the service, or
  - (b) to a permit under section 22 of the <sup>M3</sup>Transport Act 1985 (a community bus permit).

#### Marginal Citations

**M2** 1985 c. 67.

**M3** 1985 c. 67.

### 183 Addition or variation of a network service. **E+W+S**

- (1) Subsection (2) below applies where—
  - (a) Transport for London or any of its subsidiaries proposes to provide a new London local service or to vary an existing London local service,
  - (b) Transport for London proposes to enter into a London local service agreement for the provision of a new London local service, or
  - (c) Transport for London proposes to agree to a variation in an existing London local service provided pursuant to a London local service agreement,and the proposal, if effected, would alter the London bus network.
- (2) Transport for London shall before making a decision about the proposal consult—
  - (a) the commissioner or commissioners of police affected,
  - (b) the London authorities affected,
  - (c) the London Transport Users' Committee, and
  - (d) any other person whom Transport for London considers it appropriate to consult,about the matters specified in subsection (3) below relating to the proposed new service or the service as proposed to be altered.
- (3) The matters mentioned in subsection (2) above are—
  - (a) the route,
  - (b) the terminal points,
  - (c) the points at which passengers may or may not be taken up and set down, and
  - (d) the place at which, or street by the use of which, vehicles used for the service may turn at a terminal point.
- (4) For the purposes of this section, the London authorities affected by a proposal are the London authorities in whose area there is situated—
  - (a) any part of the route in question, or
  - (b) any of the places mentioned in subsection (3)(b) to (d) above.

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- (5) Where a place or street mentioned in paragraph (d) of subsection (3) above is situated in the area of a local authority other than a London authority, Transport for London is also required under subsection (2) above to consult that local authority about the matter specified in that paragraph.
- (6) For the purposes of this section a commissioner of police is affected by a proposal if he is—
- (a) the Commissioner of Police of the Metropolis, or
  - (b) the Commissioner of Police of the City of London,
- and any part of the route in question, or any of the places mentioned in subsection (3) (b) to (d) above, is situated in the police area for which he is the Commissioner.
- (7) For the purposes of this Chapter a London authority is any London borough council or the Common Council.

**Modifications etc. (not altering text)**

**C2** S. 183 excluded (temp.) (E.W.) (5.10.2009) by [London Olympic Games and Paralympic Games Act 2006 \(c. 12\), ss. 13\(7\), 40\(2\)](#) (with s. 40(6)); S.I. 2009/2577, art. 2

**184 Discontinuance of a network service. E+W+S**

- (1) Subsection (2) below applies where—
- (a) Transport for London or any of its subsidiaries proposes to discontinue a London local service which is part of the London bus network, or
  - (b) Transport for London proposes not to renew a London local service agreement pursuant to which a London local service which is part of the London bus network is provided,
- except where Transport for London proposes that a service replacing the London local service in question and equivalent to it will be provided (whether by Transport for London or any of its subsidiaries, or pursuant to a London local service agreement).
- (2) Transport for London shall before making a decision about the proposal consult—
- (a) the London authorities affected,
  - (b) the London Transport Users' Committee, and
  - (c) any other person whom Transport for London considers it appropriate to consult.
- (3) For the purposes of this section the London authorities affected by a proposal are the London authorities in whose area there is situated any part of the route of the service in question.

*Bus services outside the network*

**185 London service permits. E+W+S**

- (1) A London local service which is not part of the London bus network may be provided only by a person who is authorised to provide the service by a permit granted by Transport for London (a London service permit).

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- (2) The Mayor shall prepare and adopt a document (the guidance document) containing the criteria by which applications for a London service permit will be considered.
- (3) The Mayor shall keep the guidance document under review and may revise it at any time.
- (4) Where the guidance document is revised, the Mayor shall adopt the document as revised.

**Modifications etc. (not altering text)**

- C3** S. 185(1) modified (28.6.2000) by S.I. 2000/1462, **art. 4(1)(3)**
- C4** S. 185(3): transfer of functions to the Secretary of State during "the interim guidance period" (as defined in S.I. 2000/1462, **art. 7(10)**) by S.I. 2000/1462, **art. 7(4)** (with **art. 7(9)**)

**186 Grant of London service permits. E+W+S**

- (1) An application for a London service permit shall be made in such manner and accompanied by such supporting evidence as may be determined by Transport for London.
- (2) Transport for London may charge a fee—
  - (a) for processing the application for a London service permit under subsection (1) above,
  - (b) for granting a London service permit, or
  - (c) for both (a) and (b) above.
- (3) In deciding whether to grant a London service permit Transport for London—
  - (a) shall have regard to the criteria contained in the guidance document,
  - (b) shall have regard to any other material considerations, and
  - (c) shall consult the persons and bodies specified in subsection (4) below.
- (4) The persons and bodies mentioned in subsection (3)(c) above are—
  - (a) the London authorities affected,
  - (b) the commissioner or commissioners of police affected,
  - (c) the London Transport Users' Committee, and
  - (d) any other person whom Transport for London considers it appropriate to consult.
- (5) Where Transport for London grants a London service permit it shall send notice of the grant, including particulars of the services authorised by the permit to be provided, to the London Transport Users' Committee, the London authorities affected and the commissioner or commissioners of police affected.
- (6) For the purposes of this section, the London authorities affected are the London authorities in whose area there is situated any part of the route of the London local service to which the application for the London service permit relates.
- (7) For the purposes of this section a commissioner of police is affected if he is—
  - (a) the Commissioner of Police of the Metropolis, or
  - (b) the Commissioner of Police of the City of London,

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and any part of the route of the London local service to which the application for the London service permit relates is situated in the police area for which he is the Commissioner.

**187 Conditions. E+W+S**

- (1) Transport for London may attach to a London service permit granted under section 186 above such conditions as it thinks fit.
- (2) The conditions that may be attached to a London service permit by virtue of subsection (1) above include conditions for securing—
  - (a) that suitable routes are used in providing any service authorised to be provided by the permit,
  - (b) that passengers are not taken up or are not set down except at specified points, or are not taken up or are not set down between specified points, or
  - (c) the safety and convenience of the public, including persons who have mobility problems.
- (3) No condition as to fares shall be attached under this section to a London service permit.
- (4) Transport for London may at any time vary a London service permit—
  - (a) by altering any condition attached to the permit,
  - (b) by removing any condition attached to the permit, or
  - (c) by attaching to the permit any condition.
- (5) Compliance with any condition attached to a London service permit under this section may be temporarily dispensed with by Transport for London if it is satisfied—
  - (a) that compliance with the condition would be unduly onerous by reason of circumstances not foreseen when the condition was attached, or, if the condition has been altered, when it was last altered, and
  - (b) that such a dispensation would not adversely affect the safety and convenience of the public, including persons who have mobility problems.
- (6) If a condition attached to a London service permit under this section is contravened, the holder of the permit shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (7) It shall be a defence for a person charged with an offence under subsection (6) above to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

**188 Revocation. E+W+S**

- (1) Subject to subsection (2) below, a London service permit may be revoked or suspended by Transport for London on the ground that there has been a contravention of any condition attached to it.
- (2) Transport for London shall not revoke or suspend a London service permit unless, owing to—
  - (a) the frequency of the breach of conditions, or
  - (b) the breach having been committed intentionally, or
  - (c) the danger to the public involved in the breach,

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Transport for London is satisfied that the permit should be revoked or suspended.

- (3) On revoking or suspending a London service permit Transport for London shall send notice of the revocation or suspension to each commissioner of police and London authority notified of the grant of the licence in accordance with section 186(5) above.
- (4) A London service permit suspended under this section shall during the period of suspension be of no effect.

## 189 Appeals. **E+W+S**

- (1) Where Transport for London refuses to grant a London service permit, it must issue a notice stating the reasons for the decision to do so to the person who made the application for the permit.
- (2) A person to whom a notice has been issued under subsection (1) above may [<sup>F2</sup>make an appeal][<sup>F3</sup>to the First-tier Tribunal] against the decision in relation to which the notice was issued.
- (3) Where Transport for London—
  - (a) attaches any condition to a London service permit, or alters or removes any condition so attached; or
  - (b) revokes or suspends a London service permit,it must issue a notice to the holder of the permit stating the reasons for the decision to do so.
- (4) A holder of a London service permit to whom a notice has been issued under subsection (3) above may [<sup>F2</sup>make an appeal][<sup>F4</sup>to the First-tier Tribunal] against the decision in relation to which the notice was issued.

<sup>F5</sup>(5) .....

<sup>F5</sup>(6) .....

<sup>F5</sup>(7) .....

<sup>F5</sup>(8) .....

<sup>F5</sup>(9) .....

<sup>F5</sup>(10) .....

[<sup>F6</sup>(11) [<sup>F7</sup>On an appeal under this section the First-tier Tribunal] may—

- (a) uphold the decision,
- (b) quash the decision, or
- (c) substitute for the decision such other decision which Transport for London had power to make as appears [<sup>F8</sup>to the tribunal] to be appropriate.]

<sup>F9</sup>(12) .....

### Textual Amendments

**F2** Words in s. 189(2)(4) substituted (E.W.) (1.4.2002 for E. and otherwise *prosp.*) by 2000 c. 38, **ss. 267(1)(2), 275(1)**; S.I. 2002/658, art. 2, **Sch. Pt. 2**

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- F3** Words in s. 189(2) inserted (1.9.2009) by [The Transfer of Functions \(Transport Tribunal and Appeal Panel\) Order 2009 \(S.I. 2009/1885\)](#), art. 1(1), **Sch. 1 para. 24(a)**
- F4** Words in s. 189(4) inserted (1.9.2009) by [The Transfer of Functions \(Transport Tribunal and Appeal Panel\) Order 2009 \(S.I. 2009/1885\)](#), art. 1(1), **Sch. 1 para. 24(a)**
- F5** S. 189(5)-(10) omitted (1.9.2009) by virtue of [The Transfer of Functions \(Transport Tribunal and Appeal Panel\) Order 2009 \(S.I. 2009/1885\)](#), art. 1(1), **Sch. 1 para. 24(b)**
- F6** S. 189(11)(12) substituted for s. 189(11)-(13) (E.W.) (1.4.2002 for E. and otherwise *prosp.*) by 2000 c. 38, **ss. 267(7), 275(1)**; S.I. 2002/658, art. 2, **Sch. Pt. 2**
- F7** Words in s. 189(11) substituted (1.9.2009) by [The Transfer of Functions \(Transport Tribunal and Appeal Panel\) Order 2009 \(S.I. 2009/1885\)](#), art. 1(1), **Sch. 1 para. 24(c)(i)**
- F8** Words in s. 189(11) substituted (1.9.2009) by [The Transfer of Functions \(Transport Tribunal and Appeal Panel\) Order 2009 \(S.I. 2009/1885\)](#), art. 1(1), **Sch. 1 para. 24(c)(ii)**
- F9** S. 189(12) omitted (1.9.2009) by virtue of [The Transfer of Functions \(Transport Tribunal and Appeal Panel\) Order 2009 \(S.I. 2009/1885\)](#), art. 1(1), **Sch. 1 para. 24(b)**

**Modifications etc. (not altering text)**

- C5** S. 189(6): transfer of functions (1.9.2009) by [The Transfer of Functions \(Transport Tribunal and Appeal Panel\) Order 2009 \(S.I. 2009/1885\)](#), arts. 1(1), **2(2)**

**190 Duration. E+W+S**

- (1) The duration of a London service permit shall not be longer than five years.
- (2) If, on the date on which a London service permit is due to expire, an application has been made for the grant of a new London service permit in substitution for it and—
  - (a) Transport for London has neither granted nor refused to grant the London service permit applied for,
  - (b) Transport for London has refused to grant the London service permit applied for but an appeal against the refusal has been made under section 189 above and not disposed of, or
  - (c) Transport for London has granted the London service permit applied for but an appeal against a decision to attach a condition to the permit has been made under section 189 above and not disposed of,
 subsection (3) below shall apply.
- (3) Where this subsection applies, the existing London service permit shall continue in force—
  - (a) in a case falling within subsection (2)(a) above, until Transport for London grants or refuses to grant the London service permit applied for, or
  - (b) in a case falling within subsection (2)(b) or (c) above, until the appeal has been disposed of.
- (4) Where subsection (3)(a) above applies, if Transport for London—
  - (a) refuses to grant the London service permit applied for, or
  - (b) grants the London service permit applied for but at the time of the grant attaches any condition to the permit,
 the existing London service permit shall continue in force until any appeal which is made under section 189 above against the decision in question has been disposed of.
- (5) This section is without prejudice to section 188 above.



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### Guidance document

#### 191 Consultation. **E+W+S**

- (1) When preparing or revising the guidance document and before finally determining the contents of the document or any revisions, the Mayor shall—
  - (a) publish a notice in a newspaper circulating in the entire area of Greater London, stating where a draft of the guidance document (or the revisions, as the case may be) may be inspected, and
  - (b) consult the persons and bodies specified in subsection (2) below.
- (2) The persons and bodies mentioned in subsection (1)(b) above are—
  - (a) each London authority,
  - (b) the local authority for any other area which the Mayor considers will be affected by the contents of the guidance document or the revisions, as the case may be,
  - (c) the Commissioner of Police of the Metropolis and the Commissioner of Police of the City of London,
  - (d) the traffic commissioner for the Metropolitan Traffic area,
  - (e) the traffic commissioner for any other traffic area which the Mayor considers will be affected by the contents of the guidance document or the revisions, as the case may be,
  - (f) the London Transport Users' Committee, and
  - (g) any other person whom the Mayor considers it appropriate to consult.
- (3) Where the Mayor is determining the contents of revisions to the guidance document and the revisions will not affect the entire area of Greater London, the obligation imposed under subsection (1)(a) above shall not have effect and instead a notice stating where a draft of the revisions can be inspected shall be published in a newspaper circulating in the area or areas which the Mayor considers will be affected by the revisions.

#### Modifications etc. (not altering text)

C6 S. 191 excluded (28.6.2000) by S.I. 2000/1462, art. 7(5) (with art. 7(9))

#### 192 Publication. **E+W+S**

- (1) The Mayor shall publish the guidance document.
- (2) Where the Mayor revises the guidance document he shall publish it as revised.
- (3) In this Act, references to the guidance document include, except where the context otherwise requires, a reference to the current version of the guidance document.
- (4) The guidance document must be published no later than 180 days after the Mayor has published the transport strategy prepared by him under section 142(1) above.
- (5) The Mayor shall send to the Common Council and to each London borough council a copy of the current version of the guidance document.

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- (6) A copy of the current version of the guidance document shall be kept available by the Mayor for inspection by any person on request free of charge—
- (a) at the principal offices of the Authority, and
  - (b) at such other places as the Mayor considers appropriate, at reasonable hours.
- (7) A copy of the current version of the guidance document, or any part of it, shall be supplied to any person on request for such reasonable fee as the Mayor may determine.
- (8) Any reference in this section to the current version of the guidance document is a reference to the guidance document as last published, whether originally or as revised.

**Modifications etc. (not altering text)**

- C7** S. 192(1)-(3) extended (28.6.2000) by S.I. 2000/1462, **art. 7(6)** (with **art. 7(9)**)
- C8** S. 192(4) restricted (28.6.2000) by S.I. 2000/1462, **art. 7(8)(a)** (with **art. 7(9)**)
- C9** S. 192(5) restricted (28.6.2000) by S.I. 2000/1462, **art. 7(8)(b)** (with **art. 7(9)**)

*Miscellaneous*

**193 Validity of agreements and permits. E+W+S**

- (1) A London local service agreement shall be of no effect at any time when the party to the agreement who is not Transport for London does not hold—
- (a) a PSV operators' licence, or
  - (b) a permit granted under section 22 of the <sup>M4</sup>Transport Act 1985 (a community bus permit).
- (2) A London service permit shall be of no effect at any time when the holder of the permit does not hold a licence of the description specified in subsection (1)(a) above, or a permit of the description specified in subsection (1)(b) above.
- (3) In any case where a local education authority is providing a service falling within section 46(1) of the <sup>M5</sup>Public Passenger Vehicles Act 1981 (no requirement for a PSV operators' licence where a school bus is being used to provide a service)—
- (a) subsection (1) above does not apply in relation to any London local service agreement pursuant to which the local education authority is providing the service, and
  - (b) subsection (2) above does not apply in relation to any London service permit by which the local education authority is authorised to provide the service.

**Marginal Citations**

- M4** 1985 c. 67.  
**M5** 1981 c. 14.

**194 Application of the Public Passenger Vehicles Act 1981. E+W+S**

- (1) The provisions of the <sup>M6</sup>Public Passenger Vehicles Act 1981 specified in subsection (2) below apply in relation to the grant of London service permits, or to London service

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permits granted, under this Part of this Act, as they apply in relation to the grant of PSV operators' licences, or PSV operators' licences granted, under that Act.

- (2) The provisions mentioned in subsection (1) above are—
- (a) section 57 (death, bankruptcy, etc. of licence holder) taking the references to the traffic commissioner by whom the licence was granted as a reference to Transport for London, and
  - (b) section 58(2) (grant of licences to unincorporated body or to persons jointly).
- (3) Section 84 of the <sup>M7</sup>Public Passenger Vehicles Act 1981 (which relates to the effects of that Act in relation to general public interests) shall have effect as if the provisions of this Chapter were contained in that Act.

#### Marginal Citations

- M6** 1981 c. 14.  
**M7** 1981 c. 14.

## 195 Interpretation of Chapter V. **E+W+S**

In this Chapter—

the guidance document shall be construed in accordance with section 185(2) above,

London authority shall be construed in accordance with section 183(7) above,

London bus network shall be construed in accordance with section 181 above,

London local service agreement shall be construed in accordance with section 182 above,

London service permit shall be construed in accordance with section 185 above,

London Transport Users' Committee means the committee established under section 247 below,

PSV operators' licence means a licence granted under the provisions of Part II of the <sup>M8</sup>Public Passenger Vehicles Act 1981,

stopping place means, in relation to any service or part of a service, a point at which passengers are (or, in the case of a proposed service, are proposed to be) taken up or set down in the course of that service or part,

traffic area means a traffic area constituted for the purposes of the <sup>M9</sup>Public Passenger Vehicles Act 1981,

traffic commissioner for the Metropolitan Traffic area means the traffic commissioner for the traffic area in which Greater London is for the time being situated by virtue of section 3 of the <sup>M10</sup>Public Passenger Vehicles Act 1981.

#### Marginal Citations

- M8** 1981 c. 14.  
**M9** 1981 c. 14.  
**M10** 1981 c. 14.

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