



Local Transport Act 2008

2008 CHAPTER 26

PART 3

BUS SERVICES

Quality contracts schemes

19 Quality contracts schemes

- (1) Section 124 of the TA 2000 (bus services: quality contracts schemes) is amended as follows.
- (2) In subsection (1) (power of local transport authorities etc to make quality contracts schemes if satisfied it is the only way to implement policies in their bus strategies and it is economic etc) for paragraphs (a) and (b) substitute—
 - “(a) the proposed scheme will result in an increase in the use of bus services (see subsection (9B)) in the area to which the proposed scheme relates,
 - (b) the proposed scheme will bring benefits to persons using local services in the area to which the proposed scheme relates, by improving the quality of those services,
 - (c) the proposed scheme will contribute to the implementation of the local transport policies of the authority or authorities,
 - (d) the proposed scheme will contribute to the implementation of those policies in a way which is economic, efficient and effective, and
 - (e) any adverse effects of the proposed scheme on operators will be proportionate to the improvement in the well-being of persons living or working in the area to which the proposed scheme relates and, in particular, to the achievement of the objectives mentioned in paragraphs (a) to (d).”.
- (3) For subsection (2) (need to comply with notice and consultation requirements and obtain approval of appropriate national authority) substitute—

“(2) A quality contracts scheme may not be made unless the authority or authorities—

- (a) have complied with the requirements of section 125,
- (b) in the case of a scheme for an area in Wales, have obtained the approval of the Welsh Ministers in accordance with section 126, and
- (c) in the case of a scheme for an area in England, meet the requirements of subsection (2A).

(2A) The requirements are that the authority or authorities—

- (a) have published under section 126C(5) the request which they sent to the QCS board under section 126C(4), and
- (b) publish, in accordance with section 127(1A), a response prepared by them to the report published by the QCS board under section 126D(5) in relation to the scheme.”.

(4) In subsection (3)(b) (under quality contracts scheme local services to be provided only under quality contracts) after “section 127(4)” insert “and section 132C”.

(5) After subsection (9) insert—

“(9A) The power to make a scheme jointly may be exercised only if—

- (a) all the authorities are local transport authorities for areas in England, or
- (b) all the authorities are local transport authorities for areas in Wales.”.

(6) After subsection (9A) insert—

“(9B) The reference in subsection (1)(a) to increasing the use of bus services includes a reference to reducing, arresting or reversing decline in the use of bus services.”.

20 Notice and consultation requirements

(1) Section 125 of the TA 2000 (notice and consultation requirements) is amended as follows.

(2) In subsection (1) for the words from “they must give notice” to the end (which require the authority to give notice of the proposed scheme in a local newspaper) substitute “they must—

- (a) publish, in such manner as they think fit, a consultation document complying with subsection (1A),
- (b) supply a copy of that document to each of the persons mentioned in subsection (3),
- (c) give notice in accordance with subsection (2) of the proposed scheme in at least one newspaper circulating in the area to which it relates, and
- (d) if the proposed scheme relates to an area in England, send a copy of that notice to the senior traffic commissioner as soon as reasonably practicable after its publication.”.

(3) After subsection (1) insert—

“(1A) The consultation document mentioned in subsection (1)(a) must include—

- (a) a description of the proposed scheme;

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

- (b) a statement of the reasons why the authority or authorities are satisfied that the conditions in subsection (1) or, as the case may be, (1A) of section 124 are met;
 - (c) a description of any arrangements which the authority or authorities intend to make (including arrangements with other authorities or other persons) for or in connection with the implementation of the scheme;
 - (d) a statement of how any costs which the authority or authorities expect to incur under the scheme are to be defrayed;
 - (e) a declaration by the chief finance officer or officers of the authority or authorities that, after taking into account—
 - (i) any estimated income from fares, and
 - (ii) any grants from Ministers of the Crown or government departments,any remaining funding required to implement the scheme can be provided from other resources available to the authority or authorities;
 - (f) the date by which any written responses to the consultation must be submitted to the authority or authorities.
- (1B) The description of the proposed scheme contained in the consultation document in accordance with subsection (1A)(a) must include—
- (a) an outline of the local services which are proposed to be provided under it;
 - (b) a statement of any proposed exclusions from the scheme by virtue of section 127(4).
- (1C) In subsection (1A)(e) “chief finance officer”, in relation to a local transport authority, means that officer of the authority who is responsible under—
- (a) section 151 of the Local Government Act 1972, or
 - (b) section 73 of the Local Government Act 1985,
- for making arrangements for the proper administration of the financial affairs of the authority.”.
- (4) In subsection (2) (contents of notice)—
- (a) at the end of paragraph (a) insert “and”;
 - (b) in paragraph (b) after “a copy of the scheme” insert “and the consultation document”;
 - (c) omit paragraph (c) and the word “and” preceding it.
- (5) In subsection (3) (consultees) at the beginning of paragraph (e) (traffic commissioners for the area of the scheme) insert “if the proposed scheme relates to an area in Wales”.