
STATUTORY INSTRUMENTS

1986 No. 1671

PUBLIC PASSENGER TRANSPORT

**The Public Service Vehicles (Registration of Local Services)
Regulations 1986**

Made - - - - - 26th September 1986
Laid before Parliament 3rd October 1986
Coming into Operation 26th October 1986

The Secretary of State for Transport, in exercise of the powers conferred by sections 52(1) and 60(1)(f) of the Public Passenger Vehicles Act 1981(a) and sections 6(2)(a), (3)(a), (8)(a), (9) and 8(6) of the Transport Act 1985(b), and of all other enabling powers, and after consultation with representative organisations in accordance with section 61(2) of the said Act of 1981(c), hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Public Service Vehicles (Registration of Local Services) Regulations 1986 and shall come into operation on 26th October 1986.

Interpretation

2.— (1) In these Regulations:

“the 1985 Act” means the Transport Act 1985;

“bank holiday” means any day which is a bank holiday under the Banking and Financial Dealings Act 1971(d);

“bus substitution service”, “special licence” and “traffic authority” have the respective meanings given by sections 119(1), 12(2) and 7(15) of the 1985 Act;

“operator” shall be construed in accordance with section 137(7) of the 1985 Act;

“relevant authority” means, in relation to a local service, any Passenger Transport Executive or county, regional or islands council within whose area there will be a stopping place for the service; and

(a) 1981 c. 14; section 52(1) was applied and amended by section 126(1) of, paragraph 4(14) of Part II of Schedule 2 and Schedule 8 to, the Transport Act 1985 (c. 67); and section 60(1)(f) was amended by paragraph 21(9) of Schedule 7 to that Act.

(b) 1985 c. 67.

(c) Section 61(2) was amended by section 135(1) of the Transport Act 1985.

(d) 1971 c. 80.

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“week” means a period of 7 days commencing with a Monday.

(2) In these Regulations, any reference to service subsidies has the same meaning as in Part V of the 1985 Act by virtue of section 112(1)(b) thereof.

(3) In these Regulations, any reference to—

(a) a numbered regulation is a reference to the regulation bearing that number in these Regulations; and

(b) a numbered paragraph is a reference to the paragraph bearing that number in the regulation in which the reference appears.

Applications for registration

3.— (1) Subject to paragraph (2), an application for registration in respect of a service having stopping places in more than one traffic area shall be made to the traffic commissioner for the area in which the service will start.

(2) In the case of a service with stopping places outside London which, except for the operation of section 34(3) of the 1985 Act, would be part of a service which requires a London local service licence, the application shall be made to the traffic commissioner for the Metropolitan Traffic Area.

(3) An application for registration or for the variation or cancellation of a registration shall not be accepted by the traffic commissioner to whom it is made unless the applicant gives to the commissioner such information as he shall reasonably require in connection with the application.

(4) A copy of an application for registration or for variation or cancellation of a registration shall be delivered or sent to each relevant authority no later than the date on which the application is made to the traffic commissioner.

(5) The traffic commissioner shall send notice of the date of the acceptance by him of an application for registration or for the variation or cancellation of a registration to the applicant and to every relevant authority.

Prescribed particulars

4. The prescribed particulars of a service registered under section 6 of the 1985 Act are such of the particulars specified in the Schedule to these Regulations as are relevant to that service.

Periods of notice

5.— (1) Subject to paragraph (2), and to regulations 6, 7 and 8:

(a) the period of notice prescribed for the purposes of section 6(3) of the 1985 Act shall be 42 days commencing with the date on which the traffic commissioner accepts the application; and

(b) the period mentioned in section 6(8)(a) of that Act shall end with the last day of the period of notice prescribed in sub-paragraph (a) above.

(2) Any period which would in accordance with paragraph (1)(a) or (b) end

before 25th January 1987 shall be extended to end with that date, but this paragraph shall not apply to any case to which regulation 6, 7 or 8 applies.

6. The length of the period determined in accordance with regulation 5(1)(b) shall be 21 days where only the timetable of the service is varied for all or part of a week which includes 24th December, Christmas Day, Good Friday or any bank holiday.

7.— (1) In the cases specified in paragraph (2):

- (a) section 6(2), where it applies, shall have effect as if for the reference in paragraph (b) to the period of notice there were substituted a reference to such period as the traffic commissioner may determine; and
- (b) section 6(8), where it applies, shall have effect as if for the reference in paragraph (a) to the date on which the period mentioned in that paragraph is to expire there were substituted a reference to such date as the traffic commissioner may determine.

(2) The cases referred to in paragraph (1) are as follows:

- (a) where an operator applies to register or vary a registration with respect to a service or part of a service which will be substantially similar to and replace a service or part of a service which another operator has ceased or is ceasing to operate;
- (b) where an operator applies to vary or cancel the registration of a service which is either not available to members of the general public or not regularly used by them;
- (c) where an operator applies to vary or cancel the registration of a service in response to representations from a person authorised by either a traffic authority or a chief officer of police on a matter concerning road traffic regulation or road safety;
- (d) where an operator applies to register particulars of a new service, or vary the registration to augment an existing service, in order to provide the new or augmented service for a period not exceeding 21 days, in connection with a specified event or occasion which will cause an additional demand for a service;
- (e) where an operator applies to vary a registration by adjusting the timetable of a service without significantly affecting the level of the service provided, and the adjusted timings are either—
 - (i) in no case more than 10 minutes earlier or later than those in the registered timetable, or
 - (ii) required to adapt the service to a variation in a connecting rail, ferry or air service;
- (f) where an operator applies to vary the registration so as to vary or suspend a service during a period not exceeding 14 days in response to public holidays restricted to the relevant locality or holidays taken by a substantial proportion of the population in that locality;

- (g) where the application for registration or for variation of a registration relates to a service for which the operator has entered into an agreement providing for service subsidies and the application is accepted by the traffic commissioner before 26th January 1987;
- (h) where an operator, due to circumstances which he could not reasonably have foreseen, failed to make an application in sufficient time for the period of notice applicable apart from this sub-paragraph to operate.

8.— (1) In the cases specified in paragraph (2), subsection (3) of section 6 of the 1985 Act, where it applies, shall be modified to exclude the reference to the prescribed period, and subsection (8) of that section, where it applies, shall be modified to exclude the requirement of the expiry of a period.

(2) The cases referred to in paragraph (1) are as follows:

- (a) where a registration was made by a subsidiary of the National Bus Company and an application is accepted before 26th January 1987 to vary that application only so as to substitute for the name of that subsidiary the name of a company which has acquired or is acquiring assets of that subsidiary;
- (b) where an application for registration is made for a service which, except for the operation of section 34(3) of the 1985 Act, would be part of a service which requires a London local service licence, an application for that licence is made at the same time, and the registered service does not commence before the grant of the licence;
- (c) where the service in question is a bus substitution service; and
- (d) where the registration is varied only to enable the service to comply with traffic regulation conditions or any other provision made by or under any enactment prohibiting or restricting the use of any road by traffic.

Variations of registered services

9.— (1) A registered service may be varied without variation of the registration in the cases specified in paragraph (2).

(2) The cases referred to in paragraph (1) are as follows:

- (a) a service may be varied in respect of journeys on Christmas Day, Good Friday, or a bank holiday;
- (b) a journey on a service identified in the registration as an excursion or tour may be withdrawn or curtailed;
- (c) the timetable of any service may be varied to timings in no case more than 5 minutes earlier or later than those in the registered timetable;
- (d) the route of any service may be varied to the extent required to comply with any temporary prohibition or restriction of the use of any road by traffic by or under any enactment or with any direction by a police constable;

- (e) the route number or name of a service, when registered in accordance with the Public Passenger Vehicles (Registration of Local Services: Transitional Provisions) Regulations 1985(a), may be altered or its use abandoned; and
- (f) a service which is not available to the general public and which is provided by a local education authority or (in Scotland) an education authority to transport pupils to school may be varied temporarily so far as may be necessary to enable that authority to comply with its duty (b) to provide such transport.

Excursions and Tours

10. Section 6 of the 1985 Act shall not apply to services which are excursions or tours except to any services operated at least once a week for a period of at least 6 consecutive weeks.

Compliance with traffic regulation conditions etc.

11. The prescribed period for the purposes of section 8(6) of the 1985 Act (during which failure to operate a service in accordance with the registered particulars is disregarded in specified circumstances) shall be 28 days.

Fees

12.— (1) The fee for an application to register particulars of a service shall be £27, except for an application which relates to a service which, except for the operation of section 34(3) of the 1985 Act, would be part of a service which requires a London local service licence.

(2) The fee for an application to vary the registered particulars of a service shall be £15, except where a variation is required to enable the service to comply with any traffic regulation conditions or other provision made by or under any enactment prohibiting or restricting the use of any road by traffic.

(3) There shall be no fee for applications excepted in paragraphs (1) and (2).

(4) The fee for an application shall be paid when the application is made.

Fare tables, timetables and destination notices

13.— (1) Subject to paragraph (2), the operator shall, during such time as a vehicle is being used to provide a service, cause:

- (a) to be displayed in the vehicle in a manner clearly legible to passengers, or to be available on the vehicle to passengers on request—
 - (i) a fare table containing sufficient information to enable any passenger to ascertain the fare for his journey or the manner in which that fare is computed, and

(a) S.I. 1985/1904.

(b) Section 55(1) of the Education Act 1944 (c. 31) and section 51(1) of the Education (Scotland) Act 1980 (c. 44).

- (ii) a timetable containing at least the information required by paragraph 9 of the Schedule to these Regulations;
 - (b) to be displayed a notice, clearly legible from the exterior of the vehicle, indicating the destination (if any) and the route of the service.
- (2) This regulation shall not apply to a vehicle being used:
- (a) under a special licence; or
 - (b) to provide an excursion or tour.

John Moore,
Secretary of State for Transport.

26th September 1986.

SCHEDULE

Regulation 4

(Particulars of the service)

1. The name of the operator of the service and the number of his PSV operator's licence or community bus permit (if any).
2. The principal starting point and finishing point of the service.
3. An indication of whether or not the service consists of excursions or tours.
4. A description of the route, and of any modifications of the route for the purpose of particular journeys, which is both sufficient to identify the roads to be traversed, and accompanied by a map showing those roads.
5. Details of stopping arrangements, including whether all indicated and generally recognised stops on the route will be used and if not what the stopping arrangements will be.
6. An indication of any of the stopping places where the vehicles used on the service will stand for longer than the time required to pick up or set down passengers.
7. A description of any reversing manoeuvres and other manoeuvres that will result in a vehicle returning along any part of its route.
8. The date on which the service is to start.
9. A timetable for the service, indicating the days in the year when the service will be provided and the proposed times of individual services at principal points on the route, save when the service interval is 10 minutes or less when a statement of that fact may be given.
10. The largest category of vehicles to be used in accordance with the following categories:

- (a) single-decked vehicle adapted to carry not more than 8 passengers;
- (b) single-decked vehicle adapted to carry more than 8 and not more than 16 passengers;
- (c) single-decked vehicle adapted to carry more than 16 and not more than 35 passengers;
- (d) single-decked vehicle adapted to carry more than 35 and not more than 55 passengers;
- (e) single-decked vehicle adapted to carry 56 or more passengers;
- (f) double-decked vehicle.

11. In the case of an excursion or tour, then in substitution for the information required by paragraphs 4, 6 and 9 of this Schedule, the following may be provided:

- (a) an outline of the route indicating the points (if any other than the starting point) at which passengers are to be taken up;
- (b) the period or periods of the year during which the service is to be operated; and
- (c) the maximum number of vehicle departures to be made on any one day.

12. In any case where paragraph 11 of this Schedule does not apply and, because of the nature of the proposed service, it is not possible to provide the information required by paragraphs 2, 4 or 9 of this Schedule, then such further particulars of the service as may be required to provide a complete description of it.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

By section 6 of the Transport Act 1985, particulars of local services are required to be registered with the traffic commissioner for any traffic area in which there is a stopping place for that service. The provisions made by these Regulations relate to these registrations and include provisions regarding the following matters:

(1) the traffic commissioner to whom applications should be made when the service runs through more than one area and the authorities to which copies of applications should be sent (regulation 3);

(2) the particulars to be registered (regulation 4 and Schedule);

(3) the period following registration or variation or cancellation of a registration before a new service or varied service may be provided or a service cancelled (regulations 5, 6 and 7), including a provision (regulation 5(2)) extending this period, save as specified, if it expires before 25th January 1987;

(4) the cases in which the requirement for such a prescribed period is excluded (regulation 8);

(5) the variation of a registered service without variation of the registration (regulation 9);

(6) the exclusion from the operation of section 6 of excursions and tours other than of a class specified (regulation 10);

(7) the period during which failure to operate a service in accordance with the registered particulars is disregarded in specified circumstances (regulation 11);

(8) fees for an application to register or to vary the registration of particulars of a service (regulation 12); and

(9) display of fare tables, timetables and destination and route notices (regulation 13).