



Office of the
Traffic Commissioner

Operating registered local bus services in England (except London) and Wales

Guide for Operators



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(Revised 2016PSV353A)

The main purpose of Public Service Vehicle (PSV) Operator Licensing is to ensure the safe and proper use of PSVs. The operator licensing system in Great Britain is regulated by independent traffic commissioners, who are appointed by the Secretary of State.

You can download this guide, as well as the application forms for operator licensing and bus registration at: www.gov.uk/government/collections/psv-operator-licence-forms and www.gov.uk/government/collections/local-bus-service-registration-forms. The publication Notices and Proceedings is also available to download at: www.gov.uk/government/collections/traffic-commissioner-notices-and-proceedings.

The website www.gov.uk/browse/driving/businesses provides useful information for transport operators, local authorities, partner organisations, hire companies and the general public.

In addition you can view all new, varied or cancelled bus registration applications that have been accepted by traffic commissioners by using the bus registration search at: www.gov.uk/bus-registration-search.

Disclaimer

This publication gives general guidance only and should not be regarded as a complete or authoritative statement of the law. If you are unsure whether you are compliant with the law you should seek independent legal advice.

Please note that this guide does not cover services operating within the boundaries of Greater London. These services come under the control of [Transport for London \(TfL\)](http://www.tfl.gov.uk).

Further advice on the registration of local bus services can be obtained by telephoning the DVSA National Telephone No. 0300 123 9000 (calls provided by BT are charged at low rate. Charges from other providers may vary).

Role of Traffic Commissioners and the Office of the Traffic Commissioners

Traffic commissioners are responsible for issuing licences and maintaining the register of local bus services. They are appointed by the Secretary of State for Transport but are independent from government and enforcement authorities such as DVSA.

In Great Britain, the traffic commissioners are regulators of the road transport industry. Their function is to ensure that only safe and reliable operators of goods and passenger vehicles are permitted to be licensed. Traffic commissioners may take regulatory action against an operator - where they may revoke, suspend or curtail an operator's licence. They may also take regulatory action should an operator fail to operate a local service in accordance with the registered particulars.

Role of DVSA

DVSA's Bus Operator Accounts Manager (BOAM) examiners in England and Bus Compliance Officers (BCOs – funded by the Welsh Government) in Wales, work with operators and local authorities to promote punctuality improvement and partnership working. Examiners will check that operators have systems in place to ensure their services are reliable and punctual and will offer assistance and guidance to operators where necessary. They also investigate complaints about the running of local services which may involve carrying out monitoring.

Where failings by the operator are found, enforcement action may be taken and the matter referred to the traffic commissioner. Enforcement of punctuality remains important in this work and BOAM examiners / BCOs will provide the evidence to enable the traffic commissioner to consider taking action where services are unreliable.

The BOAM examiner / BCOs will seek to promote active working with the local authorities or ITAs at the most appropriate level, whether by way of formal punctuality partnerships, or regular contact and cooperation to improve punctuality.

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Introduction

This guide has been produced by traffic commissioners to explain about local bus services and their registration. It is intended to help operators who are new to operating local bus services and those who already run such services to understand the requirements of running a local bus service. It is presented in accordance with the [Regulators' Code](#) to ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply, and that the approach to regulatory activities is transparent.

The guide explains what is required under the legislation and offers advice on running a punctual and reliable bus service. It also gives details of the action the traffic commissioner may take should an operator fail to run a service correctly.

If you are interested in running or run a bus service in England and Wales (excluding London) then you should read this guide.

If you interested in running or run a service in Scotland the rules are slightly different. Please refer to the guidebook [PSV353A \(Scotland\)](#).



1) What is a local bus service?

A local bus service is where a PSV is used to carry passengers at separate fares. The route can be of any overall length as long as a passenger can alight within 15 miles, (measured in a straight line) of the point where they boarded. Section 2 of the Transport Act 1985 defines local bus services and Section 6 sets out the requirements for the registration of those services.

If on a long distance service there are some parts of the route where passengers can make local journeys of 15 miles or less, then those parts of the route should be registered as local services. However, it should be noted that long distance services do not need to be registered.

To operate a local service, operators must meet the requirements of the Transport Act 1985, Transport Act 2000 and the Public Service Vehicles (Registration of Local Services) Regulations 1986, the Bus Services Act 2017, and hold either an unconditional PSV operator's licence or a section 22 permit.

There are four types of service:

Standard

A standard service runs along a fixed route in accordance with a timetable. It must run at all times it is registered to do so.

Frequent

Where a standard service operates at a frequency of 10 minutes or less, a statement of that fact may be given instead of a timetable. All the other requirements that apply to a standard service, apply to a frequent service.

Flexible

A flexible service is defined as one:

- which serves one or more local communities or neighbourhoods within a specified geographical area,
- which is so flexible that it is not practicable to identify in advance all the roads to be used at any given time (NB: there may be fixed sections of the route but the vast majority of the journey is flexibly routed),
- which is provided primarily to carry passengers who have booked in advance and whose collective requirements determine the route of each journey even though other persons may also be travelling,
- where separate fares are paid by the general public, and
- where separate fares are paid which do not vary according to the number of passengers carried on the journey.

Excursions or tours

These are services on which passengers travel together on a journey, with or without breaks, from one or more places to one or more places and back.



Take note: The ‘hop-on/hop off’ style of tour where passengers may alight at any point along the route and rejoin the tour on a later bus falls outside the definition of an excursion or tour. This is a standard service and must operate at all times it is registered to do so.

All applications to register vary or cancel local bus services are made to a traffic commissioner and are processed through the [Office of the Traffic Commissioner](#) in Leeds for services in England and Wales (excluding London). Applications for services in Scotland are made to the [Traffic Commissioner for Scotland](#), based in Edinburgh. Contact details can be found at Annex A.

Traffic commissioners have powers to take regulatory action against operators who do not operate services in accordance with the registered particulars. Section 26 of the Transport Act 1985 enables the traffic commissioner to attach conditions prohibiting the operator from running certain local services or local services of any description. Section 26 refers not only to general conditions but also to those added specifically due to non-compliance.

Services which do not need to be registered

With a few exceptions all local bus services must be registered with the traffic commissioner before they start.

- In England and Wales, school services provided on behalf of the local education authority (LEA) where the LEA is fulfilling its obligation to provide such transport, as long as the only fare-paying passengers carried are:
 - People receiving education or training at the school or college;
 - People supervising or escorting them;
 - People involved with the provision of education or training at these premises.

If the service is available to the general public then it must be registered.

- Substitution services for railway services which have been temporarily interrupted, provided under an agreement entered into with the Secretary of State, the Scottish Ministers or the National Assembly for Wales.
- Free services where there is no payment of separate fares e.g. supermarket services
- Services operated under a section 19 permit. Please refer to the guidance at <https://www.gov.uk/government/publications/section-19-and-22-permits-not-for-profit-passenger-transport/section-19-and-22-permits-not-for-profit-passenger-transport>
- Excursions or tours which do not operate at least once a week for six weeks in a row.
- Private hire journeys

If you are unsure whether your service needs to be registered you should contact the national number for advice.

2) Who can register a local service?

To register a service you must have a:

- valid unconditional PSV operator's licence; or
- special restricted PSV operator's licence (for taxi and PHV licence holders); or
- a section 22 Community Bus Permit.

If you do not have any of these you should refer to the [Guide to PSV Operator Licensing \(PSV437\)](#) or the [Guide to providing transport under a section 19 or section 22 permit](#).



Take note:

Please note that an application to register a local service cannot be accepted until such time as a licence has been granted. If you do not hold a licence, or your licence does not authorise sufficient number of vehicles, you should take into consideration the time it will take to obtain a licence or variation to increase fleet size before bidding for contracts. In straightforward cases the time taken to obtain a licence can be at least nine weeks from receipt of the application and in some cases it could take much longer. This should therefore be taken into account prior to bidding for contracts.

3) What to do before registering the service

When a local bus service is registered with the Office of the Traffic Commissioner, you are committed to running it as registered. Failure to do so may result in conditions being attached to your licence. The traffic commissioner may also impose sanctions such as a financial penalty.



Take note:

In relation to local bus services in England (outside London) and Wales, the Senior Traffic Commissioner (STC) has issued [Guidance and Directions](#) under section 4C(1) of the Public Passenger Vehicles Act 1981 to provide information as to the way in which the Senior Traffic Commissioner believes that traffic commissioners should interpret the law and how staff acting on behalf of individual traffic commissioners should approach the operation of delegated functions. The Directions set out the punctuality standards expected. The Guidance includes, as an Annex, examples of a good operation.

Pre-registration action

The Bus Services Act 2017 mandates that **in England** (outside London) there is now a 28 day period (14 days for holders of section 22 permits) where a local authority is given chance to scrutinise an application. You are therefore required to submit your application and associated paperwork to the relevant local authority **before** sending it to the traffic commissioner. This has reduced the notice period you subsequently need to give to the Traffic Commissioner (for services operating in England outside London) to 42 days.

There is no pre-registration period for local bus services operating **in Wales**, where the notice period to the Traffic Commissioner remains at 56 days.

For **all operators**, before you apply to register the service you should check that your proposed route and timetable are achievable at all the times when you intend to run the service. You will also need to ensure that you have sufficient resources to provide the service at all times and check the general feasibility of the service.

You should take into consideration the following points:

- Is there congestion at certain times?
- Does it take longer to travel the route at certain times during the day? E.g. a morning service at 08:30 may take longer than a service operating at 21:00
- Are all the roads suitable for the size of vehicles you are intending to use?
- Is there a demand for this service?
- Do you have permission to use the bus station and existing bus stops?
- Do you need new bus stops? If so please discuss with the local authority.
- Do you have sufficient vehicles or access to vehicles to cover periods when the vehicle(s) you usually use are out of service e.g. when they are being inspected or undergoing annual test.
- Do you have sufficient drivers to cover the service e.g. during sick absence or annual leave?

In addition, before registering your service you need to find out whether there is in place, over all or any part of the route, any of the following:

- a statutory quality contract scheme (QCS) (Annex B)
- a statutory quality partnership scheme (QPS)(Annex C)
- a traffic regulation condition (TRC)
- a traffic regulation order (TRO)

If any of the above are in place then you must contact the Local Authority or Integrated Transport Authority (ITA) and notify them of your intended application, or in the case of a TRC you must contact the traffic area office (and a TRC may need to be attached to the licence). You may also wish to discuss your proposed service with the local authority as they may:

- be able to offer advice regarding timetable information
- be responsible for bus stops and the local bus station in their area
- have information about your proposed route
- have partnerships in place with operators of local services in the area and will be able to assist with this

Partnership working

An important factor in delivering high standards of punctuality is partnership working and good relationships, primarily between operators and local authorities but also with other interested parties.

To facilitate partnerships, DfT developed with representatives from local government, the bus industry, passenger groups and enforcement bodies, a set of shared punctuality partnership principles and guidance. To support this approach, the bus punctuality work that DVSA undertakes will focus on encouraging partnerships and checking that the right operating systems are in place, whilst ensuring that the traffic commissioners can take effective enforcement action when appropriate.

The purpose of any partnership is for bus operators and local authorities to make a commitment to work together to secure and maintain high levels of punctuality for passengers as bus operators are unable to deliver their passengers' top priority single-handedly. In some cases this might be maintaining existing high levels of punctuality by establishing a framework for addressing any future difficulties. In most cases the aim will be to improve punctuality with incremental targets set and actions for achieving these identified and acted on. Although the expectation is obviously that registered services will always run at the specified time, road works and other external factors can often make this difficult to achieve. It is therefore vital that bus operators and local authorities work together to minimise the effects of road works and other external factors on service reliability and punctuality.

The Bus Services Act 2017 builds on these principles and operators in England are now mandated to supply their application to register, vary or cancel a service (plus all supporting documentation) to the relevant local authority **before** submitting it to the Traffic Commissioner. If local authority endorsement is not received along with an application then it will be delayed. The application forms include a pro-forma for local authorities to complete, although they can of course supply their own forms of consent.

4) Registering the service

Applications

Applications for new services are to be made on the appropriate form, [PSV 350](#) and sent with the fee to the Office of the Traffic Commissioner in Leeds (for services in England and Wales) and to the Edinburgh office (for services in Scotland).

The registered particulars

The particulars are the details you are required to register with the traffic commissioner. These are supplied when you apply to register the service.

With all services you need to register the following:

- The name of the operator of the service
- The licence or permit reference number
- The date on which the service is to start
- The service number or, if it has no number, the name by which it is to be known.
- The times during the year when the service will be provided

In addition the further details that need to be registered on the following types of service are set out below.

Standard

- The principal starting and finishing points of the service
- A route description and a map of a scale not smaller than 1:50,000
- A timetable for the service indicating proposed times at principal points on the route
- An indication 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.
- Details of stopping arrangements
- A description of any reversing and other manoeuvres which will result in a vehicle returning along part of its route.

Frequent

Where a standard service operates at a frequency of 10 minutes or less, a statement of that fact may be given instead of a timetable. All the other requirements that apply to a standard service, apply to a frequent service.

Flexible

- The address of the operator
- A description of the area of operation and a map of a scale not smaller than 1:50,000 showing the sections of flexible operation and fixed sections of route (if any).
- Details of any fixed stopping places and the stopping arrangements at those places;
- An indication of any fixed stopping places where the vehicles used on the service may or will stand longer than the time required to pick up or set down passengers
- The terms on which, and the methods by which, journeys may be booked.

- Either, the timing of the service:
 - In the case of a service having a fixed stopping place on its route, a timetable indicating the proposed times of individual services at those stopping places; and
 - The means of determining the time at which a passenger may be taken up or set down in the sections of flexible operation;

Or

- Where it is impracticable to specify an exact time of arrival at, or departure from, a fixed stopping place or other point within the area of operation, a time window may be specified.

Excursion or tour

- The principal starting and finishing points of the service
- An outline of the route indicating the points, other than the starting point, where passengers will be taken up, and
- The maximum number of vehicle departure to be made on any one day
- Details of stopping arrangements
- A description of any reversing and other manoeuvres which will result in a vehicle returning along part of its route.

Before you submit your application to register a service in England you **must** send a copy to every local authority in whose area the service will operate, and local authority comments and/or endorsement of the application must be included when you send it to the Office of the Traffic Commissioner in Leeds.

If your service crosses over the Greater London boundary you need to register the part that operates outside London with the traffic commissioner and for the part that operates within London you need to contact TfL.

5) Notice period

There is a statutory notice period of 70 days in England and 56 days in Wales which starts from the day the traffic commissioner accepts your completed application. In England, this is made up of 28 days' notice to the local authority and 42 days' notice to the Traffic Commissioner. For community bus operators the required notice period is 14 days in England and 28 days in Wales.

Short notice provision

There are certain circumstances which allow the traffic commissioner to waive the 42 or 56 day notice periods and allow the service to start at short notice. Request for short notice registration must be made in writing by completing the relevant application form, PSV350A. If your application is supported by the local authority you should enclose a letter of support from the authority, with your application.

The circumstances which permit the traffic commissioner to waive the notice period and allow the service to start, be varied or cancelled at short notice are as follows:

- a) Where an operator applies to register or vary a service or part of a service which will be substantially similar to and replace a service or part of a service which s/he or another operator has ceased or is ceasing to operate.
- b) Where the operator applies to vary or cancel the registration of a standard 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 in response to representations from a traffic authority or chief officer of police on a matter concerning road safety.
- d) Where an operator applies to register a service or vary a 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 create an additional demand for the service.
- a) Where an operator applies to vary a registration to adjust the timetable without significantly affecting the level of service provided, and the adjusted timings are either:
 - in no case more than 10 minutes earlier or later than those in the registered timetable, or
 - required to adapt the service to connect with a rail, ferry or air service
- e) Where an operator applies to vary a registration so as to vary or suspend a service during a period not exceeding 14 days in response to public holidays in a particular locality or holidays taken by a substantial proportion of the population in that locality.
- f) Where an operator, due to circumstances which s/he could not reasonably foresee, failed to make an application in time to meet the notice period.
- g) Where an operator applies to register or vary a service with respect to a service or part of a service in order to meet an urgent and exceptional public passenger transport demand or change in circumstances.



Take note:

It remains at the sole discretion of the traffic commissioner whether short notice may be applied.

6) Publication in Notices and Proceedings

Every application to register, vary or cancel a service is published in the traffic commissioners' weekly publication, [Notices and Proceedings \(Ns and Ps\)](#).

Also, when an application is accepted, details are published on-line at www.gov.uk/bus-registration-search.

Should you wish to receive electronic copies of Ns and Ps you should e-mail: notifications@vehicle-operator-licensing.service.gov.uk specifying which area(s) you are interested in receiving. There is no charge for this service.

7) Varying or withdrawing the service

A service may be changed or withdrawn at any time, provided an application is made to vary or cancel the registration, using the appropriate form, [PSV355](#). There is a fee for a variation but not for cancellation.

Variation

You need to explain what is being changed and supply new details of the changes e.g. if the time table has changed then a new timetable is required, if the route has altered then the new route description sheet needs to be completed.

Cancellation

You need to cancel the registration if you intend to withdraw the service completely by filling in form [PSV355](#), giving the date when the service will cease.

Notice period

As with registration applications, there is a statutory notice period before a variation or cancellation may take effect. However there are circumstances which allow the traffic commissioner to accept a short notice application (please see section 5 above). Request for short notice must be made in writing by completing the relevant application form, [PSV350A](#). Local authority approval must be provided along with your short notice application.



Take note:

Although there is no legal requirement to do so, it is good practice to put a notice in the vehicles used to provide the service advising passengers that the service is being changed or withdrawn.

8) Motorway service areas

Motorway service areas are not normally acceptable as timetabled stopping points for the purposes of registering a service as a local bus service. With some exceptions they are not usually a destination in their own right or a place where passengers catch or change buses or conclude their journey.

Services which are located off the motorway and are accessible by other means may be a stopping point. A service area which has one or more bus stops may also be acceptable. Additionally, a works service provided for the service area work force may have a service area as its destination

However, a service area where the vehicle stops in order that the passengers and driver can have a break is not a stopping point for the purposes of registering a service as a local service.

9) Running a local bus service

Once your service has been registered you are committed to running it in accordance with the registered particulars. You therefore need to put systems in place so that you can check that the service remains punctual and reliable. This may be through, for example, periodic roadside monitoring of your services or collecting performance data electronically. For cross boundary Transport for TfL services it is advisable that TfL performance standards should apply to the whole route, including the section of the route outside London.

As operating conditions can alter over time, e.g. the volume of traffic may increase, or there may be changes to road layouts which affect levels of traffic, you will need to review your timetables from time to time to check that the registered timings remain feasible and, if necessary, apply to vary the registration.

You should also have a system in place to deal with complaints and to take action to resolve any problems with your services that are brought to your attention. You should ensure that passengers are aware how they may complain to you or raise any issues they may have with your service(s). For example, a notice on the bus with contact details provides useful information for passengers. You must also ensure that you keep your registrations up to date. Do not forget to vary the registration when you change a service or cancel it should you decide to withdraw a service completely. Should you fail to do this the traffic commissioner may determine that you have not been providing the service in accordance with the registered particulars.

10) What if I fail to operate in accordance with the registered particulars?

If you fail to run your service in accordance with your registered particulars the traffic commissioner may impose sanctions.

The traffic commissioner may also attach a condition to your licence prohibiting you from running certain local services or local services of any description.

The traffic commissioner may also impose a financial penalty.

Before considering whether to impose sanctions you will be given the opportunity to explain the failings to the traffic commissioner and you may be called to [public inquiry](#).

Public Inquiries

Traffic commissioners can and do call operators to public inquiries where they wish to consider evidence that suggests that operators are not running punctual and reliable services in accordance with the registered particulars. The public inquiry process has been shown to be effective in ensuring compliance by inviting operators to attend before the traffic commissioner to explain themselves to determine whether a failure to operate has occurred and, if it has, how the failures occurred in the first place. This can enable the traffic commissioner to hear details of the remedial action being taken and to seek and receive assurances as to future compliance. It also enables a proper assessment to be made of the fitness of the individual witness.

In certain cases, where a public inquiry looks to be required, a traffic commissioner may decide to call an operator to a preliminary hearing. In situations which fall short of an obvious need to call an operator and/or transport manager to a public inquiry the traffic commissioner may request a meeting between senior staff and operator ('STL interviews').

If called to appear before a traffic commissioner you do not have to bring a legal or professional representative with you. However, as the traffic commissioner's decision could have serious repercussions for your business you are advised to consider whether a representative could help to prepare and present your case. You must read the call-up papers carefully. If you are asked to provide information by a set date you must do so.

At an inquiry or preliminary hearing, the traffic commissioner will first briefly summarise its purpose. The BOAM examiner in England and BCOs in Wales or anyone else who has supplied evidence will probably be asked to present evidence in person at the inquiry. You will be able to put questions to any witnesses. The traffic commissioner will also ask you questions and you will always have the right to answer them before a decision is taken.

Decisions

After considering all the evidence the traffic commissioner will decide on the appropriate action to be taken. In most cases the traffic commissioner will give their decision on the day of the hearing but in more complex cases the traffic commissioner may issue a written decision. This is usually issued within 28 days of the hearing date.

Appealing against a decision of the traffic commissioner

There is a right of appeal to the Administrative Appeals Chamber of the [Upper Tribunal](#) if the traffic commissioner attaches a condition to your licence or imposes a financial or other penalty.

You can ask the traffic commissioner to delay the implementation of any decision pending appeal (known as a 'stay' of the decision) and if the traffic commissioner refuses, you can apply to the Administrative Appeals Chamber of the Upper Tribunal to make a special direction (called a 'stay') which may allow you to carry on as before until the appeal is heard.

The Administrative Appeals Chamber of the Upper Tribunal must reach a decision on this application for a stay within 14 days. Whatever they decide this will not affect the result of the appeal when it is heard.

The Upper Tribunal will call you to a hearing where it will consider your appeal. If it decides that you have valid grounds for appeal it may decide that a smaller financial or other penalty or no financial or other penalty is appropriate. It may also direct that the conditions to be attached are amended or that no conditions are to be attached.

Alternatively, it may refer the case back to the traffic commissioner for reconsideration. The

contact details for the Upper Tribunal are:

Transport Tribunals
5th Floor
7 Rolls Building
Fetter Lane
London
EC4A 1NL
DX 160042 Strand 4
Tel: 020 7947 7422
Email: adminappeals@hmcts.gsi.gov.uk

11) Additional ‘duplicate’ vehicles

There may be times when, due to special circumstances, the number of vehicles normally used to provide the service will not be sufficient to carry all persons wishing to travel or will not be able to provide the service in accordance with the registered timetable. Under these circumstances additional vehicle(s) may be put into service, to operate over any part of the route of the service without the need to vary the registration. They must be operated as closely as possible to the timings in the registered timetable.

If it is a regular occurrence that the usual number of vehicles used to provide the service is unable to carry all the persons wishing to travel, that is not a special circumstance.

The traffic commissioner may take the view that unregistered local services have been operated if there are no special circumstances which warrant the provision of additional vehicle(s).

12) Traffic Regulation Conditions (TRCs)

A Traffic Regulation Condition (TRC) can be determined by a traffic commissioner to:

- a) prevent danger to road users or
- b) reduce severe traffic congestion.
- c) reduce or limit noise or air pollution

In considering what traffic regulation conditions to apply to a particular area a traffic commissioner shall have regard in particular to the interests of:

- a) those who have registered under section 6 of this Act services which are or will be operated in the area;
- b) those who are, or are likely to be, users of such services; and
- c) persons who are elderly or disabled.

A TRC can affect:

- a) the routes of a bus service
- b) the stopping places of a service
- c) when a vehicle used in providing a bus service may stop and for how long

A request for the traffic commissioner to determine a TRC has to be made by a traffic authority. In relation to England and Wales a traffic authority means the council of any metropolitan district or non-metropolitan county.

Once the TRC has been proposed the traffic commissioner must hold a public inquiry within 21 days if requested to do so by:

- a) the traffic authority who made the request
- b) any other traffic authority likely to be affected by the TRC
- c) any operator who has a service registered within the area affected by the TRC

The above shall only not apply if the traffic commissioner is satisfied that the TRC must be determined without delay i.e. if there is a clear danger to either other road users or members of the public. If this is the case and the TRC is determined without delay then a public inquiry must be held as soon as is reasonably practicable if requested by any of the above.

Once a TRC is in place the traffic commissioner may consider varying or revoking it if requested to do so by, either an operator whose services are affected by it or any traffic authority in the area.

Once a TRC has been determined it is attached to any PSV operator's licence which has a service registered that will be affected by it.

13) Traffic Regulation Orders

This is an order made under the Road Traffic Regulation Act 1984 which can prohibit or restrict all or particular classes of traffic from specified routes. A TRO can be permanent, temporary or experimental. It can be worded to apply to particular categories of user, and can be weight or width related. The TRO is made by the Local Authority and is enforced by traffic wardens and the police.

14) Bus Service Operators Grant (BSOG, in England) or Regional Transport Service Grant (RTSG, in Wales)

Your local bus service may be eligible for BSOG in England or RTSG in Wales and details of the schemes can be found at: www.gov.uk/government/collections/background-to-the-bus-service-operators-grant-bsog.

15) Role of local authorities

Local traffic authorities have a duty under the Traffic Management Act 2004 (TMA 2004) to manage their road network, to reduce congestion and improve reliability. This can have an important effect on the ability of bus services to run on time. In addition, if the traffic commissioner identifies any remedial measures which could be taken by the operator, or by a local traffic authority, section 27A of the Transport Act 1985 enables the traffic commissioner to prepare a report recommending the implementation of those measures to enable or facilitate the operation of the service in accordance with the registration. Local authorities should therefore work in partnership with bus operators to improve time keeping where necessary and to maintain a level of punctuality that meets the requirements of the STC's [Statutory Document No.14](#).

A local transport authority can help by providing facilities or other benefits such as the provision of bus lanes; improvements to bus stations or bus stops; provision of real-time information for passengers; installation of CCTV, improved lighting or other security measures at boarding points;

controls on indiscriminate parking or provision of audio-visual information at bus stops or stations for people with disabilities.

They should also keep operators informed as to planned roadworks and other events which may have an effect on the running of local bus services.

Subsidised services

County, unitary authorities, regional and island councils and ITAs may offer subsidy contracts for services which are not commercial but which they consider to be socially necessary. Some district/ borough councils in England and Wales also subsidise this sort of service. If a council or ITA wants to subsidise any service it will, in most cases, ask for tenders from operators, and the subsidy contract will be given to the operator who offers the best value for money. It could pay you to get in touch with the council or ITA in your area and ask them to send you details of all their invitations to tender, or of any type that would interest you.

Must all subsidised services be put out to tender?

All local bus service subsidy agreements must be put out to tender, except when very small subsidies are involved. You should contact your local authority to discuss their arrangements.

When a council or ITA needs to start a service at short notice (e.g. when another operator has given it up), it can award a short term contract without going to tender, but must then go out to tender as soon as possible.

Annex A: Further Information

For further information, you can also visit: www.gov.uk/traffic-commissioners

If you need any more help or advice, please contact the Office of the Traffic Commissioner in Leeds, who process applications on behalf of the traffic commissioners in England and Wales.

Office of the Traffic
Commissioner Hillcrest House
386 Harehills Lane
Leeds
LS9 6NF

Phone: 0300 123 9000

Fax: 0113 249 8142

Email: enquiries@otc.gov.uk

The Office of the Traffic Commissioner is responsible for processing applications for heavy goods vehicle (HGV) and public service vehicle (PSV) operator licences and providing administrative support to traffic commissioners.

- All operator licence applications should be made to the Office of the Traffic Commissioner in Leeds
- Bus registrations applications for England (outside London) and Wales should be made to the Office of the Traffic Commissioner in Leeds
- Bus registrations applications for Scotland should be made to the Office of the Traffic Commissioner in Edinburgh.

Area	Boundaries	Traffic	Office address
Eastern Traffic Area	Covering the counties of Bedfordshire, Buckinghamshire, Cambridgeshire, Hertfordshire, Essex, Leicestershire, Lincolnshire (except the Districts of North Lincolnshire and North East Lincolnshire), Norfolk, Northamptonshire and Suffolk; the districts of Leicester, Luton, Milton Keynes, Peterborough, Rutland, Southend-on-Sea and Thurrock.	Richard Turfitt	Office of the Traffic Commissioner Eastbrook Shaftesbury Road Cambridge CB2 8BF
North Eastern Traffic Area	Covering the Metropolitan Boroughs within South Yorkshire, Tyne and Wear and West Yorkshire; the Counties of Durham, Northumberland, Nottinghamshire and North Yorkshire; the Districts of Darlington, East Riding of Yorkshire, Hartlepool, Kingston upon Hull, Middlesbrough, North Lincolnshire, North East Lincolnshire, Nottingham, Redcar and Cleveland, Stockton-on-Tees and York.	Tim Blackmore	Office of the Traffic Commissioner Hillcrest House 386 Harehills Lane Leeds LS9 6NF

North Western Traffic Area	Covering the metropolitan boroughs within Greater Manchester and Merseyside; the counties of Cheshire, Cumbria, Derbyshire and Lancashire; the districts of Blackburn with Darwen, Blackpool, Derby City, Halton and Warrington.	Simon Evans	Office of the Traffic Commissioner Suites 4-6 Stone Cross Place Stone Cross Lane North Golborne Warrington WA3 2GU
South Eastern and Metropolitan Traffic Area	Covering Greater London; the counties of Kent, Surrey, East Sussex and West Sussex; the districts of Brighton and Hove, the Medway towns.	Sarah Bell	Office of the Traffic Commissioner Ivy House 3 Ivy Terrace Eastbourne East Sussex
West Midlands Traffic Area	Covering the metropolitan boroughs within West Midlands; the counties of Shropshire, Staffordshire, Warwickshire and Worcestershire; the districts of Herefordshire, Stoke-on-Trent and Telford and Wrekin.	Nick Denton	Office of the Traffic Commissioner 38 George Rd Edgbaston Birmingham B15 1PL
Western Traffic Area	Covering the counties of Cornwall, Devon, Dorset, Gloucestershire, Hampshire, Oxfordshire, Somerset and Wiltshire; the districts of Bath and North East Somerset, Bournemouth, Bracknell Forest, Bristol, Isle of Wight, North Somerset, Plymouth, Poole, Portsmouth, Reading, Slough, Southampton, South Gloucestershire, Swindon, Torbay, West Berkshire, Windsor and Maidenhead and Wokingham.	Kevin Rooney	Office of the Traffic Commissioner Jubilee House Croydon Street Bristol BS5 0GB
Scotland	Scotland	Joan Aitken	Office of the Traffic Commissioner Level 6 The Stamp Office Waterloo Place
Wales	Wales	Nick Jones	Office of the Traffic Commissioner 38 George Rd Edgbaston Birmingham

Senior Traffic Commissioner's Statutory Guidance

<https://www.gov.uk/government/collections/senior-traffic-commissioners-statutory-guidance-and-statutory-directions-london-and-wales-march-2015>

PSV Operator Licence Application Guides and Forms

www.gov.uk/government/collections/psv-operator-licence-forms

Local Bus Registration Application Forms

www.gov.uk/government/collections/local-bus-service-registration-forms

Run a Local Bus Service Guide

www.gov.uk/run-local-bus-service

Annex B

Statutory Quality Contract Scheme

Quality contract schemes (QCS) were introduced by the Transport Act 2000 and amended by the Local Transport Act 2008. Although some of the legislative requirements are the same whether the schemes are operating in England or Wales, there are also some differences. Scotland operates under different legislation.

A QCS is a scheme under which:

- a local transport authority (LTA) or two or more authorities acting jointly determine what local bus services should be provided in the area to which the scheme relates and any additional facilities or services which should be provided in that area; and
- local bus services may only be provided in that area in accordance with quality contracts entered into by a LTA with a bus operator following a competitive tendering process, with three exceptions-
 - i) particular services which are excluded from the scheme;
 - ii) where an application to register a service is made and the LTA provides a clearance certificate;
 - iii) where the LTA is providing an interim service as “operator of last resort”.

The quality contract scheme is the scheme or plan which applies to an area and within the scheme there will be one or more individual quality contracts. Each quality contract is a contractual agreement between the LTA and an operator, normally entered into after a competitive tendering process. The operator is contracted to provide specified services.

Two or more LTAs can only act jointly if:

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

A QCS cannot therefore operate cross-border. Where there is a wish to establish a cross-border QCS, the LTAs will need to work together with a view to establishing two separate but inter-related schemes.

The legislation requires a local authority to be satisfied that a QCS is needed to meet the public transport requirements of an area. It must be able to demonstrate a “public interest” case for making a scheme and that the scheme provides safeguards to protect the legitimate interests of bus operators. These are commonly referred to as the “public interest” criteria.

A QCS may not be made unless the LTA(s) have complied with certain statutory requirements:

- a) have given notice of the proposed scheme;
- b) published a consultation document;
- c) supplied a copy of the consultation document to specified persons;
- d) for a scheme in Wales, to have obtained the approval of the Welsh Ministers;
- e) for a scheme covering an area in England,
 - i) sent a copy of the notice to the Senior Traffic Commissioner;
 - ii) published the request sent to the QCS board to consider the scheme;
 - iii) published their response to the report published by the QCS board.

Under section 129 of the Transport Act 2000 (TA 2000) bus services operating under the scheme are not to be registered with the traffic commissioner. Sections 6 to 9 of the Transport Act 1985 (TA 1985) do not apply in QCS areas.

Should an application to register or vary a service in an area where a QCS is in force be received it must not be accepted and the LTA(s) who made the scheme must be consulted. The LTA(s) will decide whether the application is to be accepted or rejected by the traffic commissioner.

Only local services are within scope of a QCS. This means that, other than where they operate as a local service for part of their route, a QCS does not prevent the operation of long-distance coach services. Accordingly, long distance coach services do not need to be excluded from a scheme:

AnnexC

Statutory Quality Partnership Schemes

Quality Partnership Schemes were introduced by the Transport Act 2000 and amended by the Local Transport Act 2008.

A Quality Partnership Scheme (QPS) is a partnership between local authorities and bus operators underwhich;

- a) A local authority or authorities provide particular facilities in the whole or part of the area or combined area, and
- b) Operators of local services who wish to use the facilities must undertake to provide local services of a particular standard when using them.

A local transport authority (or two or more) may make a QPS if they are satisfied that the scheme will contribute to the implementation of their local transport policies. If the scheme is proposed by two or more local authorities, one of the authorities must act as the lead authority as decided by the authorities involved.

The local authority must be satisfied that the provision of facilities and local services will;

- a) bring benefits to persons using the local services in the whole or any part of their area or combined area by improving the quality of those services (S114 (3) (a));
- b) reduce or limit traffic congestion, noise or air pollution (S114 (3) (b)).

If an authority considers it necessary or expedient for any restrictions to be imposed on the registration of either any local service or those of a particular description they can impose registration restrictions by specifying or describing them in the scheme (S114 (3A)).

Restrictions must be imposed for the purpose of preventing or restricting;

- a) provision of local services, or
- b) variation or withdrawal of local services

if they are considered detrimental to services within the scheme (S114 (3B)).

If registration restrictions are included, the proposed scheme must specify the criteria to which traffic commissioners are to decide or not to accept an application for registration (S114 (3C)).

Relevant operators can lodge objections in the first instance with the lead local authority and then, in certain circumstances, with the traffic commissioner.

Once a scheme is in place if an operator has registered an undertaking with the traffic commissioner and subsequently fails to meet the required standard of services, the traffic commissioner can take action against the licence under section 17 of the 1981 Act for failing to abide by the undertaking, under section 155 of the TA 2000 and also section 26 of the TA 1985 (S26 paragraph 1(b) 1985 inserted by TA2000 (Schedule 11)).

Where an operator fails to give an undertaking but uses the facilities provided under the scheme the traffic commissioner can impose a penalty under section 155 of the TA 2000 and consider action under section 26 of the TA 1985 (S26 paragraph 1(b) 1985 inserted by TA2000 (Schedule 11)).

Undertakings do not apply where the service is excluded from the scheme.

There is an allowance for temporary cessation for any period in which the operator cannot provide the services to the required standard due to circumstances beyond their control.

As mentioned earlier two or more operators working in partnership to provide services in accordance with the scheme can make a joint undertaking.

Visit our website:

www.gov.uk/traffic-commissioners

Contact us:

Email enquiries@otc.gov.uk

DVSA Customer Service Centre

0300 123 9000*

*Calls provided by BT are charged at low rate. Charges from other providers may vary.