

2001 No. 218

PUBLIC PASSENGER TRANSPORT

**The Existing Facilities in Quality Partnership Schemes
(Scotland) Regulations 2001**

Made 8th June 2001

Laid before the Scottish Parliament 8th June 2001

Coming into force 1st July 2001

The Scottish Ministers, in exercise of the powers conferred by section 4 of the Transport (Scotland) Act 2001^(a) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Existing Facilities in Quality Partnership Schemes (Scotland) Regulations 2001 and shall come into force on 1st July 2001.

Interpretation

2. In these Regulations—
“the 2001 Act” means the Transport (Scotland) Act 2001; and
“scheme” means a quality partnership scheme.

Specification of existing facilities

3. Subject to regulation 4 below, existing facilities^(b) may not be specified in a scheme if those facilities were provided more than five years before the date on which the scheme is proposed.

4.—(1) Notwithstanding regulation 3 above, existing facilities which were provided for more than five, but no more than ten, years before the scheme is proposed may be specified in a scheme but only with the consent of all operators who, at the time of the relevant proposal, customarily use those facilities in the provision of local services.

(2) The consent mentioned in paragraph (1) above must be detailed in the scheme when made.

^(a) 2001 asp 2.

^(b) Section 4(1) of the 2001 Act provides that “existing facilities” are facilities which are provided before quality partnership schemes are proposed.

5. Section 5 of the 2001 Act shall apply, in relation to proposed schemes which specify existing facilities, subject to the modification that, at the end of subsection (4), there is inserted–

“(5) Where the proposed scheme specifies existing facilities the authority shall, in consultation with operators under subsection (4)(a), inform them of when the existing facilities were provided.”

St Andrew’s House,
Edinburgh
8th June 2001

SARAH BOYACK
A member of the Scottish Executive

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for existing facilities to form part of a quality partnership scheme. Quality partnership schemes were introduced by Part II of the Transport (Scotland) Act 2001.

Regulation 3 provides that existing facilities may form part of a quality partnership scheme where they were provided for no more than 5 years before the scheme is proposed.

Regulation 4 provides that existing facilities which were provided for more than 5 years but less than 10 years before the date the scheme is proposed may form part of a quality partnership scheme, but only where the consent of all bus operators using those facilities has been obtained.

Regulation 5 provides that a local transport authority must, in carrying out the consultation process, specify the date on which the existing facilities were provided.

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