
DRAFT STATUTORY INSTRUMENTS

2023 No.

The Transport (Scotland) Act 2019 (Consequential Provisions and Modifications) Order 2023

PART 4

Bus Services: Local Services Franchises

Revised allocation arrangements

30.—(1) This article applies in the circumstances set out in paragraph (2) if, at any time before the date on which a franchising framework comes into operation, an application is made to the traffic commissioner⁽¹⁾ for the cancellation or variation of a registration under section 6 of the 1985 Act⁽²⁾ (registration of local services) with respect to services which are affected local services.

(2) The circumstances referred to in paragraph (1) are that—

- (a) the effect of the application is that affected local services would cease to be provided before the coming into operation of the franchising framework, and
- (b) the local transport authority who made the franchising framework propose to enter into an agreement with a person, by reason of the cessation of those services, to provide replacement local services in the period between their cessation and the coming into operation of that franchising framework.

(3) As soon as reasonably practicable after the local transport authority have received a copy of the application described in paragraph (1), the authority must consult—

- (a) relevant operators, and
- (b) appropriate representatives of relevant employees,

about the revised allocation arrangements which the authority propose to make in respect of an organised grouping of relevant employees, or classes of relevant employees within such an organised grouping, affected by the circumstances described in paragraph (2).

(4) The local transport authority must finalise and publish the revised allocation arrangements before entering into an agreement for the provision of replacement local services in circumstances described in paragraph (2).

(5) For the purposes of this article “revised allocation arrangements” means allocation arrangements described in article 29 revised to take account of any application made under paragraph (1) in circumstances described in paragraph (2).

(1) See section 48 of the Transport (Scotland) Act 2001 (asp 2) for the meaning of “the traffic commissioner”. There are amendments to section 48 which are not relevant to this definition.

(2) 1985 c. 67. Section 6 was relevantly amended by the Transport (Scotland) Act 2001 (asp 2), sections 45 and 46 and Schedule 2, paragraph 4(2).