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SCHEDULES

SCHEDULE 2

AMENDMENTS ABOUT ROAD SERVICE LICENCES AND PERMITS

A. ROAD TRAFFIC ACT 1960 (c.16) PART III

1 In section 135 (criteria for grant, variation or refusal of, or attaching of conditions to, road service licences) for subsection (2) substitute—

“(2) Traffic commissioners shall not grant a road service licence in respect of a route if it appears to them from the particulars furnished on the application for the licence that section 78 of the Road Traffic Regulation Act 1967 (speed limits) is likely to be contravened.

(2A) In exercising their discretion to grant, refuse or vary a road service licence in respect of any routes and their discretion to attach conditions to any such licence, the traffic commissioners shall have regard to the interests of the public and (subject to subsection (2D) below) in particular to—

- (a) any transport policies or plans which have been made by the local authorities concerned and have been drawn to the commissioners' attention by those authorities ;
- (b) the transport requirements of the area as a whole (including both the commissioners' own traffic area and, so far as relevant, adjoining traffic areas) and of particular communities in the area;
- (c) the need to provide and maintain efficient services to meet those requirements ;
- (d) the suitability of the routes on which a service may be provided under the licence ; and
- (e) the convenience of persons who are disabled.

(2B) In subsection (2A) above "the local authorities concerned " means—

- (a) in Greater London, the Greater London Council;
- (b) elsewhere in England and Wales, county councils ; and
- (c) in Scotland, regional and islands councils.

(2C) The commissioners shall further take into consideration any representations made to them by persons who are already providing transport facilities along or near to the routes or any part of them or by a local authority in whose area any part of a route is situated ; and in this subsection " local authority" means—

- (a) in Greater London, the Greater London Council, the council of a London borough or the Common Council of the City of London ;
- (b) elsewhere in England and Wales, a county or district council;
- (c) in Scotland, a regional, islands or district council.

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- (2D) Traffic Commissioners are not required, in relation to excursions or tours (within the meaning of the Transport Act 1968) for which each fare includes a charge for overnight accommodation in the course of the journey, to take into account the matters specified in subsection (2A)(a) to (c) above.”.
- 2 In section 135(4) (power to attach conditions to road service licence)—
- (a) in paragraph (b) after " public interest" insert " having regard to the nature of the service ";
- (b) after paragraph (d) insert—
- “(e) in appropriate cases passengers are enabled to continue their journey by another means of transport”.
- 3 After section 139 insert—
- “**139A**) A road service licence may be granted by the traffic commissioners to be in force for a period of six months or less, the date of expiration to be shown on the face of the licence ; but section 139(2) above applies as it does to any other road service licence.
- (2) On an application for a licence of longer duration under section 139(1) to replace a short-term licence under this section, the traffic commissioners may take into account any matters arising out of the operation of the road service under the short-term licence.”.
- 4 In section 153(2) (cases in which traffic commissioners need not hold public sittings) after the words " determination of an application for " insert " (a) " , and at the end add—
- “or
- (b) the grant of a short-term road service licence under section 139A above.”.
- 5 In section 160(1) (general power to make regulations for purposes of Part III of the Act), after paragraph (c) insert—
- “(cc) applications for, and issue of, the disc or other document required, under section 5(6) of the Transport Act 1978, in connection with a community bus service”.