



Railways Act 2005

2005 CHAPTER 14

PART 4

NETWORK MODIFICATIONS ETC.

Excluded proposals

37 Discontinuance of experimental passenger services

(1) Where—

- (a) a railway funding authority is a party to a franchise agreement under which an experimental passenger service is provided,
- (b) the person providing the service proposes to discontinue it after the requirement to provide it has come to an end, and
- (c) that authority does not propose to secure the continued provision of the service,

that authority must give notice of the proposed discontinuance of the service.

(2) Where—

- (a) an experimental passenger service is provided otherwise than in satisfaction of requirements imposed by a franchise agreement, and
- (b) the person providing the service proposes to discontinue it,

that person must give notice of his proposal and must not discontinue the service before the end of the notice period.

(3) The notice required to be given under this section is a notice which—

- (a) sets out the details of the proposed discontinuance; and
- (b) is published in the required manner.

(4) A notice is published in the required manner if it is published, in two successive weeks—

- (a) in a local newspaper circulating in the area affected by the proposal;
- (b) in two national newspapers; and

Status: This is the original version (as it was originally enacted).

- (c) in such other manner as appears to the person giving the notice to be appropriate.
- (5) A person giving notice of a proposed discontinuance under subsection (2) must send to the Office of Rail Regulation a copy of the notice published under subsection (3)(b).
- (6) In this section “the notice period”, in relation to a proposal to discontinue a service, means the period of six weeks after the notice of that proposal has been published in the required manner.
- (7) For the purposes of subsection (4)(a) the area affected by a proposal to discontinue an experimental passenger service is the area in which is situated the line or station in relation to which the service is designated as experimental.
- (8) For the purposes of subsection (4)(b) as it applies in relation to—
 - (a) a Scotland-only service, or
 - (b) a Wales-only service,a newspaper which circulates generally in Scotland or, as the case may be, Wales is to be regarded as being a national newspaper.