



Bus Services Act 2017

2017 CHAPTER 21

Enhanced partnership plans and schemes

10 Information about local services

After section 143A of the Transport Act 2000 (inserted by section 5) insert—

“143B Power to obtain information about local services: enhanced partnership schemes

- (1) If a local transport authority in England, or two or more such authorities acting jointly, are preparing an enhanced partnership plan or scheme, the authority or any of the authorities may, in connection with preparing the plan or scheme, require an operator of a local service in their area or combined area to supply relevant information.
- (2) A local transport authority in England that are party to an enhanced partnership plan may, in connection with any relevant function, require an operator of a local service in their area, or in the combined area of the authority and any other local transport authority in England that are party to the plan, to supply relevant information.
- (3) If an enhanced partnership plan is proposed to be varied so as to include another local transport authority in England, that authority may, in connection with determining whether and how to vary an enhanced partnership plan or scheme, require an operator of a local service in their area, or in the combined area of that authority and any other local transport authority in England that would be party to the plan as it is proposed to be varied, to supply relevant information.
- (4) The operator may be required—
 - (a) to provide the information in any form in which, having regard to the manner in which the information is kept, it is reasonable to expect him to provide it, and
 - (b) to provide the information before the end of such reasonable period as may be specified by the local transport authority.

Status: This is the original version (as it was originally enacted).

- (5) If it appears to a local transport authority that an operator of a local service has failed to take all reasonable steps to comply with a request under this section, the authority must inform a traffic commissioner.
- (6) A local transport authority that have obtained information under this section in connection with a function relating to an enhanced partnership plan or scheme may—
- (a) use the information for the purposes of the function for which it was obtained, and
 - (b) supply the information to a person specified in subsection (7) for use for those purposes in connection with the same plan or scheme.
- (7) The persons referred to in subsection (6) are—
- (a) a local transport authority;
 - (b) the Secretary of State;
 - (c) a metropolitan district council;
 - (d) a person providing services to a local transport authority, the Secretary of State or a metropolitan district council.
- (8) A public authority must not disclose information supplied to the authority under this section if it is information which the authority may refuse to disclose in response to a request under the Freedom of Information Act 2000 in reliance on a claim that the information is exempt information by virtue of section 40, 41, 42 or 43 of the Freedom of Information Act 2000.
- (9) Subsection (8) does not prevent the disclosure of information—
- (a) under subsection (6)(b),
 - (b) in the case of information relating to the affairs of an individual who is alive or a particular business that is being carried on, with the consent of the individual or the person for the time being carrying on the business,
 - (c) in connection with the investigation of crime or for the purposes of criminal proceedings,
 - (d) for the purposes of civil proceedings brought by virtue of this Act or the Transport Act 1985,
 - (e) in order to comply with the order of a court of tribunal, or
 - (f) in order to comply with a requirement imposed by law.
- (10) The prohibition in subsection (8) is to be disregarded for the purposes of section 44 of the Freedom of Information Act 2000.
- (11) In this section—
- “relevant function” means—
- (a) reviewing an enhanced partnership plan or the operation of an enhanced partnership scheme,
 - (b) determining whether and how to vary an enhanced partnership plan or scheme, or
 - (c) determining whether to revoke an enhanced partnership plan or scheme;
- “relevant information” means information relating to a local service or passengers on a local service which is of a description specified in regulations made by the Secretary of State.”