

Bus Services Bill [HL]

AMENDMENTS TO BE MOVED IN COMMITTEE

Clause 1

LORD AHMAD OF WIMBLEDON

Page 5, leave out line 3

LORD JUDD
LORD INGLEWOOD

Page 5, line 37, at end insert –

“(e) national park authorities in England.”

LORD AHMAD OF WIMBLEDON

Page 11, leave out line 2

Clause 4

LORD KENNEDY OF SOUTHWARK
BARONESS JONES OF WHITCHURCH

Page 15, line 43, at end insert –

“(g) the extent to which not-for-profit bus operators can be integrated into a proposed scheme in order to contribute to the long term sustainability of the scheme.”

EARL ATTLEE

Page 15, line 43, at end insert –

“(g) whether the proposed scheme would be more efficient, effective and economic than any other option, taking into account any compensation payable to bus operators whose businesses would be wholly or partially expropriated by the scheme.”

LORD JUDD
LORD INGLEWOOD

Page 16, line 7, at end insert –

“(e) a national park authority in England.”

Clause 4 - continued

Page 17, line 36, at end insert –

“(e) a national park authority in England.”

BARONESS JONES OF WHITCHURCH
LORD KENNEDY OF SOUTHWARK

Page 17, line 36, at end insert –

- “(3) The consultation process must –
- (a) be to a timescale that allows all interested parties and stakeholders to respond to the consultation;
 - (b) be in formats that are accessible to all interested parties and stakeholders in order to enable them to respond to the consultation; and
 - (c) include passenger interest groups.”

LORD AHMAD OF WIMBLEDON

Page 18, leave out lines 5 and 6

LORD KENNEDY OF SOUTHWARK
BARONESS JONES OF WHITCHURCH

Page 18, line 15, after “services,” insert “including what the authority or authorities will do to look at how the franchise could be divided into smaller parts to make the franchise bid accessible to small and medium sized enterprises,”

LORD AHMAD OF WIMBLEDON

Page 19, line 6, after first “the” insert “minimum”

Page 19, line 15, after “the” insert “minimum”

Page 19, line 17, at end insert –

- “() A scheme may not specify under subsection (2)(d) or (3)(c) a period of less than six months.”

Page 19, leave out lines 22 to 28 and insert –

- “(4A) If the franchising scheme relates to an area to which a relevant scheme or plan also relates, the franchising scheme must include –
- (a) in a case where the relevant scheme or plan relates only to the area to which the franchising scheme relates or a part of that area, provision revoking the relevant scheme or plan, or
 - (b) in any other case, provision varying the relevant scheme or plan so that it ceases to relate to any part of the area to which the franchising scheme relates.
- (4B) A franchising scheme may not otherwise vary a relevant scheme or plan.
- (4C) In subsections (4A) and (4B) –
“relevant plan” means an enhanced partnership plan, and

Clause 4 - continued

“relevant scheme” means an advanced quality partnership scheme or an enhanced partnership scheme.”

Page 19, leave out lines 29 to 40 and insert –

- “(4D) If provision is made under subsection (4A)(b) to vary an enhanced partnership plan or scheme so that it ceases to relate to an area, the local transport authority or authorities to whose area or combined area the plan or, in the case of a scheme, the related plan continues to relate may vary the plan or, as the case may be, the scheme in such manner as they consider appropriate in consequence of the provision made under subsection (4A)(b).
- (4E) Section 138K(3) applies, and section 138K(4), (5) and (8) do not apply, to a variation under subsection (4D).”

Page 20, line 46, at end insert –

- “(7) The effective time, in relation to a local service contract, is the beginning of the day on which a local service may first be provided under the contract (see sections 123K(4) and 123L).”

Page 21, line 16, leave out from “until” to end and insert “–

- (a) the expiry of the period that, under the scheme, must expire between the making of the contract and the provision of the local service under the contract (see section 123H(2)(d) and (3)(c)), or
- (b) such later time as may be specified in the contract.
- () Subsection (4) is subject to section 123L.”

Page 21, leave out lines 17 to 22

Page 21, line 37, leave out from beginning to “if” and insert “A local service contract may specify as the time when a local service may first be provided under the contract a time before the expiry of such period as is described in section 123K(4)(a), and that service may be provided from that time,”

Page 22, line 21, at end insert –

- “() The references in subsections (1) to (6) to the franchising authority or authorities in relation to a franchising scheme include a reference to a franchising authority who are not operating the scheme but would do so under a proposed variation.”

Clause 5

EARL ATTLEE

Page 32, line 34, at end insert –

- “(4A) Information provided in accordance with the provisions of subsection (1) or (2) is to be subject to a fee payable by the franchising authority or franchising authorities to the operator of local services from whom the information is requested.
- (4B) The fee payable under subsection (4A) must be set at an appropriate level which has been agreed between the operator of local services and the franchising authority or franchising authorities.
- (4C) The fee payable under subsection (4A) is to be payable at the end of the period of 30 days beginning with the date on which the information under subsection (1) or (2) is provided.
- (4D) Any dispute about the level of fee to be paid under subsection (4A) will be subject to binding arbitration by an auditor appointed by the traffic commissioner.
- (4E) In this section “auditor” means a person or body with a recognised professional qualification, as defined in Part 42 of the Companies Act 2006.”

Clause 7

LORD AHMAD OF WIMBLEDON

Page 34, line 38, after “make” insert “or vary”

Page 35, line 34, after “authorities” insert “to whose area or combined area the scheme relates”

Page 35, line 34, at end insert –

- “() If the proposed variation would result in the scheme relating to all or part of the area of another local transport authority, the reference in subsection (6) to the authority or authorities includes that other authority.”

Page 35, leave out lines 35 to 46 and insert –

- “() The variation or revocation is subject to the same procedure as the making of the scheme and in the application of that procedure –
 - (a) a reference in sections 134C(1) to (9) and 134D and subsections (1) to (5) to making a scheme is to be treated as a reference to varying or revoking a scheme,
 - (b) a reference in those provisions to the proposed scheme is to be treated as a reference to the scheme as proposed to be varied or to the proposed revocation of the scheme, and
 - (c) a reference in those provisions to the date on which a scheme comes into operation is to be treated as a reference to the date on which the scheme as varied comes into operation or the date on which the scheme comes to an end.”

Clause 9

LORD AHMAD OF WIMBLEDON

Page 37, line 21, leave out “a related enhanced partnership” and insert “the”

EARL ATTLEE

Page 39, line 31, at end insert –

“(6A) The requirements that may be specified under subsections (4)(b), (4)(e) and (4)(h) in relation to fares and the prices of multi-operator tickets may only be specified if all operators party to the enhanced partnership scheme are in agreement with the requirements.”

LORD AHMAD OF WIMBLEDON

Page 40, line 39, leave out “enhanced partnership area” and insert “area to which the scheme relates”

BARONESS JONES OF WHITCHURCH
LORD KENNEDY OF SOUTHWARK

Page 42, line 29, at end insert –

“(h) passenger groups and other stakeholder groups representing bus users in the area.”

LORD JUDD
LORD INGLEWOOD

Page 42, line 35, at end insert –

“(e) national park authorities in England.”

BARONESS JONES OF WHITCHURCH
LORD KENNEDY OF SOUTHWARK

Page 42, line 35, at end insert –

“(7A) The consultation process must –
(a) be to a timescale that allows all interested parties and stakeholders to respond to the consultation;
(b) be in formats that are accessible to all interested parties and stakeholders in order to enable them to respond to the consultation.”

LORD AHMAD OF WIMBLEDON

Page 46, line 8, leave out “made by” and insert “requires”

Page 46, line 9, leave out “requires them”

Page 47, line 5, leave out from “authorities” to end of line 6 and insert “to whose area or combined area, or part of it, an enhanced partnership plan relates may vary the plan and any related enhanced partnership scheme.”

Page 47, line 7, after “plan” insert “or scheme”

Clause 9 - continued

Page 47, line 8, after “plan” insert “or scheme”

Page 47, line 27, leave out “enhanced partnership area” and insert “area to which the scheme relates”

Page 47, leave out lines 30 to 32 and insert –

- “() The references in subsections (1) and (3) to (5) and sections 138L and 138M to the local transport authority or authorities –
- (a) in relation to the variation of an enhanced partnership plan, or
 - (b) in relation to the variation of an enhanced partnership scheme, if the scheme is proposed to be varied at the same time as the related enhanced partnership plan is proposed to be varied,
- include a reference to a local transport authority to no part of whose area the plan relates but to whose area or part of it the plan would relate under a proposed variation.”

Page 48, line 34, leave out “proposed plan and scheme (or proposed scheme)” and insert “proposal”

Clause 14

LORD AHMAD OF WIMBLEDON

Page 63, line 21, leave out from “relates” to end of line 22 and insert “to –

- (i) a particular service that only has stopping places in the area to which the scheme relates,
- (ii) particular services at least one of which is such a service, or
- (iii) a particular description of services which includes or is capable of including such a service.”

Page 63, line 28, leave out from “relates” to end of line 29 and insert “to a particular service that only has stopping places in the area to which the scheme relates, particular services at least one of which is such a service or a particular description of services which includes or is capable of including such a service –”

Page 63, line 31, leave out “such services” and insert “services that only have stopping places in that area”

Page 64, line 3, leave out “relevant”

Page 64, line 4, leave out “relevant”

Page 64, line 5, leave out “relevant”

Clause 14 - continued

Page 64, line 10, leave out from “effect” to end of line 12

Page 64, line 15, at end insert –

““the relevant registration functions”, in relation to an enhanced partnership scheme, means the functions of a traffic commissioner under sections 6, 6D, 6E and 6F of this Act so far as relating to –

- (a) in the case of functions relating to the variation of registration, services that would be relevant services if varied as proposed, or
 - (b) in the case of any other function, relevant services;
- “relevant service”, in relation to an enhanced partnership scheme, means a local service that only has stopping places in the area to which the scheme relates;”

Page 65, line 4, leave out from “service”” to end of line 7 and insert “has the same meaning as in section 6G;”

After Clause 15

BARONESS JONES OF WHITCHURCH
LORD KENNEDY OF SOUTHWARK

Insert the following new Clause –

“Disability awareness training

- (1) All drivers of buses and staff at bus terminals must complete disability awareness training by 1 April 2019.
- (2) This training must cover a broad range of mental and physical disabilities, including hidden disabilities.
- (3) After 1 April 2019 –
 - (a) all new bus drivers and terminal staff must complete disability awareness training within one month of starting work; and
 - (b) bus drivers and terminal staff must undertake refresher training at least once every five years.
- (4) Bus operating companies must consult passenger groups, disability stakeholder groups and relevant authorities when developing their disability awareness training for bus drivers and terminal staff.”

Clause 18

LORD AHMAD OF WIMBLEDON

Page 69, line 24, after “commissioner” insert “or a body carrying out a traffic commissioner’s functions in accordance with section 6G”

Schedule 1

LORD AHMAD OF WIMBLEDON

Page 75, line 29, leave out sub-paragraph (3)

Schedule 2

LORD AHMAD OF WIMBLEDON

Page 79, line 3, leave out “123K(5)” and insert “123J(7)”

Page 79, line 27, at end insert –

“Local Transport Act 2008 (c. 26)

- 24 The Local Transport Act 2008 is amended as follows.
- 25 Omit sections 22 to 25 (QCS boards in England).
- 26 Omit section 27 (appeals against making of quality contract schemes in England).
- 27 Omit section 33 (continuation of quality contract schemes for areas in England).
- 28 Omit section 36 (appeals where proposed continuation of scheme considered non-exempt).”

Schedule 4

LORD AHMAD OF WIMBLEDON

Page 81, line 17, at end insert –

“(4) In subsection (1)(bzb) (inserted by Schedule 2), after “143A” insert “or 143B”.”

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IN COMMITTEE

15 June 2016
