

Bus Services Bill [HL]

COMMONS AMENDMENTS

[The page and line references are to Bill 100, the Bill as first printed for the Commons]

Clause 1

- 1 Page 2, line 43, leave out from beginning to end of line 4 on page 3
- 2 Page 4, leave out lines 37 to 42
- 3 Page 6, leave out line 1
- 4 Page 6, leave out lines 8 to 16

Clause 4

- 5 Page 15, line 11, at end insert –
“But each of paragraphs (b) to (f) has effect only if the Secretary of State by regulations so provides.”
- 6 Page 15, leave out lines 41 to 45
- 7 Page 16, line 41, at end insert –
“() A franchising authority or authorities may not prepare an assessment of a proposed franchising scheme under section 123B unless the Secretary of State consents to their doing so.
() The Secretary of State’s consent is not required if the proposed scheme relates only to –
(a) the area of a mayoral combined authority, or
(b) the combined area of two or more mayoral combined authorities.
() The Secretary of State must publish a notice of a consent given under this section.”
- 8 Page 17, line 4, after “an” insert “independent”
- 9 Page 17, line 13, at end insert –
“() The Secretary of State must issue guidance as to the matters to be taken into account by a franchising authority when selecting a person to act as an auditor.
() Franchising authorities must have regard to any such guidance.

- () The Secretary of State must issue guidance concerning the matters to be taken into account by an auditor when forming an opinion as to whether the information relied on, and the analysis of that information, by an authority is of sufficient quality for the purposes of subsection (2).
- () Auditors must have regard to any such guidance.”

- 10 Page 17, leave out line 14 and insert “For the purposes of this section an auditor is independent, in relation to an assessment of a proposed franchising scheme, if the person would not”
- 11 Page 17, line 19, leave out from “person” to end of line 20 and insert “eligible for appointment as a local auditor by virtue of Chapter 2 of”
- 12 Page 18, leave out line 3
- 13 Page 18, leave out lines 12 to 20
- 14 Page 24, line 41, leave out “21” and insert “(*Bus companies: limitation of powers of authorities in England*)”

Clause 9

- 15 Page 42, leave out lines 15 to 20

Clause 18

- 16 Page 74, leave out lines 7 to 12 and insert “which have one or more stopping places in their areas”
- 17 Page 74, line 22, after “routes,” insert “stopping places,”
- 18 Page 74, line 23, at end insert “stopping places,”

Clause 19

- 19 Page 76, line 36, at end insert –
- “() In this section “local transport authority” has the meaning given in section 108(4) of the Transport Act 2000.””

After Clause 21

- 20 Insert the following new Clause –
- “Bus companies: limitation of powers of authorities in England**
- (1) A relevant authority may not, in exercise of any of its powers, form a company for the purpose of providing a local service.
 - (2) Subsection (1) applies whether the relevant authority is acting alone or with any other person.
 - (3) In this section –
 - “company” has the same meaning as in the Companies Acts (see sections 1(1) and 2(1) of the Companies Act 2006);
 - “form a company” is to be construed in accordance with section 7 of the Companies Act 2006;

“local service” has the same meaning as in the Transport Act 1985 (see section 2 of that Act);

“Passenger Transport Executive”, in relation to an integrated transport area in England or a combined authority area, means the body which is the Executive in relation to that area for the purposes of Part 2 of the Transport Act 1968;

“relevant authority” means –

- (a) a county council in England;
- (b) a district council in England;
- (c) a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;
- (d) an Integrated Transport Authority for an integrated transport area in England;
- (e) a Passenger Transport Executive for –
 - (i) an integrated transport area in England, or
 - (ii) a combined authority area.”

Clause 26

21 Page 79, line 37, leave out subsection (2)

Schedule 2

22 Page 84, line 35, leave out “123A(4)(b) to (f)” and insert “123A(4)”

Schedule 4

23 Page 88, line 12, leave out “123A(4)(b) to (f)” and insert “123A(4)”

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6 April 2017
