



Transport Act 1980

1980 CHAPTER 34

PART I

PUBLIC SERVICE VEHICLES

Trial areas

12 Designation of trial areas

- (1) For the purposes of this Part a trial area is any area in Great Britain (outside Greater London) for the time being designated in accordance with the following provisions of this section as an area in which road service licences are not required for stage carriage services.
- (2) The Minister may, if he thinks fit, make an order (in this section referred to as a "designation order") so designating any area consisting of the whole or part of the area of a local authority, but shall not make such an order in respect of any area except on an application made to him by the local authority concerned.
- (3) An application for a designation order shall specify the area which the local authority concerned wishes to be designated by the order; and the area designated by such an order as originally made—
 - (a) shall not include any area outside the area specified in the application on which the order is made; and
 - (b) shall not consist of less than the whole of the area so specified unless the reduction is made with the consent of the local authority concerned.
- (4) Subject to subsection (5), the Minister may by order vary or revoke a designation order but shall not do so except on an application made to him by the local authority concerned; and the Minister—
 - (a) on an application for an order varying a designation order, may at his discretion refuse the application or make the order applied for either with or without modifications; and

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- (b) on an application for an order revoking a designation order may at his discretion refuse the application or make the order applied for.
- (5) A designation order—
- (a) shall not be revoked before the end of the period specified in the order, as originally made, as the minimum period for which the order is to be in force, being a period of not less than two and not more than five years beginning with the day on which it comes into force;
 - (b) shall not before the end of that period be varied so as to exclude from the area designated by it any part of the area originally so designated ; and
 - (c) shall at no time be varied so as to include in the area designated by it any area outside the area originally so designated.
- (6) The preceding provisions of this section have effect subject to the provisions of Schedule 2 (which relate to the making of applications for, and the variation and revocation of, designation orders).
- (7) Any order under this section shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) In this section and Schedule 2—
- " designation order " has the meaning given by subsection (2) (but does not include an order under this section altering the area designated by a designation order);
 - " local authority " means, for England and Wales, a county council and, for Scotland, a regional or islands council;
 - " the local authority concerned ", in relation to any area designated or proposed to be designated under this section, means the local authority whose area is or contains that area.

13 Stage carriage services in trial areas

- (1) A road service licence is not required for the provision of a stage carriage service within a trial area.
- (2) Where a stage carriage service operates partly within one or more trial areas and partly not within a trial area—
 - (a) a road service licence is not required in respect of so much of the service as operates not within a trial area but. within a traffic area in which (except in any trial area) passengers are neither taken up nor set down in the course of the service ; and
 - (b) any conditions attached to a road service licence under which any part of that service is provided shall not apply in relation to so much of the service as operates within any trial area.
- (3) So much of subsection (3) of section 1 of the Road Traffic Regulation Act 1967 as provides that no prohibition or restriction on waiting imposed by a traffic regulation order under that section shall apply to a stage carriage shall not operate within a trial area.

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14 Duty to publish particulars of stage carriage services in trial areas

- (1) This section applies to any stage carriage service which operates wholly within a trial area; but where a stage carriage service operates only partly within a trial area, so much of it as operates within that area shall for the purposes of this section be treated as a separate service to which this section applies.
- (2) Before—
 - (a) starting to provide a new service to which this section applies; or
 - (b) making, otherwise than temporarily, any changes in a service to which this section applies; or
 - (c) discontinuing a service to which this section applies,the operator of the service shall—
 - (i) give to the local authority concerned, and to every district council in whose area passengers will be or are taken up or set down in the course of the service in question (including, in a case within paragraph (b), the service as proposed to be changed), a notice giving the prescribed information about the new service, the changes or the discontinuance, as the case may be; and
 - (ii) publish in a local newspaper circulating in the locality served or to be served by the service a notice giving the prescribed information about the new service, the changes or the discontinuance, as the case may be.
- (3) Subject to subsection (4), any notice required by subsection (2) shall be given or published not later than the prescribed time before the operator does as mentioned in subsection (2)(a), (b) or (c), as the case may be.
- (4) Where the operator of a service to which this section applies does as mentioned in subsection (2)(a), (b) or (c) in consequence of unforeseen circumstances making it impracticable for him to give or, as the case may be, publish in accordance with subsection (3) a notice required by subsection (2), subsection (3) shall not apply to that notice, but instead the notice in question shall be given or, as the case may be, published (with any necessary modifications) as soon as is practicable.
- (5) If, at the time when any area becomes a trial area, there is being provided under a road service licence a stage carriage service which operates wholly or partly within that area, that service shall for the purposes of subsection (1) be treated as one which operates wholly or, as the case may be, partly within a trial area.
- (6) A person who fails to give or publish as required by this section any notice which this section requires him to give or publish shall be liable on summary conviction to a fine not exceeding £200.
- (7) Where more than one person falls to be regarded as the operator of a service to which this section applies, the requirements of this section are complied with if the requisite notices are given and published by any of those persons.
- (8) In this section—
 - " the local authority concerned " has the meaning given by section 12(8);
 - " operator " includes a prospective operator.

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15 Relaxation in trial areas of operators' duties to co-operate and exchange information

- (1) Subject to subsection (3) the duties of public passenger transport operators under the provisions mentioned in subsection (2), being duties to co-operate with and afford information to one another, shall not apply in relation to a service so far as it is provided within a trial area.
- (2) The provisions referred to in subsection (1) are—
 - (a) section 24(2) and (3) of the Transport Act 1968 (services in passenger transport areas);
 - (b) section 1(1)(c) of the Transport Act 1978 (services in England and Wales outside passenger transport areas); and
 - (c) section 151(1)(b) of the Local Government (Scotland) Act 1973 (services in Scotland outside passenger transport areas).
- (3) Subsection (1) shall not affect the duties of public passenger transport operators to co-operate with or afford information to—
 - (a) a Passenger Transport Executive ;
 - (b) a county council; or
 - (c) a regional or islands council,for the purpose of the discharge by any such Executive or council of its function of coordinating passenger transport services.
- (4) In this section " public passenger transport operators " means persons providing public passenger transport services within the meaning of section 1(2) of the Transport Act 1978.