



# Transport Act 2000

## 2000 CHAPTER 38

### PART II

#### LOCAL TRANSPORT

##### *Bus services: quality partnership schemes*

#### 114 Quality partnership schemes.

- (1) A local transport authority, or two or more such authorities acting jointly, may make a quality partnership scheme if they are satisfied that the scheme <sup>[F1]</sup>will contribute to the implementation of their local transport policies<sup>[F2]</sup> (but this is subject to subsection (1A)).

<sup>[F3]</sup>(1A) A local transport authority whose area is in England may exercise the power to make a quality partnership scheme only if—

- (a) they are acting jointly with one or more other local transport authorities, and
- (b) at least one of those other local transport authorities is an authority whose area is in Wales.]

- (2) A quality partnership scheme is a scheme under which—

- (a) the authority or authorities provide particular facilities in the whole or part of their area, or combined area, and
- (b) operators of local services who wish to use the facilities must undertake to provide local services of a particular standard when using them.

- (3) The authority or authorities must be satisfied that both the provision of those facilities and the provision of local services of that standard will—

- <sup>[F4]</sup>(a) bring benefits to persons using local services in the whole or any part of their area, or combined area, by improving the quality of those services, or]
- (b) reduce or limit traffic congestion, noise or air pollution.

<sup>[F5]</sup>(3A) If the authority or authorities consider that it is necessary or expedient for any restrictions to be imposed on the registration of—

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- (a) any local services, or
  - (b) any local services of a particular description,
- they may impose those restrictions (“registration restrictions”) by specifying or describing them in the scheme.
- (3B) Any restrictions so imposed must be for the purpose of preventing or restricting—
- (a) the provision of local services, or
  - (b) the variation or withdrawal of local services,
- in cases where the authority or authorities consider that any such provision, or (as the case may be) variation or withdrawal, of services might be detrimental to the provision of services under the scheme.
- (3C) Where a scheme includes any registration restrictions by virtue of subsection (3A), it must also specify the criteria (“registration criteria”) by reference to which [<sup>F6</sup>a traffic commissioner is] to decide whether or not to accept an application for registration.
- (3D) In subsections (3A) to (3C) “registration”, in relation to any service,—
- (a) means registration of prescribed particulars of the service under section 6 of the Transport Act 1985 (registration of local services), and
  - (b) includes a reference to the variation or cancellation of any such registration.]
- (4) A quality partnership scheme may not be made unless the authority or authorities have complied with the notice and consultation requirements imposed by section 115.
- (5) The facilities which may be specified in a scheme—
- (a) must be facilities provided at specific locations along routes served, or proposed to be served, by local services within the area to which the scheme relates, or facilities which are ancillary to such facilities, but
  - (b) may not be facilities which are required to be provided as a result of section 139 or 140.
- [<sup>F7</sup>(6) The standard of services which may be specified in a scheme includes—
- (a) requirements which the vehicles being used to provide the services must meet, and
  - (b) requirements as to frequency or timing of the services,
- but the specification of any such requirements is not to prevent operators from providing services in excess of those requirements.]
- [<sup>F8</sup>(6A) The standard of services which may be specified in a scheme may also include requirements as to the maximum fares that may be charged for particular journeys, or for journeys of particular descriptions, on services to which the scheme applies.
- (6B) A scheme may include a requirement falling within subsection (6)(b) or (6A) only if there are no admissible objections to the requirement from relevant operators.
- Section 122(3) to (5) makes further provision with respect to such schemes.]
- [<sup>F9</sup>(6C) The power to make a quality partnership scheme includes power to provide for different facilities, or different standards of services, to be provided under the scheme as from different dates after the scheme comes into operation.]
- (7) If the provision of any of the facilities requires the making of a traffic regulation order in respect of a road or other place in a metropolitan district (other than a road for which

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- the Secretary of State or the National Assembly for Wales is the traffic authority), the scheme may not be made unless it is made by—
- (a) the local transport authority or authorities, and
  - (b) the metropolitan district council for the district, acting jointly.
- (8) If the provision of any of the facilities requires the making of a traffic regulation order in respect of a road for which the Secretary of State or the National Assembly for Wales is the traffic authority, the scheme may not be made unless it is made by—
- (a) the local transport authority or authorities, and
  - (b) the Secretary of State or the National Assembly for Wales, acting jointly.
- (9) Where subsection (7) or (8) applies so that a metropolitan district council, the Secretary of State or the National Assembly for Wales is a maker of the scheme, then (subject to section 121) the relevant references to the authority or authorities include (as well as the local transport authority or authorities) the metropolitan district council, the Secretary of State or the National Assembly for Wales.
- (10) For the purpose of subsection (9) the relevant references are those in—
- (a) subsections (2) and (4),
  - (b) sections 115 to 120, and
  - (c) section 127(7),
- and paragraph 27(3) of Schedule 9 to the <sup>M1</sup>Road Traffic Regulation Act 1984.
- (11) In carrying out their functions under this Part in relation to quality partnership schemes, local transport authorities must co-operate with one another.
- (12) In considering whether to make a quality partnership scheme, a local transport authority must have regard to the desirability, in appropriate cases, of making a scheme jointly with another such authority.

#### Textual Amendments

- F1** Words in s. 114(1) substituted (9.2.2009 for E., 1.4.2009 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 13\(2\)](#), 134(4); S.I. 2009/107, art. 2(2), Sch. 2 Pt. 1; S.I. 2009/579, art. 2(c)
- F2** Words in s. 114(1) inserted (27.4.2017 for specified purposes, 27.6.2017 in so far as not already in force) by [Bus Services Act 2017 \(c. 21\)](#), s. 26(3), [Sch. 1 para. 7\(2\)](#)
- F3** S. 114(1A) inserted (27.4.2017 for specified purposes, 27.6.2017 in so far as not already in force) by [Bus Services Act 2017 \(c. 21\)](#), s. 26(3), [Sch. 1 para. 7\(3\)](#)
- F4** S. 114(3)(a) substituted (6.4.2009 for E., 31.1.2010 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 13\(3\)](#), 134(4); S.I. 2009/107, art. 4(2), Sch. 5; S.I. 2009/3294, art. 2(a)
- F5** S. 114(3A)-(3D) inserted (6.4.2009 for E., 31.1.2010 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 13\(4\)](#), 134(4); S.I. 2009/107, art. 4(2), Sch. 5; S.I. 2009/3294, art. 2(a)
- F6** Words in s. 114(3C) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), [Sch. 3](#) (with art. 7)
- F7** S. 114(6) substituted (6.4.2009 for E., 31.1.2010 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 13\(5\)](#), 134(4); S.I. 2009/107, art. 4(2), Sch. 5; S.I. 2009/3294, art. 2(a)
- F8** S. 114(6A)(6B) inserted (6.4.2009 for E., 31.1.2010 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 13\(6\)](#), 134(4); S.I. 2009/107, art. 4(2), Sch. 5; S.I. 2009/3294, art. 2(a)
- F9** S. 114(6C) inserted (6.4.2009 for E., 31.1.2010 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 13\(7\)](#), 134(4); S.I. 2009/107, art. 4(2), Sch. 5; S.I. 2009/3294, art. 2(a)

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#### Modifications etc. (not altering text)

- C1** Pt. 2: functions made exercisable (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\)](#), regs. 1(2), **15(1)**
- C2** S. 114(6B) excluded (E.) (6.4.2009) by [The Quality Partnership Schemes \(England\) Regulations 2009 \(S.I. 2009/445\)](#), regs. 1(1), **4**
- C3** S. 114 applied (with modifications) (1.2.2005) by [The Local Authorities' Plans and Strategies \(Disapplication\) \(England\) Order 2005 \(S.I. 2005/157\)](#), art. 1, **Sch. 2 para. 5** (with art. 7(4))
- C4** Ss. 113C-123: functions transferred (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\)](#), regs. 1(2), **15(2)** (with reg. 15(5))
- C5** S. 114(6B) excluded (1.2.2010) by [The Quality Partnership Schemes \(Wales\) Regulations 2009 \(S.I. 2009/3293\)](#), regs. 1(1), **4(3)**
- C6** S. 114(6B) modified (1.2.2010) by [The Quality Partnership Schemes \(Wales\) Regulations 2009 \(S.I. 2009/3293\)](#), regs. 1(1), **5-7**

#### Commencement Information

- II** S. 114 wholly in force at 26.10.2001; s. 114 not in force at Royal Assent see s. 275(1)(2); s. 114 in force (W.) at 1.8.2001 by [S.I. 2001/2788](#), art. 2, **Sch. 1 para. 1**; s. 114 in force (E.) at 26.10.2001 by [S.I. 2001/3342](#), art. 2, **Sch.**

#### Marginal Citations

- M1** 1984 c. 27.

## 115 Notice and consultation requirements.

- (1) If an authority or authorities propose to make a quality partnership scheme, they must give notice of the proposed scheme in at least one newspaper circulating in the area to which it relates.
- (2) The notice must either contain full details of the facilities and standards of services <sup>[<sup>F10</sup></sup>, and of any registration restrictions and registration criteria,] or state where such details may be inspected.
- (3) After giving notice of the proposed scheme, the authority or authorities must consult—
  - (a) all operators of local services who would, in the opinion of the authority or authorities, be affected by it,
  - (b) such organisations appearing to the authority or authorities to be representative of users of local services as they think fit,
  - (c) any other relevant local authority any part of whose area would, in the opinion of the authority or authorities, be affected by it,
  - <sup>[<sup>F11</sup></sup>(d) a traffic commissioner,]
  - (e) the chief officer of police for each police area covering the whole or part of that area, and
  - (f) such other persons as the authority or authorities think fit.
- (4) For the purpose of subsection (3)(c) the following are relevant local authorities—
  - (a) local transport authorities,
  - <sup>[<sup>F12</sup></sup>(b) district councils in England,]
  - (c) London transport authorities, and
  - (d) councils in Scotland.

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### Textual Amendments

- F10** Words in s. 115(2) inserted (6.4.2009 for E., 31.1.2010 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 14\(2\)](#), [134\(4\)](#); [S.I. 2009/107](#), [art. 4\(2\)](#), [Sch. 5](#); [S.I. 2009/3294](#), [art. 2\(b\)](#)
- F11** S. 115(3)(d) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), [art. 1\(1\)](#), [Sch. 3](#) (with [art. 7](#))
- F12** S. 115(4)(b) substituted (6.4.2009 for E., 31.1.2010 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 14\(3\)](#), [134\(4\)](#); [S.I. 2009/107](#), [art. 4\(2\)](#), [Sch. 5](#); [S.I. 2009/3294](#), [art. 2\(b\)](#)

### Modifications etc. (not altering text)

- C4** [Ss. 113C-123](#): functions transferred (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\)](#), [regs. 1\(2\)](#), [15\(2\)](#) (with [reg. 15\(5\)](#))
- C7** S. 115 applied (with modifications) (E.) (26.10.2001) by [S.I. 2001/3317](#), [reg. 5](#)  
S. 115 applied (with modifications) (W.) (20.12.2002) by [S.I. 2002/3017](#), [reg. 5](#)

### Commencement Information

- I2** S. 115 wholly in force at 26.10.2001; s. 115 not in force at Royal Assent see s. 275(1)(2); s. 115 in force (W.) at 1.8.2001 by [S.I. 2001/2788](#), [art. 2](#), [Sch. 1 para. 1](#); s. 115 in force (E.) at 26.10.2001 by [S.I. 2001/3342](#), [art. 2](#), [Sch.](#)

## 116 Making of scheme.

- (1) If the authority or authorities decide that it is appropriate to make the scheme, they may make it as proposed or with modifications.
- (2) The scheme must specify [<sup>F13</sup>each of the following]—
- (a) the facilities to be provided under it by the authority or authorities,
  - (b) the standard of services to be provided under it by operators of local services,
  - [<sup>F14</sup>(bb) any registration restrictions imposed by it and any registration criteria specified in it,]
  - (c) the date on which it is to come into operation, <sup>F15</sup>...
  - (d) the period for which it is to remain in operation, which must not be less than five years.
  - [<sup>F16</sup>(e) if any facilities or standards of services are to be provided under the scheme as from a date after the scheme comes into operation, the date as from which they are to be so provided.]
- (3) The scheme may provide that—
- (a) local services specified in it, or
  - (b) local services of a class specified in it,
- are to be excluded from the scheme, subject to such conditions (if any) as may be specified in it.
- [<sup>F17</sup>(4) The date as from which any particular facilities, or any services of a particular standard, are to be provided must not be earlier than—
- (a) in the case of facilities, the latest of dates A to C (see subsections (4B) to (4D)),
  - (b) in the case of services, the later of dates A and D (see subsections (4B) and (4E)),
- unless the case falls within subsection (4A).
- (4A) If under the scheme—

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- (a) particular facilities are to be provided by the authority or authorities, and
- (b) as from the date by which the facilities are to be provided, services of a particular standard are to be provided by operators of local services when using the facilities,

the date as from which the facilities and the services are to be provided must not be earlier than the latest of dates A to D.

- (4B) Date A is the date 3 months after the date on which the scheme is made.
- (4C) Date B is the date by which, in the opinion of the authority or authorities, it will be reasonably practicable for the authority or authorities to provide the facilities.
- (4D) Date C is the date 3 months after—
- (a) the date on which any traffic regulation order required for the provision of any of the facilities is made, or
  - (b) if more than one such order is required for their provision, the date on which the last of them is made.
- (4E) Date D is the date by which, in the opinion of the authority or authorities, it will be reasonably practicable for operators of local services to provide services of the particular standard.]
- (6) Not later than 14 days after the date on which the scheme is made, the authority or authorities must give notice—
- (a) in at least one newspaper circulating in the area to which the scheme relates,  
F18  
...
  - (b) to all operators of local services who would, in the opinion of the authority or authorities, be affected by the scheme [F19, and]
  - [F19(c) to a traffic commissioner]
- (7) The notice must—
- (a) either contain full details of the scheme or state where such details may be inspected, and
  - (b) if the scheme made is a modified version of that proposed, state that fact.

#### Textual Amendments

- F13** Words in s. 116(2) inserted (6.4.2009 for E., 31.1.2010 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 15\(2\)](#), 134(4); S.I. 2009/107, art. 4(2), Sch. 5; S.I. 2009/3294, art. 2(b)
- F14** S. 116(2)(bb) inserted (6.4.2009 for E., 31.1.2010 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 15\(3\)](#), 134(4); S.I. 2009/107, art. 4(2), Sch. 5; S.I. 2009/3294, art. 2(b)
- F15** Word in s. 116(2) repealed (6.4.2009 for E., 31.1.2010 for W.) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), [Sch. 7 Pt. 2](#); S.I. 2009/107, art. 4(2), Sch. 5; S.I. 2009/3294, art. 2(d)
- F16** S. 116(2)(e) inserted (6.4.2009 for E., 31.1.2010 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 15\(4\)](#), 134(4); S.I. 2009/107, art. 4(2), Sch. 5; S.I. 2009/3294, art. 2(b)
- F17** S. 116(4)-(4E) substituted for s. 116(4) (6.4.2009 for E., 31.1.2010 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 15\(5\)](#), 134(4); S.I. 2009/107, art. 4(2), Sch. 5; S.I. 2009/3294, art. 2(b)
- F18** Word in s. 116(6) omitted (3.7.2013) by virtue of [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), [Sch. 3](#) (with art. 7)
- F19** S. 116(6)(c) and word substituted for words in s. 116(6)(b) (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), [Sch. 3](#) (with art. 7)

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#### Modifications etc. (not altering text)

- C4** Ss. 113C-123: functions transferred (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\)](#), regs. 1(2), **15(2)** (with reg. 15(5))

#### Commencement Information

- I3** S. 116 wholly in force at 26.10.2001; s. 116 not in force at Royal Assent see s. 275(1)(2); s. 116 in force (W.) at 1.8.2001 by [S.I. 2001/2788](#), art. 2, [Sch. 1 para. 1](#); s. 116 in force (E.) at 26.10.2001 by [S.I. 2001/3342](#), art. 2, [Sch.](#)

### 117 <sup>[F20]</sup> Postponement of scheme or of provision of particular facilities or standards of service]

<sup>[F21]</sup>(1) If it appears to the authority or authorities appropriate to do so, they may decide that any of the dates specified in subsection (1A) shall be postponed by such period as they think fit.

A date may not be postponed under this subsection by a period or periods which in total exceed 12 months.

(1A) The dates are—

- (a) the date on which the scheme is to come into operation,
- (b) the date as from which any particular facilities are to be provided under the scheme,
- (c) the date as from which any particular services are to be provided to a particular standard under the scheme.]

(2) Before making such a decision they must consult all operators of local services who would, in their opinion, be affected by the scheme.

(3) Not later than 14 days after the date on which any such decision is made they must give notice of the decision—

- (a) in at least one newspaper circulating in the area to which the scheme relates,  
<sup>F22</sup> ...
- (b) to all operators of local services who would, in their opinion, be affected by the scheme <sup>[F23]</sup>, and]

<sup>[F23]</sup>(c) to a traffic commissioner]

#### Textual Amendments

- F20** S. 117 heading substituted (6.4.2009 for E., 31.1.2010 for W.) by [Local Transport Act 2008 \(c. 26\)](#), **ss. 16(2)**, 134(4); [S.I. 2009/107](#), art. 4(2), [Sch. 5](#); [S.I. 2009/3294](#), art. 2(b)
- F21** S. 117(1)(1A) substituted for s. 117(1) (6.4.2009 for E., 31.1.2010 for W.) by [Local Transport Act 2008 \(c. 26\)](#), **ss. 16(1)**, 134(4); [S.I. 2009/107](#), art. 4(2), [Sch. 5](#); [S.I. 2009/3294](#), art. 2(b)
- F22** Word in s. 117(3) omitted (3.7.2013) by virtue of [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), [Sch. 3](#) (with art. 7)
- F23** S. 117(3)(c) and word substituted for words in s. 117(3)(b) (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), [Sch. 3](#) (with art. 7)

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**Modifications etc. (not altering text)**

- C4** Ss. 113C-123: functions transferred (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\)](#), regs. 1(2), **15(2)** (with reg. 15(5))

**118 Effect of scheme.**

- [<sup>F24</sup>(1) The authority or authorities must—
- (a) provide each of the specified facilities not later than the date specified for its provision under the scheme, and
  - (b) continue to provide it throughout the remainder of the period for which the scheme is in operation.]
- (2) But subsection (1) does not apply in relation to any period during which the authority or authorities are temporarily unable to provide the facilities owing to circumstances beyond their control.
- (3) Nor does it apply in the case of the Secretary of State or the National Assembly for Wales if he or it is unable to provide the facilities owing to the variation or revocation of a traffic regulation order.
- (4) The operator of a local service may not use facilities provided under a quality partnership scheme unless—
- (a) he has given a written undertaking to [<sup>F25</sup>a traffic commissioner][<sup>F26</sup>that, when using the facilities on any date, he will provide the service to the standard specified in the scheme as it has effect in relation to that date], and
  - (b) he provides the service to that standard when using the facilities, except in relation to any period during which he is temporarily unable to do so owing to circumstances beyond his control.
- (5) But subsection (4) does not apply in relation to services which are excluded from the scheme as a result of any provision of the scheme made in accordance with section 116(3).
- (6) Where the exclusion of a local service from the scheme is made subject to conditions as a result of such a provision, those conditions are to be treated, during any period in which the scheme is in operation, as if they were prescribed particulars registered under section 6 of the <sup>M2</sup>Transport Act 1985 (registration of local services) of the service concerned.

**Textual Amendments**

- F24** S. 118(1) substituted (6.4.2009 for E., 31.1.2010 for W.) by [Local Transport Act 2008 \(c. 26\)](#), **ss. 17(2)**, 134(4); S.I. 2009/107, art. 4(2), Sch. 5; S.I. 2009/3294, art. 2(b)
- F25** Words in s. 118(4)(a) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 3** (with art. 7)
- F26** Words in s. 118(4)(a) substituted (6.4.2009 for E., 31.1.2010 for W.) by [Local Transport Act 2008 \(c. 26\)](#), **ss. 17(3)**, 134(4); S.I. 2009/107, art. 4(2), Sch. 5; S.I. 2009/3294, art. 2(b)

**Modifications etc. (not altering text)**

- C4** Ss. 113C-123: functions transferred (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\)](#), regs. 1(2), **15(2)** (with reg. 15(5))



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#### Commencement Information

- I4** S. 118 wholly in force at 26.10.2001; s. 118 not in force at Royal Assent see s. 275(1)(2); s. 118 in force (W.) at 1.8.2001 by [S.I. 2001/2788, art. 2, Sch. 1 para. 1](#); s. 118 in force (E.) at 26.10.2001 by [S.I. 2001/3342, art. 2, Sch.](#)

#### Marginal Citations

- M2** 1985 c. 67.

### 119 <sup>F20</sup> Regulations about schemes involving existing facilities.

- (1) The appropriate national authority may by regulations make provision about the specifying in quality partnership schemes of facilities which are already being provided before the schemes are proposed (“existing facilities”).
- (2) The regulations may in particular—
  - (a) provide that existing facilities may not be specified if they were being provided before a date prescribed by, or determined in accordance with, the regulations,
  - (b) provide that particular existing facilities or classes of existing facilities may not be specified (whenever they were first provided),
  - (c) provide that particular existing facilities or classes of existing facilities may be specified only in circumstances prescribed by the regulations,
  - (d) provide that, in circumstances prescribed by the regulations, particular existing facilities or classes of existing facilities may be specified only with the consent of a person prescribed by, or determined in accordance with, the regulations, and
  - (e) make provision modifying any provision of sections 115 to 117 in relation to schemes which specify existing facilities.

#### Textual Amendments

- F20** S. 117 heading substituted (6.4.2009 for E., 31.1.2010 for W.) by [Local Transport Act 2008 \(c. 26\), ss. 16\(2\), 134\(4\); S.I. 2009/107, art. 4\(2\), Sch. 5; S.I. 2009/3294, art. 2\(b\)](#)

#### Modifications etc. (not altering text)

- C4** [Ss. 113C-123](#): functions transferred (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\), regs. 1\(2\), 15\(2\)](#) (with [reg. 15\(5\)](#))

#### Commencement Information

- I5** S. 119 wholly in force at 1.8.2001; s. 119 not in force at Royal Assent see s. 275(1)(2); s. 119 in force (E.) at 1.2.2001 by [S.I. 2001/57, art. 3\(2\), Sch. 3 Pt. I](#) (subject to the savings in [Sch. 3 Pt. II](#)); s. 119 in force (W.) at 1.8.2001 by [S.I. 2001/2788, art. 2, Sch. 1 para. 1](#)

### 120 <sup>F20</sup> Variation or revocation of schemes.

- (1) The authority or authorities who made a quality partnership scheme may vary the scheme if they decide that it is appropriate to do so.
- (2) The authority or authorities who made a scheme may revoke it before the end of the period for which it would otherwise remain in operation if all persons who have given

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an undertaking to provide a service to the standard specified in the scheme consent to the revocation of the scheme; and such consent must not be unreasonably withheld.

- (3) If the variation of a scheme under subsection (1) would require the making of a traffic regulation order, the variation is subject to the same procedure as the making of a scheme.
- (4) Any other variation of a scheme under subsection (1), or the revocation of a scheme under subsection (2), is subject to that procedure, except to the extent that the procedure is modified by regulations made under section 122.

#### Textual Amendments

**F20** S. 117 heading substituted (6.4.2009 for E., 31.1.2010 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 16\(2\)](#), [134\(4\)](#); [S.I. 2009/107](#), [art. 4\(2\)](#), [Sch. 5](#); [S.I. 2009/3294](#), [art. 2\(b\)](#)

#### Modifications etc. (not altering text)

**C4** [Ss. 113C-123](#): functions transferred (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\)](#), [regs. 1\(2\)](#), [15\(2\)](#) (with [reg. 15\(5\)](#))

#### Commencement Information

**I6** S. 120 wholly in force at 26.10.2001; s. 120 not in force at Royal Assent see [s. 275\(1\)\(2\)](#); s. 120 in force (W.) at 1.8.2001 by [S.I. 2001/2788](#), [art. 2](#), [Sch. 1 para. 1](#); s. 120 in force (E.) at 26.10.2001 by [S.I. 2001/3342](#), [art. 2](#), [Sch.](#)

## 121 <sup>F20</sup> Variation: supplementary.

- (1) The relevant references to the authority or authorities in relation to a quality partnership scheme—
  - (a) include a local transport authority if it has been varied so that it relates to that authority's area, but
  - (b) do not include a local transport authority if it has been varied so that it no longer relates to that authority's area.
- (2) But if (although the scheme does not relate to a local transport authority's area) it would do by reason of a proposed variation, those references (apart from those in section 118) include that authority.
- (3) The relevant references (apart from those in section 114(1) and (3)) to the authority or authorities in relation to a quality partnership scheme—
  - (a) include a traffic regulation authority if it has been varied so that it specifies traffic regulation facilities, but
  - (b) do not include a traffic regulation authority if it has been varied so that it no longer specifies such facilities.
- (4) But if (although the scheme does not specify facilities which are traffic regulation facilities in relation to a traffic regulation authority) it would do by reason of a proposed variation, those references (apart from those in section 118) include that authority.
- (5) And if (although the scheme specifies facilities which are traffic regulation facilities in relation to a traffic regulation authority)—

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- (a) the traffic regulation order, or (where more than one) each of the traffic regulation orders, required to be made by that authority for the provision of those facilities has been revoked, and
  - (b) the scheme is proposed to be varied (but not so that it specifies other facilities which are traffic regulation facilities in relation to that authority),
- the relevant references (apart from those in section 118) do not include that authority.
- (6) For the purposes of this section the relevant references are those in—
- (a) section 114(1) to (4),
  - (b) sections 115 to 120, and
  - (c) section 127(7),
- and paragraph 27(3) of Schedule 9 to the <sup>M3</sup>Road Traffic Regulation Act 1984.
- (7) In this section “traffic regulation authority” means—
- (a) a metropolitan district council,
  - (b) the Secretary of State, or
  - (c) the National Assembly for Wales.
- (8) For the purposes of this section facilities are traffic regulation facilities, in relation to a traffic regulation authority and a quality partnership scheme, if that authority was required to be a maker of the scheme because it originally specified those facilities or would have been required to be a maker of it had it done so.

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**Textual Amendments**

**F20** S. 117 heading substituted (6.4.2009 for E., 31.1.2010 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 16\(2\)](#), [134\(4\)](#); [S.I. 2009/107](#), [art. 4\(2\)](#), [Sch. 5](#); [S.I. 2009/3294](#), [art. 2\(b\)](#)

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**Modifications etc. (not altering text)**

**C4** [Ss. 113C-123](#): functions transferred (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\)](#), [regs. 1\(2\)](#), [15\(2\)](#) (with [reg. 15\(5\)](#))

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**Commencement Information**

**I7** S. 121 wholly in force at 26.10.2001; s. 121 not in force at Royal Assent see s. 275(1)(2); s. 121 in force (W.) at 1.8.2001 by [S.I. 2001/2788](#), [art. 2](#), [Sch. 1 para. 1](#); s. 121 in force (E.) at 26.10.2001 by [S.I. 2001/3342](#), [art. 2](#), [Sch.](#)

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**Marginal Citations**

**M3** [1984 c. 27](#).

## 122 Regulations about schemes.

- (1) The appropriate national authority may by regulations make further provision with respect to—
- (a) the procedure to be followed when making, varying or revoking quality partnership schemes,
  - [<sup>F27</sup>(aa) the content or operation of schemes which include a requirement falling within section 114(6)(b) or (6A),]
  - (b) the local services or classes of local services which must be, or may be, excluded from schemes,

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- (c) the conditions which must be, or may be, attached to such exclusions,
  - (d) the form and manner in which undertakings are to be given to [<sup>F28</sup>a traffic commissioner] in connection with schemes,
  - (e) the making of traffic regulation orders in connection with schemes, and
  - (f) such other incidental matters in connection with quality partnership schemes as the appropriate national authority thinks fit.
- (2) The regulations may in particular make provision with respect to—
- (a) giving notice of proposed schemes or proposed variations or revocation of schemes,
  - (b) objections to such proposals,
  - (c) the holding of inquiries or hearings into objections,
  - (d) modifications of such proposals,
  - (e) the form of schemes or variations, and
  - (f) giving notice of schemes which have been made or of the variation or revocation of schemes.
- [<sup>F29</sup>(3) As regards schemes which include any requirement mentioned in section 114(6)(b) or (6A), regulations under subsection (1)(a) or (aa) may in particular make provision—
- (a) for section 114(6B) not to apply in such circumstances as may be prescribed,
  - (b) requiring such schemes to include provision falling within subsection (4),
  - (c) for any requirement as to frequencies, timings or maximum fares to be revised only if there are no admissible objections to the revision from relevant operators,
  - (d) in prescribed circumstances where such schemes, or any provisions of such schemes, are subject to postponement under section 117, for any such requirement not to take effect unless prescribed conditions are satisfied,
  - (e) as to the meaning of “admissible objection” for the purposes of section 114(6B) and paragraph (c) of this subsection,
  - (f) as to the meaning of “relevant operator” for those purposes,
  - (g) as to the determination of any question whether an objection is an admissible objection or an operator is a relevant operator.
- (4) The provision referred to in subsection (3)(b) is provision—
- (a) as respects the setting of frequencies, timings or maximum fares to which the requirements relate,
  - (b) for a minimum interval before any requirements as to frequencies, timings or maximum fares may next be reviewed,
  - (c) for a maximum interval before any such requirements must next be reviewed,
  - (d) as respects other circumstances in which any such requirements must or may be reviewed,
  - (e) as respects revision of any such requirements after a review.
- (5) Subsections (3)(b) and (4) have effect subject to, and in accordance with, the following provisions—
- (a) the revision of requirements as to frequencies, timings or maximum fares under any provision made in accordance with those subsections is not to be regarded as a variation of the scheme for the purposes of section 120 (variation or revocation of scheme), but

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- (b) nothing in those subsections or in paragraph (a) of this subsection shall be taken to derogate from what may be done under or by virtue of that section.
- (6) The provision that may be made by virtue of subsection (3)(g) includes provision for and in connection with—
- (a) the appointment of a person (“an adjudicator”) to make such a determination as is mentioned in that paragraph;
- (b) the appointment of a person (“an assessor”) to assist an adjudicator in considering any question which appears to arise in relation to such a determination;
- (c) the payment—
- (i) by the appropriate national authority to an adjudicator, or
- (ii) by the appropriate national authority or an adjudicator to an assessor, of such remuneration as may be determined by or in accordance with the regulations.]

#### Textual Amendments

- F27** S. 122(1)(aa) inserted (6.4.2009 for E., 31.1.2010 for W.) by [Local Transport Act 2008 \(c. 26\)](#), **ss. 18(2)**, 134(4); [S.I. 2009/107](#), art. 4(2), [Sch. 5](#); [S.I. 2009/3294](#), art. 2(b)
- F28** Words in s. 122(1)(d) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 3** (with art. 7)
- F29** S. 122(3)-(6) inserted (6.4.2009 for E., 31.1.2010 for W.) by [Local Transport Act 2008 \(c. 26\)](#), **ss. 18(3)**, 134(4); [S.I. 2009/107](#), art. 4(2), [Sch. 5](#); [S.I. 2009/3294](#), art. 2(b)

#### Modifications etc. (not altering text)

- C4** [Ss. 113C-123: functions transferred \(28.2.2024\)](#) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\)](#), regs. 1(2), **15(2)** (with reg. 15(5))
- C8** S. 122(3)(c) modified (W.) (1.2.2010) by [The Quality Partnership Schemes \(Wales\) Regulations 2009 \(S.I. 2009/3293\)](#), regs. 1(1), **5-7**

#### Commencement Information

- I8** S. 122 wholly in force at 26.10.2001; s. 122 not in force at Royal Assent see s. 275(1)(2); s. 122 in force (W.) at 1.8.2001 by [S.I. 2001/2788](#), art. 2, **Sch. 1 para. 1**; s. 122 in force (E.) at 26.10.2001 by [S.I. 2001/3342](#), art. 2, **Sch.**

## 123 <sup>F20</sup> Guidance about schemes.

- (1) The appropriate national authority may issue guidance concerning the carrying out by local transport authorities and metropolitan district councils of their functions under this Part in relation to quality partnership schemes.
- (2) Those authorities and councils must have regard to any such guidance.

#### Textual Amendments

- F20** S. 117 heading substituted (6.4.2009 for E., 31.1.2010 for W.) by [Local Transport Act 2008 \(c. 26\)](#), **ss. 16(2)**, 134(4); [S.I. 2009/107](#), art. 4(2), [Sch. 5](#); [S.I. 2009/3294](#), art. 2(b)

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**Modifications etc. (not altering text)**

- C4** Ss. 113C-123: functions transferred (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\)](#), regs. 1(2), **15(2)** (with reg. 15(5))

**Commencement Information**

- I9** S. 123 wholly in force at 26.10.2001; s. 123 not in force at Royal Assent see s. 275(1)(2); s. 123 in force (W.) at 1.8.2001 by [S.I. 2001/2788](#), art. 2, **Sch. 1 para. 1**; s. 123 in force (E.) at 26.10.2001 by [S.I. 2001/3342](#), art. 2, **Sch.**

**Changes to legislation:**

Transport Act 2000, Cross Heading: Bus services: quality partnership schemes is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 146(1)(defn.)(a)(b) by [2000 c. 38 s. 274 Sch. 31 Pt. 2](#)
- s. 19(2)(aa) inserted by [S.I. 2019/93, Sch. 1 para. 9\(1C\)\(b\)](#) (as inserted) by [S.I. 2019/1245 reg. 25](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 131A(2)(a) words omitted by [2017 c. 21 Sch. 2 para. 13\(a\)\(i\)](#)
- s. 131A(2)(b) omitted by [2017 c. 21 Sch. 2 para. 13\(a\)\(ii\)](#)
- s. 131A(4) omitted by [2017 c. 21 Sch. 2 para. 13\(b\)](#)
- s. 131A(5)(b) words omitted by [2017 c. 21 Sch. 2 para. 13\(c\)\(i\)](#)
- s. 131A(5)(c) words omitted by [2017 c. 21 Sch. 2 para. 13\(c\)\(ii\)](#)
- s. 132B(1)(a) omitted by [2017 c. 21 Sch. 2 para. 19](#)
- [Sch. 16 para. 34\(4\)\(a\)para. 34\(4\)\(b\)\(c\)](#) repealed by [2005 c. 14 Sch. 13 Pt. 1](#)