

Transport (Scotland) Bill

Revised Groupings of Amendments for Stage 2

This document provides procedural information which will assist in preparing for and following proceedings on the above Bill. The information provided is as follows:

- the list of groupings (that is, the order in which amendments will be debated). Any procedural points relevant to each group are noted;
- the text of amendments to be debated on the first day of Stage 2 consideration, set out in the order in which they will be debated. **THIS LIST DOES NOT REPLACE THE MARSHALLED LIST, WHICH SETS OUT THE AMENDMENTS IN THE ORDER IN WHICH THEY WILL BE DISPOSED OF.**

Groupings of amendments

The Scottish transport system principles

40

Low emission zones: purpose of a scheme

32, 220, 201

Low emission zones: exemptions

221, 33, 34, 2, 30, 31, 203, 56, 57, 3, 3A

Low emission zones: penalty charges payable

185, 186, 187, 188, 199, 200, 202

Notes on amendments in this group

Amendment 186 pre-empts amendments 187 and 188

Low emission zones: identification of whether vehicle meets specified emission standard

28, 222, 41, 42, 29

Low emission zones: duty to make scheme when certain air quality reached

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Low emission zones: procedure on making scheme

223, 35, 189, 36, 37, 190, 38, 191, 44, 192, 193, 194, 195, 45, 46, 47, 48, 196, 197, 198

Low emission zones: content of schemes

49, 224, 50

Low emission zones: power to set emission standard

225, 184

Low emission zones: periods of operation and suspension

51, 52, 226, 53, 54, 55, 58, 60, 61, 205, 62, 63, 206, 252

Notes on amendments in this group

Amendment 226 pre-empts amendments 53 and 54

Amendment 205 pre-empts amendments 62 and 63

Low emission zones and parking prohibitions: removal of approved devices

59, 152

Low emission zones: regulations on traffic signs

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Low emission zones: financial, reporting and review provisions

207, 208, 209, 227, 64, 210, 211, 212, 65

Low emission vehicles: support for purchase and use of low emission vehicles in rural areas

228, 253

Low emission distribution consolidation hubs

229, 254

Bus services: provision of local services by local authorities

66, 67, 39, 68, 172, 176, 180

Notes on amendments in this group

Amendment 66 pre-empts amendments 67 and 39

Amendment 67 pre-empts amendment 39

Bus services: provision of local services by community bodies

230, 248, 249

Bus service improvement partnerships: content of partnership plan

69, 70, 71, 72

Bus service improvement partnerships: facilities and measures

73, 77, 78, 170, 171, 179

Bus service improvement partnerships: traffic regulation orders

74, 75, 76, 175, 177

Bus service improvement partnerships: regulations on partnership time

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Bus service improvement partnerships: reports on partnership schemes

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Bus service improvement partnerships: provision of information by operators

81, 82, 98, 102, 174

Bus services: fair work

232, 242

Bus services: accessibility

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Bus service improvement partnerships: consultation on making, variation and revocation of partnership proposals

234, 83, 84, 85, 86, 235, 87, 88, 89, 90, 91, 92, 93, 94, 236

Bus service improvement partnerships: regulations on registration of local services

237, 238

Bus service improvement partnerships: traffic commissioner powers to scrutinise

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Bus franchises: required content of franchising framework and franchise agreement

213, 96, 214, 239, 240

Bus services: minor and technical amendments

97, 99, 100, 101

Notes on amendments in this group

Amendments 99, 100 and 101 are pre-empted by amendment 215 in group “Bus franchises: franchising by multi-authorities and Regional Transport Partnerships”

Bus franchises: franchising by multi-authorities and Regional Transport Partnerships

215, 241

Notes on amendments in this group

Amendment 215 pre-emptes amendments 99, 100 and 101 in Group “Bus services: minor and technical amendments”

Bus services: provision of information about local services

244, 103, 104, 105, 106, 245, 107, 108, 246, 247, 173

Bus services: quality assurance framework

110

Smart ticketing: functions of National Smart Ticketing Advisory Board

111, 112, 251, 113

Smart ticketing: power of direction

114

Travel concession schemes: provision for persons under 18

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Pavement parking orders

115, 116, 118, 119, 120, 121, 143, 146, 148, 150, 153, 155, 161

Pavement parking prohibition: exceptions including width of vehicle intrusion on pavement

4, 1, 117, 124, 126, 128, 129, 131, 133, 134, 138, 139, 140

Notes on amendments in this group

Amendment 129 pre-empts amendment 130 in group “Dropped footway parking prohibition”

Amendment 129 pre-empts amendment 131

Dropped footway parking prohibition

122, 123, 125, 127, 130, 132, 135, 136, 137, 141, 142, 144, 147, 149, 151, 154, 156, 159, 160

Notes on amendments in this group

Amendment 130 is pre-empted by amendment 129 in group “Pavement parking prohibition: exceptions including width of vehicle intrusion on pavement”

Parking prohibitions: authorised enforcement officers

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Parking prohibitions: accessibility of information

217, 218

Parking prohibitions: arrangements in connection with enforcement

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Parking prohibitions: accounts

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Parking prohibitions: guidance

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Parking prohibitions: minor and technical

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Workplace parking: establishment of licencing schemes

7, 7A, 7B, 7C, 8, 8A, 8B, 8C, 8D, 9, 9A, 9C, 9B, 10, 10A, 10B, 10C, 11, 12, 13, 14, 26

Workplace parking: exemptions

15, 16, 16A, 16B, 16C, 16E, 16D, 16L, 16F, 16G, 16H, 16I, 16J, 16K, 16M, 27

Workplace parking: financial provisions

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Workplace parking licencing schemes: enforcement

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Regional Transport Partnerships: finance

167

Corporate offending

168

Crown application

169

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Amendments in debating order

The Scottish transport system principles

Colin Smyth

40 Before section 1, insert—

<PART

THE SCOTTISH TRANSPORT SYSTEM PRINCIPLES

The Scottish transport system principles

- (1) The Scottish Ministers, local authorities, local transport authorities and Regional Transport Partnerships are to exercise their functions in relation to transport with the objective of adhering to the principles set out in subsection (2).
- (2) The principles are that—
 - (a) transport is a key enabler for the realisation of other human rights,
 - (b) the delivery of transport is a public service and supports the common good,
 - (c) transport services are to be delivered in ways that are accessible to all,
 - (d) opportunities are to be sought to continuously improve the transport system in ways which—
 - (i) contribute towards economic and social development and the enhancement of the environment in Scotland,
 - (ii) support a reduction in poverty and inequality,
 - (iii) ensure that affordability does not act as a barrier to people accessing transport services,
 - (iv) ensure a consistency of transport access across every community in Scotland,
 - (v) ensure that local communities are able to participate meaningfully in the design and planning of transport services,
 - (vi) promote sustainability and active travel.>

Low emission zones: purpose of a scheme

Jamie Greene

32 Before section 1, insert—

<CHAPTER

PURPOSE OF A LOW EMISSION ZONE SCHEME

Purpose of a low emission zone scheme

The purpose of a low emission zone scheme is to reduce the transport-related emissions of nitrogen oxides and fine particulate matter (being particles with an aerodynamic diameter equal to or less than 2.5 micrometres) within and in the vicinity of the zone.>

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Colin Smyth

220 Before section 1, insert—

<CHAPTER

PURPOSE OF LOW EMISSION ZONE SCHEME

Purpose of low emission zone scheme

The purpose of a low emission zone scheme is to make ongoing improvements to the level of air quality in all or part of a local authority area.>

Jamie Greene

201 In section 9, page 4, line 30, after <objectives> insert <(such objectives being compatible with the purpose set out in section (*Purpose of a low emission zone scheme*))>

Low emission zones: exemptions

Rachael Hamilton

221 In section 1, page 1, line 17, at end insert—

<() the vehicle is operating a community bus service (within the meaning of section 22 of the Transport Act 1985), or>

Jamie Greene

33 In section 1, page 1, line 17, at end insert—

<() the vehicle is being used—

- (i) for police purposes, including for the purposes of the National Crime Agency,
- (ii) for ambulance purposes or for the purpose of providing a response to an emergency at the request of the Scottish Ambulance Service Board,
- (iii) for or in connection with the exercise of any function of the Scottish Fire and Rescue Service or HM Coastguard, or>

Jamie Greene

34 In section 1, page 1, line 17, at end insert—

<() the vehicle is a diplomatic vehicle, or>

Richard Lyle

2 In section 1, page 1, line 18, at end, insert <, or

(c) the vehicle is being used for the purpose mentioned in section (*Exemption for erecting or dismantling funfairs*).>

Murdo Fraser

30 In section 1, page 1, line 18, at end insert <, or

(d) the vehicle was constructed more than 30 years before 1 January of the year in which it is driven on a road within a low emission zone.>

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Murdo Fraser

- 31 In section 1, page 1, line 18, at end insert—
<() For the avoidance of doubt, reference to a vehicle in subsection (1)(d) includes a vehicle registered in a country or territory outwith the United Kingdom.>

Jamie Greene

- 203 In section 12, page 7, line 1, leave out <(which must be no longer than 1 year)>

Michael Matheson

- 56 In section 12, page 7, line 2, at end insert—
<(2A) A low emission zone scheme must—
(a) provide for the granting and renewal, by the local authority which made the scheme, of a time-limited exemption for the purpose of section 1(1)(b) in respect of vehicles which enter the zone to which the scheme relates solely due to their following a signed diversion as a result of a temporary road closure, and
(b) specify the maximum period for which such an exemption is granted (which must be no longer than the length of the road closure).>

Michael Matheson

- 57 In section 12, page 7, line 3, after <(1)> insert <or (2A)>

Richard Lyle

- 3 After section 12, insert—
<Exemption for erecting or dismantling funfairs

Without prejudice to the generality of section 12, a local authority must grant an exemption in respect of a vehicle or type of vehicle for the purpose of section 1(1)(c) where the vehicle or type of vehicle is being used to transport funfair equipment for the purpose of erecting or dismantling a funfair.>

Richard Lyle

- 3A As an amendment to amendment 3, line 5, leave out <to transport funfair equipment>

Low emission zones: penalty charges payable

John Finnie

- 185 In section 1, page 1, line 26, leave out <only one penalty charge is> and insert <up to three penalty charges are>

Jamie Greene

- 186 In section 1, page 2, leave out lines 6 to 8

Jamie Greene

- 187 In section 1, page 2, line 6, after <the> insert <maximum>

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Jamie Greene

- 188 In section 1, page 2, line 7, leave out <(which may include provision for discounts and surcharges)>

Jamie Greene

- 199 In section 9, page 4, line 28, at end insert—
<() the amount that is to be imposed as a penalty charge under section 1(2) (which may include provision for discounts and surcharges) in respect of the scheme,>

Jamie Greene

- 200 In section 9, page 4, line 28, at end insert—
<() the amount (subject to any maximum amount set by the Scottish Ministers in regulations under section 1(4)(c)) that is to be imposed as a penalty charge under section 1(2) (which may include provision for discounts and surcharges) in respect of the scheme,>

Jamie Greene

- 202 After section 9, insert—
<Power to make agreements as to liability for penalty charge
A local authority may, for the purposes of a low emission zone scheme, enter into such agreements as it sees fit with such companies, public authorities or other bodies as it sees fit, such that any penalty charge under section 1(2) payable where a person drives a vehicle within the zone in contravention of section 1(1) while in the employment or service of that company, authority or other body is payable by the company, authority or body rather than by the person driving the vehicle.>

Low emission zones: identification of whether vehicle meets specified emission standard

Graham Simpson

- 28 In section 1, page 1, line 26, at end insert—
<(3A) The Scottish Ministers must by regulations make provision for the operation of low emission zone schemes such that schemes are operated in a way that is capable of identifying whether a vehicle meets the specified emission standard regardless of whether—
(a) the vehicle as manufactured meets the standard, or
(b) the vehicle has been modified in such a way as to meet the standard.>

Peter Chapman

- 222 In section 1, page 2, line 8, at end insert—
<() Regulations making provision as is described in subsection (4)(b) must make provision such that—
(a) a national dataset or other system is used to identify whether a vehicle is, or is of a type that is, exempt for the purpose of subsection (1)(b), and

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- (b) the national dataset or other system is capable of being adapted or supplemented by the addition of other datasets or systems, whether containing data of local or national application, to permit the identification of whether a vehicle is, or is of a type that is, otherwise exempt.>

Michael Matheson

- 41 In section 2, page 2, line 12, after <State> insert <or from another source as specified in regulations by the Scottish Ministers,>

Michael Matheson

- 42 In section 2, page 2, line 12, after <standard> insert <as at the date and time of the record produced by an approved device,>

Graham Simpson

- 29 In section 72, page 83, line 1, leave out <1(4)(b)> and insert <1(3A) and (4)(b)>

Low emission zones: duty to make scheme when certain air quality reached

Colin Smyth

- 43 In section 4, page 3, line 16, at end insert—
 - <(3) Where levels of air pollutants in a local authority area exceed the limit values set out in schedule 2 of the Air Quality Standards (Scotland) Regulations 2010, a local authority must—
 - (a) make a low emission zone scheme for all or part of its area,
 - (b) amend a low emission zone scheme made by it.
 - (4) The Scottish Ministers may by regulations exempt a local authority from having to comply with subsection (3).
 - (5) Regulations under subsection (4) must specify—
 - (a) why the exemption is being applied, and
 - (b) for how long the exemption is being applied.>

Low emission zones: procedure on making scheme

Peter Chapman

- 223 After section 4, insert—
 - <**Impact assessments**
 - Before a local authority makes, amends or revokes a low emission zone scheme it must prepare, and publish in such manner as it sees fit, an assessment of the impact of the proposal on—
 - (a) the environment in its area,
 - (b) equalities in its area,

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- (c) the economy of its area,
- (d) such other matters as it is required by any enactment to assess in respect of its policies, plans and proposals, and
- (e) such other matters as it sees fit.>

Jamie Greene

- 35** In section 5, page 3, line 18, leave out <made, amended or revoked> and insert <made or amended>

Jamie Greene

- 189** In section 5, page 3, line 19, at end insert—

<(1A) When seeking the approval of the Scottish Ministers to a proposal, a local authority must provide a statement setting out—

- (a) the prior consultation undertaken under section 6, and
- (b) how, in preparing the proposal, it has taken account of representations received as a result of the prior consultation.>

Jamie Greene

- 36** In section 5, page 3, line 20, leave out <making, amendment or revocation> and insert <making or amendment>

Jamie Greene

- 37** In section 5, page 3, line 23, leave out <making, amendment or revocation> and insert <making or amendment>

Jamie Greene

- 190** In section 5, page 3, line 24, after <Ministers> insert <—

(a) must take into account the statement provided by the local authority under subsection (1A), and

(b)>

Jamie Greene

- 38** In section 5, page 3, line 25, at end insert—

<() This section does not apply to—

- (a) the area which forms the proposed low emission zone,
- (b) any rules specified in the proposed low emission zone scheme as to the days or times when the proposed zone is to operate.>

Jamie Greene

- 191** In section 6, page 3, line 27, leave out <making, amendment or revocation> and insert <making or amendment>

Colin Smyth

Supported by: John Finnie

- 44** In section 6, page 3, line 31, at end insert—

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<() the Health Board within whose area the low emission zone scheme will apply,>

John Finnie

192 In section 6, page 3, line 31, at end insert—

<() each community council (established in accordance with Part 4 of the Local Government (Scotland) Act 1973) all or part of whose area is within the area affected by the proposal,>

John Finnie

193 In section 6, page 3, line 31, at end insert—

<() each Health Board, all or part of whose area is within the area affected by the proposal,>

John Finnie

194 In section 6, page 3, line 31, at end insert—

<() the Commissioner for Children and Young People in Scotland,>

John Finnie

195 In section 6, page 3, line 31, at end insert—

<() such trade unions and staff associations as the authority considers appropriate,>

Colin Smyth

Supported by: John Finnie

45 In section 6, page 4, line 1, at end insert—

<() cyclists,>

Colin Smyth

46 In section 6, page 4, line 1, at end insert—

<() pedestrians,>

Colin Smyth

47 In section 6, page 4, line 1, at end insert—

<() users of public transport,>

Colin Smyth

48 In section 6, page 4, line 1, at end insert—

<() individuals with health conditions which may be affected by air quality,>

John Finnie

196 In section 6, page 4, line 1, at end insert—

<() bus users,>

John Finnie

197 In section 6, page 4, line 2, at end insert—

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<() such persons as the authority considers to be representative of groups advocating sustainable transport policies,>

Jamie Greene

198 In section 7, page 4, line 7, leave out <make, amend or revoke> and insert <make or amend>

Low emission zones: content of schemes

Michael Matheson

49 In section 9, page 4, line 29, at end insert—
<() the types of vehicles to which it applies,>

David Stewart

224 In section 9, page 4, line 31, at end insert—
<() The scheme’s objectives must include an objective to reduce transport-related air pollution around schools by 2021 to a level to be specified by the Scottish Ministers by regulations.>

Michael Matheson

50 In section 9, page 5, line 6, after <purposes> insert <, types of vehicles,>

Low emission zones: power to set emission standard

Colin Smyth

225 After section 9, insert—
<Power to alter specified emission standard
(1) A low emission zone scheme may specify a different emission standard (“an ultra low emission standard”) from the standard specified by regulations under section 1(4)(a) for the purpose of subsection (1)(a) of that section.
(2) An ultra low emission standard may be specified under subsection (1) only where—
(a) the standard is for a lower level of emissions than provided for by the standard specified by regulations under section 1(4)(a), and
(b) the proposal to specify the different standard is approved by the Scottish Ministers.>

Michael Matheson

184 In section 72, page 83, line 1, after <sections> insert <1(4)(a),>

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Low emission zones: periods of operation and suspension

Michael Matheson

- 51 In section 10, page 5, line 12, at end insert—
<() in relation to the type of vehicle being driven, and>

Michael Matheson

- 52 In section 10, page 5, line 18, at end insert <and
() in relation to both paragraphs (a) and (b), the types of vehicle to which the grace period applies (which may vary as between residents and non-residents).>

Jamie Greene

- 226* In section 10, page 5, line 20, leave out subsections (5) and (6) and insert—
<(4A) In the case of residents, the grace period applicable to—
(a) buses and coaches must expire not less than 2 years after it begins,
(b) commercial vehicles (including taxis) must expire not less than 3 years after it begins,
(c) cars must expire not less than 4 years after it begins.
(4B) In the case of non-residents, the grace period applicable to—
(a) buses and coaches must expire not less than 1 year after it begins,
(b) commercial vehicles (including taxis) must expire not less than 2 years after it begins,
(c) cars must expire not less than 3 years after it begins.
(4C) A low emission zone scheme may specify a date by which a grace period mentioned in any paragraph of subsections (4A) and (4B) must expire (being a maximum period of time after the grace period begins).
(4D) The Scottish Ministers may by regulations specify descriptions of types of vehicles for the purposes of interpretation of the types of vehicles mentioned in subsections (4A) and (4B).>

Colin Smyth

- 53 In section 10, page 5, leave out line 21

Colin Smyth

- 54 In section 10, page 5, leave out lines 24 to 26 and insert <not more than 2 years after the expiry of the grace period applicable to non-residents.>

Colin Smyth

- 55 In section 10, page 5, line 26, at end insert—
<() A low emission zone scheme may not specify a grace period—
(a) for non-residents under subsection (5)(b) of more than 3 years, or
(b) for residents under subsection (6)(b) of more than 1 year after the expiry of the period applicable to non-residents,

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without the approval of the Scottish Ministers.>

Colin Smyth

Supported by: John Finnie

58 Leave out section 13 and insert—

<13 **Schemes to operate at all times**

A low emission zone operates at all times.>

Colin Smyth

60 In section 18, page 8, line 9, after <may> insert <, subject to the approval of the Scottish Ministers,>

Michael Matheson

61 In section 18, page 8, line 10, after <period> insert <, in respect of the whole zone or any part of the zone to which the scheme relates,>

Jamie Greene

205 In section 18, page 8, line 10, leave out from <for> to end of line 16

Michael Matheson

62 In section 18, page 8, line 14, after <importance> insert <or significant local importance.>

Michael Matheson

63 In section 18, page 8, line 14, at end insert—

<() A local authority may not suspend the operation of a low emission scheme for more than 7 days unless the Scottish Ministers give prior approval to the proposed suspension.>

John Finnie

206 Leave out section 18

Jamie Greene

252 In section 72, page 83, line 1, after <1(4)(b)> insert <, 10(4D)>

Low emission zones and parking prohibitions: removal of approved devices

Michael Matheson

59 In section 15, page 7, line 23, after <remove> insert <, or secure the removal of,>

Michael Matheson

152 In section 50, page 61, line 18, at end insert—

<() The traffic authority may remove, or secure the removal of, anything installed under subsection (1).>

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Low emission zones: regulations on traffic signs

Jamie Greene

204 After section 16, insert—

<Regulation of form of traffic signs

- (1) The Scottish Ministers must by regulations make provision for the form traffic signs to be used for or in connection with the operation of a low emission zone scheme are to take.
- (2) Regulations under subsection (1) may not make different provision for different areas or zones.
- (3) In subsection (1), “traffic signs” has the same meaning as in section 64(1) of the Road Traffic Regulation Act 1984 (general provision as to traffic signs).>

Low emission zones: financial, reporting and review provisions

Jamie Greene

207 In section 19, page 8, line 25, at end insert—

<() revoking a scheme.>

Jamie Greene

208 In section 19, page 8, line 26, leave out from <(including> to end of line 27 and insert <as may be agreed between the Scottish Ministers and the local authority.>

Jamie Greene

209 In section 21, page 9, line 4, at end insert—

<() contributing to the improvement, and encouraging the use, of low carbon and carbon-free transport within the zone, and>

Brian Whittle

227 In section 21, page 9, line 4, at end insert—

<() contributing to the improvement of infrastructure and facilities (including, but not limited to, cycle lanes, pedestrian pathways and park-and-ride facilities) that encourage a reduction in the use of motor vehicles, and>

Michael Matheson

64 In section 21, page 9, line 5, before <making> insert <if (and only if) any surplus remains,>

John Finnie

210 In section 23, page 9, line 20, at end insert <, and

() lay a copy of the report before the Scottish Parliament.>

Jamie Greene

211 In section 23, page 9, line 20, at end insert—

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- <() A report under this section on the operation and effectiveness of the scheme must in particular include an assessment of—
- (a) the costs of proposing, making and operating the scheme,
 - (b) the gross and net revenue gathered by the authority from the operation of the scheme, and
 - (c) details of how the revenue has been used to facilitate the achievement of the scheme's objectives.>

Jamie Greene

212 In section 24, page 9, line 22, at end insert—

- <() A local authority may at any time carry out a review of the operation and effectiveness of a low emission zone scheme operated by it.>

Colin Smyth

65 In section 24, page 9, line 24, at end insert

- <() Without prejudice to the generality of subsection (1), a local authority may, from time to time, carry out a review of the operation and effectiveness of a low emission zone scheme operated by it.>

Low emission vehicles: support for purchase and use of low emission vehicles in rural areas

Claudia Beamish

228 After section 27, insert—

<PART

LOW EMISSION VEHICLES

Support for purchase and use of low emission vehicles in rural areas

- (1) The Scottish Ministers must by regulations make provision for support to be provided by them to encourage persons mentioned in subsection (2) to purchase and use low emission vehicles.
- (2) The persons are those who—
 - (a) live in rural areas, and
 - (b) have a low income.
- (3) The regulations must set out definitions of—
 - (a) low emission vehicles,
 - (b) rural areas, and
 - (c) low income,for the purposes of this section.>

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Claudia Beamish

- 253** In section 72, page 83, line 1, after <1(4)(b)> insert <, (*Support for purchase and use of low emission vehicles in rural areas*)>

Low emission distribution consolidation hubs

Claudia Beamish

- 229** After section 27, insert—

<PART

LOW EMISSION DISTRIBUTION CONSOLIDATION HUBS

Low emission distribution consolidation hubs

- (1) The Scottish Ministers must by regulations make provision—
- (a) requiring prescribed local authorities to take such steps as may be prescribed for the purposes of establishing and operating, or securing the establishment and operation of, low emission distribution consolidation hubs, and
 - (b) for the support to be provided by the Scottish Ministers to prescribed local authorities for such purposes.
- (2) The steps that may be prescribed in regulations under subsection (1) include the consideration of co-operative models to support smaller businesses.
- (3) In subsection (1)—
- “low emission distribution consolidation hubs” means—
- (a) facilities located on the outskirts of urban areas which can receive goods on behalf of businesses located in those urban areas, and
 - (b) systems for the consolidated onward delivery of goods to those businesses using—
 - (i) low emission vehicles,
 - (ii) the smallest suitable vehicles, and
 - (iii) wherever practicable, pedal cycles and electrically assisted pedal cycles,
- for the purpose of ensuring that the distribution of goods is achieved with lower net emissions than would otherwise be the case,
- “prescribed” means prescribed in regulations under subsection (1).
- (4) The regulations must set out definitions of—
- (a) low emission vehicles, and
 - (b) urban areas,
- for the purposes of this section.>

Claudia Beamish

- 254** In section 72, page 83, line 1, after <1(4)(b)> insert <, (*Low emission distribution consolidation hubs*)>

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Bus services: provision of local services by local authorities

Michael Matheson

- 66 In section 28, page 11, line 36, leave out subsection (3)

Colin Smyth

- 67 In section 28, page 11, line 36, leave out subsection (3) and insert—
- <(3) In section 66 (exclusion of powers of certain councils to run bus undertakings)—
- (a) in subsection (1), leave out from “a council” to second “to” and insert “a council or (as the case may be) councils may”,
 - (b) for subsection (2), there is substituted—
- “(2) For the avoidance of doubt, any council or (as the case may be) councils who, at the time when this section comes into force, are providing any such service, may continue to provide such service.”.>

John Finnie

- 39 In section 28, page 11, line 36, leave out from <for> to end of line 37 and insert <the words from “or, in Scotland,” to “licence” are repealed.>

Michael Matheson

- 68 After section 28, insert—
- <Local transport authority bus companies**
- (1) The Transport (Scotland) Act 2001 is amended as follows.
 - (2) Before section 3 insert—

“CHAPTER A1

Local transport authority controlled bus companies

2A Local transport authority controlled bus companies

- (1) A local transport authority (or two or more authorities acting jointly) may control a company that provides local services.
- (2) The local transport authority (or authorities) must be satisfied, before forming or acquiring a company or using a company already controlled by them to provide local services, that the provision of such services by such a company will contribute to the implementation of their relevant general policies.
- (3) For the purposes of this section, a local transport authority control a company if they have power to secure that the affairs of the company are conducted in accordance with their wishes, and have that power—
 - (a) by holding shares in the company or any other company,
 - (b) by possessing voting power in relation to the company or any other company, or
 - (c) by virtue of any powers conferred by—
 - (i) the articles of association of the company or any other company, or

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- (ii) any other document regulating the company or any other company.
- (4) In this section—
 - (a) “company” has the same meaning as in the Companies Acts (see sections 1(1) and 2(1) of the Companies Act 2006), and
 - (b) the reference to forming a company is to be construed in accordance with section 7 of that Act.”.
- (3) In section 79(1) (guidance), after paragraph (b) insert—
 - “(ba) local transport authorities in relation to the exercise of their functions under section 2A of this Act.”.>

Michael Matheson

- 172 In the schedule, page 84, line 20, at end insert—
- <() In section 66(1) (exclusion of powers of certain councils to run bus undertakings), for “section 71” substitute “section 2A of the Transport (Scotland) Act 2001 and sections 71 and 71A of this Act”.>

Michael Matheson

- 176 In the schedule, page 85, line 16, at end insert—
- <() in the definition of “relevant general policies”, in paragraph (a)(ii)—
 - (i) after “relate to” insert “controlling a company that provides local services or”,
 - (ii) for “a quality partnership scheme or a quality contract scheme” substitute “a partnership scheme or a franchising framework”.>

Michael Matheson

- 180 In the schedule, page 86, line 18 at end insert—
- <() before paragraph (a) insert—
 - “(za) controlling a company that provides local services,”.>

Bus services: provision of local services by community bodies

Neil Bibby

- 230* In section 28, page 12, line 6, after <may> insert <—
- () ask a community transport body (within the meaning of section (*Community transfer of operation of bus routes*) of the Transport (Scotland) Act 2019) to provide such local services as they consider necessary in order to meet the public transport requirement, or
 - ()>

Neil Bibby

- 248 After section 34, insert—
- <Community transfer of operation of bus routes

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- (1) The Scottish Ministers must by regulations make a scheme making provision to enable a community transfer body (construed in accordance with section 77(1) of the Community Empowerment (Scotland) Act 2015) to make a request to operate a bus route.
- (2) Without prejudice to the generality of subsection (1), the scheme must include provision equivalent to such provisions of Part 5 of the Community Empowerment (Scotland) Act 2015, with such modifications as the Scottish Ministers consider necessary to enable such a scheme to operate effectively.
- (3) The first regulations under subsection (1) must be made not later than 6 months after the date of Royal Assent.>

Neil Bibby

249 After section 34, insert—

<Community bus services

- (1) In carrying out their duties under this Part, local transport authorities must have regard to the desirability of promoting community bus services.
- (2) As soon as reasonably practicable after the end of each financial year, each local transport authority must submit information to the Scottish Ministers on how it has complied with subsection (1).
- (3) As soon as reasonably practicable after receiving information from all local transport authorities under subsection (2), the Scottish Ministers must publish, and lay before the Parliament, a report setting out—
 - (a) what the impact has been of the operation of this Part on community bus services,
 - (b) what steps they have taken during that financial year to promote community bus services,
 - (c) a summary of information submitted to them under subsection (2).
- (4) In preparing a report under subsection (3), the Scottish Ministers must consult—
 - (a) each local transport authority,
 - (b) the traffic commissioner,
 - (c) the chief constable of the Police Service of Scotland,
 - (d) the Competition and Markets Authority,
 - (e) representatives of community bus service providers, and
 - (f) such other persons as the Scottish Ministers think fit.
- (5) For the purposes of this section, “community bus services” has the meaning given by section 22(1) of the Transport Act 1985.>

Bus service improvement partnerships: content of partnership plan

Colin Smyth

69 In section 29, page 12, line 23, after <services> insert <(including, in particular, an analysis of how existing local services are meeting the needs of people in the area who are on a low income)>

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Colin Smyth

70 In section 29, page 12, line 31, at end insert—

<() For the purposes of subsection (2)(c), the partnership plan must, in particular, describe how the scheme (or schemes) is intended to meet objectives as regards the quality and effectiveness of local services in meeting for the needs of persons—

(a) who are on a low income,

(b) whose income is adversely affected, whose expenditure is increased or whose experience of or ability to use local services is likely to be affected because they have one or more of the protected characteristics listed in section 149(7) of the Equality Act 2010.>

Colin Smyth

71 In section 29, page 12, line 33, after <services> insert <and other persons living or working>

Colin Smyth

72 In section 29, page 12, line 37, at end insert—

<() For the purposes of subsection (3)(a), a partnership plan must, in particular, describe the proposals for obtaining the views of persons—

(a) who have experience of poverty,

(b) whose income is adversely affected, whose expenditure is increased or whose experience of or ability to use local services is likely to be affected because they have one or more of the protected characteristics listed in section 149(7) of the Equality Act 2010.>

Bus service improvement partnerships: facilities and measures

Michael Matheson

73 In section 29, page 15, line 23, after <facility> insert <or the taking of a measure>

Michael Matheson

77 In section 29, page 16, line 6, leave out <Subsection (2) does> and insert <Subsections (2) and (3) do>

Michael Matheson

78 In section 29, page 16, line 7, after <facility> insert <or, as the case may be, take the measure,>

Michael Matheson

170 In the schedule, page 84, line 11, after <facilities> insert <or the taking of a measure>

Michael Matheson

171 In the schedule, page 84, line 14, at end insert—

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<() In schedule 9 (variation or revocation of certain traffic regulation orders), in paragraph 27(3), for the words from “pursuant” to “scheme” substitute “or the taking of a measure pursuant to a scheme implementing a bus services improvement partnership”.>

Michael Matheson

179 In the schedule, page 85, line 32, at end insert—

<() after subsection (4)(b) insert—

“(c) regulations under section 3L(2)(c) which make provision about what may constitute a facility or measure.”.>

Bus service improvement partnerships: traffic regulation orders

Michael Matheson

74 In section 29, page 15, line 25, at end insert <(within the meaning of section 121A of the Road Traffic Regulation Act 1984).>

Michael Matheson

75 In section 29, page 15, line 26, leave out <or varied unless it is made or varied> and insert <, postponed, varied or revoked unless it is made, postponed, varied or revoked>

Michael Matheson

76 In section 29, page 15, line 38, after <authority> insert <or (where section 3E applies) the Scottish Ministers>

Michael Matheson

175 In the schedule, page 85, line 11, at end insert—

<() in subsection (1)—

“(zi) at the beginning insert “Subject to subsection (1A)”.>

Michael Matheson

177 In the schedule, page 85, line 23, at end insert—

<() After subsection (1) insert—

“(1A) The definition of “traffic regulation order” in subsection (1) does not apply for the purposes of chapter 1 of this Part.”.>

Bus service improvement partnerships: regulations on partnership time

Michael Matheson

79 In section 29, page 16, line 25, at end insert—

<() The Scottish Ministers may by regulations amend subsection (2) to specify a different total period of postponement than the one for the time being specified there.>

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Michael Matheson

80 In section 29, page 17, line 21, at end insert—

- <() The Scottish Ministers may by regulations amend subsection (5) to specify a different total period of postponement than the one for the time being specified there.>

Michael Matheson

178 In the schedule, page 85, line 31, leave out <after “41(1)” insert “> and insert <for “41(1) of this Act” substitute “3G(4), 3H(7),>

Bus service improvement partnerships: reports on partnership schemes

Jamie Greene

231 In section 29, page 17, line 39, at end insert—

- <() A report under subsection (1) must include information—
- (a) on the achievement within the period covered by the report of—
 - (i) the objectives to be met as regards the quality and effectiveness of the services to which the scheme relates,
 - (ii) any service standards imposed by the scheme,
 - (b) on bus speeds at both peak and off-peak times, and
 - (c) where the progress towards achieving the objectives and service standards is not satisfactory, on the steps the local authority intends to take.>

Bus service improvement partnerships: provision of information by operators

Michael Matheson

81 In section 29, page 18, line 7, at end insert—

<3JA Provision of information: bus services improvement partnerships

- (1) This section applies if a local transport authority are exercising any of the following functions—
 - (a) preparing and making a partnership plan or scheme,
 - (b) reviewing the effectiveness of a partnership plan or scheme, or
 - (c) determining whether and how to vary, or revoke, a partnership plan or scheme.
- (2) The local transport authority may require an operator of a local service in the relevant area to provide them with such relevant information relating to the function being exercised as they may specify.
- (3) The local transport authority must specify the function it is exercising when requiring the provision of relevant information.
- (4) The operator may be required to provide the information—

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- (a) in any form which, having regard to the manner in which the information is kept, it is reasonable to expect the operator to provide, and
 - (b) before the end of such period as may be specified by the local transport authority.
- (5) A local transport authority that have obtained relevant information under this section may only—
- (a) use the information for the purpose of exercising the function for which it was obtained, and
 - (b) supply the information to a person listed in subsection (6) for use in connection with that function.
- (6) The persons are—
- (a) a local transport authority,
 - (b) persons providing services to the local transport authority in connection with the function being exercised,
 - (c) where section 3E applies, the Scottish Ministers.
- (7) A person who receives relevant information under subsection (5)(b) must not disclose it to any other person or use it in connection with a purpose other than the specified function.
- (8) A person who, without reasonable excuse, discloses information in contravention of this section commits an offence.
- (9) A person who commits an offence under subsection (8) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (10) Where an offence under subsection (8) committed by a local transport authority is proved to have been committed with the consent or connivance of, or to be attributable to the neglect on the part of, a person employed by the authority, the person as well as the authority is guilty of the offence and liable to be proceeded against and punished accordingly.
- (11) In this section, “relevant information” means information of a description specified in regulations made by the Scottish Ministers.
- (12) Regulations under subsection (11) may specify circumstances in which relevant information (or types of relevant information) may not be required by a local transport authority.>

Colin Smyth

82 In section 29, page 18, line 40, at end insert—

<() the level of information that must be provided by an operator to a local transport authority for the purpose of developing a plan or scheme.”>

Michael Matheson

98 In section 32, page 42, line 34, at end insert—

<13QA Provision of information: local services franchises

- (1) This section applies if a local transport authority are exercising any of the following functions—

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- (a) preparing and making a franchising framework,
 - (b) reviewing the effectiveness of a franchising framework, or
 - (c) determining whether and how to vary, or revoke, a franchising framework.
- (2) The local transport authority may require an operator of a local service in the relevant area to provide them with such relevant information relating to the function being exercised as they may specify.
- (3) The local transport authority must specify the function it is exercising when requiring the provision of relevant information.
- (4) The operator may be required to provide the information —
 - (a) in any form which, having regard to the manner in which the information is kept, it is reasonable to expect the operator to provide, and
 - (b) before the end of such period as may be specified by the local transport authority.
- (5) A local transport authority that have obtained relevant information under this section may only—
 - (a) use the information for the purpose of exercising the function for which it was obtained, and
 - (b) supply the information to a person listed in subsection (6) for use in connection with that function.
- (6) The persons are—
 - (a) a local transport authority,
 - (b) an auditor appointed by the local transport authority under section 13F,
 - (c) any other person providing services to the local transport authority in connection with the function being exercised,
 - (d) a panel appointed under section 13J(2) or 13O(2).
- (7) A person who receives relevant information under subsection (5)(b) must not disclose it to any other person or use it in connection with a purpose other than the specified function.
- (8) A person who, without reasonable excuse, discloses information in contravention of this section commits an offence.
- (9) A person who commits an offence under subsection (8) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (10) Where an offence under subsection (8) committed by a local transport authority is proved to have been committed with the consent or connivance of, or to be attributable to the neglect on the part of, a person employed by the authority, the person as well as the authority is guilty of the offence and liable to be proceeded against and punished accordingly.
- (11) In this section, “relevant information” means information of a description specified in regulations made by the Scottish Ministers.
- (12) Regulations under subsection (11) may specify circumstances in which relevant information (or types of relevant information) may not be required by a local transport authority.>

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Colin Smyth

102 In section 32, page 43, line 27, at end insert—

<() the level of information that must be provided by an operator to a local transport authority in connection with the process,>

Michael Matheson

174 In the schedule, page 85, line 2, at end insert—

<(b) after subsection (1)(b) insert—

“() failed to comply with a requirement to provide information (including a requirement to provide it within a specified time or in a specified form) under section 3JA(2) or 13QA(2),”.>

Bus services: fair work

Colin Smyth

232 In section 29, page 18, line 22, at end insert—

<3KA Fair work direction

- (1) The Scottish Ministers must issue a direction to each local transport authority about fair work within 1 year of this section coming into force.
- (2) The direction—
 - (a) must—
 - (i) stipulate that each bus service improvement partnership plan is to specify that each local transport authority or (as the case may be) operator of a local service must seek to promote fair work in exercising its functions,
 - (ii) set out what fair work means for the purposes of the direction, and
 - (b) may contain any other provision which the Scottish Ministers consider appropriate in relation to the promotion of fair work by a local transport authority or (as the case may be) operator of a local service.
- (3) Before issuing the direction, the Scottish Ministers must consult—
 - (a) local transport authorities,
 - (b) operators of a local service,
 - (c) persons who appear to the Scottish Ministers to represent the interests of employees of a local transport authority or operator of a local service.>

Colin Smyth

242 In section 32, page 43, line 12, at end insert—

<13RB Fair work direction

- (1) The Scottish Ministers must issue a direction to each local transport authority about fair work within 1 year of this section coming into force.
- (2) The direction—

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- (a) must—
 - (i) stipulate that each franchising framework is to specify that each local transport authority or (as the case may be) operator of a local service must seek to promote fair work in exercising its functions,
 - (ii) set out what fair work means for the purposes of the direction, and
 - (b) may contain any other provision which the Scottish Ministers consider appropriate in relation to the promotion of fair work by a local transport authority or (as the case may be) operator of a local service.
- (3) Before issuing the direction, the Scottish Ministers must consult—
- (a) local transport authorities,
 - (b) operators of a local service,
 - (c) persons who appear to the Scottish Ministers to represent the interests of employees of a local transport authority or operator of a local service.>

Bus services: accessibility

Colin Smyth

233 In section 29, page 18, line 40, at end insert—

- <() the standards and requirements that a scheme or plan may specify in respect of the accessibility of bus services for disabled persons and persons who have limited mobility.”.>

Colin Smyth

243 In section 32, page 43, line 27, at end insert—

- <() the standards and requirements that a franchising framework may specify in respect of the accessibility of local services for disabled persons and persons with limited mobility,>

Colin Smyth

109 After section 34, insert—

<Accessibility of new or refurbished stopping places

- (1) The Transport (Scotland) Act 2001 is amended as follows.
- (2) Before section 41, insert—

“40B Accessibility of new or refurbished stopping places

- (1) A local transport authority must comply with the duty in subsection (2).
- (2) The duty is that any new or refurbished stopping place must—
 - (a) be accessible for a person who has a disability arising from a physical or mental impairment (construed in accordance with section 31 of the Social Security (Scotland) Act 2018),
 - (b) not share any part of the carriageway with a cycle track,

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- (c) not require a person using a local service to use steps when entering or alighting from a public service vehicle,
 - (d) not contain any thing that could obstruct the right of passage of a person using a local service.
- (3) The Scottish Ministers may by regulations vary the duty in subsection (2).”>

Colin Smyth

250 After section 34, insert—

<Disability awareness training for public service vehicle drivers

- (1) The Transport (Scotland) Act 2001 is amended as follows.
- (2) Before section 41 insert—

“40A Disability awareness training for public service vehicle drivers

- (1) This section applies to a person who is employed by an operator of a local service to drive a public service vehicle.
- (2) An operator of a local service must—
 - (a) take reasonable steps to ensure that a person mentioned in subsection (1) receives disability awareness training on an annual basis, and
 - (b) as soon as reasonably practicable after the end of each financial year, publish information setting out the steps it has taken to make available disability awareness training to persons mentioned in subsection (1).
- (3) In this section, “disability awareness training” means an approved training course delivered by a training provider authorised by the local transport authority for the purpose of raising awareness of disability issues.”>

Bus service improvement partnerships: consultation on making, variation and revocation of partnership proposals

Jamie Greene

234 In section 30, page 19, line 24, at end insert—

<Sufficient number of persons

Where a local transport authority intend to prepare a partnership proposal, they must seek the approval of the traffic commissioner to what constitutes a sufficient number of persons for the purposes of paragraphs 5(1), 7(4), 15(1), 17(4) and 24 in relation to the proposal.>

Colin Smyth

83 In section 30, page 20, line 40, after <services> insert <and of other persons living or working in the area>

Colin Smyth

84 In section 30, page 21, line 6, at end insert—

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- <() For the purposes of sub-paragraph (4)(b), the local transport authority must consult, in particular, persons—
- (a) who have experience of poverty,
 - (b) whose income is adversely affected, whose expenditure is increased or whose experience of or ability to use local services is likely to be affected because they have one or more of the protected characteristics listed in section 149(7) of the Equality Act 2010.>

Colin Smyth

- 85 In section 30, page 22, line 18, after <services> insert <and of other persons living or working in the area>

Colin Smyth

- 86 In section 30, page 22, line 29, at end insert—

- <() For the purposes of sub-paragraph (3)(b), the local transport authority must give notice to, in particular, persons—
- (a) who have experience of poverty,
 - (b) whose income is adversely affected, whose expenditure is increased or whose experience of or ability to use local services is likely to be affected because they have one or more of the protected characteristics listed in section 149(7) of the Equality Act 2010.>

Jamie Greene

- 235 In section 30, page 22, line 34, at end insert <and

- (b) have due regard to any representations received by them as a result of such consultation.
- (c) consider whether, if the coming into operation of a partnership scheme (or any part of it) is to be postponed, any obligations on operators of local services should also be postponed for the same period.>

Colin Smyth

- 87 In section 30, page 24, line 39, after <services> insert <and other persons living or working in the area>

Colin Smyth

- 88 In section 30, page 25, line 4, at end insert—

- <() For the purposes of sub-paragraph (4)(b), the local transport authority must consult, in particular, persons—
- (a) who have experience of poverty,
 - (b) whose income is adversely affected, whose expenditure is increased or whose experience of or ability to use local services is likely to be affected because they have one or more of the protected characteristics listed in section 149(7) of the Equality Act 2010.>

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Colin Smyth

- 89 In section 30, page 26, line 8, after <services> insert <and of other persons living or working in the area>

Colin Smyth

- 90 In section 30, page 26, line 15, at end insert—
- <() For the purposes of sub-paragraph (3)(b), the local transport authority must give notice to, in particular, persons—
- (a) who have experience of poverty,
 - (b) whose income is adversely affected, whose expenditure is increased or whose experience of or ability to use local services is likely to be affected because they have one or more of the protected characteristics listed in section 149(7) of the Equality Act 2010.>

Colin Smyth

- 91 In section 30, page 27, line 21, after <services> insert <and of other persons living or working in the area>

Colin Smyth

- 92 In section 30, page 27, line 27, at end insert—
- <() For the purposes of sub-paragraph (1)(b), the local transport authority must consult, in particular, persons—
- (a) who have experience of poverty,
 - (b) whose income is adversely affected, whose expenditure is increased or whose experience of or ability to use local services is likely to be affected because they have one or more of the protected characteristics listed in section 149(7) of the Equality Act 2010.>

Colin Smyth

- 93 In section 30, page 28, line 20, after <services> insert <and of other persons living or working in the area>

Colin Smyth

- 94 In section 30, page 28, line 27, at end insert—
- <() For the purposes of sub-paragraph (3)(b), the local transport authority must give notice to, in particular, persons—
- (a) who have experience of poverty,
 - (b) whose income is adversely affected, whose expenditure is increased or whose experience of or ability to use local services is likely to be affected because they have one or more of the protected characteristics listed in section 149(7) of the Equality Act 2010.>

Jamie Greene

- 236 In section 30, page 28, leave out lines 34 and 35

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Bus service improvement partnerships: regulations on registration of local services

Neil Bibby

237 In section 31, page 29, line 29, at end insert—

<() in subsection (9), after paragraph (d) insert—

“(dza) to limit the circumstances in which an operator may apply under subsection (7) to vary or cancel a registration.”.>

Neil Bibby

238 In section 31, page 29, line 29, at end insert—

<() in subsection (9), after paragraph (k) insert—

“(ka) for requiring the operator of a registered service to make available, as soon as reasonably practicable after the end of each financial year, its annual accounts to—

(i) the traffic commissioner, and

(ii) the local transport authority or authorities for the area within which the service is operated.”.>

Bus service improvement partnerships: traffic commissioner powers to scrutinise

Michael Matheson

95 In section 31, page 30, line 34, at end insert—

<6N **Scrutiny of operation of bus services improvement partnership**

(1) This section applies where—

(a) a bus services improvement partnership scheme made under section 3B of the 2001 Act (“the scheme”) is in operation, and

(b) it appears to a traffic commissioner that the local transport authority (or authorities) who made the scheme may not be complying with their obligations under it including, in particular, any duty arising under section 3F(2) or (3) of the 2001 Act.

(2) The traffic commissioner may—

(a) investigate the actions of the local transport authority (or authorities) in relation to their compliance with their obligations under the scheme,

(b) require the authority (or authorities) to provide such information as the commissioner may specify for the purposes of the investigation.

(3) A local transport authority may be required to provide the information before the end of such period as may be specified by the traffic commissioner when imposing the requirement.

(4) Following an investigation under subsection (2), the traffic commissioner must prepare and publish a report—

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- (a) setting out whether or not the commissioner is satisfied that the local transport authority (or authorities) are complying with their obligations under the scheme, and
 - (b) if the commissioner is not satisfied that the authority (or authorities) are complying with their obligations, making such recommendations as the commissioner considers appropriate, including, in particular, recommendations that the authority (or authorities) take such remedial action as may be specified in the report.
- (5) Before publishing a report prepared under subsection (3), the commissioner must provide a copy of it to—
- (a) the local transport authority (or authorities) who made the scheme, and
 - (b) each operator providing a local service with a stopping place in the area of the scheme.
- (6) Where, under section 3E of the 2001 Act, the Scottish Ministers acted jointly with a local transport authority (or authorities) to make the scheme, this section applies to the Scottish Ministers as it applies to the authority (or authorities)
- (7) In this section—
- “2001 Act” means the Transport (Scotland) Act 2001,
 - “local transport authority” has the meaning given in section 82(1) of the 2001 Act.”.>

Bus franchises: required content of franchising framework and franchise agreement

Jamie Greene

213 In section 32, page 31, line 21, at end insert—

- <() A franchising framework must include provision on how disputes between the local transport authority and a person operating local services in the area to which the framework relates are to be resolved.>

Colin Smyth

96 In section 32, page 31, line 28, at end insert—

- <() A franchise agreement must include provision setting out how services under it will provide for the needs of persons—
 - (a) who are on a low income,
 - (b) whose income is adversely affected, whose expenditure is increased or whose experience of or ability to use local services is likely to be affected because they have one or more of the protected characteristics listed in section 149(7) of the Equality Act 2010.>

Jamie Greene

214 In section 32, page 34, line 6, at end insert—

- <() For the purposes of subsection (2)(e), the assessment of financial implications must include in particular—

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- (a) an assessment of the initial costs to establish services, outlining one-off or up-front establishment costs,
- (b) forecasts of the annual financial implications, including profitability, of operating local services under the proposed framework,
- (c) an assessment of the likely financial implications, including comparative analysis, of the proposed framework in relation to how services are currently funded.>

Jamie Greene

- 239** In section 32, page 34, line 20, leave out <obtain a report from> and insert <request that the traffic commissioner appoints, and obtains a report from,>

Jamie Greene

- 240** In section 32, page 39, line 21, at end insert—
- <() Consultation with operators of local services under subsection (3) must, in particular, include consultation on how the local transport authority propose to compensate such operators for any losses they may incur as a result of the postponement.>

Bus services: minor and technical amendments

Michael Matheson

- 97** In section 32, page 38, line 16, leave out <franchising> and insert <franchise>

Michael Matheson

- 99** In section 32, page 42, line 37, leave out <franchising> and insert <enter into a franchise>

Michael Matheson

- 100** In section 32, page 43, line 4, leave out <franchising> and insert <franchise>

Michael Matheson

- 101** In section 32, page 43, line 11, after <or> insert <enter into a franchise>

Bus franchises: franchising by multi-authorities and Regional Transport Partnerships

Jamie Greene

- 215** In section 32, page 42, line 35, leave out from beginning to end of line 12 on page 43 and insert—
- <**13R Multi-authority franchising**
 - (1) Two or more of the persons mentioned in subsection (2) may act jointly to make a franchising framework and franchise agreement (or agreements) under this chapter.
 - (2) The persons are—
 - (a) a local transport authority,

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- (b) a Regional Transport Partnership,
 - (c) the Scottish Ministers.
- (3) In those circumstances, unless the context otherwise requires, a reference in this chapter (other than this section) to—
- (a) a local transport authority, in relation to a franchising framework or a franchise agreement or to a proposed framework or agreement, is a reference to the persons acting jointly,
 - (b) the area of a local transport authority is a reference to the combined areas in which the persons exercise functions,
 - (c) the relevant general policies of a local transport authority is a reference to the relevant general policies of each of the persons.
- (4) Where two or more persons act jointly to make a franchising framework or franchise agreement, they must continue to act jointly in relation to the framework or agreement in all respects.>

Colin Smyth

241 In section 32, page 43, line 12, at end insert—

<13RA Franchising by Regional Transport Partnerships

- (1) Subject to the agreement of every local transport authority within its area, a Regional Transport Partnership may make a franchising framework and franchise agreement (or agreements) under this chapter.
- (2) In those circumstances, unless the context otherwise requires, a reference in this chapter (other than this section) to—
 - (a) a local transport authority, in relation to a franchising framework or a franchise agreement or to a proposed framework or agreement, is a reference to a Regional Transport Partnership,
 - (b) the area of a local transport authority is a reference to the area of the Regional Transport Partnership,
 - (c) the relevant general policies of a local transport authority is a reference to the relevant general policies of a Regional Transport Partnership.>

Bus services: provision of information about local services

Neil Bibby

244 In section 33, page 44, line 18, leave out <relating to> and insert <setting out>

Michael Matheson

103 In section 33, page 45, line 15, leave out from <persons> to <expected> and insert <an economic operator in connection with an invitation>

Michael Matheson

104 In section 33, page 45, line 22, leave out from <persons> to <expected> and insert <an economic operator in connection with an invitation>

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Michael Matheson

- 105 In section 33, page 46, line 13, after <section> insert <—
“economic operator” means any person, public entity or group of persons or entities including any temporary association of undertakings that offers to provide local services on the market,>

Michael Matheson

- 106 In section 33, page 46, line 41, at end insert—
<() In section 43 of the Transport (Scotland) Act 2001 (power to obtain information about local services), after subsection (5) insert—
“(5A) For the avoidance of doubt, subsection (5)(f) does not apply if (or to the extent that) the operator was also required to provide the information by the local transport authority as an affected authority under section 6ZA(2) of the 1985 Act (provision of service information when varying or cancelling registration).”>

Jamie Greene

- 245 In section 34, page 47, line 27, leave out <past> and insert <previous 2 years or the period of time for which the service has operated, whichever is the shorter>

Colin Smyth

- 107 In section 34, page 47, line 35, at end insert—
<() requiring it to be—
(A) made available in an accessible form (including in audible form),
(B) translated into Braille if requested.>

Michael Matheson

- 108 In section 34, page 47, line 39, at end insert—
<() the Secretary of State,>

Neil Bibby

- 246 In section 34, page 48, line 22, at end insert—
<35B **Duty to notify traffic commissioner about change of bus route or timetabling**
(1) If a local transport authority ascertain that—
(a) a change is proposed to a bus route, or
(b) a significant change is proposed to the timetabling of a local service,
to, from or within the authority’s area, the authority must as soon as is reasonably practicable notify the traffic commissioner.
(2) Where the traffic commissioner receives notification under subsection (1), the commissioner must—

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- (a) give notice of the proposed change of route or timetabling in such manner as the commissioner considers appropriate for bringing the notice to the attention of persons in the area of the authority,
 - (b) appoint three persons to form a panel to decide whether or not to approve the proposed change of route or timetabling,
 - (c) provide the panel with any representations made to the commissioner in connection with the proposed change of route or timetabling.
- (3) A notice given under subsection (2)(a) must state—
- (a) that representations may be made to the traffic commissioner in relation to the proposed change of route or timetabling, and
 - (b) the period within which such representations may be made.
- (4) The panel may decide—
- (a) to approve the proposed change of route or timetabling,
 - (b) to approve the proposed change of route or timetabling subject to the local transport authority or (as the case may be) operators of the local services taking such further action as the panel may specify in its decision, or
 - (c) not to approve the proposed change of route or timetabling.
- (5) In making its decision under subsection (4), the panel must consult—
- (a) the local transport authority,
 - (b) the operators of local services.
 - (c) bus users.
- (6) Not later than 3 months after the date on which the Bill for the Transport (Scotland) Act 2019 receives Royal Assent, the traffic commissioner must issue guidance to all local transport authorities setting out what constitutes a significant change in the timetabling of a local service.”.>

Colin Smyth

247 In section 34, page 48, line 22, at end insert—

<35C Duty to consult about change of bus route or timetabling

- (1) This section applies where an operator of a registered local service makes—
 - (a) a change to a bus route, or
 - (b) a significant change to the timetabling of a local service,
- (2) Before making a change mentioned in subsection (1), the operator must consult the persons mentioned in subsection (3).
- (3) The persons are—
 - (a) the local transport authority,
 - (b) users of local services,
 - (c) such other persons as the operator thinks fit.”.>

Michael Matheson

173 In the schedule, page 84, line 21, at end insert—

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<() after subsection (1) insert—

“(1A) But section 61(2) of the 1981 Act (consultation with representative organisations) does not apply to regulations made under sections 6ZA(2) or (5), 6ZB(2) or 6ZC(1) of this Act.”.>

Bus services: quality assurance framework

Colin Smyth

110 After section 34, insert—

<National quality assurance framework for operators of local services

- (1) The Transport (Scotland) Act 2001 is amended as follows.
- (2) After section 47, insert—

“47A National quality assurance framework for operators of local services

- (1) The Scottish Ministers must by regulations establish a national quality assurance framework for operators of local services.
- (2) Regulations under subsection (1) must—
 - (a) define the framework,
 - (b) set out how the framework will—
 - (i) help improve local services,
 - (ii) help improve the experience of users of local services.
- (3) Before making regulations under section (2), the Scottish Ministers must consult such persons or organisations as the Scottish Ministers consider to be representative of the interests of—
 - (a) operators of local services,
 - (b) users of local services,
 - (c) local transport authorities,
 - (d) Regional Transport Partnerships.”.>

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