

Bus Services (No. 2) Bill [HL]

RUNNING LIST OF ALL AMENDMENTS IN GRAND COMMITTEE

*Tabled up to and including
22 January 2025*

The amendments are listed in accordance with the following Instruction –

Clauses 1 to 10	Clauses 11 to 31
Schedule	Title

[Amendments marked ★ are new or have been altered]

Clause 4

LORD GODDARD OF STOCKPORT

Clause 4, page 3, line 2, at end insert “, and more than one day”

Member's explanatory statement

This amendment seeks to probe the Government on whether there is no longer any minimum period from which the provisions proposed by a franchising authority may be mobilised.

Clause 9

BARONESS PINNOCK

- ★ Clause 9, page 6, line 2, at end insert –
- “(A1) Section 123B of the Transport Act 2000 (assessment of proposed scheme) is amended in accordance with subsections (A2) to (A4).
- (A2) In subsection (2)(a) omit “and”;
- (A3) After subsection (2)(b) insert “, and
- (c) assess the adequacy of central government funding to support the provision of bus services under the scheme.”
- (2A) The assessment under subsection (2)(c) must include –
- (a) an evaluation of whether available funding is sufficient to meet the projected costs of the franchising scheme, and

(b) an analysis of the funding required to maintain or improve service levels across all affected communities.”

(A4) After subsection (6) insert—

“(6A) An assessment under this section must be made publicly available and submitted to the Secretary of State.””

BARONESS BRINTON

★ Clause 9, page 6, line 33, at end insert—

“(11) The Secretary of State must, no later than three months after the day on which this section comes into force, lay before Parliament regulations specifying the qualifications and criteria required for a person to be considered an "approved person" for the purposes of section 123D of the Transport Act 2000.

(12) A statutory instrument containing regulations under subsection (11) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

Member's explanatory statement

This is a probing amendment to inquire whether the Secretary of State intends to issue the criteria for the 'approved persons' role in the near future.

The Schedule

LORD HENDY OF RICHMOND HILL

The Schedule, page 37, line 7, leave out “in the area” and insert “which have one or more stopping places in the area or areas”

Member's explanatory statement

This amendment brings paragraph 9(3)(a) of new Schedule 9A to the Transport Act 2000 into line with paragraph 5(4)(a) of that Schedule.

Clause 12

BARONESS PIDGEON

LORD HAMPTON

Clause 12, page 9, line 20, at end insert—

“(iv) health care services, including, but not limited to, hospitals or GP surgeries, or

(v) schools, and”

BARONESS PIDGEON

Clause 12, page 10, line 7, at end insert –

- “(5) Where a socially necessary route has been identified in accordance with section 138A(15) of the Transport Act 2000, and no alternative operator has implemented the service within a period of six months, the relevant local authority must take reasonable steps to implement a service on the socially necessary route as far as is reasonably practicable.
- (6) Where a local authority has established a socially necessary service in the absence of alternative operators, the local authority must publish a report on the establishment and operability of the service within six months of establishing that service, which should include, but not be limited to –
- (a) the scope and nature of the service;
 - (b) the estimated operating costs and any identified funding gaps;
 - (c) the impact of the service on local accessibility and transport needs;
 - (d) a timeline for the operation of the service;
 - (e) a statement where the local authority is unable to meet the financial burdens of operating the service within six months of establishing that service, specifying the extent of the financial shortfall.
- (7) Where a local authority makes a statement under subsection (6)(e), the new burdens doctrine shall apply to the provisions of this section, and the Secretary of State must consider providing appropriate financial support to the local authority to ensure the service can be delivered.
- (8) Where a local authority is not operating a service in the absence of alternative operators, the provisions in subsection (6) do not apply.
- (9) A local authority may, in consultation with the relevant local transport authority and following the implementation of a socially necessary service under the provisions of subsection (5), transfer the responsibility for the operation of the service to an alternative operator, provided that the local authority is satisfied that the alternative operator is reasonably able to implement an equivalent service.
- (10) A service established under these provisions is a local service operated by a local government bus company as defined by section 15(5).”

Member's explanatory statement

This amendment clarifies that the relevant local authority has a duty to implement a socially necessary service as far as is reasonably practical, should alternative operators fail to do so, with provisions for financial support if needed and the possibility of transferring responsibility to an alternative operator once the service is established.

After Clause 12

LORD HENDY OF RICHMOND HILL

After Clause 12, insert the following new Clause—

“Measures specified in schemes

- (1) The Transport Act 2000 is amended as follows.
- (2) In section 138A(6)(b) (contents of schemes), for the words from “routes in” to “local services” substitute “local services in the whole or part of that area”.
- (3) In section 138D(2)(a) (measures specified in scheme), omit “serving the routes” (in both places).”

Member's explanatory statement

This amendment widens the measures that can be taken by a local transport authority under an enhanced partnership scheme so that they can relate to any local services in the area concerned.

LORD HENDY OF RICHMOND HILL

After Clause 12, insert the following new Clause—

“Passenger benefit requirement

In section 138C of the Transport Act 2000 (requirements in respect of local services), for subsection (9) substitute—

- “(9) The requirements that may be specified in an enhanced partnership scheme also include requirements—
- (a) as to operators of local services establishing and operating arrangements that facilitate the operation of the scheme;
 - (b) that persons using local services in the area to which the scheme relates benefit from any reduction in the cost of operating those services that results from facilities provided or measures taken by—
 - (i) the Secretary of State,
 - (ii) a local transport authority, or
 - (iii) any other person exercising functions of a public nature.””

Member's explanatory statement

This amendment allows an enhanced partnership scheme to require bus operators to provide benefits to bus passengers in return for public expenditure on facilities or measures that will reduce operating costs.

LORD HENDY OF RICHMOND HILL

After Clause 12, insert the following new Clause –

“Variation of schemes

After section 138K of the Transport Act 2000 insert –

“138KA Variation where scheme includes provision under section 138E

- (1) A variation of an enhanced partnership scheme may not be made under section 138K in a case to which subsection (2) of this section applies unless the Secretary of State has directed the authority or authorities concerned to make the variation.
- (2) This subsection applies to any case specified in the scheme as one in which the scheme may be varied in accordance with the scheme (see section 138E).
- (3) The Secretary of State may give a direction under this section only if, on an application made by the authority or authorities, the Secretary of State is satisfied that –
 - (a) the variation cannot be made in accordance with the scheme because of unreasonable or obstructive behaviour by one or more operators of local services, or
 - (b) persons using local services in the area to which the scheme as varied will relate will benefit from the variation of the scheme.
- (4) A direction under this section does not affect the application of the other requirements that must be met before the scheme can be varied under section 138K.””

Member's explanatory statement

This amendment provides that where an enhanced partnership scheme can be varied in accordance with the scheme, a variation can be made under section 138K only where the Secretary of State is satisfied that operators have behaved unreasonably or obstructively or that the variation or revocation will benefit users of local services.

Clause 16

BARONESS PIDGEON

Clause 16, page 14, line 25, at end insert –

“154B Consideration of operator size in grant allocation

- (1) In exercising their powers under section 154A, a local transport authority in England may have regard to the size of the operator when determining the amount of grant and the conditions attached to it.
- (2) In particular, local transport authorities may –

- (a) give priority to small operators to ensure the sustainability and diversity of local transport services,
 - (b) adopt measures to protect small operators from disproportionate financial burdens or competition, and
 - (c) take into account the financial and operational capacity of small operators to meet service demands.
- (3) When determining what constitutes a small operator, a local transport authority may consider –
- (a) the size of the operator’s fleet,
 - (b) the number of employees employed by the operator, and
 - (c) the operator’s annual turnover or other financial capacity.”

Member's explanatory statement

This amendment enables local transport authorities to prioritise small transport operators when allocating grants, ensuring their protection and promoting diversity in local transport services.

Clause 22

BARONESS BRINTON

- ★ Clause 22, page 24, line 4, leave out “have regard to”, and insert “take reasonable steps to implement”

Member's explanatory statement

This amendment ensures that authorities listed in subsection (6) take reasonable steps to ensure that disability guidance issued by the Secretary of State is implemented.

BARONESS PIDGEON

- ★ Clause 22, page 24, line 15, at end insert –
- “(6A) Guidance issued by the Secretary of State under subsection (1) must include provision for the bodies listed in subsection (6) to support the development of training programmes for relevant staff which must address the content of the guidance issued under subsection (1).
- (6B) The guidance and training under subsections (1) and (6A) must also be made available to bus operating companies, who must ensure their relevant staff undertake training programmes aligned with the guidance issued by the Secretary of State.”

LORD HENDY OF RICHMOND HILL

Clause 22, page 24, line 22, leave out from “assist” to “at” in line 23 and insert “with the positioning of a public service vehicle being used to provide a local service”

Member's explanatory statement

This amendment amends the definition of “facilities” so that it captures facilities provided to assist with the positioning of both automated and non-automated public service vehicles.

LORD HENDY OF RICHMOND HILL

Clause 22, page 24, line 27, at end insert –

““public service vehicle” has the same meaning as in the Public Passenger Vehicles Act 1981 (see section 1 of that Act);”

Member's explanatory statement

This amendment inserts a definition of “public service vehicle” into the clause.

Clause 27

BARONESS PIDGEON

Clause 27, page 29, line 38, at end insert “including any area under the jurisdiction of a mayoral combined authority.

- (6) The provisions of this section apply equally to any mayoral combined authority in England, where “mayoral combined authority” means an authority established under the Cities and Local Government Devolution Act 2016.”

Member's explanatory statement

This probing amendment explores whether the provisions of section 151A on zero-emissions vehicles also apply to mayoral combined authorities.

After Clause 27

BARONESS PIDGEON
LORD HAMPTON

After Clause 27, insert the following new Clause –

“Impact on rural areas

- (1) Within six months of the day on which this Act is passed, the Secretary of State must lay before Parliament a report detailing the impacts of the provisions of this Act on rural areas.
- (2) For the purposes of this section “rural” refers to areas so defined by the Rural Urban Classification.
- (3) The report in subsection (1) must include, but is not limited to –
 - (a) an assessment of the level of bus service provision in rural areas including frequency, coverage, and accessibility;

- (b) an evaluation of how the provisions of this Act affect access to public transport for residents in rural areas, with a focus on affordability, reliability, and inclusivity;
 - (c) a review of the potential economic, social, and environmental impacts of any changes in transport services or infrastructure in rural areas as a result of this Act;
 - (d) recommendations for any further actions or policies that may be required to ensure that rural areas are not disproportionately impacted by the provisions of this Act.
- (4) The report must be accompanied by a statement from the Secretary of State on how the findings of the report will be addressed, including any further steps to mitigate negative impacts on rural areas, if applicable.”

Member's explanatory statement

This amendment requires the Secretary of State to publish a report within six months on the impacts of the Act on rural areas.

LORD BRADSHAW
BARONESS PINNOCK

After Clause 27, insert the following new Clause –

“Provision of grants for bus services: traffic reduction plan requirement

In the Transport Act 2000, after section 159 insert –

“159A Provision of grants for bus services: traffic reduction plan requirement

- (1) Where the Government has issued financial support for the provision of bus services, including in the form of grants, to local highway authorities, or other authorities deemed relevant by the Secretary of State, it must be subject to the condition that the recipient authority implements a traffic reduction strategy aimed at increasing bus speeds.
- (2) The strategy published under the provisions of subsection (1) must include –
 - (a) measures to reduce congestion and delays for bus services;
 - (b) provisions to improve bus priority and traffic flow;
 - (c) clear targets for improving bus speeds and service reliability.
- (3) The relevant authority must take reasonable steps to implement the strategy, and where it is unable to do so, it must provide a statement outlining the reasons for non-implementation, which must be made available to the Secretary of State.
- (4) If the authority fails to adequately implement the strategy or meet the agreed targets, the financial support may be reduced or revoked.
- (5) The Secretary of State may issue guidance to ensure consistency in the development and implementation of traffic reduction strategies.””

Member's explanatory statement

This amendment requires that financial support, including grants, issued by the Government to local highway authorities or other relevant bodies is conditional on the implementation of a traffic reduction strategy aimed at increasing bus speeds, with provisions for reporting and accountability if the strategy cannot be fully implemented.

BARONESS PIDGEON

After Clause 27, insert the following new Clause –

“Review of bus fare impact on patronage

- (1) Local transport authorities must conduct a comprehensive review of the impact of bus fares on passenger patronage within their jurisdiction.
- (2) The review may assess –
 - (a) how fare levels influence ridership trends,
 - (b) the social, economic, and environmental outcomes of current fare structures,
 - (c) potential changes to improve accessibility and increase patronage, and
 - (d) potential benefits, if any, of the simplification of ticketing systems for the purposes of increasing bus patronage.
- (3) The first review must be completed and published no later than six months after the date on which this Act is passed.
- (4) Subsequent reviews must be conducted at least once every three years, and made publicly available.
- (5) In conducting the review, local transport authorities must consult relevant stakeholders, including public transport users, service operators, and community representatives, and any other stakeholders deemed relevant by the local transport authority.”

BARONESS PIDGEON

After Clause 27, insert the following new Clause –

“Duty to promote bus services

- (1) It is the general duty of any relevant authorities overseeing bus operations to promote bus services in their jurisdiction.
- (2) In fulfilling this duty, authorities may consider –
 - (a) the potential benefits of making bus services economically competitive with other transport options, ensuring affordability, reliability, and accessibility;
 - (b) measures to enhance the environmental sustainability of bus services, such as reducing emissions and supporting greener transport alternatives;

- (c) the broader social, economic, and environmental benefits of increasing bus patronage;
 - (d) reducing road congestion and improving urban mobility;
 - (e) contributing to lower air pollution and reduced greenhouse gas emissions;
 - (f) providing affordable, accessible transport that promotes social inclusion;
 - (g) improving access to employment, education, health, and other essential services.
- (3) The relevant authority must publish a report every two years outlining the steps taken to fulfil this duty, including –
- (a) progress in making bus services economically competitive and environmentally sustainable,
 - (b) the effectiveness of policies and measures aimed at increasing bus patronage,
 - (c) any challenges faced in promoting bus services and proposed solutions, and
 - (d) plans for future improvements in bus services.
- (4) The relevant authorities may consult with any relevant stakeholders, including transport operators, local businesses, and members of the public, which they deem to be expedient for the purpose of fulfilling the duty outlined in subsection (1).”

Member's explanatory statement

This amendment places a broad duty on authorities to promote bus services in their jurisdiction.

BARONESS PINNOCK

After Clause 27, insert the following new Clause –

“Review of the operation of this Act following changes to local council powers

- (1) The Secretary of State must, within six months of the passage of any primary legislation in the session in which this Act was passed that alters the powers of local councils in relation to transport, lay before Parliament a review of the operation of this Act.
- (2) The review must assess –
- (a) the extent to which the changes in local council powers impact the implementation of provisions under this Act,
 - (b) whether any additional measures are necessary to ensure the effective operation of this Act in the light of the changes, and
 - (c) the adequacy of current funding and resources available to local councils to fulfil their duties under this Act following the legislative changes.
- (3) In conducting the review, the Secretary of State must consult relevant stakeholders, including local councils and transport authorities, in preparing the review.”

Member's explanatory statement

This amendment requires the Secretary of State to review and report to Parliament on the operation of the Act within six months of any new legislation affecting local councils' transport powers insofar as those measures are relevant to the provisions of this Act.

BARONESS PINNOCK

After Clause 27, insert the following new Clause—

“Training programmes on provisions in this Act and their impact on local transport authorities

- (1) Local transport authorities must establish and maintain training programmes to ensure staff and relevant stakeholders are informed of the provisions in this Act and their impact on the powers and responsibilities of local transport authorities.
- (2) Such training programmes shall—
 - (a) provide a comprehensive overview of relevant legislative provisions in this Act,
 - (b) focus on the practical application of these powers in policy development, planning, and service delivery, and
 - (c) ensure compliance with legal obligations and promote effective decision-making.
- (3) Training must be made available to—
 - (a) elected representatives overseeing transport functions,
 - (b) officers responsible for the implementation of transport policies, and
 - (c) any other individuals or organisations directly involved in delivering transport services.
- (4) Local transport authorities must review and update the training programmes regularly to reflect changes to this Act.
- (5) Authorities must publish a summary of the training programmes and participation rates annually to ensure transparency and accountability.”

Member's explanatory statement

This amendment requires local transport authorities to develop training programmes to ensure staff and stakeholders are informed about the provisions in this Act and their impact on the powers and responsibilities of local transport authorities.

BARONESS BRINTON

★ After Clause 27, insert the following new Clause—

“Reporting on Accessibility of Bus Services

- (1) Each relevant authority must prepare and publish an annual report assessing the accessibility of bus services within its geographical boundaries.

- (2) In this section, "relevant authority" includes –
 - (a) a county council in England;
 - (b) a district council in England;
 - (c) a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;
 - (d) a combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023;
 - (e) an integrated transport authority for an integrated transport area in England.
- (3) When publishing the report, the relevant authority must include a statement indicating whether, in their view, accessibility standards within their geographical boundaries are satisfactory or unsatisfactory.
- (4) The report must also include –
 - (a) an assessment of areas with inadequate accessibility provisions, identifying specific locations and the reasons for accessibility shortcomings;
 - (b) proposals to improve bus route accessibility, including measures to address shortcomings and timelines for implementation;
 - (c) an evaluation of the effectiveness of previous accessibility improvements, including data on their impact on disabled passengers and other affected groups;
 - (d) a review of any barriers preventing the full implementation of accessibility improvements, with recommendations for addressing these barriers, including any additional funding or resources required;
 - (e) evidence of consultations with relevant stakeholders, including disabled persons' organizations, transport providers, and local communities, to ensure that accessibility improvements meet the needs of all passengers.
- (5) The first report under subsection (1) must be published within 12 months of the day on which this Act is passed.
- (6) Relevant authorities must ensure these reports are publicly accessible and submit copies to the Secretary of State."

Member's explanatory statement

This amendment requires relevant authorities to publish a report on the state of accessibility standards of bus services in its geographical boundaries, which include a statement on whether those standards are satisfactory or unsatisfactory.

Clause 30

LORD HENDY OF RICHMOND HILL

Clause 30, page 31, line 1, leave out subsection (2)

Member's explanatory statement

This amendment provides for Clause 21 of the Bill to be brought into force by regulations instead of coming into force two months after Royal Assent. This is to allow sufficient time for guidance under new section 144D of the Transport Act 2000 (inserted by Clause 21 of the Bill) to be prepared.

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