

TRANSPORT FOR LONDON

LONDON SERVICE PERMITS

To be read in conjunction with the Guidance Document adopted by the Mayor of London

1 INTRODUCTION

This document is intended to provide information on the London Service Permit system operated by London Bus Services Ltd (LBSL) on behalf of Transport for London and should be read in connection with the legal interpretation outlined in the guidance document.

2 WHAT IS A “LONDON SERVICE PERMIT”?

Transport for London provides a comprehensive network of local bus services within Greater London, normally through a process of inviting tenders to operate services or by way of ‘London Local Service Agreements’. These services form the ‘London bus network’.

Local bus services that are not part of the ‘London bus network’ can only be provided in accordance with a London Service Permit. You must have a permit to operate a London local service that is not part of the London bus network.

For the purposes of this document a ‘Local Service’ has the meaning given to it by Section 2 of the Transport Act 1985 and a ‘London Local Service’ means a local service with one or more stopping places within London. Where a local service operates partly within Greater London and partly outside, a valid permit must be held for the section within London. If there is only one stop within London and the next stop is outside London but within 15 miles of the London stop then a permit is required.

Unlicensed express services, which by definition must carry fare-paying passengers for more than 15 miles, private hires and rail replacement services are not deemed to be London local services.

Even if the service is provided free at source to all passengers a London Service Permit may be required. Examples include:

- A school service where parents pay the school individually for their children to be transported from stops along the route, whether the payment is per trip or as a lump sum covering multiple trips.

- A free shuttle service to a supermarket, local market or sports / music event. In the cases of supermarkets and local markets the expectation is that individual passengers are using the service in order to make individual purchases from the service provider, while for sports and music events it is expected that some allowance will have been made in the individual ticket prices for the transport provision.

Both examples satisfy the definition of “separate fares” as contained in the Transport Act 1985.

3 DURATION

A London Service Permit can be valid for a period of up to five years. A longer period is not permitted under the Greater London Authority Act 1999. Before the end of the period a new permit must be applied for three months prior to expiry if the service is to continue.

4 REQUIREMENTS

The requirements for a successful application take account of standards set by national legislation regarding bus operation, the statutory duties and powers of Transport for London and the Transport Strategy of the Mayor of London. Key requirements are set out in the following sections.

4.1 Licences

Applicants must be in possession of a valid PSV operators’ licence or, where appropriate, a community bus permit granted under Section 22 of the Transport Act 1985, or be able to demonstrate a capability to obtain a licence or permit before commencing operation of the service.

An exception is where a local education authority is authorised to provide a service falling within Section 46(1) of the Public Passenger Vehicles Act 1981 (no requirement for a PSV operators’ licence where a school bus is being used to provide a service).

4.2 Environmental

All vehicles must comply with statutory requirements regarding exhaust emissions. Over time these requirements are leading to a progressive reduction in exhaust emissions from new vehicles.

In addition, Transport for London wishes to see a parallel reduction in exhaust emissions from vehicles already in existence, particularly in central London.

Progressively raising minimum standards for existing vehicles and encouraging operators to develop strategies for reducing emissions will achieve this.

All vehicles operating on services provided under London service permits must be registered as compliant with the London Low Emissions Zone (LEZ). An exemption to this is historic vehicles (ie manufactured before 1973), in which case any such vehicles must be registered as non-chargeable under the LEZ scheme.

Applications for services (in particular services that enter central London) may be expected to include a strategy designed to reduce emissions during the life of the permit in line with any proposed revision to the LEZ. Implementation of this strategy may be attached as a condition of granting the permit. Such strategies could include environmental improvements to vehicle engines, hybrid technology, and monitoring of and training drivers in techniques that reduce emissions.

4.3 Access & Mobility

The Mayor's Transport Strategy includes an Accessibility Implementation Plan with timetabled proposals to comprehensively improve the accessibility of transport in London. The plan includes improvement in vehicle design and staff training.

Transport for London would also expect that all staff involved with the service should receive mandatory disability equality training.

All vehicles must comply with the provisions of the Equality Act 2010, including the Public Service Vehicle Accessibility Regulations 2000 (PSVAR), which requires that new vehicles should be fully accessible and that existing vehicles should comply progressively from January 2015.

In instances where an application is for operation with existing vehicles that do not comply with PSVAR and operators are unable to demonstrate that compliant vehicles will be used from the relevant deadline date under PSVAR, or that an exemption is applicable to the vehicles, then a permit will be only be issued for the period until the relevant deadline.

The deadline dates under PSVAR for full compliance are:

- 1st Jan 2015: single deck buses under 7.5t with a capacity greater than 22
- 1st Jan 2016: all remaining single deck buses
- 1st Jan 2017: all double deck buses
- 1st Jan 2020: all coaches

If during the period of operation of the permit the operator is able to demonstrate replacement with compliant vehicles by the relevant deadline then it is likely that

the permit will then be extended for a period of up to five years from the original start date.

4.4 Health & Safety

First-time applicants must submit a summary of their Health and Safety arrangements and may be required to co-operate with follow up visits and to embrace a Health and Safety policy, engineering standards and maintenance, driver training, risk assessment and incident records. A fully-updated summary is to be submitted every three to five years from the date of first application, as advised by TfL.

A guidance note detailing the requirements of the Health and Safety summary will be forwarded to applicants upon receipt of an initial application, or at any other time upon request.

4.5 Stopping places, terminals and route

Transport for London must ensure that granting an application will not prejudice safety or cause delay or inconvenience to other road users (including other buses), pedestrians and cyclists. Applicants will be expected to operate services in a manner that does not prejudice this requirement. Consideration will be given to the proposed stopping places, terminals and route with respect to:

- Their physical suitability.
- Safety both for users of the proposed service and the safety of other road users who might be affected either directly or indirectly.
- Their compliance with existing traffic regulation orders.
- Any Transport for London and/or local council proposals to amend the highway layout or traffic regulation orders.
- Existing levels of usage and congestion and consequent impact of the proposal; and
- Any other issues relating to the safety and capacity of the public highway, eg, footways, capacity at existing bus stops.

Stopping places, terminals and the route may be subject to conditions if the permit is granted. Appropriate controls, such as knowledge of low bridges must be in place for the safe passage of vehicles not operating along fixed routes.

4.6 Information

Transport for London may take responsibility for providing passenger information. Such information could include roadside publicity, local travel guides, travel information services and online. Transport for London reserves the right to levy a charge for passenger information, including bus stop work and panel timetables. It is prepared to be flexible where there is a clear case for the operator assuming

responsibility, but such passenger information must be to Transport for London's satisfaction in terms of presentation.

4.7 Service Levels

Information on frequency and times of operation will be required as part of the application. For certain kinds of service where demand fluctuates in an unpredictable way, for example sightseeing tours, the facility exists to grant an application based on minimum and maximum frequencies.

4.8 Route Numbers

Where route numbers are allocated to proposed services, applicants must take account of existing route numbers to avoid situations of two or more services with duplicate route numbers operating within the same locality. Transport for London reserves the right to allocate an appropriate route number, for example in the 700-series for express services.

5 THE PROCESS

5.1 How to apply

Applications should be made to the Bus and Coach Licensing Manager of Transport for London, whose contact details are given at the end of this document, using a standard online form on the TfL website (www.tfl.gov.uk/lsp).

The following are required in order for the application to be processed:

- Online application form
- List and map of roads traversed
- List of stops, stands, any curtailment points and terminals
- Public timetable

Additionally, for new permit applications:

- Fee of £150

The Health and Safety summary for first-time as advised in Section 4.4 may be forwarded subsequent to the initial application, ensuring that sufficient time is given for review and approval prior to the proposed start date of the service.

5.2 When to apply

An application for a permit should be submitted at least three months before the proposed start date of the service. In certain cases, e.g. where there is a clear need for a service to begin operation as quickly as possible, a shorter period of notice may be allowed at the discretion of Transport for London. If there is any

doubt, or a shorter notice period is required for any reason please contact the Bus & Coach Licensing Manager for further advice.

Where the application includes operation along roads not currently served by buses a longer period of notice may be desirable.

In the case of services which cross the London boundary, the services must be registered with the appropriate Traffic Area. Transport for London will liaise with the neighbouring Traffic Areas to ensure proposed start dates meet the requirements of all parties as far as possible.

5.3 Who will make the decision?

The decision as whether to grant or refuse the application and what conditions might be imposed will be taken by London Bus Services Ltd under powers delegated by Transport for London.

As part of the decision making process London Buses will consult with the following bodies before reaching the decision:

- The London authorities (London Boroughs and City of London) affected.
- The Commissioners of Police affected.
- London TravelWatch.
- Traffic Commissioners and neighbouring authorities affected by the proposal.
- Any other person or body considered relevant.

The consultation is carried out through publication in the LSP Bulletin, which is normally issued on-line via the TfL website every two weeks on a Friday.

5.4 Attachment of conditions

When granting or renewing the permit, conditions may be attached. These could include:

- The size and dimensions of the vehicles used.
- Provision of adequate route identification.
- That passengers are only taken up or set down at specified points.
- No stopping or standing other than at specified points which may be subject to maximum time limits.
- That steps are taken to secure the safety and convenience of the public, including those who have mobility difficulties.
- A code of practice relating to particular aspects of the operation of the service.
- Measures to reduce vehicle emissions.

- Measures to improve access and mobility.

5.5 Publication

Where Transport for London grants a London Service Permit it will send notice of the grant, including particulars of the services authorised, to the London authorities affected, the Police and the London TravelWatch. The appropriate Traffic Area will also be notified in cases of cross-boundary services.

Where Transport for London refuses to grant a London Service Permit, it will issue a notice to the applicant stating the reasons for the decision.

Details of applications, permits granted and refused may be published every two weeks. This information may be available in paper form and posted on the Internet.

5.6 Fees

A non-refundable fee of £150 including VAT will be charged to process the initial application.

6 DURING THE PERIOD OF THE PERMIT

6.1 Making changes

Operators may propose changes to services during the life of a permit. Such proposals will normally be dealt in a similar manner to a new application.

Transport for London does have the right, at any time, to vary a London Service Permit by altering or removing a condition attached to the permit or by attaching a new condition. Such action might be prompted by changed circumstances such as changes in national legislation, recognition that the condition was no longer appropriate or in the interests of the safety and convenience of the public.

6.2 Monitoring

Monitoring of services may be conducted on a regular or ad-hoc basis in response to particular issues or concerns.

Transport for London may request regular data supply in terms of usage and service quality in order to support planning of its own network and it is expected that operators will readily comply with such requests.

6.3 Communication with the public

Operators will be required to have mechanisms by which the public can make comments, suggestions and complaints relating to the service direct to the operator. Transport for London will refer any comments or complaints it receives on permit services to the operator and will expect them to be properly investigated and addressed.

6.4 Revocation

A permit may be revoked or suspended on the grounds that there has been a contravention of any condition attached to it.

In justifying revocation, Transport for London will need to be satisfied in regard to:

- The frequency of the breach of conditions, or
- The breach having been committed intentionally, or
- The level of risk to the public involved.

Should a permit be revoked notice will be sent to the London authorities affected, the Commissioner of Police, London TravelWatch, VOSA, the appropriate Traffic Commissioner and any other relevant person or body.

6.5 Expiry of permit

When a permit is due to expire an application for a new permit must be made prior to that expiry date in order for the service to be able to continue.

7 RIGHT OF APPEAL

Before considering refusal to grant a London Service Permit, Transport for London will take all reasonable steps to negotiate and mediate with the operator and affected authorities to try and resolve any conflicting issues. In the event of Transport for London refusing to grant a London Service Permit, it will inform the applicant of the reasons for its decision

Similarly, if it attaches any condition to a permit or alters or removes any condition or revokes or suspends a permit, it will inform the permit holder of its reasons for doing so.

If the applicant or permit holder is dissatisfied with the decision, an appeal may be made to the First-tier Tribunal (Transport) under Section 189 of the Greater London Authority Act 1999 as amended by The Transfer of Functions (Transport Tribunal and Appeals Panel) Order 2009.

8 LEGISLATION

The primary legislation covering the London Service Permit system is contained in sections 185 to 195 of the Greater London Authority Act 1999.

9 HOW TO FIND OUT MORE

The first point of contact for London Service Permit issues at Transport for London is:

Bus and Coach Licensing Team
Licensing, Regulation and Charging
4th Floor, Zone4G3
5 Endeavour Square
Stratford, London
E20 1JN

Telephone: 020 3054 0163 / 0137
Email: lsp@tfl.gov.uk
Web: www.tfl.gov.uk/lsp

If applicants are unclear about any aspect of the requirements they are advised to contact the Bus and Coach Licensing Team in advance of submitting an application. Matters of a commercially sensitive nature are assured of due confidentiality.