

A Guide to London Local Service Licensing (Rev 11/95)

Please note that with effect from 3 July 2000 applications for new and the continuation of existing London Local Service Licences must be submitted to: Transport for London (London Buses), 172 Buckingham Palace Road, London, SW1W 9TN. Telephone number 020 7918 3135.

Licences issued by the Traffic Commissioner will continue to be administered by the South Eastern & Metropolitan Traffic Area until the licence expires. Any variation applications to existing licences must be made to the Traffic Area Office.

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INTRODUCTION

Please read this booklet before you apply for your London local service licence.

You should also read the Department's booklet "A Guide to PSV Operator Licensing" as the information given here adds to that.

If your local service goes beyond the Greater London area, and has any stopping places in a neighbouring county, you will also need to read the Department's, ***"A Guide to Local Bus Service Registration"***.

You can get both booklets from Traffic Area Offices (these are listed at the end of this page).

This guide is issued for information only and is not an interpretation of the law.

1- *WHAT IS A LONDON LOCAL SERVICE?*

It is a service which uses public service vehicles (PSVs) to carry passengers at separate fares and stops within a London Borough or the City of London.

The local service can be of any overall length as long as passengers can use it to get on or off between places less than 15 miles apart (as the crow flies).

If on a long distance service there is a part of the route within London where passengers can make a local journey of less than 15 miles, then that part of the service will need a London local service licence.

If a local service has stopping places on both sides of the London boundary, the section on each side is treated as a separate service.

You will need a London local service licence for the part inside London, and you will need to register the part outside London. (So please read the guide to Local Bus Service Registration).



2- *WHAT IS MEANT BY "SEPARATE FARES"?*

It means that different passengers make a separate payment to the driver, conductor or agent to use the service, they can pay as they get on, or buy tickets in advance, have season tickets or concessionary passes.

Payment can also be made in an indirect way (eg paying for a hotel courtesy service). These are all "separate fares".

3- ARE THERE ANY CIRCUMSTANCES IN WHICH I DO NOT NEED A LONDON LOCAL SERVICE LICENCE?

You do not need a licence if:

-  the stopping places on the route are 15 miles or more apart, or
-  you provide, or are proposing to provide either a service,
 - under an agreement with London Regional Transport (LRT), or
 - under an agreement with the British Railways Board (BRB) in place of a railway service which has been temporarily disrupted or discontinued.

You are breaking the law if you run a local service without a licence, unless the exceptions marked above apply.

4- ARE EXCURSIONS OR TOURS LONDON LOCAL SERVICES?

If you want to run an excursion or tour which is like a local service (see above) it must have a London local service licence.




An excursion or tour is defined as a service which carries passengers at separate fares together on a journey from one or more places to one or more other places and back, with or without breaks.


It includes a round London tour where no point on the route is 15 miles or more away from the starting/finishing point (measured in a straight line).

There are more things to note about excursions and tours; and you should read carefully pages 3, 5 and 6 in particular.

5- DO ALL LOCAL SERVICES HAVE TO BE AVAILABLE TO THE GENERAL PUBLIC?

No. For example, schools and works services may count as local services if the passengers pay separate fares, especially if they pay different amounts depending on how far they travel. But these types of services are not local services, and do not have to be licensed, as long as ALL the following points apply;

-  the operator does not arrange the journey or bring the passengers together (either directly or through an agent),
-  the journey is not advertised to the general public,
-  all passengers travel to or from the same place, and


 all passengers pay the same fare, whatever their age or however far they travel.

It may be difficult to tell if a service is a local one or not. If you are not sure, please ask the Traffic Area to help you.

6- WHAT DO I NEED BEFORE I CAN APPLY?

Before you can apply you need a valid PSV Operator's licence, or

 in the case of a community bus service, a permit, or

 in the case of an excursion or tour, you do not need an Operator's licence to apply but the vehicles used on the service must be operated by someone with a valid PSV 'O' Licence and you will need to give their details when applying.

7- HOW DO I APPLY?

You can get application forms from the South Eastern and Metropolitan and Eastern Traffic Area Offices. There are 3 different forms so you should make sure that you get the right one.

Orange Form - PSV 380

This is an application for a London local service licence, under section 37 of The Transport Act 1985. (Do not use for Excursion or Tours or for service which stops outside London).

Purple Form PSV 381

This is an application for a London- local service licence, for a service which crosses the London boundary and has stopping places outside London.

Blue Form PSV 382

This is an application for a London local service licence which is an excursion or tour under Section 39 of the Transport Act 1985. Each route must be licensed separately

When you have filled in the form, send it with the required documents to:

Transport for London (London Buses), 172 Buckingham Palace Road, London, SW1W 9TN. Telephone number 020 7918 3135. (See note at top of page)







8- HOW LONG DOES A LICENCE LAST?

A licence will normally last for five years from the date it starts.

But the Traffic Commissioner may decide to grant the licence for a shorter time.

9- WHAT SORT OF INFORMATION DO I NEED TO GIVE?

The application form asks for details of:

-  the starting and finishing points of the service;
-  the route description, enough to show all the roads used (including a map);
-  the stopping arrangements, for services other than excursions and tours;
-  a full timetable or, if an excursion or tour, details of the number of departures;
-  the maximum size of vehicle to be used; and
-  Your PSV Operator's licence number or Community Bus permit number or the PSV Operator's licence number of the person providing the excursion and tour (if not yourself).

You should make sure that you have filled in the application form properly, and all the documents needed and the fee included, before sending it to the Traffic Commissioner. Some help on filling in the form is given in section 20 of this page.

The Traffic Commissioner may decide that he needs more information from you before he decides your application. You must give him any extra information he needs.

10- WHEN DO I NEED TO APPLY?

You should normally apply at least 12 weeks before you want the service to start. If there are any objections to your application it may take longer.

If you do not fill in the form completely and with the correct details, the Traffic Commissioner may not be able to accept your application.

11- DO I HAVE TO TELL ANYONE ABOUT MY APPLICATION?

Although it is not compulsory, before making your application you are advised to consult the Metropolitan Police, the London borough council(s)

and any county councils in whose area your service will stop. They may think of problems with your routes or proposed stopping places, or problems of road safety or inconvenience to the public which you have not thought of. In the case of an excursion and tour they will know of any waiting and loading restrictions you should take into account.

Very often these problems can be sorted out at this early stage. Otherwise there may be objections and your application will be delayed.

Due to the implementation of the Red Route Network you will also need to copy your application to the Traffic Director for London at College House, Great Peter Street, London SW1P 3LN, telephone 0171 222 4545. The Traffic Director's office will check your proposals within the Red Route Network and issue written confirmation to the Traffic Commissioner.

You are also advised to inform the: London Regional Passengers Committee, Golden Cross House, 8 Duncannon Street, London WC2 8JR.

You are reminded that the roads within the boundaries of Heathrow, Gatwick and Stansted airports belong to individual airport companies and you must get permission of the airport management before PSVs are operated on their roads.

12- CAN ANYONE OBJECT TO MY APPLICATION?


The Traffic Commissioner will publish the notice you send with your application in his fortnightly publication known as "Notices and Proceedings".



Anyone can inspect your application at his office, anyone can object or comment on your application but must do so in writing, within 28 days of the date of publication.

They must copy their objections or comments to you. In considering your application, the Commissioner must take into account any objections or comments which he feels are relevant. In the case of an excursion or tour, the commissioner only has to take account of any objections or representations by the police or local authorities about the suitability of the proposed stopping places.

13- FOR WHAT REASONS COULD MY APPLICATION BE REFUSED?



The Traffic Commissioner must grant a licence unless he thinks it would be against the public interest to do so. He will take into account:

-  the transport needs of London and the communities in the area you want to serve;

-  local authority transport plans or policies; and
-  any relevant objections or representations he receives.

If he feels it is necessary, he may put conditions on your licence. This would be done to make sure that suitable routes and stopping places are used, and to secure the safety and convenience of the public.

If your service is an excursion or tour under Section 39, and if the Traffic Commissioner is satisfied that either

-  the service is not in competition with any existing scheduled London bus service, or
-  the service will operate only for special events,

he will only take into account the suitability of the proposed stopping places, and that they do not inconvenience or put the public in danger before he grants the licence or attaches conditions to it.

14- WHAT HAPPENS IF PEOPLE OBJECT TO MY APPLICATION?

The Traffic Commissioner will look at any objections, if he thinks that it is necessary, he will call an inquiry. You will be told when and where it will be held. Notice of it will be published in "Notices and Proceedings". It will be held in public.



The Commissioner will listen to evidence for and against the case, but there is no formal giving of evidence under oath.

You will be allowed to explain your application and you can question points made by objectors and any witnesses they may have. You, and any witnesses you have brought, may then be questioned by objectors.

You will be told whether or not the Traffic Commissioner has decided to grant your licence either at the end of the inquiry or in writing afterwards.

15- WHAT IF I DO NOT AGREE WITH THE COMMISSIONER'S DECISION?

If you are not happy with the Commissioner's decision, either because he refused to grant you a licence or because he attached conditions to it (other than any you wanted yourself, you can appeal to the Secretary of State for Transport. You can also appeal to him if the Commissioner:

-  does not decide your application within a reasonable time; or
-  refuses to vary your existing licence; or

- refuses to remove an existing condition on the licence: or
- revokes or suspends the licence.

There are different time limits in which you must make your appeal.

If he refuses to grant your licence, or attached conditions to it, the time limit is 42 days from the date of publication of the decision in "Notices and Proceedings".

If he refuses to vary or remove a condition on your existing licence, revokes or suspends it, or attaches a new condition (other than on application by you), the time limit is 28 days from the date of publication.

Usually, an appeal inquiry is arranged, and conducted by an independent inspector appointed by the Secretary of State, and the procedure is much the same as a Commissioner's inquiry.

When the inspector has heard the evidence he will send his recommendations to the Secretary of State for a decision. The Secretary of State may agree, vary, or reverse the Commissioner's decision.

Local authorities and other competing bus operators (except in the case of a Section 39 excursion or tour) in the area also have the right to appeal.

16- WHEN MY APPLICATION IS APPROVED CAN I START THE SERVICE?

If the application is approved, you have paid the licence fee, and your licence has been issued you can start the service. But the approval from the Traffic Commissioner for your stopping places does not mean that you can put up bus stopping signs. To do that you must get the approval of the highway authority (usually the borough council in London).

Unless you are running an excursion or tour, you must show on the outside of your vehicle the route and destination of your service. You must also be able to show passengers a fare table, (or the way fares are arrived at), and a timetable, (unless the service runs every 10 minutes or less).

17- MUST I RUN THE SERVICE AS LICENSED?

The Commissioner can revoke or suspend your licence if you frequently or intentionally break any condition on the licence, or put the public in danger by breaking any of the conditions. You can appeal to the Secretary of State if you think you have not been fairly treated.

If you want to make certain changes to your service you will need to send in an application to the Commissioner for publication in "Notices and Proceedings".

If this causes anyone to object, the Commissioner may decide to hold an inquiry into your application.

In the case of an excursion or tour, you are free to cancel any journey covered by your licence.

18- DO I HAVE TO DISPLAY THE LICENCE ON THE VEHICLE?

No, but you could be asked to show it to the police a certifying officer, traffic examiner or anyone authorised by the Commissioner.

If you are asked, then you must produce it within 7 days.

If you lose your licence or if it is no longer legible, make sure that you get a duplicate from the Commissioner straightaway.

19- WHAT MUST I DO IF I WANT TO STOP RUNNING THE SERVICE?

You must tell the Traffic Commissioner and give him back the licence so that it can be cancelled.

20- FILLING IN THE APPLICATION FORM

Because the form and other documents will be photocopied, please write in black ink. Also please write clearly in CAPITAL LETTERS.

Your Details

You must hold a valid PSV operator's licence or community bus permit to be able to apply, unless you are applying to run an excursion or tour.

For an excursion or tour you need to give details of the person who holds the PSV 'O' Licence and will be providing the service.

Your Bus Service

Please give a full description of your service, postcodes would be helpful if you know them.

Route Description Sheet

Attached to the back of the form is a "Route Description" sheet which you should photocopy if you need more space. Depending on what type of service you are going to run, the route description sheet asks you to:

Describe the route in enough detail to show all the roads it uses, including any variation for particular journeys. If your variations do not have at least 50% in common with the main route please ask the Traffic Area

Office if you should licence or, in the case of a service with stops outside London, register them separately. In the case of an excursion or tour your licence will be for a service which carries passengers together from one or more places to one or more other places and back. The starting and finishing places will usually be the same.





Give details of any timing points, layover points and terminal points along the route where vehicles will wait longer than is necessary to pick up or set down passengers. In the case of an excursion or tour, details are needed of picking up/setting down points (except for refreshments or sightseeing).

Give details of any deviations from a fixed route that can be made on demand (how much it may deviate, where it might happen and how often). You should also state whether this is booked in advance by passengers or not.

Give details of any reversing or turning manoeuvres along the route.

Route Map

You must enclose a map with your application. It should show the route and identify any:

-  one way streets
-  layover points
-  terminal points, and
-  variations.

The notes below on Questions 11 to 14 do not apply to an application for an excursion or tour. (PSV382)

Question 11

Answer 'Yes' to this question if your vehicles, except when they are fully loaded, will pick up and set down passengers at every recognised bus stop along the route (excluding any special terminals arrangements).



"Recognised bus stops" include signed stops and established unmarked stops (eg "outside the Bull Inn").

Groups stops count as one stop.

Question 12

Answer 'Yes' to this question if any of the journeys on the service are not available to pick up and set down passengers at every recognised bus stop along the route.

If you answer 'Yes', you must list on the stopping places sheet either:

-  the nominated stops for your service; or
-  the stops the service will not use.

The timetable must clearly show the journeys which will pick up or set down passengers at only a limited number of stops.

Question 13



Answer 'Yes' to this question if there is any need for new bus stops for your service.

If you answer 'Yes' you should speak to the police and the local authority about your service as soon as possible to make sure it will not cause any road safety or traffic problems.

Question 14

Answer 'Yes' to this question if any part of the service will run without any fixed stopping places (e.g. where you would pick up and set down passengers on request, not using recognised stops).

If you answer 'Yes' you must give details on the stopping places sheet of:

-  the parts of the route with no fixed stopping places;
-  the stopping arrangements for these parts of the service.

Services which run into or out of counties outside London (PSV 381)

Any part of a local service which has stops outside the London area must be registered. The South Eastern and Metropolitan Traffic Area / **Transport for London** will tell other Traffic Area Offices of your application, but you must send a copy of your application with all the enclosures to the county council in whose area you will operate. There is no registration fee for the part of the service outside London. If you do not have any stopping places outside London you do not have to register.

Notices and Proceedings

You must fill in all parts of the section needed for publication of Notices and Proceedings. The details you give should be the same as in the main part of the form.

For days and frequency of service you should put the usual times of first and last buses, frequency of the service, in peak and non-peak hours (where appropriate).

You should keep a copy of the finished form for your own records.

Your form and enclosed documents should then be sent to:

Transport for London (London Buses), 172 Buckingham Palace Road, London, SW1W 9TN. Telephone number 020 7918 3135. (See note at top of Page)

Fuel Duty Rebate

Excursions or tours do not qualify for fuel duty rebate. Any changes to your service which may affect your fuel duty rebate, should be reported to:

The Department of the Environment, Transport and the Regions
Zone 3/19, Great Minster House, 76 Marsham Street, LONDON
SW1P 4DR.
Telephone: 0171676 2200.

Excursions or tours do not qualify for fuel duty rebate.

21- TRAFFIC AREA OFFICES

All correspondence should be addressed to the Administrative Director

Traffic Area	Responsible for	Address
Scottish	Scotland	Argyle House 3 Lady Lawson Street Edinburgh EH3 9SE Tel: 0131 529 8500 Fax-0131 579 8501
North Eastern and North Western	A) The Metropolitan Boroughs within South Yorkshire, Tyne and Wear and West Yorkshire B) The counties of Cleveland, Durham, Humberside, Northumberland, Nottinghamshire and North Yorkshire C) The Metropolitan Boroughs within Greater Manchester and Merseyside D) The counties of Cheshire, Cumbria, Derbyshire, and Lancashire	Hillcrest House 386 Harehills Lane Leeds LS9 6NF Tel: 0113 283 3533 Fax: 0113 248 9607
Eastern	The counties of Bedfordshire, Buckinghamshire, Cambridgeshire, Hertfordshire, Essex, Leicestershire,	Terrington House 13-15 Hills Road Cambridge CB2 INP Tel: 01223 532 023

	Lincolnshire, Norfolk, Northamptonshire and Suffolk	Fax-01773 532 11
West Midland and Welsh	<p>A) The Metropolitan Boroughs within the West Midlands</p> <p>B) The counties of Hereford and Worcester, Salop, Staffordshire and Warwickshire</p> <p>C) Wales</p>	<p>Cumberland House 200 Broad Street Birmingham BIS ITD Tel: 0121 608 1010 Fax: 0121 608 1001</p>
Western	The counties of Avon, Berkshire, Cornwall, Devon, Dorset, Gloucestershire, Hampshire, Isle of Wight, Oxfordshire, Somerset and Wiltshire	<p>The Gaunt's House Denmark Street Bristol BSI SDR Tel: 0117 975 5000 Fax: 0117 975 5055</p>
South Eastern and Metropolitan Area	<p>A) The Administrative area of Greater London</p> <p>B) The counties of Kent, Surrey, East Sussex and West Sussex</p>	<p>Ivy House 3 Ivy Terrace Eastbourne BN214QT Tel: 01323 451400 Fax: 01323 45140</p>