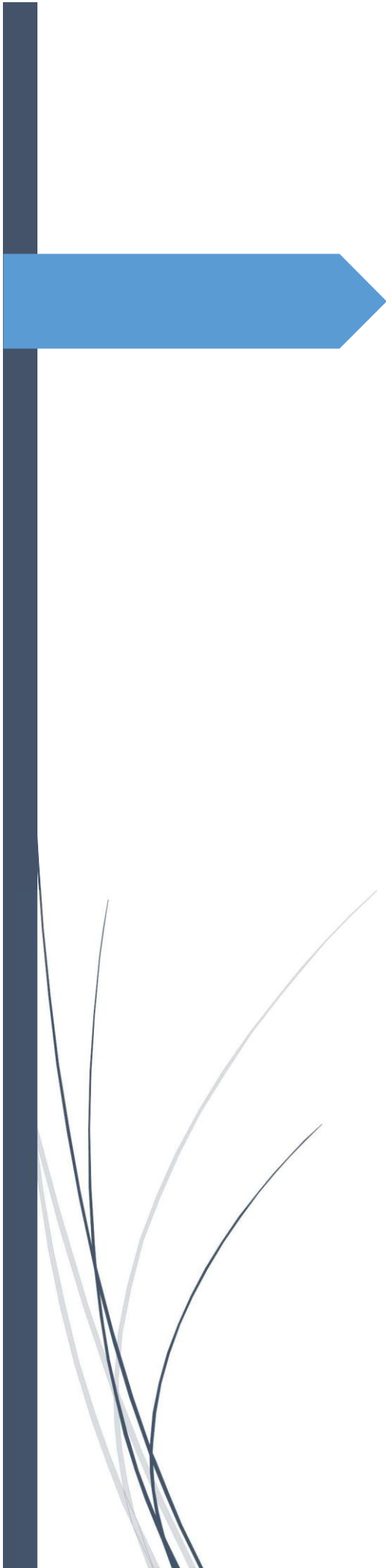




Commercial Bus Service Permits

Guidelines for Operators

June 2026



Department for

Infrastructure

An Roinn

Bonneagair

www.infrastructure-ni.gov.uk

Document Change Log

Contact Details

For queries on this document or the **Service Permit** system in general, please contact:

Public and Community Transport Branch

James House
Gasworks Site
2-4 Cromac Avenue
Belfast
BT7 2JA

E-mail: cbsp@infrastructure-ni.gov.uk

Website: <https://www.infrastructure-ni.gov.uk/articles/commercial-bus-service-permits>

For queries on **Bus Operator Licensing**, please contact:

Driver & Vehicle Agency, Passenger Transport Licensing Division

County Hall
Castlerock Road,
Coleraine
BT51 3HS

Telephone: (028) 9025 4100

E-mail: busoperators@infrastructure-ni.gov.uk

Website: www.nidirect.gov.uk/services/bus-operator-licensing

This document is available in a range of formats. Please contact us with your requirements.

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1. Introduction

- 1.1. The Commercial Bus Service Permit ("Service Permit") system is administered by the Department for Infrastructure (DfI). The aim of the Service Permit system is to enable private bus operators to identify gaps in the public transport network in Northern Ireland (NI) and to provide that service under a Service Permit. These type of services are designed to complement the main public transport network delivered by Translink.
- 1.2. The purpose of these Guidelines is to provide advice and information on how the Service Permit system works and the decision making process that the Department follows when considering an application.
- 1.3. **Please note the guidelines are meant to be a helpful source of reference and should not be considered as a legal document.**
- 1.4. A full list of current Service Permits can be found at:

<https://www.infrastructure-ni.gov.uk/publications/current-list-commercial-bus-service-permits-northern-ireland>

Bus Operator / Taxi Operator Licence

- 1.5. Before applying for a Service Permit, an applicant will need to hold, or have applied to the Driver and Vehicle Agency ("the DVA") for a Bus Operator Licence or Taxi Operator Licence. A Service Permit will only be awarded following confirmation of the Operator Licence. For further information see Contact Details on page 2 or refer to www.nidirect.gov.uk/services/bus-operator-licensing.
- 1.6. It may be possible to proceed through the application process for a new Service Permit without a current operator licence, for example, an applicant seeking to introduce a new service that will require a new vehicle. It is understood the decision to grant a Service Permit would be integral before the procurement of any vehicle in which to use on the service. The Operator's Licence will be required to be in place before the Service Permit is issued.

2. Service Permit Legislation

- 2.1. The Transport Act (NI) 2011 (“the Act”) and The Public Passenger Transport (Service Agreements and Service Permits) Regulations (NI) 2015 (“the Regulations”) are the relevant legislation for Service Permits. When making decisions on Service Permit applications, the Department uses the statutory criteria as required in the Act:
- a. Suitability of the route on which the service may be provided under the Permit;
 - b. Any applications for Permits which the Department considers relevant;
 - c. The extent, if any, to which the needs of persons likely to use the service to be provided are already adequately and economically served;
 - d. The general effect which the granting of a Permit would be expected to have on other holders of Permits, or persons with whom the Department has a Service Agreement;
 - e. The need to ensure fair competition; and,
 - f. Other matters as prescribed.

Consultation

- 2.2. An important part of the Application process involves the Department consulting with a range of stakeholders including:
- a. The Consumer Council;
 - b. Persons already providing services on any road along or near the routes which are subject of the application;
 - c. The Chief Constable (PSNI);
 - d. A District Council;
 - e. A Northern Ireland Department; or,
 - f. The Northern Ireland Tourist Board (Tourism NI).
- 2.3. Section 6 (2) (a) of the Transport Act (Northern Ireland) 2011 requires that, before issuing a Service Permit, the Department will take into account any recommendations made by the Consumer Council. In order to provide for this the Consumer Council is invited to comment on all Applications.

- 2.4. Consultation will often involve clarification requests to the Operator on the information that they have submitted to support their application. Consultees may also provide support or objection to the application, or may seek to alter the timetable or route of the application because of the potential impacts of the application. Where objections to an application are raised, the Department will require sufficient evidence to be provided in support of any objection.
- 2.5. The Department will also make use of internal expertise such as Roads Professional & Technical Officers, Transport Planners, Statisticians or Economists where appropriate. DfI Roads will be specifically asked to determine the suitability of the service route and may request changes to the route and/or timetable where necessary.
- 2.6. Having considered all representations from consultees and recommendations from CCNI, the final decision on approval of a permit lies with the Department.

3. Service Permit Categories

- 3.1. The Service Permit system defines six categories of service for which a permit is required while other categories of service are either exempt or operate outside of the Service Permit system.
- 3.2. The term “separate fare” means an individual payment by each passenger to the driver or other representative of the operator for the journey undertaken. This fare should be fixed in advance.
- 3.3. Services involving the carriage of passengers at separate fares are allowed to enter into agreements for part payment of the service by way of a lump sum payment. For example: A Service Permit, whose primary target market and passengers are local school pupils, receives a monthly lump sum from the school in order to cover part of the fares of those passengers. If such an arrangement is in place, operators must inform the Department and ensure their fare structure is reflective of this.

Regular Stopping Service

- 3.4. This category provides for the carriage of passengers on a pre-determined route with pre-determined pick-up and set-down points (which are less than 30 miles apart) in accordance with a published timetable.
- 3.5. The service is available to the **all** members of the general public and involves the carriage of passengers at separate fares, which are fixed in advance and not subject to variation according to the number of passengers carried on the journey. Such fares may be paid through a transaction on board the vehicle or paid for in advance, and may vary according to the distance travelled.

Express Service

- 3.6. This category provides for the carriage of passengers on a pre-determined route with pre-determined set-down and pick-up points in accordance with a published timetable. This inter-urban service should be made available to **all** members of the general public with passengers charged at separate fares.

- 3.7. This category recognises that an Express Service may meet different passenger needs from those met by a Regular Stopping Service. Each passenger journey must include a 'closed door' element, which is not less than 30 miles during which passengers must not be picked up or set down. This condition is to prevent the potential for an Express Service undermining any existing Regular Stopping Service operating along the route.
- 3.8. Passengers will be charged at separate fares (which may be paid through a transaction on board the vehicle or paid for in advance), irrespective of the number of passengers using the service. Fares may vary according to the distance travelled.

Sightseeing Service

- 3.9. This category provides for the carriage of passengers around tourist attractions on a pre-determined route with pre-determined pick-up and set-down points in accordance with a published timetable.
- 3.10. Fares will be paid for through a transaction on board the vehicle or in advance of the journey and will be set on a 'flat fare' basis, meaning that the fare does not vary with the time of use, nor the distance travelled on the route. However, this does not prevent an operator from offering discounts for certain categories of passengers (although the operator will not be able to provide discounts for different journey length).
- 3.11. Passengers will be able to start or finish their journey at any of the designated pick-up and set-down points along the route. Should the operator propose to use any of these points as a layover point (i.e. allowing the bus to dwell at a particular stop beyond the time it takes to enable passengers to board and alight the bus), then such points should be clearly identified on the Application Form separately.
- 3.12. It should be noted the Department may limit the number of Service Permits issued for such services operating within a particular area, having taken into account the potential for traffic congestion and the availability of road space and bus bays.

Demand Responsive Service

- 3.13. This category is for a service that serves one or more local communities or neighbourhoods within a specified geographical area. It must be made available to **all** members of the general public.
- 3.14. It is provided for the carriage of passengers at separate fares that are fixed in advance and are not subject to variation according to the number of passengers carried on the journey. This enables the service to be distinct from Private Hire services. Fares for individual journeys may be flat fares or may vary in accordance with the distance travelled.
- 3.15. The service is provided for the purpose of carrying passengers who have booked in advance of the journey and whose collective destination(s) determine the route of each journey. Each single passenger journey should not exceed 15 miles (24.14 km) between pick up and set down points when measured using the most direct route by road.
- 3.16. The Department may consider exceptions to this maximum distance:
- i. To ensure no pockets of rural dwellers are excluded from the service, particularly around coastal or border areas;
 - ii. Where it is satisfied that the service will have no significant adverse impact on the viability of any existing service operating under a Service Permit or service agreement.

Event Specific Service

- 3.17. This category is to cater for services for large public or private events, such as concerts, sporting occasions, festivals or shows. These services will be similar to Regular Stopping Services, in that passengers will be charged at separate fares and fares will normally be paid through a transaction on board the vehicle. The service will be restricted to “pick-up only” on the inward journey, and “drop-off only” for the outward journey.

- 3.18. A Permit will only be granted if the Department is satisfied that the service will complement, without displacing, any existing service operating on or near the same route under a Service Permit or Service Agreement, and that the service is required to meet the additional demand created by the event. A Permit issued under this category will be time-bound for the specific event. Consequently, any application for such a service will only be required to provide an application fee of £45.
- 3.19. As part of the Service Permit application, an operator may also provide a list of events at a specific venue that the operator intends to provide over the following 12 months assuming the route and all other details remain the same. Each event will require a separate Service Permit to be issued in advance of each event. The Department reserves the right to seek information on the events to be served at a venue. Where an operator wishes to provide a service to more than one venue for a specific event, the Department may require a separate Service Permit application for each venue.
- 3.20. In this Service Permit category, the Department may simultaneously consider two or more applications for the same event. Before deciding to issue a Notice of Intent to one or more operators, the Department will consider any potential adverse impact the application may have on any existing contracted or permitted service, and the ability of the operator to deliver the service required for the event. This would include assessing the frequency of the proposed service and the size of the operator's fleet. Other considerations may include the proposed fare levels and the integration of the service with other services.
- 3.21. Any future applications for an Event-Specific Service Permit will be considered without any entitlements arising from previous Service Permits held for a particular event.

Taxibus Service

- 3.22. This category is to cater for a service that serves one or more communities or neighbourhoods within a specified geographical area. The operator of the service will be required to hold a Taxi Operator Licence, for the purposes of using a vehicle(s) with a capacity of 8 passengers or less.

- 3.23. The service should operate on a fixed route, or within a pre-defined area, with pre-determined start and (where appropriate) end locations. The service can operate without a set timetable although the overall hours of operation may be set. The service will therefore depart when all the seats on the vehicle are filled, or within set time boundaries. The service may stop anywhere along the route to drop off or pick up passengers where it is safe to do so and provided it adheres to any parking or loading restrictions placed on the route.
- 3.24. The service shall provide for the carriage of passengers at separate fares which are fixed in advance and do not vary according to the number of passengers on board. This means that the service cannot levy a single hire charge.
- 3.25. A Service Permit for such a service will only be issued if the Department is satisfied that the service will have no significant adverse impact on any other existing service operating under a Service Agreement or Service Permit.
- 3.26. The Service Permit holder may be required to acquire, at the holder's own expense and as may be determined by the Department, a sign which would enable the service to be easily identifiable to the general public as one which is operating as a Taxibus Service.

4. Services Exempt from Requiring a Service Permit

- 4.1. The Department acknowledges that there are operators who provide services which, whilst considered as being within the definition of public passenger transport services, (as defined in the section 1 (4) of the Act), do not require to be regulated. The Department considers that Tours are such services and will therefore be exempt from the Service Permit system.
- 4.2. However, anyone wishing to operate such a service will still be required to hold a valid Bus Operator's Licence or Taxi Operator's Licence, and adhere to any relevant road or parking restrictions at the pick-up and/or set-down points where the service operates. If in doubt about any restrictions, the operator should contact the Department.
- 4.3. The Department has enforcement powers that will be exercised should there be any attempt to use such services to disguise what are, in effect, services that should be operating under a Service Permit. For the purposes of clarification, the definition of a Tour is provided below (as set out in section 12 of the Regulations).

Tours

- 4.4. A Tour is an occasional or scheduled advertised service (for the purposes of tourism) to advertised destinations with the United Kingdom, for the carriage of passengers at separate fares. Passengers may not be dropped off en route to each advertised destination, nor picked up on the return journey, and the stopping time for each advertised destination should not normally be less than twenty minutes. It is expected that passengers will pay for the total cost of the full round trip.
- 4.5. Typically, passengers will commence the journey together at a single pickup point. However, in some instances it may be more appropriate for the operator to pick up passengers en route to the advertised destination(s), (for instance, at specified hotels). In any case, the operator will only be able to pick up passengers on the outward journey and drop off passengers on the return journey.

5. Services outside of the Service Permit System

- 5.1. In addition to Tour services, which are exempt from the Service Permit system, there are other types of services that are deemed to be outside the definition of a public passenger transport service and will therefore not require a Service Permit in order to operate legally. These types of services are described below.

Private Hire Service

- 5.2. Private Hire is a service which an operator provides either on an occasional basis (for example, a day trip), or on a more regular basis (one or more occasions per week). The service involves the operator carrying a group of passengers from one location to another and (usually) back again. In some instances, the organisation or group may arrange for the service to be provided by the operator under a contract.
- 5.3. The operator should be paid a lump sum by the organiser to provide the agreed service, and therefore no money should be collected on board the vehicle – to do so could bring the service into conflict with another service operating (under a Service Permit or Service Agreement) along the same route. However, the organiser may collect separate fares from the passengers in advance of the service running.
- 5.4. It is expected that for any regular Private Hire Service, the operator will receive a lump sum payment from the organiser / contractor no more frequently than weekly.
- 5.5. The operator does not need to inform the DVA of any contracted arrangements for a Private Hire Service. However, the operator should still ensure that any such arrangements are documented, to assist with any compliance or enforcement investigations.

Shuttle-bus Service

- 5.6. A Shuttle-bus Service operates regularly (either in a scheduled or responsive manner) from an off-road location (such as a car park) to a pre-determined end location (such as an airport terminal) with no intermediate stops. The operator will typically make an indirect charge for the service (for instance, the charge for running the service will be included as part of the car-parking fee). This is a specialised service designed to meet a niche demand.

Closed Regular Services

- 5.7. A Closed Regular Service is only available to a specific group of passengers. For example, pupils from a specific school or employees at a specific location. These services are **not** available to the general public.
- 5.8. There is currently no need for operators to inform the Department of these services. However, operators are advised to obtain a written agreement that shows the passenger group the service is provided for. The Department has enforcement powers that will be exercised should there be any attempt to use such services to disguise what are, in effect, services that should be operating under a Service Permit.
- 5.9. For operators who wish to avail of the Concessionary Fares Scheme, they will still require to hold a Service Permit in order to receive reimbursement from this scheme.
- 5.10. Operators running a service of this type will be required to comply with Public Service Vehicle Accessibility Regulations (NI) 2003 (PSVAR). Further details of PSVAR can be found on NI Direct at the following link:

<https://www.nidirect.gov.uk/articles/public-service-vehicle-accessibility-certificate>

6. Application Process

- 6.1. The application process is different for New, Renewal and Amendment applications. Each of these processes are set out in the following pages and will be processed in accordance with the 2011 Act, the 2015 Regulations and these guidelines.
- 6.2. The indicative timescales shown will depend on the details and complexities for each application and should be viewed as a guideline only. Applicants should anticipate the process will take longer for complex applications while less complex applications may be processed more quickly. Should an operator anticipate their application might be considered complex, they are welcome to discuss this with the Department prior to submitting an application in order to plan timescales accordingly. Contact details can be found on page 2.
- 6.3. Incomplete applications will be sent back to the applicant and not progressed until all questions are complete.
- 6.4. Applications timescales are also dependant on the applicant providing all relevant information requested in a timely manner.

7. New Service Applications

- 7.1. Prior to submitting any application, please ensure all questions on the application form are fully completed. This will limit the queries by the Department and consultees and help process the application more quickly. Failure to provide information where required or requested will result in delays to the application process.
- 7.2. The total estimated timescale provided below ranges from 12 weeks to 28 weeks. As previously advised, these are indicative timescales only.

Application Received (1 to 2 weeks):

- 7.3. Following receipt of an application, the information will be assessed and the applicant will be contacted if any clarification or further information is required. Only when this stage is complete can the application proceed to consultation.

General Consultation (2 to 3 weeks):

- 7.4. The applicant will be contacted prior to the General Consultation stage in order to agree what materials will be issued to consultees. The Department reserves the right to determine the final material issued.
- 7.5. The material will then be issued to statutory consultees who may or may not choose to reply. The existence of the application will also be made available on the Department website and any consultation responses will be welcomed. CCNI will be copied into the consultee request at this stage but not asked for feedback until all responses are received and issued to CCNI.
- 7.6. In some instances, a longer consultation period may be requested by consultees. The Department will consider these requests on a case-by-case basis which may result in this stage of the process taking longer than stated.

Consultation Queries (1 to 4 weeks):

- 7.7. Consultees may raise concerns with aspects of an application and the Department will seek to clarify or resolve these before progressing to the next stage. Consultees may also support or object to an application. Where objections are raised, sufficient evidence to support these objections will be required by the Department.

- 7.8. In order to speed up this part of the process, queries from consultees will be issued to the applicant as soon as they are received.

Consumer Council NI Consultation (2 to 4 weeks):

- 7.9. Following the resolution of any matters arising from the initial consultation stage, the application materials together with the responses from the initial consultees will then be sent to the Consumer Council NI.
- 7.10. Failure to provide an adequate customer care and complaints policy will delay this stage of the application. Consumer Council NI will be happy to help operators who require assistance with this. Please see page 32 for more details on the Consumer Council NI.
- 7.11. Should Consumer Council NI raise any areas requiring further information or clarification, the applicant will be contacted in order to resolve these if necessary. Consumer Council NI would be happy to meet with any operator to discuss their application if requested.

New Application Determination (4 to 8 weeks):

- 7.12. Each new application will be assessed by a three-person panel who will review the evidence and assess the application against the statutory criteria listed in Section 2. The panel will be chaired by the Director of Public Transport Division, accompanied by two members drawn from senior¹ officials from within the Department.
- 7.13. **Failure to provide any information required or requested at earlier stages of the process may cause an application to miss a scheduled determination panel sitting. If this occurs, the application will be required to wait until the next panel sitting.**
- 7.14. The panel may choose to do one of the following, which will be communicated to the applicant as soon as possible following the panels' decision:

¹ Grade 5, Grade 6 or Grade 7 Civil Servants.

7.15. Outcome 1 – Approved without Conditions

The permit will be issued with our standard set of permit conditions (Annex A).

7.16. Outcome 2 – Approved with Conditions

The Act allows the Department to impose any conditions deemed necessary on all or particular permits. A Service Permit issued with special conditions will be discussed with the applicant prior to the issue. Such conditions may include, for example, limiting a service to operate at certain times or imposing a pick up or set down only on some services.

7.17. Outcome 3 – Refer the Application to the Minister (New applications only)

Should the panel determine the application would have significant policy implications or present a potentially significant impact on the existing public transport network, they may choose to refer the application to the Minister for Infrastructure to make the final decision. This may add significant time to the applications process. There is no set timescale should this be the outcome of the determination panel. The Minister will be provided with the panel assessment of the application while a document outlining the potential policy implications or potentially significant impact on the public transport network will be prepared by the Head of Public Transport Regulation Branch in conjunction with the Director of Public Transport Division.

7.18. Outcome 4 – Application Refused

In the event an application is refused, the applicant will be informed in writing with details on why the application was refused. Should any applicant wish to meet with Department officials to discuss this outcome, the Department will consider the request and respond appropriately. There is currently no way to appeal any determination outcome, however, an applicant may consider the reasons provided for the refusal and submit a new application form which addresses these. This will not guarantee a successful outcome as the new application will be assessed as such. Should an applicant be unhappy with the decision, currently the only recourse for appeal at this stage is a Judicial Review.

Notice of Intent (1 to 6 weeks):

- 7.19. In the event of a determination to approve the application, the applicant will be issued with a Notice of Intent of the decision that will seek final pieces of information that **must** be supplied in order for a permit to be issued.

This will include, but is not limited to:

- a. A copy of a valid bus or taxi operator licence, listing the vehicle registrations of the vehicles to be used for the approved bus services;
- b. Confirmation of the vehicles to be used on the permit;
- c. Receipt of PSVAR compliance certificates; and,
- d. Payment of the permit fee.

Permit Issued (1 week):

- 7.20. Upon receipt of all information within the Notice of Intent, the applicant will be issued with their new permit that will be valid for a period of 3 years. This period is legislative and cannot be extended.
- 7.21. Summary details of the new Service Permit will also be included in the list of active permits on the Department webpage.

Timeline for Introduction of New Service

- 7.22. In order to provide sufficient time to make the necessary operational arrangements for introducing a new public transport service (e.g. purchase a new vehicle, obtain operator's licence, obtain PSVAR certificate), the applicant will **generally** be expected to commence the new service within 12 weeks from the date of the Notice of Intent. Should the Service not commence within this period the Department reserves the right to suspend or revoke the Permit.
- 7.23. The Department recognises there may be instances (e.g. purchasing a large number of vehicles) where a longer period is required for the introduction of a service following the issuing of the Notice of Intent. Provided the Department has been made aware of this at the start of the process, we may extend the 12-week period on a case-by-case basis.

- 7.24. A Service Permit must be used and cannot be held to “hold” the route. Should an operator be found to be obstructing the Service Permit system in this way, the Service Permit will be terminated.

8. Renewal Application

- 8.1. The Department will endeavour to issue a Reminder Notice to the Operator six months prior to the expiry date of their Service Permit. If the Operator plans to continue the service, they should submit a Renewal Application at the earliest opportunity prior to the expiry date of the existing Permit. If they no longer plan to operate the service, the Operator should notify the Department at the earliest opportunity.
- 8.2. **It will be the responsibility of the Service Permit holder to ensure that a renewal Service Permit application is submitted to the Department prior to the expiry date of the existing Service Permit. If a renewal application is not received by the date of expiry on the existing Service Permit, it will be assumed the Service Permit is no longer operational.**
- 8.3. **Applications to renew that are received AFTER the expiry date must be treated as NEW applications and the service MUST NOT operate until a new permit is issued.**
- 8.4. A permit expiry letter will also be issued in the absence of a renewal application.
- 8.5. Prior to submitting any application, please ensure **all** questions on the application form are fully completed. This will limit the queries by the Department and consultees and help process the application more quickly. The total estimated timescale for completion of the renewal process ranges from 8 weeks to 21 weeks. Failing to respond to requests for further information will result in delays to the process.

Application Received (1 to 4 weeks):

- 8.6. Following receipt of an application, the information will be assessed and the applicant will be contacted if any clarification or further information is required.

General Consultation (2 to 4 weeks):

- 8.7. The applicant will be contacted prior to the General Consultation stage in order to agree what materials will be issued to consultees. The Department reserves the right to determine the final material issued.
- 8.8. The material will then be issued to statutory consultees who may or may not choose to reply. The existence of the application will also be made available on the Department website and any consultation responses will be welcomed.
- 8.9. Consultees may raise concerns with aspects of an application and the Department will seek to clarify or resolve these before progressing to the next stage if appropriate.
- 8.10. In order to speed up this part of the process, queries from consultees will be issued to the applicant as soon as they are received.

Consumer Council NI Consultation (2 to 4 weeks):

- 8.11. Following the resolution of any matters arising from the initial consultation stage, the application materials together with the responses from the initial consultees will then be sent to the Consumer Council NI.
- 8.12. Failure to provide an adequate customer care and complaints policy will delay this stage of the application. Consumer Council NI will be happy to help operators who require assistance with this. Further details on the Consumer Council NI can be found on page 32.
- 8.13. Should the Consumer Council raise any areas requiring further information or clarification, the applicant will be contacted in order to resolve these if necessary. Consumer Council NI would be happy to meet with any operator to discuss their application if requested.

Renewal Application Determination (1 to 2 weeks):

- 8.14. Applications to renew an **existing** permit will be determined by the Head of Public Transport Regulation and the result of this determination will be communicated to the applicant as soon as possible.

- 8.15. In the event of a determination to approve the renewal of an existing permit, the applicant will be issued with a Notice of Intent of the decision that will seek final pieces of information that **must** be supplied in order for a permit to be issued.
- 8.16. An application to renew a permit may be approved or refused. If the Department intends not to renew the Service Permit, it will inform the operator in writing. Reasons for a refusal to renew an existing service may include (but not restricted to):
- i. One or more of the conditions of the existing Service Permit have not been met; or,
 - ii. One or more serious or significant complaints regarding the service on the existing Service Permit have been raised by passengers / customers and have not been resolved to the satisfaction of the Department.
- 8.17. If the Service Permit Renewal application is not granted, the holder of the existing Service Permit should notify passengers that the service would not be continuing. The Department bears no responsibility for any outstanding liabilities to passengers in the form of pre-paid tickets or other such advance payments that may have been received by the Service Permit holder. Any such matters are the responsibility of the Service Permit holder.

Notice of Intent (1 to 6 weeks):

- 8.18. In the event of a determination to approve the application, the applicant will be issued with a Notice of Intent of the decision that will seek final pieces of information that **must** be supplied in order for a permit to be issued.

This will include, but is not limited to:

- e. A copy of a valid bus or taxi operator licence, listing the vehicle registrations of the vehicles to be used for the approved bus services;
- f. Confirmation of the vehicles to be used on the permit;
- g. Receipt of PSVAR compliance certificates; and,
- h. Payment of the permit fee.

Permit Issued (1 week):

- 8.19. Upon receipt of all information within the Notice of Intent, the applicant will be issued with their new permit that will be valid for a period of 3 years from the effective date. A renewed permit will be backdated if the process is completed after the expiry date of the permit being renewed. This period is legislative and cannot be extended.

9. Amendment Applications

- 9.1. A request to amend a Service Permit should be made in the first instance in writing to cbsp@infrastructure-ni.gov.uk. Following receipt of this request, the Department will assess the details of the amendment and advise the operator if their request requires an application form to be completed.
- 9.2. An amendment may be a change to fares, addition or removal of service, changes to timetables or changes to vehicles.
- 9.3. It is likely amendments to change or add to existing service times and/or routes will require consultation in line with legislative requirements.
- 9.4. In the event an amendment represents a significant change to an existing service, the Department may require the operator to submit an application for a **new** Service Permit, following which the process for a new application as set out previously will be followed. Amendment applications are determined by the Head of Public Transport Regulation Branch, which may include the decision to progress the amendment as a new application.
- 9.5. The Department will aim to process these less complex requests within 2 weeks. This time period will be longer where further consultation is required, for example, extending or adding new stops to the route.

10. Application Details

Route Map

- 10.1. It is important that the Department be provided with clear and accurate maps of proposed services as they are provided to stakeholders including DfI Roads and PSNI as part of the consultation process. The Route Map should clearly show the entire route, including all proposed pick-up and set-down points, (for example, existing bus stops). The Department would recommend using an online or digital map-drawing tool, such as Google Maps or Bing Maps. Hand drawn maps will require being clearly identifiable. This map should be accompanied with a detailed written description of the route including all roads used regardless of whether or not a stop is located on the road. Route information for all active Service Permits will be provided to Departmental Transport Planners.
- 10.2. Names for all bus stops are available on Google Maps and Bing Maps. It would be preferred if the names of the bus stops were used in any route map. Bus Stop ID's are also available on Google Maps.

Impact on Existing Services

- 10.3. The Department has a legislative requirement to consider the general effect that the grant of a Service Permit would be expected to have on the holders of other Service Permits or persons with whom the Department holds a service agreement. As an application for the renewal of an existing service is already operating, the impact on existing services is not applicable as this is presumed to be negligible.
- 10.4. For new applications or amendments to existing service, the impact on existing services will be assessed in line with legislative requirements. The first stage of this will depend on evidence provided by consultees who anticipate an impact on their services. If no such objection is received, the impact may be deemed negligible.

10.5. The Department may seek expert advice from specialists such as economists, transport planners or statisticians in order to provide an additional level of scrutiny on any evidence provided. The opinion of these specialists will be considered when assessing the significance of any evidence provided.

Evidence of Demand for the Service

10.6. When applying for a new service you will be asked to provide evidence of demand. If an application is proposing to provide a service where no other services exist, the level of evidence of demand will be lower, or not needed, if there is evidence to show there will be no impact on existing services.

10.7. If the application is for a new service, which may affect an existing service, detailed evidence of demand for the proposed service should be provided. A list of potential evidence has been provided below, however, this is not an exhaustive list and the Department will accept any evidence the applicant deems suitable to their application.

- Passenger / customer surveys that are available or alternatively conduct surveys;
- Customer requests for a new or amended service;
- Analysis of the local catchment area;
- Evidence of new source of demand (e.g. new school, housing development, tourist attraction); or
- Letters of support from local resident / community / passenger representative groups, local businesses, Councillors or MLAs. (Evidence of this nature should be on headed letters attributable to the organisation).

10.8. It is important that all supporting information for the evidence of demand is provided in a clear and concise format to assist the decision making process. Some evidence may require the methodology to be shared with the Department to ensure the results are robust.

10.9. The Department may seek expert advice from specialists such as economists, transport planners or statisticians in order to provide an additional level of scrutiny on any evidence provided. The opinion of these specialists will be considered when assessing the significance of any evidence provided.

Evidence of Impact

10.10. The Department may request additional information from existing operators in order to independently assess the potential impact on existing services operating along the proposed route of an application.

30 Minute Rule

10.11. The 30-minute rule only applies to applications for Regular Stopping and Express services and only when the application is for a service of the same type. For example, the rule will not be a matter for consideration when applying for an express service where a regular stopping service exists and vice versa.

10.12. If an Operator applies for a Regular Stopping Service or Express Service Permit on or near a route where a service of the same type currently operates, then the Application will not normally be approved, unless the Operator can clearly demonstrate that the proposed service is timetabled to depart at least either 30 minutes before or after the existing service (“the 30-minute rule.”)

10.13. For applications where the rule is a matter for consideration, it may be set aside if the Department is satisfied that the proposed service will have no adverse impact on the viability of any existing service of the same type. This includes but is not limited to:

- a. Where the arrival time to the destination point is more than 30 minutes outside of the arrival time of the existing Regular Stopping Service or Express Service;
- b. The proposed service overlaps with the existing Regular Stopping Service or Express Service to a limited degree;
- c. The proposal is a direct service with no vehicle changes² resulting in a reduction in travel time for passengers; or,
- d. Strong evidence of demand over and above the capacity already provided by existing services.

² For example, a passenger uses service 1 to go from A to B, and then service 2 to go from B to C. The total journey time, including the changeover time, is 90 minutes. Should a new application be received to run a service directly from A to C, and the journey time is 65 minutes, then it is possible that such a service would be issued with a Permit.

10.14. **Please Note:** Applicants should also be aware the 30-minute rule does not supersede the legislation when considering any application for a Service Permit. Should an application be received where the 30-minute rule is not a matter for consideration, the Department must continue to assess the application against the criteria as set out within paragraph 2.1 of these guidelines.

Request for Access to a Translink Bus Station(s)

10.15. If an applicant requires access to an existing Translink bus station, full details should be provided in the application form, which will then be passed to Translink by the Department. Bus Operator's License (Northern Ireland) or in relation to cross border operators a Road Transport Operator Licence (Republic of Ireland).

10.16. The Third-Party Operator will provide Translink with the information outlined in the Station Access Form available on the Translink web site <https://www.translink.co.uk/private-operators>. Translink will also publish Conditions of Use Relating to NITHC Stations on its website. The Conditions of Use will form part of any Bus Station Access Agreement.

10.17. Translink will risk assess the applicant's request taking into account:

- a. Current and future stand utilization
- b. Translink Timetabling plans
- c. Impact of Applicant's proposed timetable on stand utilization
- d. Any other factors considered relevant.

10.18. Translink will notify the Applicant of the outcome of its assessment of the Applicant's request. If the application is granted, Translink will issue the Applicant with a Bus Station Access Agreement which must be signed by both parties in advance of access.

10.19. The Department is currently considering a review process in the event of Bus Station Access refusal if requested by the applicant.

Request for Access to Private Land

- 10.20. Permission for access to private land, such as the Belfast Harbour Estate or school premises, should be sought in advance of submitting any application for a new service. Proof of access will be required in order to progress any application. Should this permission be removed, the operator must inform the Department immediately and seek an amendment to the service to continue operating. In some instances, the removal of permission may cause the Service Permit to become inoperable.

11. Service Permit Fees

11.1. The Service Permit application fee is £45 and is non-refundable. Applications will not be processed unless the fee has been received. If the Application is approved an additional fee of £195 is required for the Service Permit³.

Application for a Duplicate Permit

11.2. A request for a Duplicate Permit can be made by submitting a request to cbsp@infrastructure-ni.gov.uk. A fee of £10 will be required. The Operator must notify the Department in writing if a Permit is lost or defaced. A defaced Permit should be surrendered to the Department when submitting the Duplicate Permit request and if a lost Permit is subsequently found it should be returned to the Department immediately.

³ For Event Specific permits the Service Permit fee of £195 does not apply.

12. Public Service Vehicle Accessibility Regulations (PSVAR) Compliance

12.1. The Public Service Vehicle Accessibility Regulations (Northern Ireland) 2003 (PSVAR) set out the accessibility requirements for public service vehicles (buses and coaches) and apply to all vehicles with a capacity of more than 22 passengers.

12.2. As part of the application process for a new Service Permit, operators are required to provide evidence that all vehicles delivering scheduled public passenger transport services under a Service Permit comply with PSVAR. This compliance check also applies to renewal and amendment applications. Operators should note the remaining vehicle specific exemptions to PSVAR expired on 1st September 2022.

12.3. Further details of PSVAR can be found on NI Direct at the following link:

<https://www.nidirect.gov.uk/articles/public-service-vehicle-accessibility-certificate>

13. Consumer Council and Customer Care Policy

13.1. A copy of the Operator's Customer Care Policy is required by the Department as part of the application process. In accordance with good practice, the Operator should have a clearly written procedure for handling complaints.



13.2. The procedure should include but is not limited to:

- Information on how to complain;
- Who to complain to;
- How the complaint will be dealt with;
- Commitment to a three day response time;
- How the response will be made; and,
- Contact details for The Consumer Council and a description of its role in complaints (see below).

13.3. It is also advisable to keep a written log of all complaints, whether verbal or written. This record should include the response provided by the Operator and/or any corrective action taken.

13.4. The first point of contact for submitting a complaint will be with the Operator. Should the complainant not be satisfied with the response from the Operator, they can ask the Consumer Council to intervene. If appropriate, the Consumer Council can consider the matter that may include making recommendations to the Operator or the Department with regard to their respective roles.

13.5. The Operator's Policy should clearly reference the role of the Consumer Council in the complaints process. The Consumer Council will provide any Operator with advice on developing a written complaint policy.

Contact Details for the Consumer Council:

The Consumer Council
Floor 3 | Seatem House
28-32 Alfred Street
Belfast | BT2 8EN



Information: 028 9025 1600
info@consumercouncil.org.uk

Make a Complaint: 0800 1216022
contact@consumercouncil.org.uk

14. Changing a Service Permit

Suspension or Withdrawal of Service by the Operator

- 14.1. If an Operator wishes to suspend or withdraw a service on any route provided under a Service Permit, they must inform the Department immediately and no later than 1 working day of the change taking place. Should the Operator suspend or withdraw the service they will be given 28 calendar days to restore the service. If the service is not restored within this timeframe then the Department will treat the service as having been withdrawn and the Operator will be required to return the Service Permit within 10 working days. In exceptional circumstances, the Department may exercise discretion concerning the periods noted above.

Amendment to an Existing Service Permit

- 14.2. A request to amend a Service Permit should be made in the first instance in writing to cbsp@infrastructure-ni.gov.uk. Following receipt of this request, the Department will assess the details of the amendment and advise the operator if their request requires an application form to be completed. It is likely amendments to change or add to existing service times and/or routes will require consultation in line with legislative requirements. Amendments to fares or vehicles may be processed through the initial request.
- 14.3. In the event an amendment represents a significant change to an existing service, the Department may require the operator to submit an application for a **new** Service Permit, following which the process for a new application as set out previously will be followed. Amendment applications are determined by the Head of Public Transport Regulation Branch, which may include the decision to progress the amendment as a new application.

Service Permit Transfer / Termination

- 14.4. For information on circumstances in which the Department may transfer a Service Permit to another person, please contact Public Transport Regulation Branch at cbsp@infrastructure-ni.gov.uk.

- 14.5. The Operator may notify the Department they wish to terminate their permit at any time in within the duration of the permit. Any such notification should be made in writing to the Department prior to cessation of services. A refund to the Operator will be payable at £65 for each full year remaining on the Service Permit.
- 14.6. The Department reserves the right to terminate a permit should the operator be found not to be complying with the conditions of its permit.

15. Monitoring of the Service Permit System

- 15.1. The Department may monitor any public passenger transport service to ensure compliance with the 2011 Transport (NI) Act, the 2015 Regulations and any condition(s) of the individual Service Permit and in particular to ensure that each Service Permit holder operates their public passenger transport service in accordance with the Conditions of their Service Permit.
- 15.2. The Department will investigate any written complaint received in relation to an alleged breach of a Service Permit Condition. The 2011 Transport (NI) Act provides the Department with the power to revoke, suspend or curtail a Service Permit, or disqualify an Operator from holding or obtaining a Service Permit, either indefinitely or for a specified period.

Fines

- 15.3. A person who commits an offence as set out in the Transport Act (NI) 2011 is liable, upon conviction, of a fine up to £5,000. Full details of the various offences in respect of the Act and the maximum fine levels in relation to those offences is included at Annex B.

Annex A: Standard Service Permit Conditions

1. This Permit is awarded subject to the provisions of the Transport Act (Northern Ireland) 2011 and the Public Passenger Transport (Service Agreements and Service Permits) Regulations (Northern Ireland) 2015 and of any Regulations from time to time made there under.
2. The Permit holder shall maintain records to demonstrate compliance with the Permit.
3. The Permit holder shall notify the Department for Infrastructure (“the Department”) of the details of any arrangement or agreement entered into, or proposed to be entered into, between the Permit holder and any other Operator Licence holder, in relation to the operation of services under this Permit. The Permit holder must obtain approval in writing from the Department before any such arrangement or agreement is put into effect.
4. The operation of services under this Permit is conditional on the Permit holder (or the sub-contractor) holding a valid Road Service Licence, Bus Operator’s Licence or Taxi Operator’s Licence.
5. The Permit holder (and any sub-contractor) shall comply with national and international legislation which relates to road transport.
6. The Permit holder (and any sub-contractor) shall comply with all employment and health and safety law.
7. A copy of this Permit must be presented to relevant enforcement authorities within a reasonable time period on request..
8. The Permit holder must commence the public passenger transport service as set out in the attached Appendix (1) within 12 weeks of the date of the award of (or amendment to) the Permit unless written approval for a longer period has been provided by the Department.
9. The Permit holder shall confirm to the Department the start date of the service before it has commenced, or at least within 5 calendar days of its commencement.
10. The Permit holder shall inform the Department of any changes to the fare structure or fare levels in advance of those changes being made.
11. The Permit holder shall inform the Department of any changes to the vehicles to be used to deliver the service in advance of those changes being made, and will confirm that all vehicles to be used to deliver the service are in compliance with the Public Service Vehicle Accessibility Regulations (Northern Ireland) 2003.

12. The Permit holder shall adhere to all relevant road and parking enforcement conditions in the area in which the Permit holder's service is operating.
13. The Permit holder shall ensure passengers can board and disembark safely at all stopping points used along the route of the service, and that the stopping points used will not obstruct the view of other motorists.
14. The Permit holder shall make himself / herself available, at a location to be specified by the Department, at any reasonable time to discuss Permit and related matters, when requested by an authorised officer of the Department to do so.
15. The Permit holder shall ensure all communication regarding their Permit is replied to in a timely manner. This includes emails, telephone and physical letters.
16. Nothing in this Permit entitles the Permit holder to amend an existing, or introduce a new, service. Any alteration to an existing service, or proposed introduction of a new service, must therefore have the prior approval of the Department.
17. If the Permit holder decides to suspend or discontinue the service operating under this Permit, the Permit holder must inform the Department in advance of doing so, or at least within 24 hours of the suspension or continuation. In the case of this happening on a weekend or bank holiday, the Department should be informed by the next working day.
18. Should the Permit holder become bankrupt or should his/her trade or business go into liquidation, or if an order for seizure is made against the Permit holder's property, or if a receiver or manager is appointed in relation to the Permit holder's trade or business, the Permit holder must inform the Department within 28 calendar days.
19. Should the Permit holder not comply with any of the above-mentioned conditions, the Permit may be liable to revocation, suspension or curtailment under Section 10 (1) (a) of the Transport Act (Northern Ireland) 2011.
20. Being issued with a Permit does not in any way absolve the Permit holder from complying with any relevant planning law. If the Permit holder has any doubts or questions as regards planning approval, these should be taken up with the Divisional Planning Officer for the district in which the Permit holder's premises are located.

Annex B: Offences and Fine Levels

Legislative Reference	Offence	Level on the Standard Scale	Amount of Fine (not exceeding)
Section 1(7)	Providing an unregulated service	Level 5	£5,000
Section 5(2)	Not notifying the Department of any prescribed event * affecting a Service Permit application	Level 4	£2,500
Section 9(4)	Contravention of conditions of a Service Permit	Level 4	£2,500
Section 11(2)	Applying for or holding a Service Permit whilst disqualified	Level 4	£2,500
Sections 16(1) & (2)	Forgery of a Service Permit	Level 5 **	£5,000
Sections 17(1) & (2)	Making false statements in relation to Service Permits	Level 4	£2,500
Section 28	Obstruction of an authorised person	Level 3 ***	£1,000

*A prescribed event means revocation or suspension of an Operator's Licence; **On conviction on indictment, imprisonment for a term not exceeding 2 years, or a fine, or both; *** Or imprisonment for a term not exceeding 6 months.