



South Yorkshire Light Rail Transit Act 1993

1993 CHAPTER ii

PART V

MISCELLANEOUS AND GENERAL

12 Closure of footway in Commercial Street

The power exercisable by the Executive, under section 8 (1) of the Act of 1988, for the closure of the part of the northern carriageway of Commercial Street in the City specified in paragraph (e) (ii) of Part II of Schedule 1 to that Act, shall include power to stop up so much of the footway on the northern side of that carriageway as lies between the points so specified.

13 Park Square Viaduct

- (1) On completion of the viaducts across Park Square in the City forming part of the Works Nos. 1, 1A and 1B authorised by the Act of 1989, the Executive may, by agreement with the City Council, dedicate ways over the said viaducts or any of them, and over adjoining land in which the Executive have sufficient interest, as footpaths, subject to such limitations and conditions affecting the public rights of way so created as may be specified in the agreement and any rights reserved by the agreement.
- (2) Any such agreement may make provision for the termination, in such manner and subject to such conditions as may be specified in the agreement, of the public rights of way created by the agreement.
- (3) For such time as public rights of way subsist over any such viaducts or adjoining land by virtue of an agreement made under this section, so much of any railway as is laid thereon, forming part of the said Works Nos. 1, 1A and 1B, shall be treated as if it had been designated in the Act of 1989 as a tramway.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

14 Powers of disposal, agreements for operation, etc

Section 28 (Powers of disposal, agreements for operation, etc.) of the Act of 1989 shall be amended by the insertion at the end of the section of the following:—

“(7) Notwithstanding section 9A (8) of the Transport Act of 1968 (which, inter alia, provides that members of the Executive appointed after the coming into operation of that section shall not be directors of any company which is the operator of any public passenger transport services or a member of a group which includes such an operator), a member of the Executive, whether or not appointed as such a member before the coming into force of section 9A, may be a director of any company or other body corporate with which an agreement for the operation of the LRT system is entered into under this section.”.

15 Power to contract for police

- (1) The Executive may from time to time make agreements with the chief officer of police and a police authority for the employment by the Executive of any members of the police establishment of that police authority for police duty within railway premises of the Executive or elsewhere upon the LRT system or any part of the LRT system.
- (2) Any such agreement may contain such terms and conditions and provide for such payment or consideration as the Executive shall agree with the police authority.
- (3) Where agreement under this section is made with the railways board, members of the British Transport Police Force may act in accordance with the terms of the agreement as constables in, on and in the vicinity of any premises of the Executive notwithstanding the provisions of subsection (1) of section 53 (As to the appointment of constables) of the British Transport Commission Act 1949.
- (4) In this section “police authority” includes—
 - (a) a police authority within the meaning of the Police Act 1964; and
 - (b) the railways board.

16 Attachment of brackets, etc., to buildings

Section 18 (Attachment of brackets, etc., to buildings for purposes of works) of the Act of 1988 shall be amended by the insertion at the end of the section of the following:—

“(2) For the purpose of the provisions of the said section 45 applied by subsection (1) above, consent to the affixing of attachments to a building under subsection (2) of that section shall be deemed to have been withheld if no such consent is received by the Executive before the expiration of the period of 56 days beginning on the date on which the Executive serve on the owner of the building, in accordance with section 285 of the Public Health Act 1936, notice of an application for such consent.”.

17 Stopping up streets and footpaths without providing substitute

- (1) In section 13 (Stopping up streets and footpaths without providing substitute) of the Act of 1988, as enacted and as applied by section 9 of the Act of 1989, for subsection (1) there shall be substituted:—

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“(1) This section applies in the case of any stopping up of a street, or portion thereof, authorised by any provision of this Act, other than section 12 of this Act, without the provision of a substitute.”.

(2) Paragraph (m) of Part II of Schedule 1 to the Act of 1988 shall cease to have effect.

18 Arbitration

Where under this Act any difference (other than a difference to which the provisions of the Compulsory Purchase Act 1965 apply) is to be determined by arbitration, then, unless otherwise provided, the difference shall be referred to and settled by a single arbitrator to be agreed between the parties or, failing agreement, to be appointed, on the application of either party (after notice in writing to the other), by the President of the Institution of Civil Engineers.

19 Planning permission

- (1) Subject to subsection (2) below, in its application to development authorised by this Act, the planning permission specified in subsection (3) below shall have effect as if the authority to develop given by this Act were limited to development begun within 10 years after the passing of this Act.
- (2) Subsection (1) above shall not apply to the carrying out of any development consisting of the alteration, maintenance or repair of works authorised by this Act or the substitution of new works therefor.
- (3) The planning permission referred to in subsection (1) above is that granted for development permitted by article 3 of, and Class A in Part 11 of Schedule 2 to, the Town and Country Planning General Development Order 1988 (which permits development authorised by private Act designating specifically both the nature of the development thereby authorised and the land on which it may be carried out).