



London Passenger Transport Act 1933

1933 CHAPTER 14 23 and 24 Geo 5

PART II

THE UNDERTAKING OF THE BOARD

Transport Services, Fares and Charges

15^{F1}

Textual Amendments

F1 Ss. 1–4, 6–15 repealed by Transport Act 1962 (c. 46), Sch. 12 Pt. II

16, 17.^{F2}

Textual Amendments

F2 Ss. 16, 17 repealed by Transport (London) Act 1969 (c. 35), Sch. 6

18^{F3}

Textual Amendments

F3 Ss. 18, 20–22 repealed by Transport Act 1962 (c. 46), Sch. 12 Pt. II

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the London Passenger Transport Act 1933, Cross Heading: Transport Services, Fares and Charges. (See end of Document for details)

19 Provision of service of passenger vessels on River Thames.

- (1) As from the appointed day the powers of the London County Council (in this section referred to as “the Council”) under the Thames River Steamboat Service Acts 1904 and 1908 (in this section referred to as “the said Acts”) with respect to the provision of a service of passenger vessels on the River Thames shall be transferred to [F4the Executive].
- [F5(2) It shall be the duty of [F4the Executive], in the exercise of their general duty under section three of this Act, to consider and take such measures as they may think fit by virtue of the powers transferred to them by this section to utilise the River Thames for the purposes of passenger transport, whether with steamboats, motor-boats, or other vessels.]
- (3) [F4The Executive] may from time to time enter into arrangements with the Council for the transfer to, or exercise by, [F4the Executive] of any other powers vested in, or any duties imposed on, the Council by virtue of the said Acts and for the transfer to or use by [F4the Executive] of any works, land or property vested in or acquired by the Council under or in pursuance of the said Acts upon such terms as may be agreed or, in default of agreement, as may be determined by arbitration.
- (4) An arrangement made under subsection (3) of this section may provide for (a) the alteration or improvement by [F4the Executive] of any works vested in the Council by virtue of the said Acts; and (b) for the making of payments by [F4the Executive] to the Council or by the Council to [F4the Executive] in respect of any matter for which provision is made by the arrangement.
- (5) In the event of [F4the Executive] deciding not themselves to exercise the powers transferred to them by this section, [F4the Executive] may from time to time enter into arrangements with other persons willing to provide such a service as aforesaid for the exercise or discharge by such persons of any of the powers or duties transferred to [F4the Executive] by, or by virtue of any arrangement made under, this section upon such terms and under such conditions as may be specified in the arrangement.
- (6) An arrangement made under subsection (5) of this section may provide for (a) the interchange, accommodation and conveyance of traffic arising on, coming from, or destined for, any service provided by [F4the Executive] or any other party to the arrangement; and (b) the payment, collection and apportionment of fares and charges and other receipts arising from any such service as aforesaid.
- (7) Nothing in, or in any arrangement made under, this section shall prejudice or affect any provision of the said Acts relating to the protection of or the saving of any rights of any person other than the Council.
- (8) For the purpose of this section the appointed day shall be the first day of July, nineteen hundred and thirty-three, or such later date as the Minister may appoint for the purpose.

Textual Amendments

F4 Words substituted by virtue of [Transport Act 1962 \(c. 46\)](#), [Sch. 2 Pt. I](#) and [Transport \(London\) Act 1969 \(c. 35\)](#), [Sch. 3 para. 1\(1\)\(2\)\(g\)](#)

F5 [S. 19\(2\)](#) repealed (E.W.) by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), [s. 71\(3\)\(b\)](#), [Sch. 7](#)

Modifications etc. (not altering text)

C1 No date was appointed under [s. 19\(8\)](#)

Status: Point in time view as at 01/02/1991.

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20— F6
22.

Textual Amendments

F6 Ss. 18, 20–22 repealed by [Transport Act 1962 \(c. 46\)](#), [Sch. 12 Pt. II](#)

23 Power to abandon tramway systems.

- (1) Subject to the provisions of this section, [F7the Executive] may abandon either in whole or in part any tramway forming part of their undertaking.
- (2) At least three months before the date on which any such abandonment is to take effect [F7the Executive] shall give notice of the proposed abandonment and the date upon which that abandonment is to take effect to the highway authority responsible for the road on or above which the tramway is laid or erected.
- (3) Upon any such abandonment [F7the Executive] may, and if so required by the responsible highway authority, shall, within a period of not exceeding three months from the date upon which the abandonment takes effect or such longer period as the highway authority may allow, take up, remove and dispose of the rails, conduits, paving setts, posts, poles, wires and other works used or provided for the purpose of the tramway so abandoned (in this section collectively referred to as “tramway equipment”).
- (4) Subject to the provisions of this section, [F7the Executive] in any such case shall forthwith fill in and make good the surface of the road to the reasonable satisfaction of the highway authority to as good a condition as that in which it was before the tramway equipment was laid or erected.
- (5) Within two months after receiving a notice of the proposed abandonment of a tramway or any part of a tramway, the highway authority may give notice to [F7the Executive] that they propose themselves to take up, remove and dispose of all or any of the tramway equipment, and to make good the surface of the road, and in that event [F7the Executive] shall not remove such tramway equipment or make good the surface of the road but shall pay to the highway authority such sum as may be agreed, or in default of agreement as may be determined by arbitration to be equivalent to the cost which [F7the Executive] would have incurred in respect of their obligations under subsections (3), (4) and (6) of this section, if the highway authority had not given notice to [F7the Executive] as aforesaid, due allowance being made for the value (less the cost of removal) of such tramway equipment, and where any such notice as aforesaid is given in respect of any such road or equipment, [F7the Executive] shall (subject as aforesaid) be relieved from their obligations under the said subsections in respect of that road and the highway authority shall indemnify [F7the Executive] against all claims, liabilities, costs, charges and expenses in respect of or in connection with such tramway equipment or the removal thereof or the making good of the surface of the road and shall with all reasonable dispatch carry out the work as to which such notice has been given.

In an arbitration under this section the arbitrator shall be an engineer appointed by agreement, or failing such agreement, at the request of either party, after notice in writing to the other, by the President of the Institution of Civil Engineers.

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- (6) In any case where the tramway equipment is laid or erected on, under or above any bridge or embankment [^{F7}the Executive] or the highway authority (as the case may be) shall make good to the satisfaction of the authority responsible for the maintenance of such bridge or embankment, any damage caused to the structure of such bridge or embankment by reason or in consequence of any work carried out under the provisions of this section.
- (7) As from the date on which abandonment by [^{F7}the Executive] of any tramway or part thereof takes effect, [^{F7}the Executive] shall cease to be charged with any expenses incurred under, and shall be relieved of any liability arising by virtue of, any statutory enactment relating to the maintenance or repair of the road by the persons working the tramway or part thereof, as the case may be.
- (8) In this section the expression “highway authority” where used in relation to any road vested in or repairable by the London County Council means the Council.
- (9) Nothing in this section—
- (a) shall affect the provisions of any Act or order having the force of an Act which immediately before the appointed day applied to any tramway undertaking transferred to [^{F7}the Executive] by this Act and which relates to the protection or is for the benefit of—
 - (i) any highway authority in respect of reinstatement of roads; or
 - (ii) the Southern Railway Company in respect of the maintenance and repair or reinstatement of roads, footpaths, bridges, drains or other works or the abandonment of existing tramways; or
 - (b)

Textual Amendments

- F7** Words substituted by virtue of Transport Act 1962 (c. 46), **Sch. 2 Pt. I** and Transport (London) Act 1969 (c. 35), **Sch. 3 para. 1(1)(2)(g)**
- F8** S. 23(9)(b) repealed by Electricity Act 1989 (c. 29, SIF 44:1), s. 112(4), **Sch. 18** (with Sch. 17 para. 35(1))

[^{F9}24] Supply of electricity by local authorities.

- (1) Where immediately before the appointed day a local authority was furnishing from an electricity undertaking owned by that authority the whole or any part of the supply of electricity necessary for the purposes of a tramway undertaking, being an undertaking which is owned or worked by that authority and which is transferred to [^{F10}the Executive] by this Act (in this section referred to as “a transferred undertaking”) the following provisions shall have effect.
- (2) Subject to the provisions of this section, [^{F10}the Executive] shall continue to take the whole or, as the case may be, the same proportionate part of the supply of electricity necessary for the purposes of the transferred undertaking from the electricity undertaking of the authority and shall pay for that supply such price as may be agreed between [^{F10}the Executive] and the local authority, or in default of agreement as may be determined by an arbitrator to be agreed or, failing agreement, to be appointed by the Minister.

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- (3) Where [F10the Executive] is desirous of substituting for the supply of electricity furnished by the local authority for the purposes of the transferred undertaking a supply from some other source of supply, [F10the Executive] shall notify the local authority concerned at least six months before the date when the proposed substitution is to take effect, and, if within one month from the receipt of that notice the local authority serves on [F10the Executive] notice of objection to the proposed substitution, [F10the Executive] shall not, unless otherwise agreed between [F10the Executive] and the local authority concerned, substitute the supply from that other source of supply—
- (a) unless and until the Electricity Commissioners established under the ^{M1}Electricity (Supply) Act 1919 give their written consent to the substitution; and
 - (b) where the generating station from which at the date of the notice of objection the supply of electricity is being furnished is owned by the local authority and is a station which by virtue of a scheme made under the ^{M2}Electricity (Supply) Act 1926 has become a selected station, unless and until that station is being operated as a selected station under the directions of the Central Electricity Board.
- (4) Where in pursuance of the last preceding subsection a supply of electricity from a source of supply other than the electricity undertaking of the authority is substituted, or where [F10the Executive] abandons the working of the transferred undertaking, then, unless otherwise agreed between [F10the Executive] and the local authority concerned—
- (a) [F10the Executive], if so required by the authority—
 - (i) shall take over from the authority all such plant (other than generating plant), including mains, cables, sub-station buildings and sub-station equipment as has been provided by the authority solely for the purpose of supplying electricity for the transferred undertaking and is not suitable for use by the electricity undertaking of the authority except for that purpose; and
 - (ii) shall from time to time pay to the authority such sums as may be sufficient to enable the authority to satisfy its outstanding liabilities or obligations in respect of any loan raised by the authority and applied for the purposes of the plant so taken over, calculated on the basis prescribed by section nine of this Act for the calculation of the sums to be paid by [F10the Executive] as consideration for the transfer of a transferred undertaking; and
 - (b) where after [F10the Executive] has taken over any such plant as aforesaid, there remains as part of the electricity undertaking of the authority any such plant as aforesaid (other than generating plant) which has been provided by the authority solely for the purpose of supplying electricity for the transferred undertaking and is suitable, but is not immediately required, for use by the electricity undertaking of the authority for other purposes, [F10the Executive] shall at its option either—
 - (i) take over that remaining plant on the same terms as if it had been plant which [F10the Executive] had been required to take over under paragraph (a) of this subsection; or
 - (ii) pay to the authority from time to time in respect of each item of that remaining plant until that item of plant can again be brought into use by the electricity undertaking for those other purposes such sums as may be sufficient to enable the authority to satisfy its outstanding

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liabilities or obligations as they fall due for payment in respect of any loan raised by the authority and applied for the purposes of the item of plant so remaining unsuitable for use, calculated in the same manner as the sums which are to be paid by [^{F10}the Executive] in respect of the plant taken over by it under paragraph (a) of this subsection.

- (5) Where in pursuance of subsection (3) of this section a supply of electricity from a source of supply other than the electricity undertaking of the authority is substituted and the supply of electricity furnished by the authority is procured wholly or in part from some source other than a generating station owned by the local authority, [^{F10}the Executive] shall pay such compensation to the authority in respect of the increased costs, if any, of supplies of electricity required for the purposes of its electricity undertaking by reason of the loss of the demand for tramway purposes and the adverse effect, if any, upon the load factor of the electricity undertaking of the authority as may be agreed or in default of agreement as may be determined by an arbitrator to be agreed or, failing agreement, to be appointed by the Minister.
- (6) Nothing in this section shall affect any rights of the mayor, aldermen and burgesses of the borough of Leyton arising under any contract relating to the supply of electricity for the purpose of a tramway undertaking which is transferred to [^{F10}the Executive] by this Act.]

Textual Amendments

F9 S. 24 repealed (E.W.) by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), **s. 71(3)(b)**, Sch. 7

F10 Words substituted by virtue of [Transport Act 1962 \(c. 46\)](#), **Sch. 2 Pt. I** and [Transport \(London\) Act 1969 \(c. 35\)](#), **Sch. 3 para. 1(1)(2)(g)**

Marginal Citations

M1 1919 c. 100.

M2 1926 c. 51.

25, 26. ^{F11}

Textual Amendments

F11 Ss. 25, 26 repealed by [Transport \(London\) Act 1969 \(c. 35\)](#), **Sch. 6**

27— ^{F12}
36.

Textual Amendments

F12 Ss. 27–36 repealed by [Transport Act 1962 \(c. 46\)](#), **Sch. 12 Pt. II**

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