
STATUTORY INSTRUMENTS

1979 No. 317

TRANSPORT

The Steamtown Light Railway Order 1979

Made - - - - - 14th March 1979

Coming into Operation 24th March 1979

The Secretary of State for Transport on the application of the Steamtown Railway Museum Limited and in exercise of powers conferred by sections 7, 9, 10, 11 and 18 of the Light Railways Act 1896(a) as amended by the Light Railways Act 1912(b) and Part V of the Railways Act 1921(c) and now vested in him(d) and of all other powers enabling him in that behalf hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Steamtown Light Railway Order 1979 and shall come into operation on 24th March 1979.

Interpretation

2. In this Order, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them—

“the Board” means the British Railways Board;

“the Company” means the Steamtown Railway Museum Limited, incorporated under the Companies Act 1948(e) and having their registered office at Warton Road, Carnforth, Lancashire;

“the day of transfer” means the day on which the railway or any part thereof is vested in the Company by virtue of Article 3(1) of this Order;

“the principal Act” means the Light Railways Acts 1896 and 1912 as amended by the Railways Act 1921;

“the railway” means the railway more particularly described in the Schedule to this Order including all lands and works relating thereto.

Transfer of railway to Company

3.—(1) The Board and the Company may enter into and carry into effect agreements providing for the transfer to and the vesting in the Company of the railway or any part thereof on such terms and conditions as may be agreed between the Board and the Company.

(2) As from the day of transfer the Company shall to the exclusion of the Board be entitled to the benefit of, and to exercise, all the rights, powers and privileges and be subject to all obligations of the Board whether statutory or otherwise for the time being in force in respect of the railway or such part thereof as is transferred as aforesaid.

(a) 1896 c. 48.
(c) 1921 c. 55.
(e) 1948 c. 38.

(b) 1912 c. 19.
(d) S.I. 1970/1681.

(3) As from the day of transfer the Company may work the railway as a light railway under the principal Act.

Application of enactments

4.—(1) Subject to the provisions of this Order such of the enactments set out in the Second Schedule to the Light Railways Act 1896 as are still in force shall cease to apply to the railway except for section 22 (Means of communication between passengers and the Company's servants to be provided) of the Regulation of Railways Act 1868(a) and section 1 (Power to order certain provisions to be made for public safety) and section 5 (Penalty for avoiding payment of fare) of the Regulation of Railways Act 1889(b).

(2) In its application to the railway, the said section 22 of the Regulation of Railways Act 1868 shall be read, construed and have effect as if the words "and travels more than twenty miles without stopping" were omitted therefrom.

Restriction of weight on rails and of speed; conveyance of passengers

5.—(1) The Company shall not use upon the railway any engine, carriage or truck bringing any weight upon the rails by any one pair of wheels exceeding such weight as the Secretary of State may allow.

(2) The Company shall not run any train or engine upon any part of the railway at a rate of speed exceeding at any time that fixed by the Secretary of State for such part.

(3) No part of the railway shall be used for the conveyance of passengers without the permission in writing of the Secretary of State being first had and obtained and the Company shall comply with the conditions (if any) which the Secretary of State may from time to time prescribe for the safety of persons using the railway.

(4) If the Company contravene any of the provisions of this Article they shall for each offence be liable on summary conviction to a fine not exceeding fifty pounds.

Public liability insurance

6.—(1) In this Article "insurer" means any insurer or insurers (including a member or members of Lloyd's) authorised to carry on a Class 13 insurance business in Great Britain under the Insurance Companies Act 1974(c) as modified by the Insurance Companies (Classes of General Business) Regulations 1977(d).

(2) The Company shall at all times maintain a public liability policy with an insurer providing cover of not less than one million pounds in respect of any one accident on or occasioned by the operation of the railway and the adequacy of the cover provided by the policy shall be regularly reviewed by the Company.

(3) The Company shall not work the railway unless there is in force a public liability policy in accordance with the provisions of this Article.

(4) If the Company fail to comply with the provisions of this Article they shall be liable on summary conviction to a fine not exceeding £100 or on conviction on indictment to a fine.

(a) 1868 c. 119.
(c) 1974 c. 49.

(b) 1889 c. 57.
(d) S.I. 1977/1552.

Recovery of penalties

7. Any penalty under this Order may be recovered in manner provided by the Magistrates' Courts Act 1952(a).

Costs of Order

8. All costs, charges and expenses of and incidental to the preparing for, obtaining and making of this Order or otherwise in relation thereto shall be paid by the Company.

J. Palmer,

An Under Secretary in the
Department of Transport.

Signed by authority of
the Secretary of State
14th March 1979.

THE SCHEDULE

THE RAILWAY

Such part of the Board's railway described in and authorised by the Lancaster and Carlisle Railway Act 1844(b) and the Ulverstone and Lancaster Railway Act 1851(c) as lies between the southern end of Cragbank station and a point 57.5 metres to the north of Steamtown station at Carnforth in the City of Lancaster in the County of Lancashire.

(a) 1952 c. 55.

(b) 1844 c. xxxvii.

(c) 1851 c. cii.