



# Leeds Supertram Act 1993

## 1993 CHAPTER xv

### PART VI

#### MISCELLANEOUS AND GENERAL

##### *Public order*

#### **59 Byelaws relating to tramway system**

- (1) The Executive may make byelaws regulating the use of and working of, and travel on, the tramway system, the maintenance of order on the tramway system and on the Executive's premises or other facilities provided in connection with the tramway system, and the conduct of all persons, including officers and servants of the Executive, while on those premises.
- (2) Without prejudice to the generality of subsection (1) above, byelaws under this section may contain provisions—
  - (a) with respect to tickets issued for travel on the tramway system, the payment of fares and charges and the evasion of payment of fares and charges;
  - (b) with respect to interference with, or obstruction of, the working of the tramway system or other facilities provided in connection with the tramway system;
  - (c) for prohibiting or regulating the carriage of dangerous goods on the tramway system;
  - (d) with respect to the use of tobacco or other substances and the prevention of nuisances;
  - (e) for regulating the passage of bicycles and other vehicles on ways and other places intended for the use of persons on foot within premises of the Executive forming part of the tramway system, not being premises within the boundary of any road;
  - (f) for the safe custody and re-delivery or disposal of property found in premises of the Executive forming part of, or provided in connection with, the tramway

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- system, or elsewhere on the tramway system and for fixing the charges which may be made in respect thereof; and
- (g) for prohibiting or restricting the placing or leaving of any vehicle without its driver on any authorised railway, or in premises of the Executive forming part of the tramway system.
- (3) Byelaws made under this section may provide that any person contravening them shall be liable on summary conviction to a fine not exceeding for each offence level 3 on the standard scale.
- (4) Without prejudice to the taking of proceedings under subsection (3) above, if the contravention of any byelaw having effect under this section is attended with danger or annoyance to the public, or hindrance to the Executive in the conduct of the tramway system, it shall be lawful for the Executive summarily to take action to obviate or remove the danger, annoyance or hindrance.
- (5) In subsection (4) above the reference to action to obviate or remove danger, annoyance or hindrance includes, in the case of a vehicle parked in any part of any premises provided in connection with the tramway system which is not a public highway, in contravention of any byelaw having effect under this section, action to fix to the vehicle a device or appliance for the purpose of preventing it from being driven or put in motion, together with a notice specifying the steps to be taken to secure the release of the vehicle from the device or appliance.
- (6) Subsections (5) to (11) of section 67 of the Transport Act 1962 (confirmation of byelaws) shall apply to any byelaws made by the Executive under this section as if for references to the board, or to the board in question, there were substituted references to the Executive.

## **60 Trams deemed public service vehicles**

- (1) On such day as may be appointed under subsection (2) below, regulations made, or having effect as if made, under section 25 or 60 (1) (k) of the Public Passenger Vehicles Act 1981 (regulation of conduct of passengers and lost property) shall have effect as if trams were public service vehicles used in the provision of a local service within the meaning of the Transport Act 1985.
- (2) (a)
- The Executive may by resolution appoint a day for the purpose of any regulation mentioned in subsection (1) above, the day so appointed being fixed in accordance with paragraph (b) below.
- (b) The Executive shall publish in a newspaper circulating in their area, notice—
- (i) of the passing of any such resolution and of the day fixed thereby; and
  - (ii) of the general effect of the enactments for the purposes of which the day has been fixed;
- and the day so fixed shall not be earlier than the expiration of 28 days from the date of the publication of the notice.
- (c) A photostatic or other reproduction certified by the secretary of the Executive to be a true reproduction of a page, or part of a page, of any newspaper bearing the date of its publication and containing the notice mentioned in paragraph (b) above shall be evidence of the publication of the notice and of the date of publication.

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## 61 Intentional obstruction of works or operation of tramways

- (1) Any person who, without reasonable excuse, intentionally obstructs another person in the laying out, construction, repair or renewal of any authorised work shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (2) Any person who, without reasonable excuse, intentionally—
- (a) removes or alters any part of a tramway;
  - (b) operates, moves, or tampers with, any mechanical or electrical apparatus forming part of a tramway; or
  - (c) places any obstruction on any part of a tramway or otherwise obstructs a tram on any tramway;
- shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

## 62 For better prevention of trespass on railways

- (1) Any person who trespasses upon any railway lines or sidings or in any tunnel or upon any embankment, cutting or similar work forming part of any railway of the tramway system which is not designated as a tramway and which is sufficiently fenced to deter trespass, or upon any other lands of the Executive in dangerous proximity to any such lines or other works or to any electrical apparatus used for or in connection with the working of any such railway, shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (2) No person shall be convicted of an offence under this section unless it shall be proved to the satisfaction of the court before which complaint is laid that public warning has been given to persons not to trespass upon the railways of the tramway system by notice clearly exhibited and maintained at the station on the tramway system nearest to the place where the offence is alleged to have been committed.

## 63 Modification of railway regulation enactments

In their application to the Executive and the tramway system the enactments specified in column (1) of the following table (which create the offences broadly described in column (2) of the table) shall each have effect as if the maximum fine which may be imposed on summary conviction of any offence specified in the enactment were, instead of that specified in column (3) of the table, a fine not exceeding the level specified in column (4) of the table.

THE TABLE

(1) Enactment	(2) Description of offence	(3) Maximum fine otherwise applicable (level on standard scale)	(4) Maximum fine (level on standard scale)
Section 16 of the Railway Regulation Act 1840.	Obstruction of officers of railway company or	Level 1.	Level 3.

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(1) Enactment	(2) Description of offence	(3) Maximum fine otherwise applicable (level on standard scale)	(4) Maximum fine (level on standard scale)
Section 17 of the Railway Regulation Act 1842.	trespass upon railway. Misconduct of persons employed on railways.	Level 1.	Level 3.
In section 5 of the Regulation of Railways Act 1889—			
Subsection (1)	Failure to produce ticket, to pay fare or to give name and address.	Level 1.	Level 2.
Subsection (2)	Travel with intent to avoid payment of fare.	Level 2.	Level 3.