
STATUTORY INSTRUMENTS

2009 No. 1300

The Nottingham Express Transit System Order 2009

PART 4

OPERATION OF THE AUTHORISED TRAMWAY

Power to make byelaws

53.—(1) The promoter may make byelaws regulating—

- (a) the use and operation of, and travel on, the authorised tramway;
- (b) the maintenance of safety and order on the authorised tramway, on any street along which the authorised tramway is laid and on tramway premises or other facilities provided in connection with the authorised tramway, where necessary to ensure the safe operation and use of the authorised tramway; and
- (c) the conduct of all persons, including employees of the promoter, while on the authorised tramway or on tramway premises, or which could affect the safe operation and use of the authorised tramway.

(2) In particular, byelaws made under this article may make provision—

- (a) with respect to tickets issued for travel on the authorised tramway (in whatever form), 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 operation of the authorised tramway or other facilities provided in connection with the authorised tramway;
- (c) with respect to access to and the carriage, use or consumption of anything on tramway premises;
- (d) with respect to the prevention of nuisances on tramway premises;
- (e) for regulating the passage of bicycles and other vehicles on ways and other places intended for the use of persons on foot within tramway premises;
- (f) for the safe custody and re-delivery or disposal of any property accidentally left on tramway premises and for fixing the charges made in respect of any such property;
- (g) for prohibiting or restricting the placing or leaving of any vehicle without its driver on any part of the authorised tramway or on tramway premises; and
- (h) for regulating (but not requiring) the maintenance of, or the carrying out of works to, the facades of buildings to which any equipment has been attached pursuant to article 19 (attachment of equipment to buildings), or which front onto the authorised tramway, where necessary to ensure the safe operation and use of the authorised tramway.

(3) Byelaws made under this article may provide for it to be an offence for a person to contravene, or to fail to comply with, a provision of the byelaws and for such a person to be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(4) Without affecting the taking of proceedings for an offence included in byelaws by virtue of paragraph (3), if the contravention of, or failure to comply with, any byelaw made under this article

is attended with danger or annoyance to the public, or hindrance to the promoter in the operation of the authorised tramway, the promoter may summarily take action to obviate or remove the danger, annoyance or hindrance.

(5) Byelaws made under this article shall not come into operation until they have been confirmed by the Secretary of State.

(6) At least 28 days before applying for any byelaws to be confirmed under this article, the promoter shall publish in such manner as may be approved by the Secretary of State a notice of its intention to apply for the byelaws to be confirmed and of the place at which and the times during which a copy of the byelaws will be open to public inspection; and any person affected by any of the byelaws may make representations on them to the Secretary of State within a period specified in the notice, being a period of not less than 28 days.

(7) For at least 24 days before an application is made under this article for byelaws to be confirmed, a copy of the byelaws shall—

- (a) be kept at the principal office of the promoter and shall at all reasonable hours be open to public inspection without payment; and
- (b) be made available on the promoter's website (if any).

(8) The promoter shall, at the request of any person, supply that person with a copy of any such byelaws on payment of such reasonable sum as the promoter may determine.

(9) The Secretary of State may confirm with or without modification, or may refuse to confirm, any of the byelaws submitted under this article for confirmation and, as regards any byelaws so confirmed, may fix a date on which the byelaws shall come into operation; and if no date is so fixed the byelaws shall come into operation after the expiry of 28 days after the date on which they were confirmed.

(10) The Secretary of State may charge the promoter such fees in respect of any byelaws submitted for confirmation under this article as the Secretary of State may consider appropriate for the purposes of defraying any administrative expenses incurred in connection with the confirmation of those byelaws.

(11) A copy of any byelaws when confirmed shall be printed and deposited at the principal office of the promoter and shall at all reasonable hours be open to public inspection without payment, and the promoter shall, at the request of any person, supply that person with a copy of any such byelaws on payment of such reasonable sum as the promoter shall determine.

(12) The production of a printed copy of any byelaws made under this article on which is endorsed a certificate purporting to be signed by a person duly authorised by the promoter stating—

- (a) that the byelaws were made by the promoter;
- (b) that the copy is a true copy of the byelaws;
- (c) that on a specified date the byelaws were confirmed by the Secretary of State; and
- (d) the date when the byelaws came into operation,

shall be rebuttable evidence of the facts stated in the certificate.

(13) From the beginning of the day on which, pursuant to article 83(2) (repeals of the 1994 Act), the enactments within the 1994 Act specified in Part 2 of Schedule 15 (repeals of the 1994 Act) are repealed, and despite the repeal of section 62 of the 1994 Act by that article, the byelaws then applying to Line One and made under that section shall continue to apply to Line One until such time as they are revoked or amended by byelaws made by the promoter under this article.

(14) From the beginning of the day on which the authorised works are first brought into public use, the byelaws then applying to Line One by virtue of paragraph (13) shall be deemed to apply to the authorised tramway as well as to Line One, as if they had been made under this article and they

shall continue to apply to the authorised tramway until such time as they are revoked or amended by byelaws made by the promoter under this article.

Commencement Information

II Art. 53 in force at 9.6.2009, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Nottingham Express Transit System Order 2009, Section 53.