

2012 No.

TRANSPORT AND WORKS, ENGLAND

TRANSPORT, ENGLAND

London Cable Car Order 2012

<i>Made</i>	- - - -	2012
<i>Coming into force</i>	- -	2012

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SCHEDULE —London Cable Car Byelaws 2012

An application was made to the Secretary of State in accordance with the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006^(a), for an Order under sections 1, 2 and 5 of the Transport and Works Act 1992^(b) (“the 1992 Act”).

The Secretary of State, having considered the objections made and not withdrawn, has determined to make an order giving effect to the proposals comprised in the application with modifications which, in the opinion of the Secretary of State, do not make any substantial change in the proposals.

Notice of the Secretary of State’s determination was published in the London Gazette on [].

The Secretary of State, in exercise of the powers conferred by sections 1, 2^(c) and 5 of, and paragraphs 1, 8, 9, 12, 13 and 15 of Schedule 1 to, the 1992 Act, makes the following Order:—

Citation and commencement

1. This Order may be cited as the London Cable Car Order 2012 and comes into force on [].

Interpretation

2. In this Order—

“the 1999 Act” means the Greater London Authority Act 1999^(d);

“building” includes any structure or erection or any part of a building, structure or erection;

“the cable car system” means the cable car system across the river Thames between the Greenwich peninsula and the Royal Victoria Dock, as constructed by DLRL, including but not limited to—

- (a) the stations, passenger embarkation and disembarkation areas, associated public spaces and pedestrian and vehicular access ways;
- (b) the towers, cables and gondolas and all other associated plant, equipment, apparatus and facilities; and
- (c) any other associated building;

“DLRL” means Docklands Light Railway Limited, a company limited by shares and registered in England and Wales under number 2052677 whose registered office is PO Box 154, Castor Lane, Poplar, London E14 0DX; and

“maintain” includes inspect, repair, adjust, alter, remove, reconstruct and replace and “maintenance” is to be construed accordingly.

Statutory authority for the cable car system

3.—(1) This Order gives statutory authority for DLRL to operate and maintain the cable car system.

(2) The authority conferred by this Order is conferred for the purpose of providing a defence of statutory authority—

(a) S.I. 2006/1466.

(b) 1992 c. 42.

(c) The application is for an aerial cableway, a prescribed mode of guided transport for the purposes of section 1 of the 1992 Act set out in article 2 of the Transport and Works (Guided Transport Modes) Order 1992 (S.I. 1992/3231, as amended by S.I. 1997/1951) made under section 2 of the 1992 Act.

(d) 1999 c. 29.

- (a) in any proceedings, whether civil or criminal, in nuisance; or
- (b) in any proceedings, other than proceedings for breach of statutory duty, in respect of the escape of things from land.

(3) Where proceedings are brought under section 82(1) (summary proceedings by person aggrieved by statutory nuisance) of the Environmental Protection Act 1990^(a) in relation to a nuisance falling within paragraph (g) of section 79(1) of that Act (noise emitted from premises so as to be prejudicial to health or a nuisance) no order shall be made, and no fine may be imposed, under section 82(2) of that Act if the defendant shows that the nuisance is a consequence of the operation or maintenance of the cable car system and that it cannot reasonably be avoided.

(4) Nothing in this article is to be construed as excluding a defence of statutory authority otherwise available under or by virtue of any enactment.

(5) The provisions of this article are without prejudice to the powers conferred on Transport for London and its subsidiaries by the 1999 Act in connection with the provision of passenger transport services in Greater London.

Permitted development

4.—(1) The cable car system is deemed to be a railway or light railway undertaking for the purposes of Part 17 of Schedule 2 (permitted development) to the 1995 Order and, therefore, any development carried out by DLRL on its operational land, required in connection with the movement of passengers by the cable car system, is to be treated as permitted development to the extent that it falls within Class A of Part 17.

(2) Class A of Part 17 of Schedule 2 to the 1995 Order as applied by paragraph (1) has effect as if—

- (a) references to a railway were references to the cable car system;
- (b) references to the movement of traffic by rail were references to the movement of passengers by the cable car system; and
- (c) references to a railway station were references to the stations forming part of the cable car system.

(3) In this article, “the 1995 Order” means the Town and Country Planning (General Permitted Development) Order 1995^(b) or any replacement of that order conferring permitted development rights on railway and light railway undertakers.

Trespass on the cable car system

5.—(1) Any person who—

- (a) trespasses on the cable car system; or
- (b) trespasses on any land of DLRL in dangerous proximity to the cable car system or to any electrical or other apparatus used for or in connection with the operation of the cable car system,

is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(2) No person is to be convicted of an offence under this article unless it is shown that a notice warning the public not to trespass on the cable car system was clearly exhibited and maintained at the station or the base of the tower of the cable car system nearest the place where the offence is alleged to have been committed.

(a) 1990 c. 43.
(b) S.I. 1995/418.

Byelaws relating to the cable car system

6.—(1) The powers conferred on Transport for London by paragraph 26(1) to (3) of Schedule 11 to the 1999 Act (miscellaneous powers) may be exercised by Transport for London to make byelaws in respect of the operation and use of the cable car system as if the cable car system was a railway for the purposes of that paragraph.

(2) The provisions of paragraph 26(4) and (5) of that Schedule apply to the enforcement of any byelaws made by Transport for London under paragraph (1) as if the reference to “railway” in paragraph 26(4)(b) of Schedule 11 was a reference to the cable car system.

(3) The provisions of sections 236(3) to (8), (10C) and (11) of the Local Government Act 1972^(a) (procedure etc., for byelaws) apply in relation to byelaws made by Transport for London under paragraph (1), except that the application of section 236(10C) only requires Transport for London to send a copy of any byelaws made by it and confirmed to—

- (a) the Mayor of London;
- (b) the Council of the London Borough of Newham; and
- (c) the Council of the London Borough of Greenwich.

(4) The byelaws set out in the Schedule have effect and are to be treated as byelaws made by Transport for London under this article and subsequently confirmed by the Secretary of State.

(5) The byelaws set out in the Schedule apply to the cable car system until such time as they are amended or revoked by byelaws made under paragraph (1).

Penalty fares relating to travel on the cable car system

7. The provisions of paragraph 9(1) of Schedule 17 to the 1999 Act (which provides for penalty fares in relation to certain train services) apply to the cable car system as if—

- (a) it were a railway for the purposes of paragraph 9(1); and
- (b) under paragraph 9(1)(b), services for the carriage of passengers on the cable car system are designated as services to which paragraph 9(1) applies.

Police services agreements relating to the cable car system

8.—(1) DLRL, the British Transport Police Authority and its Chief Constable may enter into agreements under section 33 (police services agreement) of the Railways and Transport Safety Act 2003^(b) for the British Transport Police Force to provide policing services for or in connection with the cable car system.

(2) For the purposes of providing policing services under any such agreement, a constable of the British Transport Police Force—

- (a) has all the powers and privileges of a constable on the cable car system and throughout Great Britain for a purpose connected to the cable car system or to anything occurring on or in relation to the cable car system; and
- (b) may enter property which forms part of the cable car system—
 - (i) without a warrant;
 - (ii) using reasonable force if necessary; and
 - (iii) whether or not an offence has been committed.

(3) Any agreement entered into under paragraph (1) may provide for—

- (a) DLRL to make such payment or other consideration for those policing services as the parties may agree; and
- (b) such incidental and ancillary matters as the parties consider appropriate.

(a) 1972 c. 70.
(b) 2003 c. 20.

Powers of disposal, agreements for operation, etc.

9.—(1) DLRL may, regardless of any provision of the 1999 Act—

- (a) transfer, charge or otherwise dispose of any interest of DLRL in the cable car system to another person (“the transferee”); or
- (b) grant to another person (“the lessee”) for a period agreed between DLRL and the lessee any interest of DLRL in the cable car system; and
- (c) enter into any agreement that is connected with or consequential on any agreement entered into for the purpose of any transaction mentioned in sub-paragraph (a) or (b),

and with the consent of the Mayor of London DLRL may provide for the transferee, the lessee or another person to exercise or be responsible for any relevant functions, either exclusively or concurrently with DLRL or any other person.

(2) Where an agreement has been made under paragraph (1) for the transferee, the lessee or another person to exercise, enjoy or be responsible for any relevant functions, references in this Order to DLRL include references to the transferee, the lessee or that other person.

(3) The exercise of any relevant functions by any person under any agreement made under paragraph (1) is subject to the same restrictions, liabilities and obligations as would apply under this Order if those functions were exercised by DLRL.

(4) DLRL may provide to any person in any agreement made under paragraph (1), or in connection with or in consequence of any such agreement, such guarantees, indemnities or other forms of security as it considers to be necessary or appropriate.

(5) In this article “relevant functions” means any provision of this Order and of any enactment applied to the cable car system by this Order.

(6) The Mayor of London’s consent given under paragraph (1) may be subject to such reasonable terms and conditions as the Mayor considers appropriate in the circumstances.

Application of landlord and tenant law

10.—(1) This article applies to—

- (a) any agreement for leasing to any person the whole or any part of the cable car system or the right to operate the system; and
- (b) any agreement entered into by DLRL with any person for the maintenance, use or operation of the cable car system, or any part of it,

so far as any such agreement relates to the terms on which any land which is the subject of a lease granted by or under that agreement is to be provided for that person’s use.

(2) No enactment or rule of law regulating the rights and obligations of landlords and tenants prejudices the operation of any agreement to which this article applies.

(3) No such enactment or rule of law applies in relation to the rights and obligations of the parties to any lease granted by or under any such agreement so as to—

- (a) exclude or in any respect modify any of the rights and obligations of those parties under the terms of the lease, whether with respect to the termination of the tenancy or any other matter;
- (b) confer or impose on any such party any right or obligation arising out of or connected with anything done or omitted on or in relation to land which is the subject of the lease, in addition to any such right or obligation provided for by the terms of the lease; or

- (c) restrict the enforcement (whether by action for damages or otherwise) by any party to the lease of any obligation of any other party under the lease.

Signed by authority of the Secretary of State for Transport

Date

Martin Woods
Head of the Transport and Works Act Orders Unit
Department for Transport

SCHEDULE

Article 6(4)

LONDON CABLE CAR BYELAWS 2012

The following byelaws have effect under article 6(4) of the London Cable Car Order 2012.

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PART 1 PRELIMINARY

Citation and commencement

1. These byelaws may be cited as the London Cable Car Byelaws 2012 and come into force on the later of—

- (a) the beginning of the day when the cable car system first opens for use by fare paying passengers; and
- (b) the coming into force of the London Cable Car Order 2012(a).

Interpretation

2.—(1) In these byelaws unless the context otherwise requires—

“alcohol” has the meaning given to it in section 191 (meaning of “alcohol”) of the Licensing Act 2003(b);

“authorised person” means:

- (a) a person acting in the course of his duties who—
 - (i) is an employee, agent, contractor or sub-contractor of the operator; or
 - (ii) is authorised by the operator; or
- (b) any constable, Police Community Support Officer or person accredited by or under section 41 or 43 of the Police Reform Act 2002(c), acting in the execution of his duties upon or in connection with the cable car system;

“the byelaws” means these byelaws;

“the cable car system” means the cable car system across the river Thames between the Greenwich peninsula and the Royal Victoria Dock, as constructed by DLRL, including but not limited to—

(a) S.I. 2012/xxx
(b) 2003 c. 17.
(c) 2002 c. 30.

- (a) the stations, passenger embarkation and disembarkation areas, associated public spaces and pedestrian and vehicular access ways;
- (b) the towers, cables and gondolas and all other associated plant, equipment, apparatus and facilities; and
- (c) any other associated building;

“compulsory ticket area” means any part of the cable car system identified by a notice stating that no person may enter there without being in possession of a valid ticket;

“controlled drugs” has the meaning given to it in section 2 (controlled drugs and their classification for purposes of this Act) of the Misuse of Drugs Act 1971^(a);

“DLRL” means Docklands Light Railway Limited, a company limited by shares and registered in England and Wales under number 2052677 whose registered office is PO Box 154, Castor Lane, Poplar, London E14 0DX;

“drunk” means being under the influence of alcohol;

“gondola” means a gondola forming part of the cable car system;

“notice” means a notice given by or on behalf of the operator;

“operator” means:

- (a) Transport for London and any of its subsidiaries; or
- (b) any person or body granted the authority by Transport for London or any of its subsidiaries to act as operator in relation to any part of the cable car system;

“ticket” means a ticket authorising the person for whom it is issued to make the journey on the cable car system covered by the ticket;

“traffic sign” means an object or device for conveying, to traffic or any specified class of traffic, warnings, information, instructions, requirements, restrictions or prohibitions of any kind; and

“valid ticket” means a ticket lawfully obtained by or on behalf of the person using or attempting to use it and entitling that person to make the journey on the cable car system service he is making or attempting to make.

PART 2

CONDUCT AND BEHAVIOUR

Queuing or waiting

3.—(1) The operator or an authorised person may require any person to queue or wait in order to regulate order or safety on or near the cable car system.

(2) Any person directed by a notice to queue or asked to queue by an authorised person must join the rear of the queue and obey the reasonable instructions of any authorised person regulating the queue.

Dangerous items

4.—(1) A person must not bring, attempt to bring or allow to remain on the cable car system any dangerous item except with written permission from the operator or an authorised person.

(2) A dangerous item is an item which, in the reasonable opinion of an authorised person, may or may be used to threaten or annoy any person or soil or damage any property. For the avoidance of doubt, a dangerous item may include, but is not limited to—

- (a) a loaded weapon of any kind;

^(a) 1971 c. 38.

- (b) any flammable, explosive or corrosive substance; and
- (c) any other item which in the reasonable opinion of an authorised person is or may become dangerous.

(3) If any person in charge of an item in breach of byelaw 4(1) is asked by an authorised person to remove it and fails to do so at the next available opportunity it may be removed by or under the direction of an authorised person.

Smoking

5. A person must not smoke or carry a lighted cigar, cigarette, lighter, match, pipe or other lighted item on any part of the cable car system.

Alcohol and controlled drugs

6.—(1) A person who is unfit as a result of being drunk or under the influence of controlled drugs must not enter, attempt to enter or remain on the cable car system.

(2) A person must not—

- (a) enter, attempt to enter or remain on the cable car system while in possession of an open container of alcohol; or
- (b) consume alcohol on the cable car system,

unless expressly permitted to do so in a particular area by a written permission issued by the operator or an authorised person.

(3) Without prejudice to byelaw 6(2), where notices have been displayed at the cable car stations specifying the dates and times during which alcohol is not permitted on the cable car system, a person must not enter or attempt to enter the cable car system in possession of alcohol.

(4) Where an authorised person reasonably believes that any person is unfit to enter or remain on the cable car system as a result of being drunk or under the influence of controlled drugs, or is in possession of alcohol in contravention of any provision of this byelaw, the authorised person may—

- (a) require that person to leave the cable car system at the next available opportunity;
- (b) prevent that person from entering or remaining on the cable car system until the authorised person is satisfied that the person is no longer in an unfit condition or in possession of alcohol in contravention of this byelaw; and
- (c) remove any alcohol or controlled drugs.

Unfit condition

7. A person must not enter or remain on the cable car system if, in the reasonable opinion of an authorised person—

- (a) the person is in an unfit or improper condition; or
- (b) the person's clothing may soil or damage any part of the cable car system or the property or clothing of any other person on the cable car system.

Unacceptable behaviour

8. When on or using the cable car system, a person must not—

- (a) use any threatening, abusive, obscene or offensive language;
- (b) behave in a disorderly, indecent or offensive manner;
- (c) write, draw, paint or fix anything on the cable car system;
- (d) soil any part of the cable car system;
- (e) damage or detach any part of the cable car system;

- (f) spit;
- (g) leave litter or waste except in receptacles specifically provided by the operator for those purposes; or
- (h) molest or wilfully interfere with the comfort or convenience of any other person.

Music, sound, advertising and similar activities

9.—(1) A person on the cable car system must not—

- (a) sing; or
- (b) use any instrument, article or equipment for the production or reproduction of sound,

to the annoyance of any person on the cable car system except with written permission from the operator.

(2) A person on the cable car system must not—

- (a) display or distribute anything for the purpose of advertising or publicity;
- (b) sell anything or expose or offer anything for sale; or
- (c) tout for or solicit money, reward, custom or employment of any kind,

except with written permission from the operator.

(3) Any person undertaking the activities referred to in byelaws 9(1) or 9(2) with the written permission of the operator must—

- (a) comply with any conditions set out in or attached to the written permission;
- (b) be in possession of that permission; and
- (c) hand it over for inspection when asked to do so by an authorised person.

Gambling

10. A person must not gamble on any part of the cable car system unless such gambling is in accordance with the law and has been specifically authorised in writing by the operator.

PART 3

EQUIPMENT AND SAFETY

Stations and other premises on the cable car system

11.—(1) Where the entrance to or exit from any part of a station on the cable car system is by a staffed or automatic ticket barrier, a person must not enter or leave that part of the station without passing through the barrier in the correct manner except with permission from an authorised person.

(2) A person must not open a barrier or any other gate on the cable car system except where there is a notice indicating that it is permissible to do so or with permission from an authorised person.

(3) Where there is a notice by an entrance or exit on any part of the cable car system indicating that it must be used for entrance or exit only, no person may enter by the exit or leave by the entrance.

(4) A person must not enter or leave by an emergency exit except in an emergency or when directed to do so by an authorised person.

(5) A person must not move, operate or stop any lift on the cable car system except—

- (a) by means of any of the controls intended for use by that person; or
- (b) in an emergency by means of equipment on or near which is a notice indicating that it is intended to be used in an emergency.

(6) A person who attempts to breach any of byelaws 11(1) to (5) is liable to the same penalties under the byelaws as is a person who had breached those byelaws.

Gondolas

12.—(1) A person must not—

- (a) enter or attempt to enter a gondola which already contains the maximum permitted number of passengers specified by a notice fixed to the gondola or displayed at the station where the person entered or attempted to enter the gondola;
- (b) throw or drop anything from a gondola;
- (c) deliberately or recklessly cause a gondola to swing or bounce while it is in motion or between the stations;
- (d) open or attempt to open the gondola doors, or enter or leave any gondola, when the gondola is outside the designated boarding and alighting areas within the stations;
- (e) enter or leave a gondola except by the proper use of the gondola doors; or
- (f) enter or leave by the gondola doors when they are closing, or force open the door or obstruct the door in any way.

(2) A person who attempts to breach byelaw 12(1) is liable to the same penalties under the byelaws as is a person who had breached that byelaw.

General safety

13.—(1) A person must not move, operate, obstruct, stop or in any other way interfere with any part of the cable car system except—

- (a) where that person uses equipment intended for the use of passengers, in the way it is intended to be used; or
- (b) in an emergency, by means of any equipment on or near which is a notice indicating that it is intended to be used in an emergency.

(2) A person must not place, throw, drop or trail anything on the cable car system which is capable of injuring or endangering any person or damaging any property.

(3) A person must not, without reasonable cause, activate any emergency or communications system on any part of the cable car system.

(4) A person who attempts to breach any of byelaws 13(1) to (3) is liable to the same penalties under the byelaws as is a person who had breached those byelaws.

Safety instructions

14.—(1) A person must not, without reasonable cause, disobey—

- (a) any notice displayed by the operator on the relevant part of the cable car system containing reasonable instructions relating to safety on that part of the cable car system; or
- (b) any instructions issued by an authorised person in an emergency or in other circumstances in which the authorised person believes it is necessary to do so in the interest of safety.

(2) No offence is committed under the byelaws where a person acts in accordance with a notice or instructions referred to in byelaw 14(1) even if it would otherwise be so under the byelaws.

PART 4

CONTROL OF PREMISES

Unauthorised access and loitering

15.—(1) A person must not enter, attempt to enter or remain on any part of the cable car system where there is a notice prohibiting access unless invited or directed to do so by an authorised person.

(2) A person must not enter, attempt to enter or remain on any part of the cable car system where there is a notice indicating that it is reserved or provided for a specified category of person only, unless that person—

- (a) is within the specified category; or
- (b) is invited or directed to do so by an authorised person.

(3) A person must not—

- (a) loiter on the cable car system if asked by an authorised person to leave at the next available opportunity; or
- (b) wilfully obstruct or impede any authorised person in the execution of the authorised person's duty.

(4) A person above the age of 10 years must not enter, attempt to enter or remain on any part of the cable car system which is marked or notified as being for the exclusive use of persons of the opposite gender to that person.

Traffic signs, causing obstructions and parking

16.—(1) A person in charge of any motor vehicle, bicycle or other conveyance must not—

- (a) use it on any part of the cable car system in contravention of any traffic sign;
- (b) leave or place any such vehicle, bicycle or conveyance in or on the cable car system—
 - (i) in such a manner as to cause an obstruction or hindrance to an authorised person, the operator or persons using the cable car system;
 - (ii) otherwise than in accordance with any reasonable direction of an authorised person; or
 - (iii) where parking or waiting is prohibited; or
- (c) park it on any part of the cable car system where charges are made for parking by the operator or an authorised person without paying the appropriate charge at the appropriate time in accordance with instructions given by the operator or an authorised person at that place.

(2) The owner of any motor vehicle, bicycle or other conveyance used, left or placed in breach of byelaw 16(1) may be liable to pay a penalty as displayed in that area.

(3) Without prejudice to byelaw 16(2), any motor vehicle, bicycle or other conveyance used, left or placed in breach of any of byelaws 16(1) may be clamped, removed or stored by or under the direction of the operator or an authorised person.

(4) The owner of the motor vehicle, bicycle or other conveyance will be liable to the operator or authorised person for the costs incurred in clamping, removing and storing it provided that there is in that area a notice advising that—

- (a) any vehicle parked contrary to the byelaws may be clamped, removed and stored by the operator or authorised person; and
- (b) the costs incurred by the operator or authorised person for this may be recovered from the vehicle's owner.

(5) The power of clamping and removal referred to in byelaw 16(3) is not exercisable in any area where passenger parking is permitted unless there is on display in that area a notice advising

that any vehicle parked contrary to the byelaws may be clamped or removed by the operator or authorised person.

Pedestrian-only areas

17.—(1) Any person who enters or is on any part of the cable car system to which the public have access must be on foot, except—

- (a) where there is a notice permitting access to that part of the cable car system to those with specified conveyances; or
- (b) where the operator or an authorised person has given permission,

and in either case the person must obey any instructions given by the operator or an authorised person.

(2) A person will not be in breach of byelaw 17(1) for properly using a pushchair, pram or wheelchair, except where there is a notice or instructions have been given by the operator or an authorised person prohibiting that person from using the pushchair, pram or wheelchair.

Control of animals

18.—(1) The operator or an authorised person may refuse entry to any animal which, in the reasonable opinion of the operator or authorised person, may—

- (a) threaten or annoy any other person; or
- (b) soil or damage the cable car system.

(2) A person must not bring an animal which has been refused access under byelaw 18(1) onto the cable car system.

(3) A person must not bring an animal onto the cable car system without a valid ticket for that animal, if the operator requires that person to have a valid ticket for the carriage of such an animal.

(4) A person in charge of an animal must not—

- (a) allow it to foul or damage the cable car system; or
- (b) leave or place it unattended on any part of the cable car system, except—
 - (i) with the permission of the operator or an authorised person; or
 - (ii) in a place provided for that purpose by the operator and only for as long as is absolutely necessary and in accordance with any direction of the operator or an authorised person.

(5) If a person in charge of an animal breaches any of byelaws 18(2) to (4), then that person—

- (a) may be asked by an authorised person to remove that animal, and if he fails to do so immediately, then that animal may be removed by or under the direction of an authorised person;
- (b) will be liable to the operator for the cost incurred by or on behalf of the operator in removing and keeping it; and
- (c) will be liable to the operator for the cost of putting any property soiled or damaged back into its proper condition.

(6) Any liability to the operator under byelaw 18(5) is in addition to any penalty for the breach of byelaws 18(2) to (4).

PART 5 TRAVEL AND FARES

Compulsory ticket areas

19.—(1) A person must not enter a compulsory ticket area on the cable car system unless that person has a valid ticket.

(2) A person must hand over a ticket for inspection and verification of validity when asked to do so by an authorised person.

(3) A person will not be in breach of byelaw 19(1) or (2) if—

- (a) there were no facilities in working order for the issue of any ticket at the time when and at the station where the journey began;
- (b) there was a notice at the station where the person's journey began permitting journeys to be started without a valid ticket; or
- (c) the operator or an authorised person gave the person permission to travel without a valid ticket.

Altering tickets and use of altered tickets

20.—(1) A person must not alter any ticket in any way with the intent that the operator will be defrauded or prejudiced.

(2) A person must not knowingly use, or knowingly attempt to use, any ticket which has been altered in any way in breach of byelaw 20(1).

Unauthorised buying or selling of tickets

21.—(1) Subject to byelaw 21(3), a person must not—

- (a) sell or buy any ticket;
- (b) lend, transfer or receive any unused or partly used ticket intending that any person will use it for travelling, unless the conditions of use for the ticket specifically permit such a loan, transfer or receipt; or
- (c) knowingly use any ticket which has been obtained in breach of this byelaw.

(2) Byelaw 21(1) does not apply to—

- (a) the sale, other transfer or loan by; or
- (b) the purchase or other receipt from,

an authorised person in the course of his duties or from an authorised ticket machine.

(3) A person who attempts to breach byelaw 21(1) is liable to the same penalties under the byelaws as is a person who had breached that byelaw.

Fares offences committed on behalf of another person

22. A person must not—

- (a) buy a ticket on behalf of another person; or
- (b) transfer or produce a ticket on behalf of another person,

with the intention of enabling that other person to travel without having paid the correct fare.

PART 6

ENFORCEMENT

Name and address

23.—(1) Any person reasonably suspected by an authorised person of breaching or attempting to breach any of the byelaws must give his or her name and address when requested to do so by an authorised person.

(2) The authorised person requesting details under byelaw 23(1) must state the nature of the suspected breach of the byelaws in general terms at the time of the request.

Compliance with instructions

24. A person must carry out the instructions of an authorised person where the authorised person is acting within powers given to the authorised person under the byelaws. Where a person fails to carry out the instruction, the person commits an offence under the byelaws.

Removal of persons

25.—(1) Any person who is reasonably believed by an authorised person to be in breach of any of the byelaws must leave the cable car system when asked to do so by an authorised person.

(2) Any person who is reasonably believed by an authorised person to be in breach of any of the byelaws and who fails to leave when asked to do so by an authorised person may be removed from the cable car system by an authorised person using reasonable force. This right of removal is in addition to the imposition of any penalty for the breach of the byelaws.

(3) In exercising powers conferred by byelaws 25(1) and (2) the authorised person must state the nature of the breach of the byelaws in general terms prior to exercising the power conferred upon the authorised person.

Identification of authorised persons

26.—(1) An authorised person who is exercising any power conferred on an authorised person by any of the byelaws must produce a form of identification when requested to do so.

(2) The form of identification mentioned in byelaw 26(1) must include the name of the authorised person's employer and a means of identifying the authorised person.

Offence and level of fines

27. Any person who breaches any of the byelaws commits an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Notices

28. A person is not subject to any penalty for breach of any of the byelaws by disobeying a notice unless it is proved to the satisfaction of the Court before whom the complaint is laid that the notice referred to in the particular byelaw was displayed.

Breaches by authorised persons

29. An authorised person acting in the course of the duties of the authorised person is not liable for breach of any of byelaws 4, 6(2) and 6(4), 8(c) and 8(e), 9, 11, 12, 13(1), 15, 16, 17, 18(5), 19 and 20(1).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order supplements the existing statutory powers that Transport for London and Docklands Light Railway Limited have to operate the London Cable Car between the Greenwich peninsula and the Royal Victoria Dock and ensures that the Cable Car system integrates effectively and consistently with the rest of TfL's network. The Order confers statutory authority for the Cable Car, makes provision in connection with the operation of the system, applies (with modifications) provisions in the Greater London Authority Act 1999 relating to public transport in London, and gives effect to byelaws which regulate travel on the Cable Car.

A copy of the Order may be inspected free of charge during working hours at the offices of Docklands Light Railway Limited, P.O. Box 154, Castor Lane, Poplar, London E14 0DX.

STATUTORY INSTRUMENTS

2012 No.

TRANSPORT AND WORKS, ENGLAND

TRANSPORT, ENGLAND

London Cable Car Order 2012

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