

ELIZABETH II



1989 CHAPTER xix

An Act to empower the South Yorkshire Passenger Transport Executive to construct additional works for the extension of their LRT system in the Lower Don Valley in the City of Sheffield and the Metropolitan Borough of Rotherham and to acquire lands for that purpose; to confer further powers upon the Executive; and for other purposes. [21st December 1989]

WHEREAS—

(1) Under the Transport Acts 1968 and 1985 it is the general duty of the South Yorkshire Passenger Transport Executive (hereinafter called “the Executive”) to secure the provision of public passenger transport services for meeting the public transport requirements of their area in accordance with general policies formulated by the South Yorkshire Passenger Transport Authority:

(2) It is expedient that the Executive should be empowered to construct the works authorised by this Act, and to acquire or use the lands referred to in this Act, for the extension of the light rail transit system for the City of Sheffield authorised by the South Yorkshire Light Rail Transit Act 1988 by the addition to that system of a route in the Lower Don Valley between Park Square and Meadowhall in the City, passing through part of the Metropolitan Borough of Rotherham:

1988 c. xxvii.

(3) It is expedient that the other powers of this Act should be conferred upon the Executive and that the other provisions in this Act should be enacted:

(4) The purposes of this Act cannot be effected without the authority of Parliament:

1968 c. 73. (5) In relation to the promotion of the Bill for this Act the requirements of section 10 (1) (xxix) of the Transport Act 1968 have been observed:

(6) Plans and sections showing the lines or situations and levels of the works to be constructed under the powers of this Act and plans of the lands authorised to be acquired or used by this Act, and a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands, were duly deposited in the office of the Clerk of the Parliaments and in the Private Bill Office of the House of Commons and with the proper officers of the Sheffield City Council and the Rotherham Metropolitan Borough Council, which plans, sections and book of reference are respectively referred to in this Act as "the deposited plans", "the deposited sections" and "the deposited book of reference":

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I

PRELIMINARY

Short title. 1. This Act may be cited as the South Yorkshire Light Rail Transit Act 1989.

Interpretation. 2.—(1) In this Act, unless the context otherwise requires, words and expressions to which meanings are assigned by the Acts wholly or partly incorporated with this Act have the same respective meanings; and—

1988 c. xxvii. "the Act of 1988" means the South Yorkshire Light Rail Transit Act 1988;

"the authorised works" means the works authorised by this Act;

"existing" means existing at the commencement of this Act;

"the LRT system" means the light rail transit system comprising the railways authorised by the Act of 1988 and this Act, including the railways designated as tramways in the Act of 1988, and all works and conveniences provided in connection with any such railways as constructed, extended or altered from time to time;

"the limits of deviation" means the limits so shown on the deposited plans;

"the railways board" means the British Railways Board;

and the following expressions have the same meanings as in the Act of 1988:—

"electric line";

"enactment";

"the Executive";

"land";

"street";

"traffic sign";

"tramway".

PART I
—cont.

(2) Unless the context otherwise requires, any reference in this Act to a work identified by the number of the work shall be construed as a reference to the work of that number authorised by this Act.

(3) (a) In this Act, except as mentioned in paragraph (b) below, all distances and lengths stated in any description of works, powers or lands shall be construed as if the words "or thereabouts" were inserted after each such distance and length, and distances between points on a railway shall be taken to be measured along the railway.

(b) This subsection does not apply to distances or lengths stated in section 7 (Power to deviate) of this Act.

3. The following provisions of the Act of 1988 incorporating or applying enactments for the purposes of that Act shall have effect as if the references therein to that Act included this Act:—

Incorporation or application of enactments.

Section 3 (Incorporation of Railways Clauses Acts);

Section 4 (Application of Tramways Act 1870);

Section 5 (Application of enactments relating to street works, etc.); and

Section 6 (Application of Part I of Compulsory Purchase Act 1965).

PART II

WORKS

4.—(1) Subject to the provisions of this Act, the Executive may, in the lines or situations shown on the deposited plans and according to the levels shown on the deposited sections, make and maintain the works specified in Part I of Schedule 1 to this Act in the City of Sheffield and the Metropolitan Borough of Rotherham, with all necessary works and conveniences connected therewith.

Power to make works.

(2) The Executive shall cease to have—

(a) the power to construct in the City of Sheffield so much of Work No. 10 authorised by the Act of 1988 as lies between the commencement of Work No. 1 authorised by this Act and the termination of Work No. 1A so authorised; and

(b) the power to enter upon, take and use, for the purpose specified in the last entry in the table in Schedule 3 to the Act of 1988, the lands in the City of Sheffield specified in that entry (depot at Halfway).

(3) Subsection (2) (a) above does not prejudice or affect the powers conferred by section 8 (1) of, and the following provisions of Part II of Schedule 1 to, the Act of 1988:—

(a) paragraph (e) (ii) (stopping up of part of the northern carriageway of Commercial Street and the formation of a kerbline across that carriageway); and

(b) paragraph (f) (i) (A), (B) and (C) (diversion of part of Granville Street, and of parts of certain footpaths between Gilbert Street and Sheaf Street).

(4) The Executive shall construct good and sufficient fences on each side of the footbridges forming, or forming parts of, Works Nos. 2B and 4A.

5. Subject to the provisions of this Act (and, in so far as the same are shown on the deposited plans and sections, in the lines or situations and according to

Further works and powers.

PART II
—*cont.*

the levels so shown), the Executive may exercise the powers, and make and maintain the further works, described in Part II of Schedule 1 to this Act in the City of Sheffield, with all necessary works and conveniences connected therewith.

Level crossings
and other works
affecting streets.

6.—(1) The Executive may, in the construction of the railways authorised by this Act, carry the same with a double line across and on the level of the streets and footpaths specified in Schedule 2 to this Act.

(2) In the exercise of the powers of subsection (1) above, the Executive may alter or interfere with the level of any footway upon which any railway or associated work is to be laid.

(3) Without prejudice to the powers conferred by subsections (1) and (2) above, for the purposes of constructing and maintaining the railways authorised by this Act in or adjoining any street, the Executive may, with the consent of the highway authority—

(a) increase the width of the carriageway of the street by reducing the width of any footway, verge, lay-by or roadside waste on each or either side of the street; or

(b) alter or interfere with the level of any kerb, footway, verge or roadside waste.

(4) No footway shall, under subsection (2) above, be reduced to a less width than 6 feet (1.83 metres).

(5) (a) On completion of any railway authorised by this Act in or adjoining any street the Executive shall provide traffic signs in or near any street along or across which the railway is laid to give warning to other traffic of the presence of the railway.

(b) Subject to any directions and any other requirements given or imposed by the Secretary of State with respect to such a traffic sign, the places at which the traffic signs are displayed shall be such as may be approved by the highway authority.

Power to deviate.

7. In the execution of the authorised works, or any part thereof, the Executive may, except as may be otherwise provided by this Act, including any enactment incorporated with or applied by this Act, deviate from the lines or situations thereof shown on the deposited plans to the extent of the limits of deviation and deviate vertically from the levels shown on the deposited sections to any extent not exceeding 3 metres upwards and to such extent downwards as may be found necessary or convenient.

Agreements with
British Railways
Board.

8.—(1) The Executive and the railways board may enter into, and carry into effect, agreements for the transfer to, and vesting in, the Executive of any or any part of the existing railways of the railways board within or adjoining the limits of deviation of the authorised works, together with all lands and other property held in connection with that railway and all rights and obligations of the railways board in relation to that railway.

(2) Where agreement is made for the transfer to, and vesting in, the Executive of any existing railway of the railways board under subsection (1) above, or the Executive otherwise acquire any such existing railway or sufficient rights therein, the Executive may adapt for use, maintain, use and work that railway as part of the LRT system in accordance with the provisions of the Railways Clauses Consolidation Act 1845 and the Railways Clauses Act 1863 incorporated with this Act and the provisions of the Railway Regulation Acts 1840 to 1889 applicable to the LRT system.

1845 c. 20.
1863 c. 92.

(3) Any enactment by which any such existing railway was authorised shall have effect subject to the provisions of this Act.

PART II
—cont.

(4) The provisions of sections 54 and 56 of the Transport Act 1962 (advance notice of discontinuance of certain services to be published and functions of transport consultative committees) shall not apply in respect of the discontinuance of any existing railway passenger services from any station or on any line or, as the case may be, the discontinuance of any railway passenger or goods services provided by the railways board, where such discontinuance is for the purposes of, or in connection with, the construction of the authorised works or the transfer of any parts of the existing railways to form part of the LRT system.

1962 c. 46.

9.—(1) The following provisions of the Act of 1988 relating to works shall, subject to the modifications specified in subsection (2) below and any other necessary modifications, apply to the works authorised by this Act as they apply to the works authorised by that Act:—

Application of
works provisions
of Act of 1988.

Section 10 (Subsidiary works);

Section 12 (Temporary stoppage of highways);

Section 13 (Stopping up streets and footpaths without providing substitute);

Section 14 (Stopping up streets and footpaths in case of diversion or substitution);

Section 15 (Provisions as to repair of streets, footpaths, etc.);

Section 16 (Underpinning of houses near works);

Section 17 (Use of sewers, etc., for removing water);

Section 19 (Plans to be approved by Secretary of State before works commenced);

Section 20 (Gauge of railways and restrictions on working);

Section 21 (Provisions as to use of electrical energy);

Section 39 (Safety arrangements at public level crossings).

(2) For the purposes of this section—

(a) in the said section 12, for the reference to the limits of deviation and to the deposited plans within the meaning of the Act of 1988, there shall be substituted reference to the limits of deviation and the deposited plans within the meaning of this Act;

(b) in the said section 17—

(i) for the reference to the water authority within the meaning of the Act of 1988, there shall be substituted reference to the Yorkshire Water Authority; and

(ii) for the reference to the limits of deviation within the meaning of the Act of 1988, there shall be substituted reference to the limits of deviation within the meaning of this Act;

(c) in the said section 19, the reference to underpasses shall be omitted;

(d) in the said section 20, in subsection (4), for the word “tramway” there shall be substituted the words “railway in or adjoining any street”; and

(e) in the said section 39, for the reference to the railway crossings specified in Schedule 2 to the Act of 1988, there shall be substituted reference to the railway crossings specified in Schedule 2 to this Act.

PART III

LANDS

Power to acquire lands.

10.—(1) Subject to the provisions of this Act, the Executive may enter upon, take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as they may require for the purposes of the authorised works or for any purpose connected with, or ancillary to, their undertaking.

(2) Without prejudice to that generality, the Executive may, subject to the provisions of this Act, enter upon, take and use, for each of the purposes specified in column (1) of Schedule 3 to this Act, all or any of the lands in the City of Sheffield referred to in relation to that purpose in columns (2) and (3) of that schedule.

Application of land purchase provisions of Act of 1988.

11.—(1) The following provisions of the Act of 1988 relating to the acquisition of lands or rights thereover shall, subject to the modifications specified in subsection (2) below and any other necessary modifications, apply to the lands delineated on the deposited plans and described in the deposited book of reference as they apply to the lands referred to in those provisions:—

Section 23 (Extinction of private rights of way);

Section 24 (Power to acquire new rights);

Section 25 (Acquisition of part only of certain properties);

Section 26 (Disregard of recent improvements and interests);

Section 27 (Compensation in respect of depreciation in value of interest in land subject to mortgage);

Section 28 (Grant of rights by persons under disability);

Section 30 (Correction of errors in deposited plans and book of reference);

Schedule 4.

(2) For the purposes of this section, in the said section 30—

(a) for the reference to the proper officer of any local authority other than the Sheffield City Council, there shall be substituted reference to the proper officer of the Rotherham Metropolitan Borough Council; and

(b) for the references to the deposited plans and the deposited book of reference within the meaning of the Act of 1988, there shall be substituted references to the deposited plans and the deposited book of reference within the meaning of this Act.

Period of compulsory purchase of lands or rights.

12.—(1) The powers of the Executive for the compulsory acquisition of the lands and rights which they are authorised to acquire by this Part of this Act shall not be exercised after five years from the passing of this Act.

(2) The powers of the Executive for the compulsory acquisition of the said lands and rights shall, for the purposes of this section, be deemed to have been exercised if notice to treat has been served in respect of those lands and rights.

PART IV

PROTECTIVE PROVISIONS

Application of protective provisions of Act of 1988.

13.—(1) The following protective provisions of the Act of 1988 shall, subject to the modifications specified in subsection (2) below and any other necessary modifications, apply for the purposes of this Act as they apply for the purposes of that Act:—

- Section 32 (As to highways, traffic, etc.);
 Section 33 (For protection of public sewers);
 Section 34 (For protection of certain statutory undertakers);
 Section 36 (For protection of telecommunications operators);
 Section 38 (Crown rights).

PART IV
 —cont.

(2) For the purposes of this section—

(a) in the said section 33—

(i) for the reference to the water authority within the meaning of the Act of 1988, there shall be substituted reference to the Yorkshire Water Authority; and

(ii) paragraph (14) shall not apply to the construction of any railway authorised by this Act in land now forming part of, or adjoining, any existing railway of the railways board;

(b) in the said section 34—

(i) in the definition of “the undertakers” in paragraph (1), for the words “the electricity board and the water authority”, there shall be substituted the words “the Yorkshire Electricity Board and the Yorkshire Water Authority”;

(ii) paragraph (12) shall not apply to the construction of any railway authorised by this Act in land now forming part of, or adjoining, any existing railway of the railways board.

14. For the protection of the railways board the following provisions shall, unless otherwise agreed in writing between the Executive and the railways board, apply and have effect:—

For protection of
 British Railways
 Board.

(1) In this section—

“construction” includes placing, alteration and renewal;

“the engineer” means an engineer to be appointed by the railways board;

“plans” includes sections, drawings, specifications and particulars (including descriptions of methods of construction);

“railway property” means any railway of the railways board and any works connected therewith for the maintenance or operation of which the railways board are responsible and includes any land held or used by the railways board for the purposes of such railway or works, not being railway property acquired by the Executive;

“specified works” means so much of the authorised works as may be situated upon, across, under or over or within 15 metres of, or may in any way affect, any railway property:

(2) (a) The Executive shall not under the powers of this Act acquire any land or other property of the railways board, or any right in such land or other property, without the consent of the railways board, which consent shall not be unreasonably withheld;

(b) Where any specified works are situated in land in respect of which easements or rights only in railway property are acquired, the Executive shall fence off those works from that railway property to the reasonable satisfaction of the engineer where so required by him and shall thereafter be responsible for keeping in good repair the fencing so provided:

PART IV
—cont.

- (3) In the exercise of the powers of section 12 (Temporary stoppage of highways) of the Act of 1988 as applying for the purposes of this Act the Executive shall at all times provide reasonable access, with or without vehicles, plant, machinery and materials, to the railways board's Woodbourn Road depot and to any other station or depot of the railways board or other railway property:
- (4) The Executive shall, before commencing the construction of the specified works supply to the railways board proper and sufficient plans thereof for the approval of the engineer and shall not commence the construction of those works until such plans have been approved in writing by the engineer or settled by arbitration:
- Provided that approval of plans supplied under this paragraph shall not be unreasonably withheld and, if within 56 days after the plans have been supplied to the railways board the engineer shall not have intimated his disapproval of the plans and the grounds of his disapproval, he shall be deemed to have approved them:
- (5) If, within 56 days after such plans have been supplied to the railways board, the railways board give notice to the Executive that the railways board desire themselves to construct any part of the specified works which, in the opinion of the engineer, will or may affect the stability of any operational railway or the safe operation of traffic on the railways of the railways board then, if the Executive desire such part of the specified works to be constructed, the railways board shall construct the same with all reasonable dispatch on behalf of, and to the reasonable satisfaction of, the Executive in accordance with the plans approved or deemed to be approved or settled as aforesaid:
- (6) Upon signifying his approval or disapproval of the plans the engineer may specify any protective works (whether temporary or permanent) which in his opinion should be carried out before commencement of the construction of the specified works to ensure the safety or stability of the railways of the railways board, and such protective works as may be reasonably necessary for those purposes shall be constructed by the railways board or by the Executive, if the railways board so desire, with all reasonable dispatch, and the Executive shall not commence the construction of the specified works until the engineer shall have notified them that the protective works have been completed to his reasonable satisfaction:
- (7) (a) The Executive shall give to the railways board notice in writing of their intention to commence the construction of any of the specified works in accordance with sub-paragraph (b) below and, except in case of emergency (when they shall give such notice as may be reasonably practicable), of their intention to carry out any works for the repair or maintenance of the specified works in so far as such works of repair or maintenance affect or interfere with railway property:
- (b) The period of notice required under sub-paragraph (a) above shall be—
- (i) 6 months in any case where the engineer, upon signifying his approval or disapproval of plans supplied to the railways board under paragraph (4) above, has reasonably given his opinion that the construction or maintenance of the specified works will require the Executive to have temporary occupation of the permanent way of any operational railway (including land lying within a distance

of 2 metres from any outer rail of the railway) or will necessitate the imposition of speed restrictions, or the substitution, diversion or suspension of train services; and

(ii) 28 days in all other cases:

(8) (a) When construction of any specified works is commenced the work shall be carried out—

(i) with all reasonable dispatch in accordance with plans approved or deemed to have been approved or settled as aforesaid;

(ii) under the supervision (if given) and to the reasonable satisfaction of the engineer;

(iii) in such manner as to cause as little damage to railway property as may be; and

(iv) so far as is reasonably practicable, so as not to interfere with or obstruct the free, uninterrupted and safe user of any railway of the railways board or the traffic thereon and the use by passengers of railway property;

(b) If any damage to railway property or any such interference or obstruction shall be caused or take place, the Executive shall, notwithstanding any such approval as aforesaid, make good such damage and pay to the railways board all reasonable expenses to which they may be put and compensation for any loss which they may sustain by reason of any damage, interference or obstruction:

(9) Nothing in paragraph (8) (b) above shall impose any liability on the Executive for any damage, cost, expense or loss which is attributable to the neglect or default of the railways board or their servants or agents:

(10) The Executive shall—

(a) at all times afford reasonable facilities to the engineer for access to the specified works during their construction; and

(b) supply the engineer with all such information as he may reasonably require with regard to the specified works or the method of construction of those works:

(11) The railways board shall—

(a) at all times afford reasonable facilities to the Executive and their agents for access to any works carried out by the railways board under this section during their construction; and

(b) supply the Executive with such information as they may reasonably require with regard to such works or the method of construction of those works:

(12) If any alterations or additions (either permanent or temporary) to any operational railway of the railways board shall be reasonably necessary during the construction of the specified works, or during a period of 12 months after their completion, in consequence of the construction of the specified works, such alterations and additions may be made by the railways board and, if the railways board give to the Executive reasonable notice of their intention to make such alterations or additions, the Executive shall pay to the railways board the cost thereof as certified by the engineer, subject to the addition, in the case of permanent alterations and additions, of a capitalised sum representing the increased or additional cost of maintaining, working and, when necessary, renewing any such alterations or additions:

PART IV
—cont.

Provided that if the cost of maintaining, working or renewing railway property is reduced in consequence of any such alterations or additions, a capitalised sum representing such saving shall be set off against any sum payable by the Executive to the railways board under this section:

- (13) If the cost to the railways board of altering any existing railway within its boundaries or of maintaining or reconstructing any existing railway under any powers existing at the passing of this Act is increased by reason of the existence of the specified works any such additional expense which the railways board, after giving 56 days' notice to the Executive, reasonably so incur shall be repayable by the Executive to the railways board:
- (14) The Executive shall repay to the railways board all costs, charges and expenses reasonably incurred by the railways board—
- (a) in constructing any part of the specified works on behalf of the Executive as provided by paragraph (5) above, or in constructing any protective works under the provisions of paragraph (6) above, including, in respect of any permanent protective works, a capitalised sum representing the reasonable cost of maintaining and renewing those works;
 - (b) in respect of the employment of any inspectors, signalmen, watchmen and other persons whom it shall be reasonably necessary to appoint for inspecting, watching, lighting and signalling railways and for preventing interference, obstruction, danger or accident arising from the construction, maintenance, repair or failure of the specified works;
 - (c) in respect of any special traffic working resulting from any speed restrictions which may, in the opinion of the engineer, be necessary by reason of the construction, maintenance, repair or failure of the specified works or from the substitution, suspension or diversion of services which may be necessary for that reason;
 - (d) in respect of any additional temporary lighting of railways in the vicinity of the specified works, being lighting made reasonably necessary by reason of the specified works or the failure thereof;
 - (e) in respect of the approval by the engineer of plans supplied by the Executive under paragraph (4) above and the supervision by him of the construction of the specified works:
- (15) If at any time after the completion of the specified works, not being works vested in the railways board, the railways board give notice to the Executive that the state of repair of the specified works appears to affect prejudicially any operational railway of the railways board, the Executive shall, on receipt of such notice, take such steps as may be reasonably necessary to remedy any such defect:
- (16) All temporary structures, erections, works, apparatus and appliances erected or placed by the Executive under the powers of this Act upon, over or under any operational railway of the railways board shall, as soon as reasonably practicable, be removed by the Executive at times to be agreed with, and to the reasonable satisfaction of, the engineer and in such a way as to cause as little damage to the railway and as little interference with, or delay or interruption to, the traffic on the railways of the railways board as may be; and if any damage to railway property or such interference, delay or interruption shall be caused by any such failure to remove any such temporary structures, erections, works, apparatus or appliances, the Executive shall make

good such damage and pay to the railways board the reasonable costs and expenses to which they may be put, and reasonable compensation for any loss which they may sustain, by reason of such damage, interference, delay or interruption:

PART IV
—cont.

- (17) Before providing any illumination or illuminated traffic sign on or in connection with the specified works, or otherwise in the vicinity of any railway of the railways board, the Executive shall consult with the railways board and comply with their reasonable requirements with a view to ensuring that such illumination or illuminated sign could not be confused with any railway signal or other light used for controlling, directing or securing the safety of traffic on the railway:
- (18) (a) The Executive shall be responsible for and make good to the railways board all costs, charges, damages and expenses not otherwise provided for in this section which may be occasioned to, or reasonably incurred by, the railways board—
- (i) by reason of the construction or repair of the specified works or the failure thereof; or
 - (ii) by reason of any act or omission of the Executive or of any person in their employ or of their contractors or others whilst engaged upon the construction or repair of the specified works;
- and the Executive shall indemnify the railways board from and against all claims and demands arising out of, or in connection with, the construction or repair of the specified works or any such failure, act or omission as aforesaid;
- (b) The fact that any act or thing may have been done by the railways board on behalf of the Executive or in accordance with plans approved by the engineer or in accordance with any requirement of the engineer or under his supervision shall not (if it was done without neglect or default on the part of the railways board or of any person in their employ or of their contractors or agents) excuse the Executive from any liability under this paragraph;
- (c) The railways board shall give to the Executive reasonable notice of any claim or demand as aforesaid and no settlement or compromise thereof shall be made without the prior consent of the Executive:
- (19) Any difference arising between the Executive and the railways board under this section (other than a difference as to its meaning or construction) shall be determined by arbitration.

15. For the protection of the British Waterways Board (in this section referred to as "the waterways board") the following provisions shall, unless otherwise agreed in writing between the Executive and the waterways board, apply and have effect:—

For protection
of British
Waterways
Board.

(1) In this section—

"the canal" means the Sheffield Canal and any works connected therewith for the maintenance of which the waterways board are responsible, and includes any lands held or used by the waterways board for the purposes of any canal;

"construction" includes placing, alteration and renewal;

"the engineer" means an engineer to be appointed by the waterways board;

"plans" includes sections, drawings and particulars;

"the specified works" means so much of any of the authorised works as is situated over or upon or abuts on or in any way affects the canal:

PART IV
—cont.

- (2) The Executive shall, before commencing the construction of the specified works, supply to the waterways board proper and sufficient plans thereof for the approval of the engineer, and shall not commence the specified works until plans thereof have been approved in writing by the engineer or settled by arbitration:

Provided that approval of plans supplied under this paragraph shall not be unreasonably withheld and, if within 28 days after such plans have been supplied to the waterways board the engineer shall not have intimated his disapproval thereof and the grounds of his disapproval, he shall be deemed to have approved the plans as supplied:

- (3) Upon signifying his approval or disapproval of the plans the engineer may specify any protective works, whether temporary or permanent, which in his opinion should be carried out before the commencement of the construction of the specified works to ensure the safety or stability of the canal, and such protective works as may be reasonably necessary for those purposes shall be constructed by the Executive with all reasonable dispatch:
- (4) The Executive shall pay to the waterways board a capitalised sum representing the increased or additional cost of maintaining and, when necessary, renewing any permanent protective works provided under paragraph (3) above, but if the cost of maintaining the canal, or of works of renewal on the canal, is reduced in consequence of any such protective works, a capitalised sum representing such saving shall be set off against any sum payable by the Executive to the waterways board under this section:
- (5) The Executive shall give to the engineer 28 days' notice of their intention to commence the construction or repair of any of the specified works, or, in the case of repair carried out in an emergency, they shall give such notice as may be reasonably practicable:
- (6) When construction of any specified works is commenced the works shall be carried out—
- (a) in accordance with the plans approved or deemed to be approved or settled as provided in paragraph (2) above;
 - (b) under the supervision (if given) and to the reasonable satisfaction of the engineer;
 - (c) so as not to interfere with or obstruct the use of the towing paths of the canal so far as is reasonably practicable; and
 - (d) so as not to interfere with or obstruct the passage of vessels on the canal—
- (i) at any time in the period in each year beginning on 17th March and ending on 3rd November except in case of emergency; and
 - (ii) at any other time, so far as is reasonably practicable:
- (7) The Executive shall not in the course of constructing or repairing the specified works do or permit anything which may result in the pollution of the canal or the deposit of materials therein and shall take such steps as the engineer may reasonably require to avoid such pollution:
- (8) The Executive shall pay to the waterways board all costs, charges and expenses reasonably incurred by them in respect of the approval by the engineer of plans supplied by the Executive under paragraph (2) above and the supervision by him of the construction of the specified works:

- (9) If any damage to the canal or other land or property of the waterways board, any stoppage of the canal or any interference with the passage of vessels using the canal shall be caused by the carrying out of works for the construction of the specified works, the Executive shall make good such damage and pay to the waterways board all reasonable expenses to which they may be put and compensation for any loss which they may sustain by reason of any such damage, stoppage or interference:

Provided that nothing in this paragraph shall impose any liability on the Executive with respect to any damage, expenses or loss which is attributable to the act, neglect or default of the waterways board or their servants, contractors or agents:

- (10) Any difference arising between the Executive and the waterways board under this section (other than a difference as to its meaning or construction) shall be determined by arbitration.

PART IV
—cont.

PART V

PENALTY FARES

- 16.—(1) In this Part of this Act, unless the context otherwise requires—

“authorised person” means, in relation to any purpose, a person authorised for that purpose by the Executive;

“fare ticket” means a ticket authorising the person in respect of whom it is issued to travel on the LRT system;

“general travel authority” means any permit, other than a fare ticket, authorising the person in respect of whom it is issued to travel on the LRT system;

“penalty fare” means a penalty fare payable pursuant to section 18 of this Act;

“the penalty fare provisions” means sections 18 to 21 of this Act;

“LRT stop” means a station or other regular stopping place on the LRT system at which passengers may get on or off LRT vehicles;

“LRT vehicle” means a vehicle or carriage used on the LRT system.

(2) Any reference in this Act to a person producing a fare ticket or general travel authority on being required to do so by an authorised person is a reference to producing, when so required, a fare ticket or general travel authority which, either by itself or together with any other document produced by that person at the same time, is valid for the journey he has made.

(3) For the purposes of subsection (2) above, a person who is on a LRT vehicle shall be taken to have made a journey ending at the next scheduled LRT stop.

17.—(1) The penalty fare provisions have effect in relation to travel on any LRT vehicle if an order under subsection (2) below is for the time being in force.

(2) The Secretary of State may by order (referred to in subsections (3) to (5) below as an “activating order”) provide that the penalty fare provisions shall have effect as from such day as may be specified in the order.

(3) The revocation by the Secretary of State of an activating order shall be without prejudice to the power of the Secretary of State to make further activating orders.

Interpretation
for Part V.

Operation of
Part V.

PART V
—cont.

(4) Any activating order, and any order revoking an activating order, may contain such supplementary, incidental and consequential provisions (including transitional provisions) as may appear to the Secretary of State to be necessary or expedient.

(5) No activating order may be made except at the request of the Executive.

Penalty fares.

18.—(1) If a person travelling on a LRT vehicle, on being required to do so by an authorised person, fails to produce a fare ticket or a general travel authority, he shall be liable to pay a penalty fare if required to do so by an authorised person.

(2) (a) A person shall not be liable to pay a penalty fare if at the LRT stop where, and the time when, he boarded the LRT vehicle—

(i) in the case of a person falling within paragraph (b) below, there were no facilities for making the required imprint on fare tickets; or

(ii) in the case of any other person, there were no facilities for the sale of the necessary fare ticket for his journey.

(b) A person falls within this paragraph if (pursuant to a requirement under subsection (1) above) he produces a fare ticket which is invalid only by reason of its not bearing the required imprint.

(3) Subsections (4) and (5) below have effect with respect to the burden of proof in any action for the recovery of a penalty fare under this section so far as concerns the question whether the facts of the case fall within subsection (2) above.

(4) In any case where the defendant has provided the plaintiff with a relevant statement in due time it shall be for the plaintiff to show that the facts of the case do not fall within subsection (2) above, and in any other case it shall be for the defendant to show that the facts of the case fall within that provision.

(5) For the purposes of subsection (4) above—

(a) a relevant statement is a statement giving an explanation of the defendant's failure to produce a fare ticket or general travel authority, together with any information as to his journey relevant to that explanation (including, in every case, an indication of the LRT stop where he boarded the LRT vehicle); and

(b) a statement is provided in due time if it is provided when the defendant is required to produce a fare ticket or general travel authority, or at any later time before the expiration of the period of 21 days beginning with the day following the day on which the journey is completed.

(6) In this section "the required imprint" means an imprint signifying a date, time and stop (being the date and time when, and the LRT stop where, the imprint is made).

Amount of penalty fare.

19.—(1) Subject to subsection (2) below, a penalty fare shall be £10 and shall be payable to the Executive before the expiration of the period of 21 days beginning with the day following the day on which the journey in respect of which it is payable is completed.

(2) The Secretary of State may by order prescribe that the amount of the penalty fare shall be different (whether higher or lower), and any such order shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Document to be issued in connection with penalty fare requirement.

20.—(1) An authorised person who requires a person (referred to below as "the passenger") to pay a penalty fare shall give him either a receipt for the

payment of the amount of the penalty (where the passenger makes that payment to the authorised person) or a notice stating that the requirement has been made.

PART V
—cont.

(2) A receipt or notice given under subsection (1) above shall specify the passenger's destination on the LRT vehicle on which he is travelling when required to pay the penalty fare, and shall operate as an authority to him to complete his journey to that destination.

(3) For the purposes of subsection (2) above, the passenger's destination shall (unless only one destination is possible in the circumstances) be taken to be the destination stated by the passenger or, in default of any statement by him for that purpose, such destination as may be specified by the authorised person.

21.—(1) It shall be the duty of the Executive to secure that a warning notice meeting the requirements of subsection (2) below shall be posted—

Notice of
penalty fare
provisions.

- (a) at every LRT stop, in such a position as to be readily visible to prospective passengers; and
- (b) in every LRT vehicle for travel on which the penalty provisions have effect, in such a position as to be readily visible to passengers travelling on that vehicle.

(2) A warning notice posted pursuant to subsection (1) above shall (however expressed) indicate the circumstances (as provided in section 18 of this Act) in which persons travelling on a LRT vehicle may be liable to pay a penalty fare and state the amount of the penalty fare.

22.—(1) A person who is required to pay a penalty fare shall, unless he pays, immediately and in cash, the amount of the penalty fare to an authorised person requiring such payment, give to that authorised person, if that person requires him to do so, his name and address; and any person failing to do so shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Supplementary
provisions.

(2) Where an authorised person requires any person to do anything pursuant to any provision of this Part of this Act he shall, if so requested by the person concerned, produce to that person a duly authenticated document showing his authority; and a requirement by an authorised person shall be of no effect if, as respects that requirement, he fails to comply with this subsection.

23.—(1) Where a person has become liable to pay a penalty fare in respect of any journey (referred to below as "the relevant journey"), no proceedings may be brought against him for any of the offences specified in subsection (2) below before the end of the period mentioned in section 19 (1) of this Act; and no such proceedings may be brought after the end of that period if—

Exclusion of
double
liability.

- (a) he has paid the penalty fare to the Executive before the end of that period; or
- (b) an action has been brought against him for the recovery of that fare.

(2) The offences mentioned in subsection (1) above are—

- (a) any offence under byelaws made under section 41 of the Act of 1988 involving a failure to obtain or produce a fare ticket or general travel authority for the relevant journey; and
- (b) any offence under section 25 (3) of the Public Passenger Vehicles Act 1981 of contravening or failing to comply with any provision of regulations for the time being having effect by virtue of that section by failing to pay the fare properly payable for the relevant journey or any part of it.

1981 c. 14.

PART V
—cont.

(3) If proceedings are brought against any such person for any such offence he shall cease to be liable to pay the penalty fare and, if he has paid it, the Executive shall be liable to repay to him an amount equal to the amount of that fare.

Orders under
this Part.

24. Any power to make an order conferred on the Secretary of State by this Part of this Act shall be exercisable by statutory instrument.

PART VI

MISCELLANEOUS AND GENERAL

Application of
general
provisions of
Act of 1988.

25. The following provisions of the Act of 1988 conferring general powers on the Executive with respect to the operation and regulation of the LRT system and relating to rating shall have effect as if, for any reference therein to the LRT system as defined by that Act, there were substituted reference to the LRT system as defined by this Act:—

Section 40 (Power to lop trees overhanging railway);

Section 41 (Byelaws relating to LRT system);

Section 42 (Carriages on LRT system deemed public service vehicles);

Section 44 (Rating of LRT system).

Removal of
obstructions.

26.—(1) If any obstruction to traffic on the LRT system is caused by—

(a) a vehicle on any tramway or at any level crossing waiting, loading, unloading or breaking down: or

(b) a load falling on any tramway or at any level crossing from a vehicle;

the person in charge of the vehicle shall forthwith remove the vehicle or the load so as to prevent the continuance of the obstruction and, if he fails to do so, the Executive may remove the vehicle or load, taking all necessary steps for that purpose, and may recover from the person responsible the expenses reasonably incurred in doing so.

(2) In subsection (1) above “person responsible” means—

(a) in the case of a vehicle waiting, loading, unloading or breaking down—

(i) the owner of the vehicle at the time at which it became an obstruction to traffic on the LRT system, unless he shows that he was not concerned in, or aware of, the placing of the vehicle at that time; and

(ii) the person by whom the vehicle was placed so that it became an obstruction to traffic on the LRT system; and

(b) in the case of a load falling from a vehicle—

(i) the owner of the vehicle at the time of that event, unless he shows that he was not concerned in, or aware of, the placing of the vehicle or its load at that time; and

(ii) the person in charge of the vehicle at the time when the load fell from it.

Byelaws.

27.—(1) Section 41 (Byelaws relating to LRT system) of the Act of 1988 shall have effect as if, in subsection (1), the reference to “railway premises” included premises, whether or not owned or leased by the Executive, at stations for interchange between the LRT system and any other system of road or rail transport.

(2) In subsection (4) of the said section 41 and in subsection (4) of section 43 (Byelaws relating to bus stations, etc.) of the Act of 1988, the reference to action to obviate or remove danger, annoyance or hindrance includes—

- (a) in the case of a vehicle parked in any part of any LRT premises which is not a public highway, in contravention of any byelaw having effect under the said section 41, or, as the case may be;
- (b) in the case of a vehicle parked in any part of a bus station which is not a public highway, in contravention of any byelaw having effect under the said section 43;

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.

28.—(1) The Executive may, with the consent of the Secretary of State, sell, lease, charge or otherwise dispose of, on such terms and conditions as they think fit, the whole or any part of the LRT system or the right to operate the LRT system.

Powers of disposal, agreements for operation, etc.

(2) Without prejudice to the generality of subsection (1) above, the Executive may enter into and carry into effect agreements with other persons with respect to any of the following matters, namely the construction, maintenance, use and operation of the LRT system, or any part or parts of that system, by any other person, and other matters incidental or subsidiary thereto or consequential thereon, and the defraying of, or the making of contributions towards, the cost of the matters aforesaid by the Executive or any other person.

(3) Any agreement under subsection (2) above may provide (inter alia) for the exercise by any person of the powers of the Executive in respect of the LRT system, or any part or parts thereof, and for the transfer to any person of the LRT system, or any part or parts thereof, together with the rights and obligations of the Executive in relation thereto.

(4) The exercise of the powers of any enactment by any person in pursuance of any sale, lease, charge or disposal under subsection (1) above, or any agreement under subsection (2) above, shall be subject to the same restrictions, liabilities and obligations as would apply under the Act of 1988 and this Act, or under any agreement or undertaking concerning the exercise of the powers of those Acts, if those powers were exercised by the Executive.

(5) The railways board may enter into and carry into effect agreements with the Executive under subsection (2) above.

(6) Section 45 (Leases and agreements for operation of LRT system) of the Act of 1988 is hereby repealed.

29. Where under this Act any difference (other than a difference to which the provisions of the Compulsory Purchase Act 1965, as applied by the Act of 1988 and this Act, apply) is to be determined by arbitration, then, unless otherwise provided, the difference shall be referred to and settled by a single arbitrator to be agreed between the parties or, failing agreement, to be appointed, on the application of either party (after notice in writing to the other), by the President of the Institution of Civil Engineers.

Arbitration, 1965 c. 56.

30.—(1) Subject to subsection (2) below, in its application to development authorised by this Act, the planning permission specified in subsection (3) below shall have effect as if the authority to develop given by this Act were limited to development begun within 10 years after the passing of this Act.

Planning permission.

PART VI
—cont.

PART VI
—cont.

(2) Subsection (1) above shall not apply to the carrying out of any development consisting of the alteration, maintenance or repair of works authorised by this Act or the substitution of new works therefor.

S.I. 1988/1813.

(3) The planning permission referred to in subsection (1) above is that granted for development permitted by article 3 of, and Class A in Part 11 of Schedule 2 to, the Town and Country Planning General Development Order 1988 (which permits development authorised by private Act designating specifically both the nature of the development thereby authorised and the land on which it may be carried out).

SCHEDULES

Section 4.

SCHEDULE 1

PART I

DESCRIPTION OF WORKS SPECIFICALLY AUTHORISED

Note: In the following descriptions of works:—

“the Midland Railway” means the existing railway between Sheffield (Midland Station) and Rotherham;

“the Great Central Railway” means the existing railway between Sheffield (Midland Station) and Retford; and

“the Great Central Railway (Mexborough Branch)” means the existing Mexborough Branch Railway of the Great Central Railway.

In the City of Sheffield—

(City Centre to Attercliffe).

Work No. 1 A railway (2,155 metres in length) commencing by a junction with Work No. 10 authorised by the Act of 1988 at a point (in the northern carriageway of Commercial Street to be stopped up under that Act) 27 metres from the commencement of that work, passing eastwards by a viaduct along the course of Commercial Street, across Park Square, along the south side of Sheffield Parkway and over the Midland Railway at a point 25 metres north-east of the north-eastern portal of the bridge and tunnel carrying Cricket Inn Road over that railway, then passing across Bernard Road on the level, along the northern side of Cricket Inn Road to a point 110 metres west of its junction with Aston Street, then turning north-eastwards and northwards, passing over Sheffield Parkway, then eastwards and north-eastwards through the former Nunnery Sidings to a point 5 metres north-west of Woodbourn Road, then passing over the Great Central Railway and along the western side of that road and terminating at a point 27 metres south-west of the junction of that road with Worthing Road, including a viaduct (No. 3) along the northern carriageway of Commercial Street, across Park Square and over the Midland Railway, a bridge (No. 1) over Sheffield Parkway, with an approach viaduct at its north-eastern end, at a point 420 metres west of the bridge carrying that road over Woodbourn Road, and a bridge (No. 2) over the Great Central Railway at a point 5 metres north-west of the bridge carrying Woodbourn Road over that railway;

Work No. 1A A railway (296 metres in length) commencing by a junction with Work No. 1 at a point 135 metres from the commencement of that work, passing southwards by a viaduct across Park Square, then passing south-westwards across part of South Street (to be stopped up) at a point near its junction with Anson Street and partly across, and partly along the line of, part of Granville Street and footpaths between Gilbert Street and Sheaf Street (to be stopped up and diverted under the Act of 1988), and terminating by a junction with Work No. 10 authorised by that Act at a point in Granville Street 12 metres south of its junction with Gilbert Street, including a viaduct (No. 4) across Park Square;

Work No. 1B A railway (169 metres in length) commencing by a junction with Work No. 1 at a point 258 metres from the commencement of that work, passing southwards by a viaduct across Park Square and terminating by a junction with Work No. 1A at a point 5 metres north of the southern end of the viaduct (No. 4) forming part of that railway, including a viaduct (No. 5) across Park Square;

SCH. 1
—cont.(Woodbourn
Road to
Attercliffe).

Work No. 1C A widening of Cricket Inn Road on its northern side between its junctions with Bernard Road and Maltravers Road;

Work No. 1D A widening of Cricket Inn Road on its southern side between its junction with Maltravers Road and a point 100 metres west of its junction with Aston Road;

Work No. 2 A railway (953 metres in length) commencing at the termination of Work No. 1, passing across the junction of Woodbourn Road with Worthing Road and Stadium Way on the level to a point 7 metres east of Woodbourn Road, then northwards along the eastern side of Woodbourn Road, across Staniforth Road on the level and over the Sheffield and Tinsley Canal, then turning and passing eastwards on the northern side of that canal, across Shirland Lane on the level, and terminating at a point on the western side of the Great Central Railway (Mexborough Branch) 47 metres south of the southern end of the bridge carrying that railway over Worksop Road, including a bridge (No. 3) over the said canal at a point 55 metres east of the bridge carrying Staniforth Road over that canal;

Work No. 2A Alteration of the level of Worthing Road between its junctions with Woodbourn Road and Ripon Street;

Work No. 2B A new footpath and cycle track commencing by a junction with Roundel Street at its junction with Palmer Street, passing northwards over the Sheffield and Tinsley Canal and terminating at a point 4 metres south of the southern side of Chippingham Street at a point 120 metres west of its junction with Shirland Lane, including a footbridge (No. 4) across the said canal at a point 175 metres east of the said bridge carrying Staniforth Road over the canal;

(Attercliffe to
Meadowhall).

Work No. 3 A railway (2,798 metres in length) commencing at the termination of Work No. 2, passing north-eastwards partly on, and partly alongside the western side of, the Great Central Railway (Mexborough Branch), over Worksop Road, under the bridges carrying Coleridge Road and Broughton Lane over that railway, passing on the level across a railway siding on the western side of that railway at Tinsley, then under the footbridge between Lock House Road and Shepcote Lane, the bridge carrying the Midland Railway (Tinsley Marshalling Yards Branch) over the Great Central Railway (Mexborough Branch) and the bridge carrying Sheffield Road over that railway, and terminating at the junction with that railway of the former Smithywood Branch Railway, including a bridge (No. 5) over Worksop Road on the western side of the bridge carrying the Great Central Railway (Mexborough Branch) over that road.

In the City of Sheffield and the Metropolitan Borough of Rotherham—

Work No. 4 A railway (708 metres in length) commencing by a junction with Work No. 3 at its termination, passing along the course of the former Smithywood Branch Railway, crossing over the River Don by the existing railway bridge and terminating at a point 54 metres south of the bridge carrying the Midland Railway over that former branch railway;

Work No. 4A A footbridge across Work No. 4 and the Great Central Railway (Mexborough Branch) between a point 20 metres west of Work No. 4 at a point on that work 62 metres from its commencement and terminating at a point 8 metres east of the eastern side of

the Great Central Railway (Mexborough Branch) at a point 67 metres north of the junction of the Smithywood Branch Railway with that railway;

SCH. 1
—cont.

Work No. 5 A railway (522 metres in length) commencing by a junction with Work No. 4 at its termination, turning south-westwards to a point on the eastern side of the Midland Railway 160 metres north-east of the bridge carrying that railway over Blackburn Brook near Meadowhall Road, passing across that bridge and the bridge carrying that railway over Meadowhall Road, then diverging south-eastwards from that railway and terminating in the intended Meadowhall Interchange at a point (National Grid reference point SK 39049 91239) 220 metres south-west of the southern end of that last-mentioned bridge;

In the City of Sheffield—

Work No. 6 A railway (444 metres in length) commencing by a junction with Work No. 1 at a point 150 metres north-east of the northern end of the bridge (No. 1) over Sheffield Parkway forming part of that work and terminating by a junction with that work on the south-western approach viaduct to the bridge (No. 2) over the Great Central Railway forming part of that work at a point 30 metres south-west of the southern end of that bridge, together with sidings comprising a depot for the LRT system with access thereto from Woodbourn Road.

(Nunnery
Depot).

PART II

DESCRIPTION OF FURTHER WORKS AND POWERS

Section 5.

In the City of Sheffield—

(a) The Executive may—

(i) stop up and discontinue so much of South Street, between its junction with Anson Street and its termination, as lies between the points marked A1 and A2 on the deposited plans;

(ii) stop up and discontinue—

(A) the part of the footpath crossing Park Square between the points marked A3 and A4 on the deposited plans by way of the points so marked A7 and A9, substituting therefor a new footpath between the points so marked A3 and A4 by way of the points so marked A7, A10 and A6;

(B) the part of the footpath crossing Park Square between the points marked A4 and A5 on the deposited plans by way of the point so marked A9, substituting therefor a new footpath between the points so marked A4 and A5;

(C) the part of the footpath crossing Park Square between the points marked A5 and A8 on the deposited plans by way of the point so marked A9, substituting therefor a new footpath between the points so marked A5 and A8 by way of the points so marked A6, A10 and A13;

(D) the part of the footpath crossing Park Square between the points marked A7 and A8 on the deposited plans, substituting therefor a new footpath between those points by way of the point so marked A13;

(iii) alter the levels of so much of the footpath across Park Square on its eastern side as lies between the points marked A11 and A12 on the deposited plans.

SCH. 1
—cont.

(b) The Executive may—

(i) stop up and discontinue so much of the footpath between Bernard Road and Aston Street on the northern side of Cricket Inn Road as lies between the points marked B1 and B2 on the deposited plans, together with the steps between that footpath and the northern footway of Cricket Inn Road at the points marked B3 and B4 on the deposited plans, substituting a footpath, with vehicular access, between Cricket Inn Road and Aston Street between the points marked B5 and B6 on the deposited plans;

(ii) stop up and discontinue—

(A) so much of Aston Street near its junction with Cricket Inn Road as lies between the points marked B7 and B8 on the deposited plans;

(B) so much of Lumley Street near its junction with Woodbourn Road as lies between the points marked B9 and B10 on the deposited plans.

(c) The Executive may—

(i) stop up and discontinue so much of Roundel Street at its junction with Staniforth Road as lies between the points marked C1 and C2 on the deposited plans;

(ii) stop up and discontinue so much of the footpath, between Shortridge Street and Chippingham Street, as passes between the points marked C3 and C6 on the deposited plans by way of the points so marked C4 and C7, substituting therefor a new footpath between the said points C3 and C6 passing by way of the point so marked C5;

(iii) stop up and discontinue so much of the footpaths, between Chippingham Street and Shirland Lane, as lies between the points marked C5 and C4 and the points marked C7 and C8 on the deposited plans;

(iv) stop up and discontinue the footpath between Shirland Way and Chippingham Street lying between the points marked C9 and C10 on the deposited plans.

(d) The Executive may stop up and discontinue so much of the footpath, between Alsing Road and Blackburn Meadows, as lies between the points marked D1 and D2 on the deposited plans and remove the footbridge forming part of that footpath over the former Smithywood Branch Railway, substituting therefor a footpath between those points, passing by way of a level crossing across that railway between the points so marked D3 and D4 and a new footpath between the points so marked D4 and D2.

SCHEDULE 2

Sections 6 (1)
and 9 (2).

RAILWAY CROSSINGS IN STREETS

Footpaths across Park Square.

Bernard Road.

Footpath and vehicular access between Cricket Inn Road and Aston Street.

Woodbourn Road, Worthing Road and Stadium Way.

Staniforth Road.

Footpath and cycle track between Roundel Street and Chippingham Street
(Work No. 2B).

Shirland Lane.

Footpath and vehicular access between Alsing Road and Blackburn Meadows.

SCHEDULE 3

Section 10 (2).

ADDITIONAL LANDS WHICH MAY BE ACQUIRED OR USED

In the City of Sheffield

Purpose (1)	Location (2)	Lands numbered on the deposited plan (3)
For the provision of station access.	Coleridge Road.	73, 74, 74a, 74b and 75.
For the provision of station access.	Broughton Lane.	76, 78, 78a, 78b and 79.
For the provision of station access.	Lock House Road.	82 and 83.
For the provision of a working site for construction purposes.	Under Tinsley Viaduct.	91 and 92.

LONDON: PUBLISHED BY HMSO
£4.00 net
ISBN 0 10 511989 x



South Yorkshire Light Rail Transit Act 1989

CHAPTER xix

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

1. Short title.
2. Interpretation.
3. Incorporation or application of enactments.

PART II

WORKS

4. Power to make works.
5. Further works and powers.
6. Level crossings and other works affecting streets.
7. Power to deviate.
8. Agreements with British Railways Board.
9. Application of works provisions of Act of 1988.

PART III

LANDS

10. Power to acquire lands.
11. Application of land purchase provisions of Act of 1988.
12. Period of compulsory purchase of lands or rights.

PART IV

PROTECTIVE PROVISIONS

Section

13. Application of protective provisions of Act of 1988.
14. For protection of British Railways Board.
15. For protection of British Waterways Board.

PART V

PENALTY FARES

16. Interpretation for Part V.
17. Operation of Part V.
18. Penalty fares.
19. Amount of penalty fare.
20. Document to be issued in connection with penalty fare requirement.
21. Notice of penalty fare provisions.
22. Supplementary provisions.
23. Exclusion of double liability.
24. Orders under this Part.

PART VI

MISCELLANEOUS AND GENERAL

25. Application of general provisions of Act of 1988.
26. Removal of obstructions.
27. Byelaws.
28. Powers of disposal, agreements for operation, etc.
29. Arbitration.
30. Planning permission.

SCHEDULES:

Schedule 1—

Part I—Description of works specifically authorised.

Part II—Description of further works and powers.

Schedule 2—Railway crossings in streets.

Schedule 3—Additional lands which may be acquired or used.

