

---

STATUTORY INSTRUMENTS

---

**2015 No. 1876**

**The Network Rail (Tinsley Chord) Order 2015**

**PART 4**

**OPERATION OF THE AUTHORISED TRAMROAD**

**Removal of obstructions**

**29.**—(1) If any obstruction is caused to tramcars using the authorised tramroad by a vehicle waiting, loading, unloading or breaking down on any part of the tramroad, the person in charge of the vehicle must immediately remove it; and if that person fails to do so the promoter may take all reasonable steps to remove the obstruction and may recover the expenses reasonably incurred in doing so from—

- (a) any person by whom the vehicle was put or left so as to become an obstruction to tramcars; or
- (b) any person who was the owner of the vehicle at that time unless that person shows that, at that time, the person was not concerned in or aware of the vehicle being so put or left.

(2) If any obstruction is caused to tramcars using the authorised tramroad by a load falling on the tramroad from a vehicle, the person in charge of the vehicle must immediately remove the load from the tramroad; and if that person fails to do so, the promoter may take all reasonable steps to remove the load and may recover the expenses reasonably incurred in doing so from—

- (a) any person who was in charge of the vehicle at the time when the load fell from it; or
- (b) any person who was the owner of the vehicle at that time unless that person shows that, at that time, the person was not concerned in, or aware of, the vehicle being in the place at which the load fell from it.

(3) For the purposes of this article the owner of a vehicle is taken to be the person by whom the vehicle is kept; and in determining for those purposes who was the owner of the vehicle at any time, it is presumed (unless the contrary appears) that the owner was the person in whose name the vehicle was at that time registered under the Vehicle Excise and Registration Act 1994<sup>(1)</sup>.

(4) A person who, wilfully and without lawful excuse—

- (a) interferes with or removes the authorised tramroad or any part of the authorised tramroad or the works connected with it;
- (b) places or throws materials or objects of any kind on any part of the authorised tramroad; or
- (c) does anything which obstructs any tramcar using the authorised tramroad, whether or not such obstruction endangers the lives of any person in the tramcars,

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

---

<sup>(1)</sup> 1994 c. 22.

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---