

SCHEDULE

Article 5(13)

THE LONDON LUTON AIRPORT PASSENGER TRANSIT SYSTEM BYELAWS 2021

The following byelaws have effect under article 5(13) of the London Luton Airport Passenger Transit System Order 2021.

PART 1

PRELIMINARY

Citation and commencement

1. These byelaws may be cited as the London Luton Airport Passenger Transit System Byelaws 2021 and come into force on the later of—

- (a) the beginning of the day when the passenger transit system first opens for use by fare paying passengers; and
- (b) the coming into force of the London Luton Airport Passenger Transit System Order 2021.

Interpretation

2. 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⁽¹⁾;

“authorised person” means—

- (a) a person acting in the course of that person’s 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, community support officer or person accredited by or under section 41 (accreditation under community safety accreditation schemes) or 43 (railway safety accreditation scheme) of the Police Reform Act 2002⁽²⁾, acting in the execution of that person’s duties upon or in connection with the passenger transit system;

“the byelaws” means these byelaws;

“carriage” means each vehicle used for the carriage of passengers carried on a track with side guidance and forming part of the passenger transit system;

“Central Terminal” means the central terminal at the airport;

“compulsory ticket area” means any part of the passenger transit 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) of the Misuse of Drugs Act 1971⁽³⁾;

“drunk” means being under the influence of alcohol;

(1) 2003 c. 17. Section 191 was amended by section 135 of the Policing and Crime Act 2017 (c. 3) and S.I. 2006/2407.

(2) 2002 c. 30. Section 41 was amended by paragraph 42 of Schedule 14 to the Police and Justice Act 2006 (c. 48). Section 43 was amended by paragraph 14 of Schedule 4 to the Police and Justice Act 2006, paragraph 297 of Schedule 16 to the Police Reform and Social Responsibility Act 2011 (c. 13), paragraph 14(2) of Schedule 23 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), paragraphs 6 and 7 of Schedule 14 to the Policing and Crime Act 2017 and S.I. 2004/1573.

(3) 1971 c. 38. Section 2 was amended by paragraph 2 of Schedule 17 to the Police Reform and Social Responsibility Act 2011.

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“LLAL” means London Luton Airport Limited, a private limited company registered in England and Wales under company number 02020381 whose registered office is Hart House Business Centre, Kimpton Road, Luton LU2 0LA;

“Luton Airport Parkway Station” means Luton Airport Parkway railway station;

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

“operator” means—

- (a) LLAL; or
- (b) any person or body granted the authority by LLAL to act as operator in relation to any part of the passenger transit system;

“passenger transit station” means a station where passengers may purchase tickets for travel on the passenger transit system and enter and alight from carriages;

“passenger transit system” means the mass passenger transit system linking Luton Airport Parkway Station and the Central Terminal as constructed by LLAL including but not limited to—

- (a) the stations, passenger embarkation and disembarkation areas, associated public spaces and pedestrian and vehicular access ways and service roads;
- (b) the track bed, cables, carriages, viaduct, bridge and all other associated plant, equipment, apparatus and facilities; and
- (c) any other associated structure or building;

“station” means a station, its passenger embarkation and disembarkation areas, associated public spaces and pedestrian and vehicular access ways forming part of the passenger transit system;

“ticket” means a ticket authorising the person to whom it is issued to make the journey on the passenger transit system covered by the ticket; 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 passenger transit system which the person 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 passenger transit system.

(2) Any person directed by a notice to queue or wait or asked to queue or wait by an authorised person must join the rear of the queue or wait where told 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 passenger transit system any dangerous item.

(2) A dangerous item is an item which, in the reasonable opinion of the operator or 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;
- (b) any flammable, explosive or corrosive substance; and
- (c) any other item which in the reasonable opinion of the operator or 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, vape, use an e-cigarette or carry a lighted cigar, cigarette, lighter, match, pipe or other lighted item on any part of the passenger transit 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 passenger transit system.

(2) A person must not—

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

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

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

(4) Where an authorised person reasonably believes that any person is unfit to enter or remain on the passenger transit 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 passenger transit system at the next available opportunity;
- (b) prevent that person from entering or remaining on the passenger transit 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, attempt to enter or remain on the passenger transit 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 passenger transit system or the property or clothing of any other person on the passenger transit system.

Unacceptable behaviour

8. When on or using the passenger transit system, a person must not—

- (a) use any threatening, abusive, obscene or offensive language;

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- (b) behave in a disorderly, indecent or offensive manner;
- (c) write, draw, paint or fix anything on the passenger transit system;
- (d) soil any part of the passenger transit system;
- (e) damage or detach any part of the passenger transit 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 passenger transit 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 passenger transit system except with written permission from the operator or an authorised person.

(2) A person on the passenger transit 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 or an authorised person.

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

PART 3

EQUIPMENT AND SAFETY

Stations and other premises on the passenger transit system

10.—(1) Where the entrance to or exit from any part of a passenger transit station 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 passenger transit 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 passenger transit system indicating that it must be used for entrance or exit 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 passenger transit system except—

- (a) by means of any of the controls intended for use by that person; or
 - (b) in an emergency and 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 10(1) to (5) is liable to the same penalties under the byelaws as is a person who has breached those byelaws.

Carriages

11. A person must not—

- (a) enter or attempt to enter a carriage which already contains the maximum permitted number of passengers specified by a notice fixed to the carriage or displayed at the station where the person entered or attempted to enter the carriage;
- (b) throw or drop anything from a carriage;
- (c) open or attempt to open the carriage doors, or enter or leave any carriage, when the carriage is outside the designated boarding and alighting areas within the stations, save in the case of an emergency or as directed by an authorised person;
- (d) enter or leave a carriage except by the proper use of the carriage doors; or
- (e) enter or leave by the carriage doors when they are closing, or force open the doors or obstruct the doors in any way.

General safety

12.—(1) A person must not move, operate, obstruct, stop or in any other way interfere with any part of the passenger transit 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 and 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 passenger transit 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 passenger transit system.

Safety instructions

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

- (a) any notice displayed by the operator on the relevant part of the passenger transit system containing reasonable instructions relating to safety on that part of the passenger transit 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 13(1) even if it would otherwise be so under the byelaws.

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PART 4

CONTROL OF PREMISES

Unauthorised access and loitering

14.—(1) A person must not enter, attempt to enter or remain on—

- (a) any part of the passenger transit system; or
- (b) any land of LLAL in dangerous proximity to the passenger transit system or to any electrical or other apparatus used for or in connection with the operation of the passenger transit 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 passenger transit 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 passenger transit 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) Any person below the age of 12 years must not enter, attempt to enter or remain on the passenger transit system unless accompanied by an adult.

Causing obstruction with a conveyance

15.—(1) A person in charge of any motorised mobility scooter, bicycle or other conveyance must not—

- (a) use it on any part of the passenger transit system in contravention of any sign; or
- (b) leave or place it in or on the passenger transit system—
 - (i) in such a manner as to cause an obstruction or hindrance to an authorised person, the operator or persons using the passenger transit system; or
 - (ii) otherwise than in accordance with any reasonable direction of an authorised person.

(2) The person in charge of any motorised mobility scooter, bicycle or other conveyance used, left or placed in breach of byelaw 15(1) may be liable to pay a penalty as stated on a notice displayed in the area to which the relevant restrictions apply.

(3) Without prejudice to byelaw 15(2), any conveyance used, left or placed in breach of byelaw 15(1) may be removed or stored by or under the direction of the operator or an authorised person and if it has not been claimed within three months of its removal the operator or authorised person may dispose of the conveyance.

(4) The owner of a conveyance will be liable to the operator or an authorised person for the costs incurred in removing and storing it provided that there is displayed in the area to which the relevant restrictions apply a notice stating that—

- (a) any conveyance used, left or placed contrary to the byelaws may be removed and stored by the operator or an authorised person; and

- (b) the costs incurred by the operator or an authorised person for this may be recovered from the conveyance's owner.

Pedestrian-only areas

16.—(1) Any person who enters or is on any part of the passenger transit 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 passenger transit 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 16(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

17.—(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 passenger transit system.

(2) A person must not bring an animal which has been refused access under byelaw 17(1) onto the passenger transit system.

(3) A person in charge of an animal must—

- (a) not allow it to foul or damage the passenger transit system;
- (b) not leave or place it unattended on any part of the passenger transit system; and
- (c) ensure that it is on a leash or otherwise suitably controlled.

(4) If a person in charge of an animal breaches any of byelaws 17(2) and (3), then that person—

- (a) may be asked by the operator or an authorised person to remove that animal, and if that person fails to do so immediately, then that animal may be removed by or under the direction of the operator or 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.

(5) Any liability to the operator under byelaw 17(4) is in addition to any penalty for the breach of byelaws 17(2) to (3).

PART 5

TRAVEL AND FARES

Compulsory ticket areas

18.—(1) A person must not enter a compulsory ticket area on the passenger transit system unless that person has a valid ticket.

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(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 is not in breach of byelaw 18(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

19.—(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 19(1).

Unauthorised buying or selling of tickets

20.—(1) Subject to byelaw 20(2), 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 20(1) does not apply to—

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

the operator or an authorised person or from an authorised ticket machine.

(3) A person who attempts to breach byelaw 20(1) is liable to the same penalties under the byelaws as is a person who has breached that byelaw.

Fares offences committed on behalf of another person

21. 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

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

(2) The authorised person requesting details under byelaw 22(1) must state the nature of the suspected breach of the byelaws in general terms at the time of the request.

Compliance with instructions

23. 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

24.—(1) Any person who is reasonably believed by an authorised person to be in breach of any of the byelaws must leave the passenger transit 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 passenger transit system by an authorised person using reasonable force.

(3) This right of removal is in addition to the imposition of any penalty for the breach of the byelaws.

(4) In exercising powers conferred by byelaws 24(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

25.—(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 25(1) must include the name of the authorised person’s employer and a means of identifying the authorised person.

Offence and level of fines

26. 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

27. 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.

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Breaches by authorised persons

28. An authorised person acting in the course of the duties of the authorised person is not liable for a breach of any of byelaws 4, 6(2) and 6(3), 8(c) and 8(e), 10, 11, 12(1), 14, 15, 16, 17(2) to 17(4) and 18.