

TRANSPORT FOR LONDON

BOARD

SUBJECT: RAILWAY AND ROAD TRANSPORT PREMISES BYELAWS

DATE: 24 JUNE 2009

1 PURPOSE

- 1.1 The purpose of this paper is to request that the Board approve the draft TfL Railway Byelaws ('the draft Railway Byelaws') and the draft TfL Road Transport Premises Byelaws ('the draft RTP Byelaws').
- 1.2 The draft RTP Byelaws were considered by the Surface Transport Panel at its meeting on 19 May 2009 and the draft Railway Byelaws were considered by the Rail and Underground Panel at its meeting on 20 May 2009. The Panels recommended that the Board approve the draft Byelaws without any modifications.

2 BACKGROUND

- 2.1 Under paragraph 26 of schedule 11 to the Greater London Authority Act 1999, TfL may make byelaws regulating the use and working of its railways, travel on its railways, the maintenance of order on its railways and the conduct of all persons while on its railways. The draft Railway Byelaws will replace the London Regional Transport Railways Byelaws 2000 ('the LRT Byelaws') and the Docklands Light Railway Limited Byelaws 2000 ('the DLR Byelaws'). It is also intended that the draft Railway Byelaws will apply to London Overground trains and stations for which TfL is the operator. A copy of the draft Railway Byelaws is attached as Appendix 1.
- 2.2 Under section 25 of the London Transport Act 1969, TfL may make byelaws regulating the use and operation of, and the conduct of people on, TfL's road transport premises. Road transport premises include garages, depots, bus stations, shelters and other premises used to provide London's bus services as well as vehicles and equipment on these premises. The draft RTP Byelaws will replace the Road Transport Premises Byelaws 1971 ('the current RTP Byelaws'). A copy of the draft RTP Byelaws is attached as Appendix 2.
- 2.3 Pursuant to TfL's Standing Orders, amendments to existing byelaws are a matter reserved to the Board. Once the Byelaws are approved by the Board and have been made, they must be submitted to the Secretary of State for confirmation pursuant to section 67 of the Transport Act 1962. Public consultation on the Byelaws will be undertaken by the Secretary of State prior to confirmation.

3 SUMMARY OF PROPOSED CHANGES

- 3.1 A set of framework byelaws has been issued for national railways by DfT ('the framework byelaws'). The LRT Byelaws and the DLR Byelaws were drafted using the framework byelaws as a basis. DfT has requested that TfL continue to use the framework byelaws as a basis for its railways byelaws so that a fairly standardised set of byelaws applies across the railway industry. The current RTP Byelaws were not drafted using the framework byelaws as a basis and consequently the draft RTP Byelaws incorporate amendments to adopt the wording, where appropriate, of the framework byelaws to ensure consistency of byelaws on TfL's services.
- 3.2 The proposed changes to the LRT Byelaws and the DLR Byelaws made by the draft Railway Byelaws are as follows.
- a) Minor drafting amendments have been made to Byelaw 2 which regulates potentially dangerous items on TfL's railways.
 - b) Byelaw 4 which relates to alcohol and controlled drugs has been amended to ban open containers of alcohol and the consumption of alcohol on the railway in accordance with the Mayor's alcohol ban.
 - c) Byelaw 6 which regulates unacceptable behaviour has been amended to allow people to leave litter in rubbish bins if rubbish bins are provided on the railway. Previously people were required to take their rubbish with them.
 - d) Byelaw 9(1) which manages conduct on escalators has been amended to require that customers stand on the right of escalators when not walking up, down or along them to address congestion and safety concerns at stations.
 - e) Byelaw 10 which regulates the safe use of trains has been amended to state that customers shall not obstruct or force open automatic train doors when they are closing. Holding the doors open causes delay to train services, increases dwell time on platforms and can cause damage to door mechanisms.
 - f) Byelaw 11 which regulates general safety on TfL's railways has been amended to prevent unnecessary activation of emergency or communications systems. Activation of emergency or communication systems without reasonable cause results in unnecessary delays to services.
 - g) Byelaw 16 which regulates the control of animals on TfL's railways has also been amended. Due to safety concerns assistance dogs and police dogs are not currently allowed to use moving escalators and are either required to be carried on the escalator or the escalator stopped so the dog can use it. However the Guide Dogs Association has now advised that properly trained assistance dogs and police dogs can use moving escalators safely and consequently byelaw 16 has been amended to allow this.

- h) Byelaw 17 which specifies that people must have a valid ticket to enter a compulsory ticket area has been amended to allow for circumstances where ticket machines have malfunctioned.
- i) Byelaw 21 which specifies that a person shall not lend, transfer or receive any unused or partly used ticket has been amended to allow for the transfer of tickets that are intended for transfer or use by more than one person.
- j) Minor changes have been made to update references to obsolete legislation.

3.3 The proposed changes to the current RTP Byelaws are as follows.

- a) Changes referred to in paragraph 3.2(a), 3.2(b) and 3.2(g) above have also been made to the draft RTP Byelaws.
- b) Byelaw 10 which regulates equipment and obstructions on road transport premises has been amended to specifically prohibit people throwing items on road transport premises and to regulate conduct on escalators.
- c) Byelaw 14 which states the level of fine for breach of a byelaw has been amended to increase the level of fine to level 3 on the standard scale under the Criminal Justice Act 1988 (an amount not exceeding £1000). This amendment has been made to ensure consistency with levels of fine for breaches of other TfL byelaws.
- d) New byelaws 15, 16, 17 and 18 relating to enforcement have been added from the framework byelaws. These byelaws provide for the removal of persons from the premises, require authorised persons to identify themselves, specifically exclude authorised persons from certain byelaws and provides a defence for persons if notices required under the byelaws are not displayed. These byelaws are currently contained in the LRT Byelaws and the DLR Byelaws.

4 EQUALITY AND INCLUSION

- 4.1 There are no negative impacts on equality and inclusion and some of the proposed changes are envisaged to have a positive effect. For example, trained assistance dogs will now be able to use moving escalators making it easier for people with disabilities to access the railway and road transport premises.

5 CRIME AND DISORDER

- 5.1 The byelaws are enforced by 'authorised persons' which is defined in the byelaws as follows:

- a) a person acting in the course of his duties who:
 - (i) is an employee or agent of the Operator; or
 - (ii) is authorised by a person operating any part of the railway; or

- b) any constable, Police Community Support Officer or person accredited by or under sections 41 or 43 of the Police Reform Act 2002, acting in the execution of his duties upon or in connection with the railway.'

This definition is largely the same as that contained in the framework byelaws apart from minor drafting amendments. A reference to persons authorised by a person operating any part of the railway is required to be included in this definition to allow London Overground Rail Operations Limited (LOROL) to authorise persons to enforce the byelaws on Overground services. Persons enforcing the byelaws are required to act reasonably.

- 5.2 All of the byelaws create criminal offences and are subject to a maximum fine which is an amount not exceeding £1000. The byelaws are designed to ensure comfort and safety on the railway system and on premises by minimising unpleasant and dangerous conduct and behaviour, ensuring equipment and property is protected and safety is managed by prohibiting access to dangerous or restricted areas. The draft Railway Byelaws and draft RTP Byelaws will have a positive impact which will minimise crime and disorder and improve safety on TfL's railways and road transport premises.

6 ALTERNATIVES

- 6.1 TfL could maintain the current position. However the proposed changes in the draft Railway Byelaws and draft RTP Byelaws could not be enforced on TfL's railways or road transport premises. The alcohol ban could be enforced on train services (but not stations) if there is a notice in place at stations but could not be enforced under any other circumstances.

7 CONSULTATION

- 7.1 TfL conducted a non-statutory consultation with the British Transport Police, the Metropolitan Police, the City of London Police, Network Rail, Association of Train Operating Companies and London TravelWatch on the draft Railway Byelaws and draft RTP Byelaws from 8 April to 6 May 2009.
- 7.2 One response was received to the consultation from BTP who, while supportive of the proposed changes suggested two additional provisions. The BTP suggested a provision should be included allowing the BTP to stop and search people to identify persons who may be carrying dangerous weapons and also a provision allowing the BTP to carry out spot analysis tests on containers of liquid to determine if they contain alcohol. As the police have existing powers in this regard, no changes to the draft Byelaws have been proposed.
- 7.3 Initial consultation with DfT on the changes included in the draft Railways Byelaws and draft RTP Byelaws has taken place and DfT has indicated that it will provide further comments once the byelaws have been submitted for confirmation.

8 RECOMMENDATION

8.1 The Board is requested to:

- a) APPROVE the draft TfL Railway Byelaws and the draft TfL Road Transport Premises Byelaws; and
- b) DELEGATE authority to the Commissioner to make the TfL Railway Byelaws and TfL Road Transport Premises Byelaws and submit the TfL Railway Byelaws and TfL Road Transport Premises Byelaws to the Secretary of State for confirmation and make any consequential amendments.

9 CONTACT

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TRANSPORT FOR LONDON RAILWAY BYELAWS

Made by Transport for London under paragraph 26 of Schedule 11 to the Greater London Authority Act 1999 and confirmed under section 67 of the Transport Act 1962 by the Secretary of State for Transport on [insert date] for regulating the use and working of its railways; travel on its railways; the maintenance of order on its railways and railway premises, including stations and all the approaches to stations; and the conduct of all persons while on those premises, including officers and employees of Transport for London and its subsidiaries ("the Byelaws").

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INTRODUCTION

The Byelaws apply to trains, track and stations that are part of Transport for London's railway, including the London Underground, London Overground and Docklands Light Railway networks. The Byelaws need to be observed by everyone to ensure ease of travel and safety on the railway system.

Conduct and behaviour

Some practices can be generally unpleasant or dangerous. To make travelling more comfortable and safer, unacceptable behaviour is banned on the railways. Other activities have limits imposed on them so that the majority of railway passengers can travel in comfort.

Equipment and safety

Safety is paramount to the running of all railway services. The Byelaws are very clear on matters of safety in order to protect equipment and property, as well as passengers and staff.

Control of premises

There are areas of the railway that have restricted access, for example pedestrian-only areas, as using other forms of transport (e.g. bicycles) may cause a danger. Also, access is not allowed on any non-public parts of the operating network, such as railway embankments and underground tunnels. Various rules relating to the carriage of animals are also needed.

Travel and fares

When travelling, passengers need to know when and where they need a ticket and where they can go once they have it. For example, can someone use another person's ticket? In addition to the Byelaws, passengers can find further details in the Conditions of Carriage and other conditions of travel which apply to their ticket.

The Byelaws are there to help everyone to travel easily and safely. This can only be achieved if all passengers take time to consider their actions and observe the Byelaws.

A copy of the Byelaws can be found on Transport for London's website www.tfl.gov.uk or obtained from:

Central Customer Services
23rd Floor
Empress State Building
Empress Approach
London
SW6 1TR

For definitions of the terms used in the Byelaws please refer to Byelaw 29

CONDUCT AND BEHAVIOUR

1. Queuing

- (1) The Operator or an authorised person may require any person to queue in order to regulate order or safety on or near the railway.
- (2) Any person directed by a notice to queue or asked to queue by an authorised person shall join the rear of the queue and obey the reasonable instructions of any authorised person regulating the queue.

2. Potentially dangerous items

- (1) Except with written permission from the Operator or an authorised person, no person shall bring with him, attempt to bring with him or allow to remain on the railway any potentially dangerous item.
- (2) A potentially dangerous item is an item which, in the reasonable opinion of an authorised person, may or may be used to threaten, annoy, soil or damage any person or any property. For the avoidance of doubt, a potentially dangerous item may include, but is not limited to:
 - (i) a loaded weapon of any kind;
 - (ii) any flammable, explosive or corrosive substance; and
 - (iii) any item which is or may become dangerous.
- (3) If any person in charge of an item in breach of Byelaw 2(1) is asked by an authorised person to remove it and fails to do so immediately it may be removed by or under the direction of an authorised person.

3. Smoking

No person shall smoke or carry a lighted cigar, cigarette, lighter, match, pipe or other lighted item on any part of the railway on or near which there is a notice indicating that smoking is not allowed.

4. Alcohol and controlled drugs

- (1) No person shall enter, attempt to enter or remain on the railway if he is unfit as a result of being drunk or under the influence of controlled drugs.
- (2) No person shall enter, attempt to enter or remain on the railway while in possession of an open container of alcohol, unless expressly permitted to do so in a particular area.
- (3) No person shall consume alcohol on the railway, unless expressly permitted to do so in a designated area.

- (4) Without prejudice to Byelaws 4(2) and 4(3), where reasonable notice is, or has been, given prohibiting alcohol on any train on or of the railway, no person shall have any alcohol with him on such a train, or attempt to enter such a train, with alcohol with him.
- (5) Where an authorised person reasonably believes that any person is unfit to enter or remain on the railway or is in possession of alcohol in contravention of any provision of Byelaw 4, the authorised person may:
 - (i) require him to leave the railway;
 - (ii) prevent him entering or remaining on the railway until the authorised person is satisfied that he is no longer in an unfit condition or no longer has any alcohol with him in contravention of Byelaw 4; and
 - (iii) remove any alcohol or controlled drugs.

5. Unfit condition

No person shall enter or remain on the railway if, in the reasonable opinion of an authorised person, he is in an unfit or improper condition or his clothing may soil or damage any part of the railway or the property or clothing of any person on the railway.

6. Unacceptable behaviour

- (1) No person shall use any threatening, abusive, obscene or offensive language on the railway.
- (2) No person shall behave in a disorderly, indecent or offensive manner on the railway.
- (3) No person shall write, draw, paint or fix anything on the railway.
- (4) No person shall soil any part of the railway.
- (5) No person shall damage or detach any part of the railway.
- (6) No person shall spit on the railway.
- (7) No person shall leave litter or waste on the railway except in receptacles specifically provided by the Operator for those purposes.
- (8) No person shall molest or wilfully interfere with the comfort or convenience of any person on the railway.

7. Music, sound, advertising and similar activities

- (1) Except with written permission from the Operator, no person on the railway shall, to the annoyance of any person:
 - (i) sing; or

- (ii) use any instrument, article or equipment for the production or reproduction of sound.
- (2) Except with written permission from the Operator, no person on the railway shall:
- (i) display anything for the purpose of advertising or publicity, or distribute anything;
 - (ii) sell anything or expose or offer anything for sale; or
 - (iii) tout for or solicit money, reward, custom or employment of any kind.
- (3) A person shall have the written permission referred to in Byelaws 7(1) or 7(2) with him when undertaking the activities referred to in Byelaw 7(1) or 7(2) and shall hand it over for inspection when asked by an authorised person. A person shall comply with any conditions set out in or attached to the written permission.

8. Unauthorised gambling

No person shall gamble on any part of the railway except lawful gambling on premises authorised by the Operator for that purpose.

EQUIPMENT AND SAFETY

9. Stations and other premises on the railway

- (1) No person shall use any escalator on the railway except by standing or walking on it in the direction intended for travel. Persons shall keep to the right of escalators when not walking up, down or along them.
- (2) Where the entrance to or exit from any platform or station on the railway is via a manned or automatic ticket barrier no person shall enter or leave the station, except with permission from an authorised person, without passing through the barrier in the correct manner.
- (3) No person shall open a barrier or any other gate on the railway except where there is a notice indicating that it may be used by him or with permission from an authorised person.
- (4) Where there is a notice by an entrance or exit on any part of the railway indicating that it shall be used for entrance or exit only, no person shall enter by the exit or leave by the entrance. No person shall enter or leave by an emergency exit except in an emergency or when directed to do so by an authorised person.
- (5) No person shall move, operate or stop any lift or escalator on the railway except:
 - (i) 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; or
 - (ii) in case of a lift, by means of any of the controls intended for the use by that person.

- (6) A person who attempts to breach any of Byelaws 9(1) to 9(5) shall be liable to the same penalties under the Byelaws as if he had breached that byelaw.

10. Trains

- (1) Byelaw 10 applies to trains on or of the railway.
- (2) No person shall enter through any train door until any person leaving by that door has passed through it.
- (3) No person shall be in or on any train except on the parts of it intended for use by that person.
- (4) No person shall open a train door, or enter or leave any train, while it is in motion or between stations.
- (5) No person shall enter or leave a train except by the proper use of a train door.
- (6) In the case of automatic closing train doors, no person shall enter or leave by the door, force open the door or obstruct the door in any way when it is closing.
- (7) A person who attempts to breach any of Byelaws 10(2) to 10(6) shall be liable to the same penalties under the Byelaws as if he had breached that byelaw.

11. General safety

- (1) No person shall move, operate, obstruct, stop or in any other way interfere with any part of a train or other equipment on the railway except:
- (i) in an emergency, by means of any equipment on or near which is a notice indicating that is intended to be used in an emergency; or
 - (ii) any equipment intended for the use of passengers in that way in normal operating circumstances.
- (2) No person shall place, throw, drop or trail anything on the railway which is capable of injuring, damaging or endangering any person or any property.
- (3) No person shall, without reasonable cause, activate any emergency and/or communications system on any part of the railway.
- (4) A person who attempts to breach any of Byelaws 11(1) to 11(3) shall be liable to the same penalties under the Byelaws as if he had breached that byelaw.

12. Safety instructions

- (1) The Operator may issue to any person reasonable instructions relating to safety on any part of the railway by means of a notice on or near that part of the railway. No person shall, without reasonable cause, disobey such notice.
- (2) An authorised person may, in an emergency or in other circumstances in which he believes he should act in the interest of safety, issue instructions to any

person on any part of the railway. No person shall, without reasonable cause, disobey such instructions.

- (3) No offence is committed under the Byelaws where a person acts in accordance with the instructions or notice given under Byelaw 12(1) or 12(2).

CONTROL OF PREMISES

13. Unauthorised access and loitering

- (1) No person shall enter, attempt to enter or remain on any part of the railway where there is a notice:
- (i) prohibiting access; or
 - (ii) indicating that it is reserved or provided for a specified category of person only, except where he belongs to that specified category;

unless invited or directed to do so by an authorised person.

- (2) No person shall loiter on the railway if asked to leave by an authorised person.

14. Traffic signs, causing obstructions and parking

- (1) No person in charge of any motor vehicle, bicycle or other conveyance shall use it on any part of the railway in contravention of any traffic sign.
- (2) No person in charge of any motor vehicle, bicycle or other conveyance shall leave or place it on any part of the railway:
- (i) in any manner or place where it may cause an obstruction or hindrance to the Operator or any person using the railway; or
 - (ii) otherwise than in accordance with any instructions issued by or on behalf of the Operator or authorised person.
- (3) No person in charge of any motor vehicle, bicycle or other conveyance shall park it on any part of the railway 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.
- (4) The owner of any motor vehicle, bicycle or other conveyance used, left or placed in breach of any of Byelaws 14(1) to 14(3) may be liable to pay a penalty as displayed in that area.
- (5) Without prejudice to Byelaw 14(4), any motor vehicle, bicycle or other conveyance used, left or placed in breach of any of Byelaws 14(1) to 14(3) may be clamped, removed and/or stored by or under the direction of the Operator or an authorised person.
- (6) The owner of the motor vehicle, bicycle or other conveyance shall 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 any vehicle parked contrary to the Byelaws may be clamped, removed and stored by the Operator or authorised person and that the costs incurred by the Operator or authorised person for this may be recovered from the vehicle's owner.

- (7) The power of clamping and removal referred to in Byelaw 14(5) shall not be 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 and/or removed by the Operator or authorised person.

15. Pedestrian-only areas

- (1) Any person who enters or is on any part of the railway to which the public have access must be on foot, except:
- (i) where there is a notice permitting access to that part of the railway to those with specified conveyances; or
 - (ii) where the Operator or an authorised person has given permission,
- and in either case he shall obey any instructions given by the Operator or an authorised person.
- (2) No person shall be in breach of Byelaw 15(1) for properly using a baby carriage or wheelchair, except where there is a notice or instructions given by the Operator or an authorised person to the contrary.

16. Control of animals

- (1) The Operator or an authorised person may refuse carriage or entry to any animal which, in their reasonable opinion, may threaten, annoy, soil or damage any person or property on the railway. No person shall bring an animal on any part of the railway to which it has been refused access pursuant to this Byelaw 16(1).
- (2) No person shall bring an animal on the railway without a valid ticket for that animal, if the Operator requires him to have a valid ticket for the carriage of such an animal.
- (3) No person in charge of an animal shall allow it to foul or damage any property, vehicle or other part of the railway.
- (4) No person in charge of an animal shall leave or place it unattended on any part of the railway, 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 16(1) to 16(4), then that person:

- (i) 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;
 - (ii) shall be liable to the Operator for the cost incurred by or on behalf of the Operator in removing and keeping it; and
 - (iii) shall be liable to the Operator for the cost of putting any property soiled or damaged back into its proper condition.
- (6) Any person in charge of an animal shall carry it when on a moving escalator on the railway, unless that animal is a trained assistance dog or police dog.
- (7) Any liability to the Operator under Byelaw 16(5) is in addition to any penalty for the breach of Byelaw 16.

TRAVEL AND FARES

17. Compulsory ticket areas

- (1) No person shall enter a compulsory ticket area on the railway unless he has with him a valid ticket.
- (2) A person shall hand over his ticket for inspection and verification of validity when asked to do so by an authorised person.
- (3) No person shall be in breach of Byelaw 17(1) or 17(2) if:
- (i) there were no facilities in working order for the issue or validation of any ticket at the time when, and the station where, he began his journey;
 - (ii) there was a notice at the station where he began his journey permitting journeys to be started without a valid ticket; or
 - (iii) the Operator or an authorised person gave him permission to travel without a valid ticket.

18. Ticketless travel in non-compulsory ticket areas

- (1) In any area not designated as a compulsory ticket area, no person shall enter any train for the purpose of travelling on the railway unless he has with him a valid ticket entitling him to travel.
- (2) A person shall hand over his ticket for inspection and verification of validity when asked to do so by an authorised person.
- (3) No person shall be in breach of Byelaw 18(1) or 18(2) if:
- (i) there were no facilities in working order for the issue or validation of any ticket at the time when, and the station where, he began his journey;
 - (ii) there was a notice at the station where he began his journey permitting journeys to be started without a valid ticket; or

- (iii) the Operator or an authorised person gave him permission to travel without a valid ticket.

19. No Byelaw

20. Altering tickets and use of altered tickets

- (1) No person shall alter any ticket in any way with the intent that the Operator shall be defrauded or prejudiced.
- (2) No person shall knowingly use, or knowingly attempt to use, any ticket which has been altered in any way in breach of Byelaw 20(1).

21. Unauthorised buying or selling of tickets

- (1) Subject to Byelaw 21(5), no person shall sell or buy any ticket.
- (2) Subject to Byelaw 21(5), no person shall lend, transfer or receive any unused or partly used ticket intending that any person shall use it for travelling, unless the conditions of use for the ticket specifically permit such a loan, transfer or receipt.
- (3) Subject to Byelaw 21(5), no person shall knowingly use any ticket which has been obtained in breach of Byelaw 21.
- (4) A person who attempts to breach any of Byelaws 21(1) to 21(3) shall be liable to the same penalties under the Byelaws as if he had breached that byelaw.
- (5) Byelaw 21 shall not apply to the sale, other transfer or loan by, or the purchase or other receipt from, an authorised person in the course of his duties or from an authorised ticket machine.

22. Fares offences committed on behalf of another person

- (1) No person shall buy a ticket on behalf of another person intending to enable another person to travel without having paid the correct fare.
- (2) No person shall transfer or produce a ticket on behalf of another person intending to enable that other person to travel without having paid the correct fare.

ENFORCEMENT

23. Name and address

- (1) Any person reasonably suspected by an authorised person of breaching or attempting to breach any of the Byelaws shall give his name and address when requested to do so by an authorised person.
- (2) The authorised person requesting details under Byelaw 23(1) shall state the nature of the suspected breach of the Byelaws in general terms at the time of the request.

24. Offence and level of fines

Any person who breaches any of the Byelaws commits an offence and may be liable for each such offence to a penalty not exceeding level 3 on the standard scale.

25. Removal of persons

- (1) Any person who is reasonably believed by an authorised person to be in breach of any of the Byelaws shall leave the railway immediately if 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 desist or leave when asked to do so by an authorised person may be removed from the railway 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) No person shall fail to carry out the instructions of an authorised person acting in accordance with powers given by the Byelaws or any other enactment.
- (4) In exercising powers conferred by Byelaws 25(1) and 25(2) the authorised person shall state the nature of the breach of the Byelaws in general terms prior to exercising the power conferred upon him.

26. Identification of authorised persons

An authorised person who is exercising any power conferred on him by any of the Byelaws shall produce a form of identification when requested to do so. Such identification shall include the name of his employer and a means of identifying the authorised person.

27. Notices

No person shall be 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.

28. Breaches by authorised persons

An authorised person acting in the course of his duties shall not be liable for breach of any of Byelaws 2, 4(2) and 4(4), 6(3) and 6(5), 7, 9, 10, 11(1), 13, 14, 15, 16(6), 17, 18 and 20(1).

INTERPRETATION AND GENERAL PROVISIONS

29. Definitions

In the Byelaws the following expressions have the following meanings and any replacement, modification or amendment to any legislation shall be applied to these meanings:

“alcohol” has the meaning ascribed to it in section 191 of the Licensing Act 2003;

"assistance dog" has the meaning ascribed to it in section 37A of the Disability Discrimination Act 1995;

"authorised person" means:

- (a) a person acting in the course of his duties who:
 - (i) is an employee or agent of the Operator; or
 - (ii) is authorised by a person operating any part of the railway; or
- (b) any constable, Police Community Support Officer or person accredited by or under sections 41 or 43 of the Police Reform Act 2002, acting in the execution of his duties upon or in connection with the railway;

"being drunk" means being under the influence of alcohol;

"compulsory ticket area" means any part of the railway identified by a notice stating that no person may enter there without being in possession of a valid ticket;

"controlled drugs" has the meaning ascribed to it in section 2 of the Misuse of Drugs Act 1971;

"escalator" includes travelator or similar device;

"notice" means a notice given by or on behalf of the Operator;

"Operator" means:

- (a) Transport for London and any of its subsidiaries;
- (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 railway; and
- (c) any servants, agents, officers, employees, contractors and subcontractors of Transport for London or any of its subsidiaries.

"railway" means the railways and railway premises of the Operator and includes any train, other vehicle, station, depot, track and any associated equipment;

"standard scale" has the same meaning as in section 37 of the Criminal Justice Act 1982;

"ticket" includes;

- (a) a ticket (including one issued by another railway undertaking) authorising the person for whom it is issued to make the journey covered by the fare paid on a train provided by the Operator (whether or not it also authorises that person to make a journey on a train provided by another railway undertaking);
- (b) any permit authorising the person to whom it is issued to travel on a train provided by the Operator (whether or not it also authorises that person to make a journey on a train provided by another railway undertaking);

- (c) an authority to travel on a train provided by the Operator subject to a condition that payment of the correct fare for the person using that authority on which it is used is made during or at the end of that journey or otherwise as provided by the terms applicable to its use;
- (d) a ticket authorising a person to enter a compulsory ticket area but not to make a train journey;
- (e) any type of free pass, privilege ticket, or any warrant, identity card, voucher or other similar authority accepted by the Operator as authority to travel, or in exchange for or on production of which a ticket for travel may be issued;
- (f) any identity card, reservation or other document required by the Operator to be held or produced for use with other travel documents;
- (g) any type of valid smart card or other form of electronic ticketing; and
- (h) any other ticket or document issued for the purpose of travel of any animal or article on the railway accepted by the Operator.

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

"train" means any item of rolling stock and includes any carriage or compartment of a train;

"valid ticket" means a ticket (including any associated photo/identity card and/or other travel document) lawfully obtained by or on behalf of the person using or attempting to use it and entitling that person to use the particular railway service he is using or attempting to use. Where the terms attaching to the ticket require validation of the ticket such ticket shall not be considered to be a valid ticket for the purposes of the Byelaws unless and until the ticket has been properly validated; and

"validation" in connection with a smart card or electronic ticketing, includes the addition of money to the card and touching it on the card reader at the beginning and end of the journey, as appropriate.

30. Introduction, table of contents and headings

The introduction, table of contents and headings used in the Byelaws are for assistance only and are not to be considered as part of the Byelaws for the purpose of interpretation.

31. Plural

Unless the context requires to the contrary, words importing the singular shall include the plural and vice versa.

32. Gender

Unless the context requires to the contrary, words importing one gender shall include the other gender.

33. Coming into operation of the Byelaws and revocation of previous Byelaws

The Byelaws will come into operation in accordance with the provisions of section 67 of the Transport Act 1962.

When the Byelaws come into operation, the London Regional Transport Byelaws made by London Regional Transport and confirmed by the Secretary of State for the Environment, Transport and the Regions on 19 December 2000 and the Docklands Light Railway Limited Byelaws made by Docklands Light Railway Limited and confirmed by the Secretary of State for the Environment, Transport and the Regions on 19 December 2000 (“the previous Byelaws”), shall be revoked. This revocation is without prejudice to the validity of anything done under the previous Byelaws or to any liability incurred in respect of any act or omission before the date of the coming into operation of the Byelaws.

Signed by authority of Transport for London

[signature]

**Peter Hendy
Commissioner**

[insert date]

The Secretary of State for Transport confirms the above Byelaws pursuant to section 67 of the Transport Act 1962 as applied by paragraph 26 of Schedule 11 to the Greater London Authority Act 1999 and fixes [insert date] as the date that the Byelaws shall come into operation.

Signed by authority of the Secretary of State for Transport on [insert date].

[signature]

Department for Transport

TRANSPORT FOR LONDON ROAD TRANSPORT PREMISES BYELAWS

Made by Transport for London under section 25 of the London Transport Act 1969 and confirmed under section 67 of the Transport Act 1962 by the Secretary of State for Transport on [INSERT DATE] for regulating the use and operation of road transport premises belonging to, leased to, or worked by Transport for London or its subsidiaries, and the approaches thereto; and the conduct of all persons while on those premises including officers and employees of Transport for London and its subsidiaries (“the Byelaws”).

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INTRODUCTION

The Byelaws apply to garages, depots, bus stations, shelters and other premises used to provide London's bus services. They also apply to any vehicles or equipment on these premises. These Byelaws need to be observed by everyone to ensure ease of travel and safety on these premises.

Conduct and behaviour

Some practices can be generally unpleasant or dangerous. To make using road transport premises more comfortable and safer, unacceptable behaviour is banned on these premises. Other activities have limits imposed on them so that the majority of passengers can travel in comfort.

Control of premises

Safety is paramount to the running of all transport services. The Byelaws are very clear on matters of safety in order to protect equipment and property, as well as passengers and staff.

There are areas across the transport system that have restricted access, for example pedestrian-only areas, as using other forms of transport (for example, bicycles), may cause a danger. Also, access is not allowed on any non-public parts of the network. Various rules relating to the carriage of animals are also needed.

The Byelaws are there to help everyone to travel easily and safely. This can only be achieved if all passengers take time to consider their actions and observe the Byelaws.

A copy of the Byelaws can be found on Transport for London's website www.tfl.gov.uk or obtained from:

Central Customer Services
23rd Floor
Empress State Building
Empress Approach
London
SW6 1TR

For definitions of the terms used in the Byelaws please refer to Byelaw 18

CONDUCT AND BEHAVIOUR

1. Queuing

- (1) The Operator or an authorised person may require any person to queue in order to regulate order or safety on or near the premises.
- (2) Any person directed by a notice to queue or when asked to queue by an authorised person, shall join the rear of the queue and obey the reasonable instructions of any authorised person regulating the queue.

2. Potentially dangerous items

- (1) Except with written permission from the Operator or an authorised person, no person shall bring with him, attempt to bring with him or allow to remain on the premises any potentially dangerous item.
- (2) A potentially dangerous item is an item which, in the reasonable opinion of an authorised person, may or may be used to threaten, annoy, soil or damage any person or any property. For the avoidance of doubt, a potentially dangerous item may include, but is not limited to:
 - (i) a loaded weapon of any kind;
 - (ii) any flammable, explosive or corrosive substance; and
 - (iii) any item which is or may become dangerous.
- (3) If any person in charge of an item in breach of Byelaw 2(1) is asked by an authorised person to remove it and fails to do so immediately it may be removed by or under the direction of an authorised person.

3. Smoking

No person shall smoke or carry a lit cigar, cigarette, lighter, match, pipe, or other lighted item on any part of the premises on or which there is a notice indicating that smoking is not allowed.

4. Alcohol and controlled drugs

- (1) No person shall enter, attempt to enter or remain on the premises if he is unfit as a result of being drunk or under the influence of controlled drugs.
- (2) No person shall enter, attempt to enter or remain on the premises while in possession of an open container of alcohol unless expressly permitted to do so in a particular area.

- (3) No person shall consume alcohol on the premises unless expressly permitted to do so in a particular area.
- (4) Where an authorised person reasonably believes that any person is unfit to enter or remain on the premises or is in possession of alcohol in contravention of any provision of Byelaw 4, the authorised person may:
 - (i) require him to leave the premises;
 - (ii) prevent him entering or remaining on the premises until the authorised person is satisfied that he is no longer in an unfit condition or no longer has any alcohol with him in contravention of this Byelaw 4; and
 - (iii) remove any alcohol or controlled drugs.

5. Unfit condition

No person shall enter or remain on the premises if, in the reasonable opinion of an authorised person, he is in an unfit or improper condition or his clothing may soil or damage the premises or any property or clothing of other users of the premises.

6. Unacceptable behaviour

- (1) No person shall use any threatening, abusive, obscene or offensive language on the premises.
- (2) No person shall behave in a disorderly, indecent or offensive manner on the premises.
- (3) No person shall write, draw, paint or fix anything on the premises.
- (4) No person shall soil any part of the premises.
- (5) No person shall damage or detach any part of the premises.
- (6) No person shall spit on the premises.
- (7) No person shall leave litter or waste on the premises, except into receptacles specifically provided by the Operator for that purpose.
- (8) No person shall molest or wilfully interfere with the comfort or convenience of any person on the premises.

7. Music, sound, advertising and similar activities

- (1) Except with written permission from the Operator no person on the premises shall, to the annoyance of any person:
 - (i) sing; or

- (ii) use any instrument, article or equipment for the production or reproduction of sound.
- (2) Except with written permission from the Operator no person on the premises shall:
 - (i) display anything for the purpose of advertising or publicity, or distribute anything; or
 - (ii) sell anything or expose or offer anything for sale; or
 - (iii) tout or solicit for money, reward, custom or employment of any kind.
- (3) A person shall have the written permission referred to in Byelaws 7(1) or 7(2) with him when undertaking the activities referred to in Byelaws 7(1) or 7(2) on the premises and shall hand it over for inspection when asked by an authorised person. A person shall comply with any conditions set out in or attached to the written permission.

8. Unauthorised gambling

No person shall gamble on any part of the premises except lawful gambling on premises authorised by the Operator for that purpose.

CONTROL OF PREMISES

9. Unauthorised access and loitering

- (1) No person shall enter, attempt to enter or remain on any part of the premises where there is a notice:
 - (i) prohibiting access; or
 - (ii) indicating that it is reserved or provided for a specified category of person only, except where he belongs to that specified category;unless invited or directed to do so by an authorised person.
- (2) No person shall loiter on the premises if asked to leave by an authorised person.
- (3) No person whilst on the premises shall wilfully obstruct or impede any authorised person in the execution of his duty.
- (4) No person above the age of ten years shall enter, attempt to enter or remain in any part of the premises which is marked or notified as being for the exclusive use of persons of the opposite gender to that person.

10. Equipment and obstructions

- (1) No person shall interfere, move, obstruct, operate, stop, or work in any way with any equipment, appliance or vehicle on the premises except:
 - (i) in an emergency, by means of any equipment on or near which is a notice indicating that is intended to be used in an emergency; or
 - (ii) any equipment intended for the use of passengers in that way in normal operating circumstances.
- (2) No person shall place, throw, drop or trail anything on the premises which is capable of injuring, damaging or endangering any property or premises.
- (3) No person shall use any escalator except by standing or walking on it in the direction intended for travel. Persons shall stand on the right of escalators when not walking up, down or along them.
- (4) No person shall move, operate or stop any lift or escalator except:
 - (i) 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; or
 - (ii) in case of a lift, by means of any of the controls intended for the use by that person.
- (5) Any person who attempts to breach Sub-byelaws 10(1) to 10(4) shall be liable to the same penalties in Byelaw 14 as if they had breached Sub-byelaws 10(1) to 10(4).

11. Vehicles

- (1) No person, other than an authorised person, shall enter, attempt to enter or remain in any vehicle on the premises, unless he is lawfully entitled to enter or remain in such a vehicle.
- (2) No person shall drive or ride any vehicle, bicycle, or other conveyance into or on the premises, unless he has the permission of an authorised person.
- (3) No person in charge of any vehicle, bicycle or other conveyance shall leave or place any such vehicle, bicycle or conveyance in or on the premises:
 - (i) in such a manner as to cause an obstruction or hindrance to the Operator or to persons using the premises; or
 - (ii) otherwise than in accordance with any reasonable direction of an authorised person; or
 - (iii) where parking or waiting is prohibited.

- (4) Any vehicle, bicycle or other conveyance used, left or placed in breach of Byelaw 11(3) may be removed and/or stored by or under the direction of the Operator or authorised person.
- (5) The owner of any vehicle, bicycle or other conveyance shall be liable to the Operator or authorised person for the costs incurred in removing and storing it in addition to any penalty for the breach of Byelaw 11.

12. Control of animals

- (1) The Operator or an authorised person may refuse carriage or entry to any animal which, in their reasonable opinion, may threaten, annoy, soil or damage any person or property on the premises. No person shall bring an animal on any part of the premises to which it has been refused access pursuant to this Byelaw 12(1).
- (2) No person in charge of an animal shall allow it to foul or damage any property, vehicle or other part of the premises.
- (3) No person in charge of an animal shall leave or place it unattended on any part of the premises, 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.
- (4) If a person in charge of an animal breaches any of Byelaws 12(1) to 12(3), then that person:
 - (i) 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;
 - (ii) shall be liable to the Operator for the cost incurred by or on behalf of the Operator in removing and keeping it; and
 - (iii) shall be liable to the Operator for the cost of putting any property soiled or damaged back into its proper condition.
- (5) Any person in charge of an animal shall carry it when on a moving escalator on the premises, unless that animal is a trained assistance dog or police dog.
- (6) Any liability to the Operator under Byelaw 12(5) is in addition to any penalty for the breach of Byelaw 12.

ENFORCEMENT

13. Name and address

- (1) Any person reasonably suspected by an authorised person of breaching or attempting to breach any of the Byelaws shall give his name and address when requested to do so by an authorised person.
- (2) The authorised person requesting details under Byelaw 13(1) shall state the nature of the suspected breach of the Byelaws in general terms at the time of the request.

14. Offence and level of fines

Any person who breaches any of the Byelaws commits an offence and may be liable for each such offence to a penalty not exceeding level 3 on the standard scale.

15. Removal of persons

- (1) Any person who is reasonably believed by an authorised person to be in breach of any of these Byelaws shall leave the premises immediately if 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 these Byelaws and who fails to desist or leave when asked to do so by an authorised person may be removed from the premises by an authorised person using reasonable force. This right of removal is in addition to the imposition of any penalty for the breach of these Byelaws.
- (3) No person shall fail to carry out the instructions of an authorised person acting in accordance with powers given by these Byelaws or any other enactment.
- (4) In exercising powers conferred by Byelaws 15(1) and 15(2) the authorised person shall state the nature of the breach of any of these Byelaws in general terms prior to exercising the power conferred upon him.

16. Identification of authorised persons

An authorised person who is exercising any power conferred on him by any of these Byelaws shall produce a form of identification when requested to do so. Such identification shall include the name of his employer and a means of identifying the authorised person.

17. Notices

No person shall be 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.

18. Breaches by authorised person

An authorised person acting in the course of his duties shall not be liable for breach of any of Byelaws 2, 4(2) and 4(4), 6(3) and 6(5), 7, 9, 10(1) and 10(4), 11, and 12 (6).

INTERPRETATION AND GENERAL PROVISIONS

19. Definitions

In the Byelaws the following expressions have the following meanings and any replacement, modification or amendment to any legislation shall be applied to these meanings:

“alcohol” has the meaning ascribed to it in section 191 of the Licensing Act 2003;

“authorised person” means:

- (a) a person acting in the course of his duties who:
 - (i) is an employee or agent of the Operator; or
 - (ii) is authorised by a person operating any part of the premises; or
- (b) any constable, Police Community Support Officer or any person accredited by or under section 41 of the Police Reform Act 2002 acting in the execution of his duty upon or in connection with the premises;

“assistance dog” has the meaning ascribed to it in section 37A of the Disability Discrimination Act 1995;

“being drunk” means being under the influence of alcohol;

“controlled drugs” has the meaning ascribed to it in section 2 of the Misuse of Drugs Act 1971;

“escalator” includes travelator or similar device;

“fuel” includes but is not limited to, petrol, diesel oil, hydrogen and paraffin;

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

“Operator” means:

- (a) Transport for London and any of its subsidiaries;
- (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 premises; or

- (c) any servants, agents, officers, employees, contractors and subcontractors of Transport for London or any of its subsidiaries;

“premises” means road transport garages, depots, bus stations, shelters and other road transport premises now or hereafter belonging to, leased to or worked by the Operator and the approaches thereto;

"standard scale" has the same meaning as in section 37 of the Criminal Justice Act 1982;

“vehicle” means a vehicle of any description and includes a machine or implement of any kind capable of being drawn or propelled along roads;

20. Introduction, table of contents and headings

The introduction, table of contents and headings used in the Byelaws are for assistance only and are not to be considered as part of the Byelaws for the purpose of interpretation.

21. Plural

Unless the context requires to the contrary, words importing the singular shall include the plural and vice versa.

22. Gender

Unless the context requires to the contrary, words importing one gender shall include the other gender.

23. Coming into operation and revocation of previous Byelaws

The Byelaws will come into operation in accordance with the provisions of section 67 of the Transport Act 1962 as applied by section 25 of the London Transport Act 1969.

When the Byelaws come into operation, the Road Transport Premises Byelaws 1971 made by the London Transport Executive and confirmed by the Secretary of State of the Department for the Environment on 3 May 1971 (“the previous Byelaws”) shall be revoked. This revocation is without prejudice to the validity of anything done under the previous Byelaws or to any liability incurred in respect of any act or omission before the date of the coming into operation of the Byelaws.

Signed by authority of Transport for London

[signature]

**Peter Hendy
Commissioner**

[INSERT DATE] 2009

The Secretary of State for Transport confirms the above Byelaws pursuant to section 25 of the London Transport Act 1969 and fixes [INSERT DATE] as the date that the Byelaws shall come into operation.

Signed by authority of the Secretary of State for Transport on [INSERT DATE].

[signature]

Department for Transport