

# **NOTTINGHAM EXPRESS TRANSIT BYELAWS 2014**

## **CONTENTS**

### **DEFINITIONS**

1. Definitions

### **CONDUCT AND BEHAVIOUR**

2. Queuing
3. Potentially dangerous items
4. No smoking
5. Alcohol and drugs
6. Unacceptable behaviour
7. Music, sound, advertising and carrying on a trade
8. Unauthorised gambling
9. Eating and Drinking
10. Lost Property

### **EQUIPMENT AND SAFETY**

11. Tramstops
12. Trams
13. General safety
14. Safety Instructions

### **CONTROL OF PREMISES**

15. Unauthorised access, loitering and residence
16. Parking of vehicles
17. Access to trams and tramstops

18. Wheelchairs bicycles and luggage

19. Control of animals

#### TRAVEL AND FARES

20. Compulsory Ticket Areas

21. Altering tickets

22. Unauthorised buying and selling of tickets

23. Fares offences committed on behalf of another person

24. Concessions

25. Conditions of Carriage

#### ENFORCEMENT

26. Identification of Authorised Person

27. Proof of identification

28. Removal of persons

29. Offences and level of fines

30. Breaches by Authorised Persons

31. Notices

32. Rights over streets

#### CONFIRMATION

## **NET BYELAWS**

TRAMLINK NOTTINGHAM LIMITED, by agreement with Nottingham City Council and pursuant to the powers conferred by the Nottingham Express Transit System Order, 2009 (“the **Order**”) and pursuant to Clause 33 of the NET Concession Agreement<sup>1</sup> between Nottingham City Council and Tramlink Nottingham Limited signed 15 December 2011 do hereby make the following Byelaws confirmed by the Secretary of State for Transport for regulating the use of and working of, and travel and conduct on the Light Railway System authorised by the Order and known as Nottingham Express Transit.

### **DEFINITIONS**

1. (1) In these Byelaws the following expressions shall have the following meanings:-

“Authorised Person” means:-

- (i) a person acting in the course of his duties, who is an employee or agent of the Operator,
- (ii) any constable acting in the execution of his duties upon or in connection with the NET System;

“Authorised Tramway” means the tramway consisting of the authorised street tramway and the authorised tramroad) authorised by the Order, or any part of that tramway;

“bicycles” includes unicycles, tandems and tricycles;

“Compulsory Ticket Area” means

- (i) Any tram; or
- (ii) Where a tramstop has an island platform between two lines of the Authorised Tramway, that part of the tramstop lying between each of the platform edges facing those lines; and

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<sup>1</sup> Article 55(2) of the Order permits Nottingham City Council, through the Concession Agreement, to grant Tramlink Nottingham Ltd the right to exercise, either exclusively or concurrently with Nottingham City Council, a number of powers and duties contained in the Order, including the power to make byelaws.

- (iii) At any tramstop with a platform that is not an island platform; that part of the tramstop lying between, on one side the platform edge facing a line of the authorised tramway that is approximately 310 millimeters higher than the nearer rail providing support and guidance for a tram and, on the opposite side, for a distance equal to and directly opposite that platform edge the greater of a line 2 metres perpendicularly offset from the platform edge and a line between platform demarcation markers as defined in the Conditions of Carriage.

In each case on which a notice is displayed which states that the tram or area indicated in the notice is a Compulsory Ticket Area;

“Conditions of Carriage” means the conditions of contract in relation to the carriage of persons upon the NET System as issued and amended from time to time by the Operator;

“container” means a container of any description and includes a bottle and a can;

“intoxication” means being under the influence of intoxicating liquor, drugs or other substances;

“intoxicating liquor” has the meaning in England and Wales given to it by the Licensing Act 1964 (as amended or replaced from time to time);

“NET” means Nottingham Express Transit;

“NET Depot” means the NET Depot situated at Wilkinson Street, Nottingham;

“NET Infrastructure” means all apparatus and equipment provided for or in connection with the operation of the “NET System”;

“NET Property” means inter alia any tram, tramstop, the NET Depot and the car parks (including Park and Ride Sites) operated by the Operator;

“NET System” means NET Property and NET Infrastructure;

“NET Travel Information Centre” means the facility located at 4 King Street, Nottingham, NG1 2LS;

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

“Operator” means any person operating or contracted to operate the NET System from time to time; “Park and Ride Site” means any car park forming part of the NET Property and

managed by the Operator that is made available for use by the public in order to access public transport services;

“Penalty Fare” means the fare charged pursuant to article 61(1) of the Order if a passenger fails to produce a valid ticket when requested to do so by an Authorised Person;

“Penalty Fare Notice” means a notice issued by an Authorised Person pursuant to article 63(1) of the Order.

“Robin Hood Line” means the railway line which runs between Nottingham Station and Worksop Station;

“standard scale” has the meaning given by Section 37 of the Criminal Justice Act 1982 and any replacement, modification or amendment thereto;

“ticket” includes:-

- (i) a ticket (including one issued by another transport operator or authorised agent) authorising the person for whom it is issued to make the journey covered by the fare paid on a tram service,
- (ii) any permit authorising the person for whom it is issued to travel on a tram service,
- (iii) an authority to travel on a tram service subject to a condition that payment of the correct fare for the Person using that service is made during or at the end of that journey or otherwise as provided by the terms applicable to its use,
- (iv) any type of pass, including a free pass, privilege ticket, or any warrant, voucher or other similar authority accepted by the Operator as authority to travel on a tram service, or in exchange for or on production of which a ticket may be issued, and
- (v) any identity card required by the Operator to be held or produced for use with other travel documents;

“tram” means any light rail vehicle, locomotive or other vehicle adapted to travel upon the NET System (whether in operational use or not);

“tram service” means a tram service provided for the carriage of persons on the NET System and includes a service for the carriage of passengers by road where a service by tram has been temporarily interrupted or suspended;

“tramstop” means any platform or other area from time to time designated by the Operator for the collection, or setting down, of passengers by trams;

“unlawful drugs” means any controlled drug referred to in Schedule 2 to the Misuse of Drugs Act 1971, the possession of which would constitute an offence pursuant to Section 5(2) of that Act; and

“valid ticket” means a current ticket (including any associated 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 tram service he is using or attempting to use and 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 purpose of these Byelaws unless and until the ticket has been properly validated.

- (2) In addition:-
  - (a) References in these Byelaws to any ‘persons’ shall be taken to include reference to individuals, firms, companies and other bodies as the context requires.
  - (b) References to the singular number shall include plural and vice versa and reference to any gender shall include the other gender.
  - (c) the table of contents and headings used in these Byelaws are for ease of reference only and shall not affect the interpretation of these Byelaws.
- (3) These byelaws replace the Nottingham Express Transit Byelaws 2013 confirmed on 29 April 2013.

## **CONDUCT AND BEHAVIOUR**

### **2. Queuing**

- (1) The Operator or an Authorised Person may require any person to queue in order to regulate order or safety on or near any tramstop.

- (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 shall obey the reasonable instructions of any Authorised Person relating to the queue.
- (3) Persons waiting for trams shall conduct themselves in an orderly and reasonable manner and with due regard to the safety of other persons (whether other passengers on the NET System or not).

### **3. Potentially dangerous items**

- (1) Except with written permission from the Operator or an Authorised Person, no person shall bring with him or allow to remain on NET System (whether or not in a container):
  - (a) any item which, may threaten, annoy, soil or damage or become dangerous or harmful to any person or any property;
  - (b) any inflammable, explosive or corrosive substance;
  - (c) anything which is or may become dangerous;
  - (d) any shotgun, air weapon or any other firearm (whether loaded or not) and any ammunition suitable for use in a firearm or weapon;
  - (e) any knives or swords; and
  - (f) any imitation firearm
- (2) If any person in charge of an item in breach of Byelaw 3(1) is asked by an Authorised Person to remove it and fails to do so immediately, then it may be removed by or under the direction of an Authorised Person.

### **4. No Smoking**

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

## 5. **Alcohol and drugs**

- (1) No person in a state of intoxication or under the influence of the effects of any unlawful drugs shall enter or remain on the NET System.
- (2) No person shall enter or remain on any part of the NET System whilst in possession of an open container of intoxicating liquor.
- (3) No person shall consume intoxicating liquor on any part of the NET System.
- (4) Where an Authorised Person reasonably believes that any person on any part of the NET System is under the influence of the effects of any unlawful drugs or is in a state of intoxication then the Authorised Person may:-
  - (a) require him to leave the NET System; and
  - (b) prevent him entering or remaining on the NET System until the Authorised Person is satisfied that he is no longer under the influence of the effects of any unlawful drugs or is no longer in a state of intoxication; and
  - (c) remove or, under his direction have removed and subsequently destroy or dispose of such items as the Authorised Person reasonably believes to be intoxicating liquor.

## 6. **Unacceptable behaviour**

- (1) No person shall enter or remain on the NET System if in the reasonable opinion of an Authorised Person he is
  - (i) in an unfit or improper condition;
  - (ii) wearing clothing likely to soil or damage any part of the NET System including the fabric of seats in any tram;
  - (iii) wearing clothing likely to soil or damage any clothing of any person on the NET System;
  - (iv) wearing clothing bearing obscene or abusive words or material which may cause nuisance or inconvenience to passengers.

- (2) No person on the NET System shall:-
- (a) use any threatening, abusive, obscene or offensive language; or
  - (b) behave in a riotous, disorderly, indecent or offensive manner; or
  - (c) spit; or
  - (d) deposit, place, dump waste, drop or throw any litter (including chewing gum) on the NET System except in receptacles provided for that purpose; or
  - (e) write, draw, paint or fix anything on any part of the NET System; or
  - (f) urinate on or defecate on or soil in any way any part of the NET System; or
  - (g) molest or wilfully interfere with the comfort or convenience of any person on the NET System; or
  - (h) break, cut, scratch, tear, soil, deface or damage any lift, tram, vehicle or any of the fittings, furniture, decorations or equipment thereof, on the NET System, or any notice, advertisement, number plate, number figure or letter therein or thereupon or remove therefrom or detach any such article or thing; or
  - (i) deface or damage any part of the NET System

and any person offending against this Byelaw 6 shall be liable to the Operator for the amount of the damage done, without prejudice to any penalty incurred by such contravention.

- (3) Except by permission in writing of an Authorised Person, no person suffering from any infectious or contagious disease or disorder shall enter or remain and no person having the custody, charge or care of any such person shall cause or permit such person to enter or remain upon NET Property. The Operator may refuse to receive or carry any such person or to permit any such person to enter remain or be upon NET Property or to travel on NET Property. Any person suffering as aforesaid and any person having the custody, charge or care of any such person may be removed from NET Property by, or under the direction of, any Authorised Person and shall be liable to the Operator for the cost of disinfecting the tram, tramstop and any lift, vehicle or premises in which such person shall have been, and to make good any other damage to the Operator's Property

through the contravention of this Byelaw without prejudice to any penalty incurred by such contravention.

- (4) No person shall cross any part of the line comprised in the NET System other than in a safe and orderly manner paying due care and attention to any signs and shall use designated crossings where provided and to the position and motion of trams and any other vehicles or persons and save by using the safest possible route and otherwise in such a manner as to cause the minimum of nuisance and interference to the NET System and other persons.

## **7. Music, sound, advertising and carrying on a trade**

- (1) Except with the written permission of the Operator, no person on NET Property 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 the written permission of the Operator no person shall display anything on the NET System, whether for purposes of advertising or publicity or otherwise, or distribute anything on any tram or tramstop.
- (3) Except with the written permission of the Operator no person shall on any tram or tramstop:-
  - (a) sell or expose or offer anything for sale; or
  - (b) tout for, or solicit money, reward, custom or employment of any kind; or
  - (c) for commercial use take photographs, film or make any audio or video recording provided that this Byelaw 7(3)(c) shall not apply to representatives of the media who are photographing, filming or recording in connection with the reporting of news items.
- (4) When lawfully undertaking the activities referred to in Byelaw 7(1), (2) or (3), a person shall have the written permission referred to in Byelaw 7(1), (2) or (3) with him and shall hand such written permission over for inspection when asked by an Authorised Person. A person shall comply with any conditions attached to the written permission.

## **8. Unauthorised gambling**

- (1) No person shall enter, remain upon or use NET Property for the purpose of bookmaking or betting or wagering or agreeing to bet or wager or paying or receiving or settling bets with other people.
- (2) No person playing for money or money's worth at any game or pretend game of chance or skill upon the NET Property shall continue to do so after being requested by an Authorised Person to desist therefrom.

## **9. Eating and Drinking**

No person shall consume, or chew any food or drink or open any food package or can or container containing food or drink which is likely to soil, disfigure or destroy any part of the NET Property (including any tram or any tramstop) or the property of any person on the NET Property.

## **10. Lost Property**

Any person finding any item of lost property on the NET System shall as soon as practicable deliver such item up to an Authorised Person, to the NET Travel Information Centre or to the Operator.

## **EQUIPMENT AND SAFETY**

### **11. Tramstops**

- (1) No person except an Authorised Person shall open or attempt to open any gate or door of any lift-shaft or any lift or unfasten or tamper with or wilfully impede or interfere with the operation of any fastening or fitting on any such gate or door.
- (2) No person except an Authorised Person shall move, operate or stop any lift except:-
  - (a) 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
  - (b) by means of any of the controls intended for the use of passengers.
- (3) No person, except an Authorised Person, shall enter or leave or attempt to enter or leave any lift whilst it is in motion or otherwise than at the side appointed for passengers to enter or leave the same.

- (4) Except with the permission of an Authorised Person, no person shall enter or remain on any part of any tramstop for the purposes of skateboarding, rollerskating, roller blading, riding a bicycle, scooter or motorcycle or other recreational activity.

## 12. Trams

No person shall:-

- (1) Without reasonable excuse distract the driver on any tram or otherwise obstruct any Authorised Person in the performance of his duties.
- (2) Enter through any tram doorway until any person leaving by that doorway has passed through.
- (3) Enter or remain on any tram except the parts of it intended for the use of that person.
- (4) Open a tram door unless the tram is stationary at a tramstop, save where necessary in order to facilitate an emergency evacuation.
- (5) Enter or leave or attempt to enter or leave a tram:-
  - (a) except by proper use of a tram doorway when the tram is stationary at a tramstop;
  - (b) when the door closing sound is sounding (and for the purposes of this Byelaw 12(5)(b) "sound" shall have the same meaning as that contained in The Rail Vehicle Accessibility (Non-interoperable Rail System) Regulations 2010 (as amended or replaced from time to time)).
- (6) Obstruct or cause to be obstructed any tram doorway.
- (7) Climb, hold on to or hang on to any part of any tram whilst stationary or in motion or climb on any part of the NET System save for entering or leaving any tram in the manner permitted by these Byelaws.
- (8) Stand on the step, footboard or footplate of any tram.
- (9) Throw or trail any article from any tram.

### 13. **General safety**

- (1) No person, except an Authorised Person shall:-  
  
operate, move, work or tamper with any mechanical or electrical appliance upon the NET System or any switch or lever or other device operating or controlling any mechanical or electrical appliance upon the NET System except:-
  - (a) in cases of emergency, any switch, lever or device or mechanical or electrical appliance upon or near which is displayed a notice that it is intended to be operated in cases of emergency; or
  - (b) in the case of an automatic door (when such door is immediately adjacent to and gives immediate access to, and such tram is stationary at, a platform or place appointed for passengers to enter or leave the tram) any switch, lever or other device or mechanical or electrical appliance upon or near which is displayed a notice that it is intended to be operated by passengers to open or close such door; or
  - (c) any switch, lever or other device or mechanical or electrical appliance provided in a compartment of any vehicle for the operation or control of any heating, ventilating or lighting apparatus by passengers therein.
- (2) No person shall place, throw, drop or trail anything capable of injuring, damaging or endangering any person or any part of the NET System or which might otherwise endanger the safe and efficient working of the NET System
- (3) No person (whether a passenger on the NET System or not) except an Authorised Person shall:-
  - (a) obstruct any tram;
  - (b) erect, demolish or dismantle any structure or operate any mechanical plant or lifting equipment on or in proximity to any part of the NET System without the prior written consent of the Operator; or
  - (c) do or permit to be done anything whereby the safety or security or integrity of the NET System or of any person is or may be endangered.

- (4) Without prejudice to any penalty or liability incurred by the contravention of Byelaw 13(3) any structure erected demolished or dismantled or material or other matter or machinery or any animal left on or in proximity to the NET System or any part thereof in such a position as to obstruct or interfere with the safe and efficient operation of the NET System may be removed, stored or disposed of by an Authorised Person or under the direction of an Authorised Person in such manner as the Authorised Person believes reasonably necessary or desirable and any person offending against this Byelaw shall be liable to the Operator for the costs incurred by the Operator (or other person on its behalf) in the moving, storing and disposing of such structures, material, vehicle, animal, matter or machinery.
- (5) When a lift contains the maximum number of passengers as indicated on a Notice displayed on or near the lift, no additional person shall enter or attempt to enter or remain in the lift.
- (6) No person shall knowingly give any false fire, ambulance, bomb or other emergency alarm, by whatever means calculated or intended to affect or interfere with the operation of any part of the NET System.

#### **14. Safety Instructions**

- (1) The Operator may issue to any person reasonable instructions relating to safety on any part of the NET System by means of a notice to any person on or near or adjacent to that part of the NET System and no person shall, without good cause, disobey such notice.
- (2) An Authorised Person may in an emergency or other circumstances in which he believes he should act in the interests of safety, issue instructions to any person on any part of NET System and no person, without good cause, shall disobey such instruction.
- (3) No offence is committed under this Byelaw 14 where a person proves he was acting in accordance with any instructions or notice.

## **CONTROL OF PREMISES**

### **15. Unauthorised access, loitering and residence**

- (1) No person except an Authorised Person shall enter or remain on any part of the NET System where there is a notice:-
  - (a) prohibiting access; or
  - (b) indicating that it is reserved or provided for a specified category of person only unless they belong to that specified category.
- (2) Without prejudice to the right to do so pursuant to the express consent referred to in Byelaw 16(4)(b) relating to the Forest Park and Ride Site no person shall set up temporary or permanent residence on any part of the NET System or loiter or remain upon any part of the NET System.
- (3) Any caravan, motor vehicle, trailer, bicycle or other conveyance used, left or placed on any part of the NET System in connection with or relating to the unauthorised setting up of temporary or permanent residence on any part of the NET System in breach of Byelaw 15 (2) may be clamped, and/or removed by or under the direction of an Authorised Person. The owner of the motor vehicle, bicycle or other conveyance shall be liable to the Operator for the cost incurred by the Operator (or other person on its behalf) in clamping (including the release of such clamping), removing, storing and disposing of such caravan, motor vehicle, trailer, bicycle or other conveyance. The liability is in addition to any penalty incurred for breach of this Byelaw 15.

### **16. Parking of Vehicles**

- (1) No person in charge of any motor vehicle, caravan, bicycle or other conveyance shall leave or place it on any part of the NET System:-
  - (a) in any manner or place where it may cause obstruction or hindrance to the Operator or any person using the NET System; or
  - (b) where parking or waiting for that type of vehicle is prohibited.
  - (c) At a Park and Ride site outside of a designated parking bay

- (d) In a parking bay designated for permit holders without prior written authority.
- (2) No person in charge of any motor vehicle, bicycle or other conveyance shall park where charges are made for parking by the Operator (or other person on its behalf) without paying the charge at the appropriate time in accordance with instructions given by the Operator (or other person on its behalf) at that place.
- (3) No person shall park any motor vehicle, bicycle or other conveyance at the Hucknall Park and Ride other than in the marked bays except on the payment of the appropriate fee as necessary and except:-
  - (a) for the following specific purposes:-
    - (i) in order to travel on the NET System or the Robin Hood Line; or
    - (ii) to collect or set down passengers who intend to travel or have travelled on the NET System or the Robin Hood Line; or
  - (b) in accordance with the consent of the Operator.
- (4) No person shall park any motor vehicle, bicycle or other conveyance at the Forest Park and Ride site other than in the marked bays except on the payment of the appropriate fee as necessary and except:-
  - (a) for the following specific purposes:-
    - (i) in order to travel on the NET System; or
    - (ii) to collect or set down passengers who intend to travel or have travelled on the NET System; or
  - (b) with the consent of the Nottingham City Council during closure of the Forest Park and Ride Site for the purpose of the Goose Fair for up to ten consecutive days in any year; or
  - (c) in accordance with the consent of the Operator.

- (5) Subject to paragraph (6), no person shall park any motor vehicle, bicycle or other conveyance at the Moor Bridge Park and Ride Site, Phoenix Park Park and Ride Site, Wilkinson Street Park and Ride Site, Toton Lane Park and Ride Site and Clifton South Park and Ride Site other than in the marked bays except on the payment of the appropriate fee as necessary and except:-
- (a) for the following specific purposes:-
    - (i) to travel on the NET System;
    - (ii) to collect or set down passengers who intend to travel or have travelled on the NET System or
  - (b) In accordance with the consent of the Operator.
- (6) Paragraph (5) does not apply to:-
- (a) Toton Lane Park and Ride Site; or
  - (b) Clifton South Park and Ride Site
- until in each case that Park and Ride Site is available for use for or in connection with the operation or maintenance of the Authorised Tramway.
- (7) Any motor vehicle, bicycle or other conveyance used, left or placed in breach of this Byelaw 16 may be clamped and/or removed by or under the direction of an Authorised Person. The owner of the motor vehicle, bicycle or other conveyance shall be liable to the Operator for the cost incurred by the Operator (or other person on its behalf) in clamping (including the release of such clamping), removing, storing and disposing of such vehicle, bicycle or other conveyance. The liability is in addition to any penalty incurred for breach of this Byelaw 16.

## **17. Access to trams and tramstops**

- (1) Any person who enters any part of a tram or tramstop must do so on foot, and any person remaining thereon must be on foot, except:-
- (a) where there is a notice displayed permitting access to that part of a tram or tramstop to those using specified conveyances; or
  - (b) where the Operator or an Authorised Person has given permission,

and in either case he shall obey any instructions given by notice displayed or by an Authorised Person.

- (2) No person shall be in breach of this Byelaw if he is properly using a pushchair, pram or wheelchair except where there is a notice displayed or instruction given by an Authorised Person to the contrary.

## **18. Wheelchairs, bicycles and luggage**

- (1) No person shall cause or permit to be brought onto or permit to remain upon any tram any wheelchair which cannot be accommodated within the wheelchair space specifications in The Rail Vehicle Accessibility (Non-interoperable Rail System) Regulations 2010 as amended or replaced from time to time.
- (2) Any person bringing a wheelchair on to any tram must ensure that the wheelchair is correctly parked in accordance with the Conditions of Carriage.
- (3) Subject to the rights conferred on an Authorised Person under Byelaw 14(2) an Authorised Person will allow two or more wheelchairs on a tram if they are wheelchairs which could be accommodated within the wheelchair space specifications in The Rail Vehicle Accessibility (Non-interoperable Rail System) Regulations 2010 as amended or replaced from time to time.
- (4) No person shall cause or permit to be brought onto or permit to remain upon any tram:-
  - (a) any bicycle or other wheeled vehicle save those permitted in these byelaws or the Conditions of Carriage;
  - (b) any luggage or other article which, by reason of its nature could be reasonably expected to cause or does cause obstruction, inconvenience, annoyance or danger to any person (whether a passenger on the NET System or not) or damage to any property (including but not limited to the NET System);

- (5) Without prejudice to Byelaw 18(3) and 18(4) above, any item which is brought upon any tram or any other part of the NET System shall be so controlled or placed to avoid obstruction, unnecessary inconvenience or danger to any person (whether a passenger on the NET System or not) and so as to avoid damage to property (including but not limited to the NET System) and shall otherwise be carried, placed and controlled in accordance in all respects with these Byelaws, the Conditions of Carriage and any directions given by any Authorised Person and in particular any permission to bring any such items upon any tram or tramstop may at any time be withdrawn by any Authorised Person where in such Authorised Person's opinion it is necessary to do so for the prevention of obstruction or in the interests of safety or otherwise in order to ensure compliance with the terms of these Byelaws.
- (6) Without prejudice to any penalty incurred by contravention of this Byelaw 18, if the person in charge of any item when requested to do so by an Authorised Person fails immediately to remove the same from any tram or as the case may be any tramstop, that item may be removed therefrom by or under the direction of such Authorised Person in such manner as such Authorised Person reasonably believes to be necessary.

**19. Control of animals**

- (1) No person shall bring or cause or permit to be brought into or upon or cause or permit to remain on any part of any tram any animal unless authorised by the Conditions of Carriage or any Authorised Person provided that nothing in these Byelaws or the Conditions of Carriage shall prohibit the bringing upon or the use upon any tram of any assistance dog.
- (2) If any person in charge of an animal in breach of Byelaw 19(1) is asked by an Authorised Person to remove it and fails immediately to do so then it may be removed by or under the direction of an Authorised Person.
- (3) Subject to Byelaw 19(1) above, it shall be the responsibility of any person who has brought any animal upon any tram to ensure that such animal does not cause nuisance or constitute an obstruction to the NET System or a nuisance or danger to any person upon the NET System, or otherwise cause or constitute an infringement of any of these Byelaws.
- (4) No person in charge of an animal shall cause or permit any animal to occupy any seat on a tram.

- (5) No person in charge of an animal shall leave or place it unattended on any part of any tram or tramstop.
- (6) Any animal brought onto any tram or left or placed in breach of this Byelaw 19 may be removed and/or kept by or under the direction of an Authorised Person in such manner as such Authorised Person reasonably believes necessary or desirable. The person in charge of the animal shall be liable to the Operator for the cost (including any veterinary costs) incurred by the Operator (or any other Authorised Person on its behalf) in removing and keeping it.
- (7) Any liability to the Operator under Byelaw 19(6) is in addition to any penalty for any breach of this Byelaw 19.

## **TRAVEL AND FARES.**

### **20. Compulsory Ticket Areas**

- (1) No person shall enter a Compulsory Ticket Area unless he has with him a valid ticket for his entire journey on the NET system.
- (2) A person shall hand over his ticket for inspection when asked to do so by an Authorised Person.
- (3) No person shall be in breach of this byelaw 20 if:
  - (a) at the time when and the tramstop where he started his journey there were no facilities for the issue of the necessary ticket for his journey; or
  - (b) there was a notice displayed at the tramstop indicating that it was permissible for passengers beginning a journey at that tramstop to enter a tram without a ticket; or
  - (c) an Authorised Person gave him permission to travel or enter a compulsory ticket area without a valid ticket
- (4) No person at a tramstop compulsory ticket area shall be in breach of this Byelaw 20 unless he came there by alighting from a tram
- (5) Each passenger on a tram shall leave the tram as soon as he has completed the journey for which he has a valid ticket.
- (6) Passengers failing to produce a valid ticket in accordance with subsection (2) above shall:

- (a) be liable to pay a Penalty Fare immediately, in cash, in accordance with the provisions of Part 5 of the Order; or
- (b) be liable to pay a Penalty Fare following the issue of a Penalty Fare Notice in accordance with the provisions of Part 5 of the Order; or
- (c) provide their name and address upon request by an Authorised Person.

**21. Altering tickets**

No person shall alter, deface, mutilate or destroy any ticket or use or attempt to use any ticket which shall in any material respect have been altered, defaced or mutilated.

**22. Unauthorised buying and selling of tickets**

- (1) Subject to Byelaw 22(2) no person shall:-
  - (a) sell or buy any ticket; or
  - (b) transfer or receive any used or partly used ticket intending that any person shall use it for travelling; or
  - (c) knowingly use or attempt to use any ticket which has been obtained in breach of this Byelaw 22.
- (2) The sale or transfer by, or the purchase or receipt from, an Authorised Person in the course of his duties or from an authorised ticket machine or other authorised outlet is excepted from the provisions of Byelaw 22(1).

**23. Fare offences committed on behalf of another person**

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

## **24. Concessions**

- (1) In connection with any scheme for the provision of concessionary travel on any tram service, no person shall:-
  - (a) make use of any concession provided for by such scheme except to the extent and for such time as he may be entitled so to do, subject to the conditions of the scheme; or
  - (b) (being a person not entitled to make use of such concession) obtain and use such concession.
- (2) Where fares for journeys on any tram service vary according to the time at which the ticket therefor is purchased, no person shall make use of any ticket purchased at reduced fare outside any time constraints applicable thereto except to the extent authorised by the Conditions of Carriage.

## **25. Conditions of Carriage**

Persons who are passengers on the NET System shall comply with the Conditions of Carriage and these Byelaws.

## **ENFORCEMENT**

### **26. Identification of Authorised Person**

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 and such identification shall identify the name of his employer and shall contain a means of identifying the Authorised Person.

### **27. Proof of Identification**

Subject to Byelaw 20(6) any person reasonably suspected by an Authorised Person of breaching or attempting to contravene any of these Byelaws shall upon being requested by any Authorised Person give to such Authorised Person his name and address.

## 28. **Removal of persons**

- (a) Any person who is reasonably believed by an Authorised Person to be in breach of any of these Byelaws shall leave NET Property or such other part of the NET System immediately if asked to do so by an Authorised Person.
- (b) Any person who is reasonably believed by an Authorised Person to be in breach of any of these Byelaws who fails to desist or leave when asked to do so by an Authorised Person may be removed from NET Property or such other part of the NET System by an Authorised Person using reasonable force. This right of removal is in addition to the imposition of any penalty for the breach of these Byelaws.
- (c) 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.
- (d) Any person convicted of an offence on the System may on service of a written notice by the Operator to the person concerned be prohibited from entering any vehicle or Tramstop.

## 29. **Offences and Levels of Fines**

- (1) Subject to paragraph (2) any person who breaches or attempts to breach any of these Byelaws shall be liable for every offence to a penalty not exceeding level 3 on the standard scale.
- (2) Any person who, having failed to pay a Penalty Fare under Byelaw 20(6)(a), fails to provide his name and address upon request by an Authorised Person shall be liable for a penalty not exceeding level 2 on the standard scale.
- (3) No proceedings may be brought for a breach of Byelaw 20 if a person has paid within 22 days of the date of the offence a Penalty Fare in respect of that offence.
- (4) No proceedings may be brought for a breach of Byelaw 20 if a person has been issued a Penalty Fare Notice in respect of that offence until a period of 22 days commencing on the date of issue of the Penalty Fare Notice has elapsed.
- (5) No proceedings may be brought for a breach of Byelaw 20 if, after the expiry of 22 days from the date of the offence, an action has been brought against the person for the recovery of the Penalty Fare.

### **30. Breaches by Authorised Persons**

An Authorised Person acting in the course of his duties shall not be liable for breach of any of the Byelaws numbered 6(2)(e), 7, 12, 16(1)(a), 16(1)(b), 16(2), 16(3), 16(4), 16(5), 17, 20 and 22(2).

### **31. 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.

### **32. Rights over streets**

Where any part of the Tramlink System is situated within a street over which the public have a right of passage, nothing in these Byelaws shall be taken to restrict such right of passage.

These Byelaws will come into operation on the 23 February 2014 in accordance with the provisions of the Order.

**IN WITNESS WHEREOF** Tramlink Nottingham Limited has executed this Document this 6 February 2014

EXECUTED as a deed by **Tramlink Nottingham LIMITED**

**CONFIRMATION**

Confirmed by authority of the Secretary of State by the Head of the Local Transport Funding Growth and Delivery Division, Department for Transport

On the 13 January 2014