

SCHEDULES

SCHEDULE 11

Section 156.

MISCELLANEOUS POWERS OF TRANSPORT FOR LONDON

Carriage and storage

- 1 (1) Transport for London may carry passengers by any form of land or water transport (including in either case hovercraft) within, to or from Greater London.
- (2) Transport for London may carry passengers as mentioned in sub-paragraph (1) above between places outside Greater London, in so far as Transport for London considers it requisite to do so—
 - (a) in connection with the exercise of its powers under that sub-paragraph; or
 - (b) in order to avoid an interruption of services provided by London Regional Transport in exercise of its powers under paragraph 1(2)(b) of Schedule 2 to the London Regional Transport Act 1984 (provision of services outside Greater London to avoid interruption of services formerly provided by the London Transport Executive under the Transport (London) Act 1969).
- (3) Transport for London may also carry luggage and other goods.
- 2 (1) Transport for London may enter into arrangements with any person providing passenger transport services by air for the provision of such services between places in Greater London or between such places and places outside Greater London.
- (2) Without prejudice to its powers under section 156 of this Act, Transport for London may enter into arrangements with any person operating a business of providing passenger vehicles for hire (whether with or without the services of a driver, and whether under private hire arrangements or by way of plying for public hire), for that person to make passenger vehicles operated by him available for hire, or for use in accordance with the arrangements, on such terms and in such manner as may be provided for by the arrangements, in or between places in Greater London or between such places and places outside Greater London.
- (3) Any arrangements under this paragraph may include provision for the making of payments by Transport for London to the other party to the arrangements.
- 3 (1) Transport for London may store within Greater London or in any premises of Transport for London outside Greater London goods which have been or are to be carried by Transport for London or a subsidiary of Transport for London.
- (2) So far as any premises provided for the purpose of discharging that or any other function of Transport for London are not required for that purpose, Transport for London may use those premises to provide facilities for the storage of other goods.

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Incidental amenities and facilities

- 4 Transport for London may provide amenities or facilities, and construct works, for the purpose of making those amenities, facilities or works available for the use of any other person in pursuance of any agreement under section 156(6).
- 5 (1) Transport for London may provide such amenities and facilities as it considers would benefit persons using—
- (a) any services or facilities provided by Transport for London, by any subsidiary of Transport for London, or by any other person in pursuance of any agreement entered into by Transport for London by virtue of section 156(2) or (3)(a) of this Act or in pursuance of a transport subsidiary's agreement; or
 - (b) any other London passenger services or London connecting services.
- (2) Without prejudice to its powers under sub-paragraph (1) above, Transport for London may provide car parks and amenities or facilities for persons using them at any place convenient for prospective users of any services falling within sub-paragraph (1)(a) or (b) above.
- (3) Transport for London may provide facilities for the parking or keeping of any public service vehicles used in the provision of any London passenger service or London connecting service at any place convenient for persons providing any such service.
- (4) In this paragraph—
- “London passenger service” means any service for the carriage of passengers within, to or from Greater London (whether or not provided by Transport for London, by any subsidiary of Transport for London, or by any such other person as is mentioned in sub-paragraph (1)(a) above); and
- “London connecting service” means any service for the carriage of passengers to or from any place outside Greater London but convenient for prospective users of London passenger services or for persons seeking to transfer from London passenger services to services for the carriage of passengers to destinations further afield (including destinations outside the United Kingdom).
- 6 (1) Where by virtue of any provision of paragraph 4 or 5 above Transport for London has power to provide any amenities or facilities (including any amenities or facilities of a particular description specifically mentioned in any such provision), Transport for London may enter into arrangements for the provision (including the management or operation) or (as the case may be) for the management or operation of any such amenities or facilities by any other person.
- (2) Any arrangements under this paragraph may include provision for the making of payments by Transport for London to, or for the giving of guarantees or any other financial assistance by Transport for London for the benefit of, the other party to the arrangements.
- (3) References in this Act to amenities or facilities provided by Transport for London include amenities or facilities provided, or managed or operated, by any other person in pursuance of arrangements under this paragraph.

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Charges for services and facilities

- 7 (1) Transport for London may make (or waive) such charges for services and facilities and make the use of services and facilities subject to such terms and conditions, as Transport for London thinks fit.
- (2) Transport for London’s power under sub-paragraph (1) above is subject only to the provisions of this Act and to any local enactment so far as that local enactment expressly provides for freedom from charges or otherwise prohibits the making of any charge (as distinct from limiting the discretion of persons carrying on any particular undertaking as to the charges of any description to be made by them).

Machinery and components

- 8 (1) Transport for London may manufacture and repair any spare parts and components or other supplementary machinery or equipment required for the purpose of the operation or repair of any existing vehicles or other equipment of Transport for London or of any subsidiary of Transport for London.
- (2) Transport for London may repair any vehicles or other equipment, whether owned by Transport for London or any subsidiary of Transport for London or by any other person, and for the purpose of repairing any vehicle or equipment not belonging to Transport for London may supply any necessary parts and components for that vehicle or equipment.
- (3) In this paragraph—
- (a) references to manufacture include references to construction and production; and
 - (b) references to repair include references to maintenance.

Technical assistance and advice

- 9 (1) Transport for London may provide for any person professional or technical advice or assistance, including research and other services, as respects any matter in which Transport for London has skill, experience or expertise.
- (2) Transport for London may, on the request of any person for whom it is providing advice or assistance under sub-paragraph (1) above, establish for that person an undertaking carrying on any business in which Transport for London has skill or experience and manage it on that person’s behalf.
- (3) Transport for London may make such charges as it thinks fit in respect of anything done in exercise of its powers under this paragraph.
- 10 (1) In this paragraph—
- (a) “relevant passenger service” means any London passenger service or London connecting service within the meaning of paragraph 5 above which is provided by any form of land or water transport (including, in either case, hovercraft); and
 - (b) “independent service” means any relevant passenger service provided otherwise than by Transport for London or by any of its subsidiaries.
- (2) Transport for London may enter into arrangements with any person providing independent services for the reciprocal provision, on such terms as may be provided

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for by the arrangements, of ancillary services by each party to the arrangements in respect of any relevant passenger services provided by the other.

- (3) In sub-paragraph (2) above, “ancillary services” includes, in relation to any relevant passenger services, the sale of tickets for the carriage of passengers on those services, the reservation of seats in vehicles used in the provision of those services and the provision of information about those services to members of the general public.

Exploitation of commercial opportunities

- 11 Transport for London may let vehicles on hire.
- 12 (1) Transport for London may dispose (whether absolutely or for a term of years) of any part of its undertaking or any property which in the opinion of the Mayor is not required by Transport for London for the purposes of the discharge by Transport for London of any of its functions and, in particular, may dispose of any interest in, or right over, any property which, subject to that interest or right, is retained by Transport for London.
- (2) Transport for London may supply to any person spare parts and components for passenger road vehicles disposed of by Transport for London in the exercise of its powers under sub-paragraph (1) above, or by a subsidiary of Transport for London, as being no longer required for the purposes of the discharge by Transport for London of any of its functions.
- 13 Transport for London may—
- (a) invest sums not immediately required for the purposes of the discharge by Transport for London of any of its functions,
 - (b) turn its resources to account so far as not required for those purposes, and
 - (c) spend such sums as it considers reasonable in the exploitation of commercial opportunities arising from the activities it carries on in the discharge of its functions.

Intermodal freight facilities

- 14 Transport for London may provide and maintain facilities for the transfer of freight—
- (a) from a railway to any other mode of transport,
 - (b) to a railway from any other mode of transport,
 - (c) from a waterway to any other mode of transport,
 - (d) to a waterway from any other mode of transport.

Acquisition, disposal and development of land

- 15 (1) Transport for London may develop its land in such manner as it thinks fit.
- (2) Transport for London may in particular—
- (a) develop for use by other persons land belonging to Transport for London which is not required for the purposes of the discharge by Transport for London of any of its functions, and
 - (b) where the use of Transport for London’s land for the purposes of the discharge by Transport for London of any of its functions can be combined

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with its use by other persons, develop the land by constructing or adapting buildings on it for use wholly or partly by other persons, with a view to the disposal of any right or interest in the land or (as the case may be) the buildings or any part of the buildings after the development is carried out.

- (3) Where Transport for London proposes under this paragraph to develop any land for use otherwise than for the purposes of discharging any of its functions it may acquire by agreement other land in the vicinity for the purpose of developing it together with that land.
- 16 Transport for London may grant an interest to any person in any land which it uses for the purposes of discharging any of its functions.
- 17 Subject to paragraph 20 below, where Transport for London has an interest in land which is used otherwise than for the purposes of discharging any of its functions, it may acquire by agreement additional interests in that land in order better to exploit the interest which it already has in that land.
- 18 (1) Subject to paragraph 20 below, Transport for London may acquire land for the purposes of discharging any of its functions (including the rehousing of the occupiers of dwellings acquired or to be acquired by Transport for London).
- (2) The power of Transport for London to acquire land under sub-paragraph (1) above includes a power to purchase land which Transport for London has no immediate plans to use or develop.
- (3) Transport for London may acquire land by agreement for the purposes of any agreement entered into by it under section 156(2) or (3) of this Act or of any transport subsidiary's agreement.
- (4) Where Transport for London proposes to dispose of any of its land it may acquire by agreement land in the vicinity for the purpose of disposing of it together with the other land.
- 19 (1) Subject to the following provisions of this paragraph and paragraph 20 below, the Secretary of State may authorise Transport for London to purchase compulsorily any land which is required by Transport for London or a subsidiary of Transport for London for the purposes of the discharge of any function.
- (2) The Acquisition of Land Act 1981 shall apply to any compulsory purchase by virtue of sub-paragraph (1) above.
- (3) Transport for London shall not by virtue of sub-paragraph (1) above submit to the Secretary of State a compulsory purchase order authorising the acquisition of any land in accordance with section 2(2) of the Acquisition of Land Act 1981 unless the Mayor has given his consent.
- (4) Activities carried on by Transport for London by virtue of paragraph 9 above shall not be treated for the purposes of sub-paragraph (1) above as the discharge by Transport for London of any of its functions.
- (5) This paragraph does not authorise Transport for London to purchase compulsorily land which it has power to acquire by agreement under paragraph 15(3) or 18(3) or (4) above.
- (6) Subject to sub-paragraph (7) below, the power of purchasing land compulsorily in this paragraph includes power to acquire an easement or other right over land by the creation of a new right.

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- (7) Sub-paragraph (6) above does not apply to an easement or other right over land which forms part of a common, open space or fuel or field garden allotment within the meaning of section 19 of the Acquisition of Land Act 1981.
- 20 Except as provided by paragraph 15(3), 17 or 18(3) or (4) above, Transport for London does not have power to acquire land (or any interest in land) for purposes which are not related to any of the activities, other than the development of land, of Transport for London or any subsidiary of Transport for London.
- 21 Where any activities for which provision is made by an agreement under section 156(2) or (3) of this Act or under a transport subsidiary's agreement cease to be carried on by the other party (whether by reason of the expiry or termination of the agreement or otherwise), Transport for London may—
- (a) acquire by agreement any land or other property used for the purpose of carrying on those activities; and
 - (b) in the case of an agreement under section 156(3) of this Act or of a transport subsidiary's agreement falling within section 169(3) above, itself carry on those activities notwithstanding that it would not otherwise have power to do so.

Research and development of policies

- 22 (1) Transport for London may do anything which appears to it to be practicable and desirable for the purpose of promoting—
- (a) research into matters affecting, or arising out of, the exercise of the functions of Transport for London or any of its subsidiaries, and
 - (b) the exploitation of the results of any research into any such matter (whether or not promoted by Transport for London) and of anything resulting from any idea affecting, or arising out of, the exercise of any of those functions.
- (2) In paragraph (1)(b) above “exploitation” means the doing of any work requisite to enable the results or (as the case may be) the thing in question to be turned to account.
- (3) Transport for London may exercise the powers under sub-paragraph (1) above by carrying out any research or work for that purpose itself or by arranging for it to be carried out or done by some other person with or without assistance (including financial assistance) from Transport for London.
- (4) Nothing in this paragraph authorises Transport for London, either directly or through a subsidiary of Transport for London, to do any work which it would not have power to do apart from this paragraph.

Welfare and efficiency of employees

- 23 (1) Transport for London may do anything it thinks fit for the purpose of advancing—
- (a) the skill of persons employed by Transport for London or by any subsidiary of Transport for London;
 - (b) the efficiency of the equipment of Transport for London or of any subsidiary of Transport for London or of the manner in which that equipment is operated;
- including providing, or assisting others in providing, facilities for training, education and research.

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- (2) Transport for London may provide houses, hostels and other similar accommodation for persons employed by Transport for London or by any subsidiary of Transport for London.

Acquisition of undertakings etc

- 24 Transport for London may acquire any undertaking or part of an undertaking if the assets comprised in the undertaking or the part of the undertaking are wholly or mainly assets which Transport for London requires for the purposes of discharging any of its functions.
- 25 For the purposes of discharging any of its functions, Transport for London may subscribe for or acquire any securities of a body corporate.

Byelaws for railways

- 26 (1) Transport for London may make byelaws regulating—
- (a) the use and working of its railways;
 - (b) travel on its railways;
 - (c) the maintenance of order on its railways and railway premises, including stations and the approaches to stations;
 - (d) the conduct of all persons while on those premises, including officers and employees of Transport for London.
- (2) Byelaws made by Transport for London by virtue of sub-paragraph (1) above may include in particular byelaws—
- (a) with respect to tickets issued for entry on its railway premises or travel on its railways and the evasion of payment of fares and other charges;
 - (b) with respect to interference with or obstruction of the working of the railways;
 - (c) with respect to the smoking of tobacco in railway carriages and elsewhere;
 - (d) with respect to the prevention of nuisances;
 - (e) with respect to the receipt and delivery of goods;
 - (f) for regulating the passage of bicycles and other vehicles on footways and other premises controlled by Transport for London and intended for the use of pedestrians.
- (3) Any byelaws made by virtue of sub-paragraph (1) above may provide that any person contravening them shall be liable on summary conviction to a fine for each offence not exceeding level 3 on the standard scale or not exceeding a lesser amount.
- (4) Where the contravention of a byelaw made by virtue of sub-paragraph (1) above causes—
- (a) danger or annoyance to the public, or
 - (b) hindrance to Transport for London in the lawful use of its railway,
- Transport for London may summarily interfere to obviate or remove the danger, annoyance or hindrance.
- (5) Anything done by Transport for London under sub-paragraph (4) above is without prejudice to the taking of summary proceedings under sub-paragraph (3) above.

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- (6) Subsections (5) to (12) of section 67 of the Transport Act 1962 (byelaws for railways etc.) shall apply in relation to byelaws made by Transport for London by virtue of sub-paragraph (1) above as they apply to byelaws made under that section but taking references in those subsections to the Board as references to Transport for London.
- (7) For the purposes of this paragraph—
- (a) railways, railway premises, officers or employees of a subsidiary of Transport for London shall be deemed to be railways, railway premises, officers or employees of Transport for London, and
 - (b) footways and other premises controlled by a subsidiary of Transport for London shall be deemed to be footways and other premises controlled by Transport for London.

Byelaws for landing places

- 27 (1) Subject to sub-paragraphs (2) and (3) below, Transport for London may make and enforce byelaws for regulating or controlling the use of any landing place which is vested in or operated by it or any of its subsidiaries.
- (2) Sub-paragraph (1) above does not apply to any landing place for which the Port of London Authority has power to make byelaws under section 161 of the Port of London Act 1968 (byelaws for port premises).
- (3) No byelaw made by Transport for London under sub-paragraph (1) above shall conflict or interfere with the operation of any byelaw made by the Port of London Authority under section 162(1)(b) or (e) of the Port of London Act 1968 (Thames byelaws).
- (4) The power conferred by sub-paragraph (1) above includes the power to make and enforce byelaws specifying—
- (a) persons or descriptions of persons who, or
 - (b) vessels or descriptions of vessels which,
- may or may not use a landing place.
- (5) A person who contravenes a byelaw made under this paragraph shall be liable, on summary conviction, to a fine not exceeding level 2 on the standard scale.
- (6) For the purposes of this paragraph, “landing place” means any waterside landing place, wharf, pier, jetty, pontoon, causeway, hard, footway or other installation, and includes any associated buildings and approaches to it over and from land.
- (7) This paragraph is without prejudice to the provisions of any other enactment.

Museums

- 28 (1) Transport for London may provide and maintain a museum of transport artefacts, records and other exhibits and may do anything necessary or expedient for or in connection with the provision or maintenance of the museum.
- (2) Transport for London may make a charge for admission to a museum maintained by it.

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Supplementary

- 29 If Transport for London engages, either directly or through a subsidiary, in any activities authorised by paragraph 11 or 15(2) or (3) above, it shall in carrying on those activities act as if it were a company engaged in a commercial enterprise or (as the case may be) shall exercise its control over that subsidiary so as to ensure that the subsidiary in carrying on those activities acts as a company so engaged.
- 30 Any specific power conferred on Transport for London by or by virtue of any provision of this Act to make any loan or give any guarantee or to subscribe for or acquire any securities shall not affect the power of Transport for London—
- (a) to lend money by way of investment or to subscribe for or acquire securities by way of investment; or
 - (b) to leave outstanding any loan made or guarantee given, or to retain any securities acquired, by London Regional Transport or by any predecessor in title of London Regional Transport.

Miscellaneous

- 31 (1) Neither Transport for London nor any subsidiary of Transport for London shall be regarded as a common carrier by rail or inland waterway.
- (2) No local enactment passed or made with respect to any particular undertaking so far as it imposes on persons carrying on that undertaking—
- (a) a duty to connect, or afford facilities for the connection of, any siding to a railway; or
 - (b) a duty to permit privately owned railway wagons to be used on a railway owned or operated by them; or
 - (c) a duty (otherwise than to a named person, or to the successor of a named person, or for the benefit of specified lands) to provide or maintain any other railway services or facilities (including the provision of stations, sidings or carriages and of any services, facilities or amenities connected with stations, sidings or carriages);
- or so far as it otherwise makes provision corresponding to any of the repealed enactments, shall apply to Transport for London.
- (3) The reference in sub-paragraph (2) above to the repealed enactments is a reference to the following enactments, that is to say—
- section 76 of the Railways Clauses Consolidation Act 1845;
 - section 69 of the Railways Clauses Consolidation (Scotland) Act 1845;
 - sections 2 and 7 of the Railway and Canal Traffic Act 1854;
 - sections 16 and 39 of the Railways Act 1921;
 - section 30 of the London Passenger Transport Act 1933;
 - section 39 of the Road and Rail Traffic Act 1933; and
 - section 22 of the Transport Act 1953;
- all of which made provision with respect to transport charges and facilities and were repealed by the Transport Act 1962.

Other powers

- 32 Transport for London may do all other things which in its opinion are necessary or expedient to facilitate the discharge by it of any of its functions, including the

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securing of the performance of any agreement entered into by it under section 156 of this Act or of any transport subsidiary's agreement.

- 33 Transport for London may do anything necessary for the purpose of fulfilling a contract which by virtue of section 300 or 415 of this Act has effect as if made by Transport for London, notwithstanding that apart from this paragraph Transport for London would not have power to do that thing.