

[20 & 21 GEO. 5.] *St. Helens* [Ch. cxxxvii.]
Corporation (Trolley Vehicles) Order Confirmation
Act, 1930.



CHAPTER cxxxvii.

An Act to confirm a Provisional Order made by the Minister of Transport under the St. Helens Corporation Act 1921 relating to St. Helens Corporation trolley vehicles. A.D. 1930.

[1st August 1930.]

WHEREAS under the authority of section fifty-five of the St. Helens Corporation Act 1921 the Minister of Transport has made the Provisional Order set out in the schedule to this Act annexed : 11 & 12
Geo. 5.
c. lxxviii.

And whereas a Provisional Order made by the Minister of Transport under the authority of the said section is not of any validity or force whatever until the confirmation thereof by Act of Parliament :

And whereas it is expedient that the Provisional Order made by the Minister of Transport under the authority of the said section and set out in the schedule to this Act annexed be confirmed by Act of Parliament :

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

1. This Act may be cited as the St. Helens Corporation (Trolley Vehicles) Order Confirmation Act 1930. Short title.

[Price 4d. Net.]

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Confirma-
tion of
Order in
schedule.

2. The Order set out in the schedule to this Act annexed shall be and the same is hereby confirmed and all the provisions thereof in manner and form as they are set out in the said schedule shall from and after the passing of this Act have full force and validity and the date of the same shall be the date of the passing of this Act.

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SCHEDULE.

A.D. 1930.

**ST. HELENS CORPORATION (TROLLEY
VEHICLES).**

Order authorising the mayor aldermen and burgesses of the borough of St. Helens to provide maintain and use trolley vehicles upon a route in the urban district of Haydock.

1. This Order may be cited as the St. Helens Corporation (Trolley Vehicles) Order 1930 and the St. Helens Corporation (Trolley Vehicles) Orders 1924 and 1927 and this Order may be cited together as the St. Helens Corporation (Trolley Vehicles) Orders 1924 to 1930. Short and collective titles.

2. In this Order the following expressions have unless the subject or context otherwise requires the meanings hereinafter assigned to them (namely) :— Interpretation.

“The Corporation” means the mayor aldermen and burgesses of the borough of St. Helens;

“The borough” means the borough of St. Helens;

“The general rate fund” and “the general rate” mean respectively the general rate fund and the general rate of the borough;

“Trolley vehicle” means a mechanically propelled vehicle adapted for use upon roads without rails and moved by electrical power transmitted thereto from some external source;

“Trolley vehicle equipment” means and includes all posts poles standards brackets cables conductors tubes mains transformers feeders wires and other apparatus and equipment for the purpose of working and lighting the trolley vehicles;

“The Act of 1869” “the Act of 1879” “the Act of 1883.” “the Act of 1898” “the Order of 1900” “the Act of 1911” “the Act of 1921” “the Order of 1924” and “the Order of 1927” mean respectively the St. Helens Improvement Act 1869 the Saint Helens and District Tramways Act 1879 the Saint Helens and District Tramways Act 1883 the St. Helens Corporation Act 1898 the St. Helens Corporation Tramways Order 1900 (confirmed by the Tramways Orders Confirmation

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(No. 2) Act 1900) the St. Helens Corporation Act 1911 the St. Helens Corporation Act 1921 the St. Helens Corporation (Trolley Vehicles) Order 1924 and the St. Helens Corporation (Trolley Vehicles) Order 1927.

Additional
trolley
vehicle
route.

3. The Corporation may provide maintain and equip (but shall not manufacture) trolley vehicles and may use the same upon the following route (that is to say):—

Route No. 1 (2 miles 2 furlongs and 0·636 chain or thereabouts in length to be situate in the urban district of Haydock) Commencing in West End Road at the boundary between the said district and the borough proceeding thence along West End Road Clipsley Lane Church Road and Kenyons Lane and terminating in Church Road at the present Corporation tramway terminus one hundred yards east of Kenyons Lane :

Provided that before equipping the said route to include a turning point or before arranging for a new turning point thereon the Corporation shall submit plans of the turning point to the Minister of Transport for approval :

Provided also that no turning point shall be fixed upon any road or street belonging to or maintained by a railway company without the consent in writing of such company which consent shall not be unreasonably withheld.

For protec-
tion of
Lancashire
County
Council.

4.—(1) The Corporation shall abandon and discontinue the existing tramway of the Corporation on Route No. 1 by this Order authorised if and when they have provided along that route apparatus and equipment for the working of trolley vehicles in pursuance of the powers of this Order and shall give to the Lancashire County Council (in this section called "the County Council") not less than one month's previous notice of their intention so to abandon and discontinue such tramway.

(2) The County Council (if they think fit) may within one month after the service upon them of the notice referred to in subsection (1) of this section give notice to the Corporation that they desire to reconstruct the road and the Corporation shall in lieu of carrying out the works necessary for the reconstruction of the road pay to the County Council in respect of the tramway to be abandoned by the Corporation such sum as would have represented the cost to which the Corporation would have been put in restoring the portion of the road on which the rails paving setts and tramway apparatus were laid or placed to as good a condition as that in which it was before the rails paving setts and tramway apparatus were laid or placed thereon. Provided further that the Corporation shall not be required to bear any part of any additional cost which the County Council may incur in putting the road into a condition better than it was at the time when the

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rails paving setts and tramway apparatus were laid or placed thereon. A.D. 1930.

(3) If any difference shall arise hereunder between the Corporation and the County Council the same shall be settled by the Minister of Transport or by an arbitrator appointed by him.

5.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and in order to secure the repayment of the said sums and the payment of interest thereon they may mortgage or charge the revenue of the tramway undertaking of the Corporation and the general rate fund and general rate and they shall pay off all moneys so borrowed within the respective periods mentioned in the third column of the said table (namely) :—

Power to borrow.

1	2	3
Purpose.	Amount.	Period for repayment.
(a) For the provision of trolley vehicles	£ 6,750	10 years from the date or dates of borrowing.
(b) For the provision of trolley vehicle equipment and the construction of other works necessary for working trolley vehicles along the route authorised by this Order.	1,866	20 years from the date or dates of borrowing.
(c) For paying the costs charges and expenses of this Order.	The sum requisite.	5 years from the passing of this Order.

(2) (a) The Corporation may also with the consent of the Minister of Transport borrow such further money as may be necessary for any of the purposes of their trolley vehicle undertaking.

(b) In order to secure the repayment of any money borrowed under this subsection and the payment of interest thereon the Corporation may mortgage or charge such revenue fund or rate as may be prescribed by the Minister of Transport.

(c) Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Minister of Transport.

(3) The provisions of this section shall not limit the powers conferred upon the Corporation by section 125 (Security for principal moneys) of the Act of 1898.

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Application
of provisions
of previous
enactments.

6.—(1) The provisions of the Lands Clauses Acts the Act of 1869 the Tramways Act 1870 the Act of 1879 the Act of 1883 the Act of 1898 the Order of 1900 the Act of 1911 the Act of 1921 and the Order of 1924 as incorporated with or applied to the Order of 1927 by the following sections of that Order shall so far as applicable and with any necessary modifications extend and apply to the exercise of the powers of this Order as if the same were set out in this Order (that is to say) :—

Section 2 (Incorporation of Acts);

Section 8 (Application of provisions of previous enactments) :

Provided that the exercise of the powers of section 9 of the Act of 1921 for the purposes of this Order shall be subject to the consent of the road authority but such consent shall not be unreasonably withheld and any question as to whether such consent is unreasonably withheld shall be determined by the Minister of Transport.

(2) The provisions of section 5 (Vehicles not to be deemed light locomotives or motor cars) and section 6 (For protection of certain railway companies) of the Order of 1927 shall so far as applicable extend and apply to the exercise of the powers of this Order as if the same were set out in this Order.

(3) The following section of the Act of 1879 shall with any necessary modifications extend and apply to the exercise of the powers of this Order as if the same were set out in this Order (that is to say) :—

Section 45 (Power to Haydock Local Board to suspend tramway traffic).

For pro-
tection of
Haydock
urban
district
council.

7. The following provisions for the protection of the Haydock urban district council (in this section called "the council") shall except so far as may be otherwise agreed between the Corporation and the council apply and have effect (that is to say) :—

(1) The council may require the Corporation to appoint such reasonable places as may be specified by them as stations and places from which trolley vehicles in the urban district of Haydock shall start or at which they shall stop for the purpose of taking up or setting down passengers :

(2) Any question arising under the provisions of this section as to whether the requirements of the council thereunder are reasonable or otherwise shall be determined by the Minister of Transport or a single arbitrator to be appointed by him and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such determination.

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8. All costs charges and expenses of and incidental to the preparing and obtaining and confirming of this Order or otherwise incurred in relation thereto as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the general rate fund and the general rate or out of money to be borrowed under the powers of this Order for that purpose.

A.D. 1930.
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Costs of
Order.

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