

[24 & 25 GEO. 5.] *Nottingham Corporation* [Ch. li.]
(Trolley Vehicles) Order Confirmation Act, 1934.



CHAPTER li.

An Act to confirm a Provisional Order made by the Minister of Transport under the Nottingham Corporation Act 1913 relating to the Nottingham Corporation Trolley Vehicles. A.D. 1934.

[12th July 1934.]

WHEREAS under the authority of section fifteen of the Nottingham Corporation Act 1913 the Minister of Transport has made the Provisional Order set out in the schedule to this Act annexed : 3 & 4 Geo. 5. c. cxiii.

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 Nottingham Corporation (Trolley Vehicles) Order Confirmation Act 1934. Short title.

[Price 4d. Net.]

[Ch. li.] *Nottingham Corporation* [24 & 25 GEO. 5.]
(Trolley Vehicles) Order Confirmation Act, 1934.

A.D. 1934.

—
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.

SCHEDULE.

A.D. 1934.

NOTTINGHAM CORPORATION (TROLLEY
VEHICLES).

Order authorising the lord mayor aldermen and citizens of the city of Nottingham and county of the same city to use trolley vehicles upon a route in the city of Nottingham.

1.—(1) This Order may be cited as the Nottingham Corporation (Trolley Vehicles) Order 1934.

Short and
collective
titles.

(2) The Act of 1913 the Act of 1920 the Act of 1923 the Act of 1925 the Act of 1929 the Act of 1930 and this Order may be cited together as the Nottingham Corporation (Trolley Vehicles) Acts and Order 1913 to 1934.

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

Interpreta-
tion.

“The city” means the city of Nottingham and county of the same city;

“The Corporation” means the lord mayor aldermen and citizens of the city;

“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;

“The Act of 1902” “the Act of 1913” “the Act of 1920” “the Act of 1923” “the Act of 1925” “the Act of 1929” and “the Act of 1930” mean respectively the Nottingham Corporation Act 1902 the Nottingham Corporation Act 1913 the Nottingham Corporation Act 1920 the Nottingham Corporation Act 1923 the Nottingham Corporation Act 1925 the Nottingham Corporation Act 1929 and the Nottingham Corporation Act 1930.

3.—(1) The Corporation may use trolley vehicles upon the following route in the city :—

Provision
of trolley
vehicles.

Route No. 1 (1 mile 6 furlongs and 7·42 chains or thereabouts in length) commencing in Alfreton Road at its junction

[Ch. li.] *Nottingham Corporation* [24 & 25 GEO. 5.]
(*Trolley Vehicles*) *Order Confirmation Act, 1934.*

A.D. 1934.

with Bentinck Road thence proceeding along Alfreton Road to and across Bobber's Mill Bridge thence along Nuthall Road to and terminating in that road at its junction with Stockhill Lane.

(2) 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.

(3) If the Corporation shall not have commenced to use trolley vehicles along the said route within five years from the passing of the Act confirming this Order or such extended time as the Minister of Transport may upon the application of the Corporation allow the powers conferred by this Order shall cease to be exerciseable.

Application
of provisions
of enact-
ments
relating to
tramway
undertaking
of Corpora-
tion.

4.—(1) The following provisions of the enactments relating to the tramway undertaking of the Corporation shall so far as applicable extend and apply to and for the purposes of the working of trolley vehicles on the route authorised by this Order as if those provisions were with all necessary modifications set out in this Order. Provided that in the application of such provisions the same shall be read and have effect as if trolley vehicles were carriages used on the tramways of the Corporation.

The provisions hereinbefore referred to are—

The Nottingham and District Tramways Order 1877—

Section 23 (Promoters not bound to carry goods);

Section 24 (Payment of tolls);

Section 25 (Provisions as to arbitration);

So much of Table B contained in the schedule to the said Order as relates to tolls for small parcels.

The Nottingham Improvement Act 1897—

Section 42 (Provisions as to motive power);

Section 43 (Construction of electric works);

Section 44 (Restriction on use of electric power);

Section 46 (Byelaws);

Section 47 (Amendment of the Tramways Act 1870 as to byelaws by local authority);

Section 50 (Prohibiting the raising of fares on Sundays and holidays).

[24 & 25 GEO. 5.] *Nottingham Corporation* [Ch. li.]
(Trolley Vehicles) Order Confirmation Act, 1934.

The Nottingham Corporation Act 1899—

A.D. 1934.

Section 20 (Tramways not to be opened until certified by Board of Trade);

Section 23 (Passengers' luggage);

Section 24 (Form and delivery of notices).

The Nottingham Corporation Act 1900—

Section 16 (Attachment of brackets to buildings).

The Act of 1902—

Section 11 (Corporation may appoint stopping and starting places);

Section 13 (Cheap fares for labouring classes).

The Nottingham Corporation Act 1905—

Section 5 (Supply of energy from electricity works);

Section 6 (As to electrical works &c.);

Section 7 (Apparatus used for mechanical power to be deemed part of tramway);

Section 14 (Regulations by Corporation);

Section 17 (Periodical revision of rates and charges);

Section 18 (As to running through cars and charges for same):

Provided that in the exercise of the powers conferred on the Corporation by the said Order and Acts with reference to the route authorised by this Order no post or other apparatus shall be erected on the carriageway without the consent of the Minister of Transport.

(2) The trolley vehicle undertaking authorised by this Order shall be deemed to form part of the tramway undertaking of the Corporation.

5. The provisions of section 16 (For protection of Postmaster-General) of the Act of 1902 as amended by section 42 (Amendment of section 16 (b) (4) of Nottingham Corporation Act 1902) of the Act of 1929 shall extend and apply to the provision maintenance and working of trolley vehicles under the powers of this Order as if those provisions with the necessary modifications were set out in this Order.

For protection of Postmaster-General.

6.—(1) The Corporation shall have power in addition and without prejudice to their powers of borrowing under the Local Government Act 1933 from time to time to borrow without the consent of any sanctioning authority for and in connection with the purposes mentioned in the first column of the following table the respective sums mentioned in the second column of the said table and they shall pay off all moneys so borrowed within such

Power to borrow.

[Ch. li.] *Nottingham Corporation [24 & 25 GEO. 5.]
(Trolley Vehicles) Order Confirmation Act, 1934.*

A.D. 1934. — periods as the Corporation may determine not exceeding those respectively mentioned in the third column of the said table (namely) :—

1	2	3
Purpose.	Amount.	Period for Repayment.
(a) The provision of trolley vehicles -	£ 10,000	Ten years from the date or dates of borrowing.
(b) The provision of trolley vehicle equipment and the construction of other works necessary for working trolley vehicles on the trolley vehicle route authorised by this Order.	10,766	Twenty years from the date or dates of borrowing.
(c) The payment of the costs charges and expenses of this Order.	The sum requisite.	Five years from the passing of this Order.

(2) The provisions of Part IX of the Local Government Act 1933 so far as they are not inconsistent with this Order shall extend and apply to money borrowed under this section as if it were borrowed under Part IX of that Act and the period fixed for the repayment of any money borrowed under this section shall as respects that money be the fixed period for the purpose of the said Part IX.

(3) In the application of the provisions of the Local Government Act 1933 to the borrowing of any further money for the purposes of this Order the Minister of Transport shall be the sanctioning authority.

Incorporation of further provisions from previous enactments.

7. The following provisions are incorporated with this Order and shall extend and apply to and for the purposes of this Order and the trolley vehicle undertaking authorised thereby as if those provisions with the necessary modifications were set out in this Order (namely) :—

The Nottingham Corporation Act 1910—

Section 26 (Application of section 265 of Public Health Act 1875).

The Act of 1913—

Section 14 (Fares rates and charges) (as amended by the Act of 1925);

Section 17 (For protection of Postmaster-General);

Section 18 (Duties on licences for trolley vehicles);

Section 20 (Shelters or waiting rooms);

Section 21 (Penalty for malicious damage).

[24 & 25 GEO. 5.] *Nottingham Corporation* [Ch. li.]
(Trolley Vehicles) Order Confirmation Act, 1934.

The Act of 1923—

A.D. 1934.

Section 22 (Power to appoint stages).

The Act of 1925—

Section 30 (Application of Tramways Act 1870 to trolley vehicles) Provided that in the application of section 46 (Byelaws by local authority Promoters may make certain regulations) of the Tramways Act 1870 section 250 of the Local Government Act 1933 shall not apply;

Subsection (3) of section 31 (Vehicles not to be deemed light locomotives);

Section 32 (Weight of vehicles and approval of construction by Minister of Transport);

Section 33 (Power to carry certain goods and luggage and dogs on trolley vehicles).

The Act of 1930—

Section 5 (Weight of trolley vehicles);

Section 6 (As to tyres on vehicles).

8. The Minister of Transport may hold such inquiries as he may consider necessary in regard to the exercise of any powers conferred upon him or the giving of consents under this Order and section 290 of the Local Government Act 1933 shall apply accordingly.

Inquiries by
Minister of
Transport.

9. The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Order as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation.

Costs of
Order.

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