

[26 GEO. 5. &
1 EDW. 8.]

*Derby Corporation
(Trolley Vehicles) Order
Confirmation Act, 1936.*

[Ch. xlvi.]



CHAPTER xlvi.

An Act to confirm a Provisional Order made by the Minister of Transport under the Derby Corporation Act 1930 relating to Derby Corporation trolley vehicles. A.D. 1936.
—

[14th July 1936.]

WHEREAS under the authority of section thirty-three of the Derby Corporation Act 1930 the Minister of Transport has made the Provisional Order set out in the schedule to this Act annexed : 20 & 21
Geo. 5.
c. lxvi.

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 Derby Corporation (Trolley Vehicles) Order Confirmation Act 1936. Short title.

[Price 2d. 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. 1936.

DERBY CORPORATION (TROLLEY
VEHICLES).

Order authorising the mayor aldermen and burgesses of the borough of Derby to use trolley vehicles upon additional routes in the borough of Derby and the rural district of Shardlow.

1.—(1) This Order may be cited as the Derby Corporation (Trolley Vehicles) Order 1936. Short and collective titles.

(2) The Derby Corporation Act 1930 and this Order may be cited together as the Derby Corporation (Trolley Vehicles) Act and Order 1930 and 1936.

2. In this Order the following expressions have the meanings hereby assigned to them respectively (that is to say):— Interpretation.

“The borough” means the borough of Derby;

“The Corporation” means the mayor aldermen and burgesses of the borough of Derby;

“The Act of 1930” means the Derby Corporation Act 1930; 20 & 21
Geo. 5.
c. lxvi.

“Trolley vehicle” has the meaning assigned to it by section 4 (Interpretation) of the Act of 1930.

3.—(1) The Corporation may use trolley vehicles upon the following routes in addition to any routes upon which they are already authorised to use trolley vehicles (that is to say):— Power to use trolley vehicles upon certain routes.

Route No. 1 (5 furlongs 1·91 chains or thereabouts in length to be situate in the borough) commencing by a junction with the existing turning circle at the junction of Walbrook Road with Upper Dale Road proceeding thence along Derby Lane Village Street Cabbage Square (now called Browning Street) Browning Street and around Browning Circle and terminating on the northern side thereof at its junction with Browning Street;

Route No. 2 (3 furlongs 6·30 chains or thereabouts in length to be situate in the borough and the parish of Chaddesden in the rural district of Shardlow) commencing by a junction with an existing trolley vehicle route of the Corporation at the junction of Nottingham Road with

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—

Chaddesden Park Road proceeding thence along Chaddesden Park Road to and terminating at the junction of that road with Wilsthorpe Road :

Provided that—

- (a) Before equipping any route to include a turning point or arranging for a new turning point on any route the Corporation shall submit plans of the turning point to the Minister of Transport for approval and in the case of a turning point outside the borough shall also submit a copy of such plans to the chief constable of Derbyshire and before approving any such plans the Minister of Transport shall give to the chief constable an opportunity of making representations with reference thereto and shall consider any such representations which may be made to him ;
- (b) If the Corporation shall not have commenced to use trolley vehicles upon each of the routes authorised by this Order 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 with reference to the use of trolley vehicles upon the route or routes upon which the Corporation shall not have commenced to use trolley vehicles shall cease to be exerciseable.

20 & 21
Geo. 5. c. 43. (2) The application of the provisions of the Act of 1930 as amended by the Road Traffic Act 1930 to this Order in accordance with subsection (1) of section 33 of the Act of 1930 shall have effect with any necessary modification and so far only as the same are applicable for the purpose and for the purpose of such application the expression "trolley vehicle route" where used in the Act of 1930 shall be deemed to include the routes authorised by this Order :

19 & 20
Geo. 5.
c. xxiii. Provided that section 34 (Restricting running of omnibuses in competition) of the Derby Corporation Act 1929 shall not apply to the trolley vehicles and routes referred to in and authorised by this Order.

Borrowing
powers.
23 & 24
Geo. 5. c. 51. 4.—(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 or 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 money so borrowed within such periods as the Corporation may determine not

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exceeding those respectively mentioned in the third column of A.D. 1936.
the said table (namely) :—

1	2	3
Purpose.	Amount.	Period for repayment calculated (except where otherwise stated) from the date or dates of borrowing.
(a) The provision of trolley vehicles	£ 10,000	Ten years.
(b) The provision of electrical equipment and the construction of other works necessary for working trolley vehicles.	2,350	Twenty years.
(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 said 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.

5. All regulations and byelaws relating to the trolley vehicles authorised by the Act of 1930 and made in pursuance of that Act or any other statutory enactment shall with any necessary modifications apply to the trolley vehicles used by the Corporation in pursuance of this Order. Application of byelaws.

6. The provisions of section 250 of the Local Government Act 1933 shall not apply in respect of byelaws to be made under section 40 (As to byelaws &c. under this Part of Act) of the Act of 1930. Procedure for making byelaws.

7. 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.

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Costs of
Order.

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.

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