



### CHAPTER ix:

An Act to modify the provisions of the Cannock Urban District Council Act 1919 with regard to the period within which the consent of a local authority to the continuance of the running of omnibuses under that Act within their district should be obtained to provide that a consent given in accordance with the provisions of this Act shall be deemed to have been given in accordance with and for the purposes of the said Act to make such further provisions as may be incidental to the matters aforesaid and for other purposes.

[2nd July 1941.]

**WHEREAS** the urban district of Cannock in the county of Stafford is an urban district under the government of the Cannock Urban District Council which district and council are in this Act respectively referred to as "the Cannock Urban District" and "the Council":

And whereas by the Cannock Urban District Council Act 1919 (hereinafter referred to as "the Act of 1919") the Council were authorised to provide maintain and run omnibuses within the Cannock Urban District and in order to afford improved means of communication between the Cannock Urban District and certain districts in the neighbourhood thereof the Council were also authorised by the Act of 1919 to provide maintain and run omnibuses along certain routes outside the Cannock Urban District which routes are described in subsection (1) of section 4 of the Act of 1919 as follows (and so far as they are not at the passing of this Act within the Cannock Urban District are hereinafter referred to as "the prescribed routes"):—

9 & 10 Geo. 5.  
c. cxvii.

(a) So much of the Cannock and Lichfield road westward of Five Ways Corner Heath Hayes as is situate within the urban district of Brownhills;

- (b) In the rural district of Lichfield from the boundary between that rural district and the Cannock Urban District at the Bentley Brook near the level crossing on the London and North Western Railway (Cannock Chase branch) along Rugeley Road (Hazleslade) and along Cannock Wood Road to the boundary between the last-mentioned rural district and the Cannock Urban District at the Bentley Brook;
- (c) In the rural district of Cannock—
- (i) From the boundary between that rural district and the Cannock Urban District at Wyrley Brook along Mill Lane Coppice Lane and Station Street to the junction of that street with High Street at Cheslyn Hay;
- (ii) From the junction of Station Street with Coppice Lane Cheslyn Hay along Station Street Stafford and Walsall Road to the boundary between the rural district of Cannock and the Cannock Urban District at Church Bridge;
- (d) In the rural district of Cannock from the boundary between that rural district and the Cannock Urban District near Huntington Wharf along the Stafford road to Huntington and thence along Limepit Lane to the boundary of the Cannock Urban District at Belt Road;
- (e) In the said rural district of Lichfield and the urban district of Rugeley—
- (i) From the boundary between that rural district and the Cannock Urban District at the Bentley Brook near Hednesford along the Rugeley road through Flaxley Green Sandy Lane Higher Brook Street and Lower Brook Street to and along Market Place Rugeley Anson Street and Colton Road to the Railway Inn near the Rugeley Trent Valley railway station;
- (ii) From the boundary between the rural district of Lichfield and the Cannock Urban District at Broadhurst Green along the Rugeley road and Penkridge Bank Slitting Mill Road Sheep Fair Bow Street to and along the Market Place Rugeley along Anson Street and Colton Road to the Railway Inn near the Rugeley Trent Valley railway station;
- (f) In the rural district of Cannock and the urban districts of Wednesfield and Heathtown from the boundary between the last-mentioned rural district

and the Cannock Urban District at Wyrley Brook at Wedges Mills along the Wolverhampton road through Sharehill to Fallings Park at the junction of Victoria Road with the Cannock and Wolverhampton road in the said urban district of Heathtown:

And whereas since the passing of the Act of 1919 alterations have been made in the local areas or some of them in which the routes hereinbefore described are situate the said route (a) and the said route (b) are now within the Cannock Urban District and the prescribed routes are now situate within the following local areas respectively namely the rural district of Cannock the rural district of Lichfield the urban district of Rugeley the urban district of Wednesfield and the borough of Wolverhampton:

And whereas by paragraph (i) of subsection (2) of section 4 of the Act of 1919 it was provided among other things that the powers by that section conferred upon the Council of running omnibuses along the routes outside the Cannock Urban District described in that section should cease as regards each such route at the expiration of a period of ten years from the passing of that Act unless the local authority of the district in which such route is situate should at any time during the three years preceding the expiration of such period consent to the powers in respect of that route being continued and such consent if given should have effect for a period of ten years from the expiration of the first-mentioned period of ten years and that such extended period might from time to time be further extended in each case for a further period of ten years from the expiration of the then current period provided that the consent to any such extension be given by such local authority as aforesaid at any time during the three years preceding the termination of the then current period:

And whereas it was further provided by paragraph (iii) of the said section 4 that if in any case such consent as aforesaid were not obtained before the expiration of the then current period of ten years the powers of running omnibuses conferred by that Act in respect of the route with reference to which the consent had not been obtained should cease at the expiration of such period and by paragraph (iv) of the said section 4 it was also provided that any consent under paragraph (i) of that subsection should not be unreasonably withheld and that any difference as to whether or not any such consent is unreasonably withheld should be determined by an arbitrator as therein provided:

And whereas in the case of each of the prescribed routes the local authority of the district in which such route is situate

gave their consent in pursuance of paragraph (i) of subsection (2) of the said section 4 to the continuance of the powers conferred by that section upon the Council of running omnibuses along such route and in the case of each such local authority the period of such consent in pursuance of the said paragraph (i) expired on the twenty-third day of December nineteen hundred and thirty-nine:

And whereas by section 14 of the Act of 1919 provision is made under which the Council and any other local authority, company, body or person providing or running omnibuses or other vehicles in any other district adjoining or adjacent to the Cannock Urban District may enter into and carry into effect working and other agreements as provided in that section:

And whereas by an agreement made the seventh day of June nineteen hundred and twenty-one between the mayor, aldermen and burgesses of the borough of Wolverhampton (hereinafter referred to as "the Wolverhampton Corporation") and the Council the Wolverhampton Corporation provide maintain and run a service of omnibuses along the route described under the letter (f) in subsection (1) of the said section 4 of the Act of 1919:

And whereas it is provided by the said agreement that it should come into force as from the first day of January nineteen hundred and twenty-one (subject to the provision of subsection (2) of the said section 4 of the Act of 1919) and shall continue except as therein provided for a period of twenty years from that date:

And whereas by an agreement made the seventh day of April nineteen hundred and twenty-seven between the Council and the mayor, aldermen and burgesses of the borough of Walsall (hereinafter referred to as "the Walsall Corporation") the Walsall Corporation provide maintain and run services of omnibuses along certain routes within the Cannock Urban District and also along the said routes (c) (i) and (ii) part of the said route (d) and the said route (e) (i) with the exception of a small part of the last-mentioned route:

And whereas by a supplemental agreement made the fifth day of July nineteen hundred and thirty-four between the Council and the Walsall Corporation the said agreement of the seventh day of April nineteen hundred and twenty-seven was continued in force for a period of seven years from the fourteenth day of May nineteen hundred and thirty-four subject to certain alterations and amendments:

And whereas by inadvertence application was not made by the Council during the period prescribed by paragraph (i) of subsection (2) of section 4 of the Act of 1919 for the consent

of the respective local authorities within whose district the prescribed routes are respectively situate to the continuance of the powers of the Council of running omnibuses along the prescribed routes:

And whereas it is in the public interest that the powers conferred upon the Council by the Act of 1919 relative to the running of omnibuses along the prescribed routes should be continued and should be deemed to have been exerciseable by the Council as if the consents required by the said paragraph (i) of subsection (2) of the said section 4 had been given in accordance with the provisions of that paragraph:

And whereas it is expedient that such other provisions as are contained in this Act should be made:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

And whereas in relation to the promotion of the Bill for this Act the requirements of Part XIII of the Local Government Act 1933 have been observed:

23 & 24 Geo. 5.  
c. 51.

May it therefore please Your Majesty that it may be enacted and be it 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 Cannock Urban District Council Act 1941 and this Act and the Act of 1919 may be cited together as the Cannock Urban District Council Acts 1919 and 1941.

Short title.

2.—(1) A consent given on or before the twenty-third day of December nineteen hundred and forty-one or within the period of two years immediately preceding that date by the local authority of a district to the exercise by the Council within that district of the powers of the Council of running omnibuses conferred upon the Council by the Act of 1919 shall be deemed to have been given and shall have effect as if it had been given in accordance with and for the purposes of paragraph (i) of subsection (2) of section 4 (Power to provide and run omnibuses) of the Act of 1919 notwithstanding that such consent was not given by such local authority during the period prescribed by the said paragraph (i).

Further provision as to consents of local authorities to running of omnibuses along certain routes.

(2) Notwithstanding anything contained in paragraph (iii) of the said subsection (2) of section 4 of the Act of 1919 the powers of the Council conferred by that Act of running omnibuses along a prescribed route to which the consent of the local authority has been or may be given in accordance with

Council Act, 1941.

the provisions of this section shall be deemed to have continued and to have been exerciseable as if such consent had been given within the period prescribed by the said paragraph (i) of subsection (2) of section 4 of the Act of 1919.

(3) The provisions of the Act of 1919 shall be read and have effect subject to the provisions of this section.

Power to borrow.

3.—(1) The Council 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 the sum or sums requisite for the payment of the costs charges and expenses of this Act and they shall pay off all moneys so borrowed within such period as the Council may determine not exceeding five years from the passing of this Act.

(2) The provisions of Part IX of the Local Government Act 1933 so far as they are not inconsistent with this Act 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.

Costs of Act.

4. The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Council in the first instance out of the general rate fund and general rate but ultimately out of moneys to be borrowed under the authority of this Act for that purpose.

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