



CHAPTER xlv.

An Act to confirm a Provisional Order made by the Minister of Transport under the Portsmouth Corporation Act 1930 relating to Portsmouth Corporation trolley vehicles. [10th July 1935.]

A.D. 1935.

WHEREAS under the authority of section thirty-two of the Portsmouth Corporation Act 1930 the Minister of Transport has made the Provisional Order set out in the schedule to this Act annexed :

20 Geo. 5.
c. lii.

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 Portsmouth Corporation (Trolley Vehicles) Order Confirmation Act 1935.

Short title.

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.

Confirma-
tion of
Order in
schedule.

[Ch. xlv.] *Portsmouth Corporation* [25 & 26 GEO. 5.]
(*Trolley Vehicles*) Order Confirmation Act, 1935.

A.D. 1935.

SCHEDULE.

PORTSMOUTH CORPORATION
(TROLLEY VEHICLES).

Order authorising the lord mayor aldermen and citizens of the city of Portsmouth to use trolley vehicles upon certain routes in the city of Portsmouth.

Short and
collective
titles.

1.—(1) This Order may be cited as the Portsmouth Corporation (Trolley Vehicles) Order 1935.

(2) The Portsmouth Corporation Act 1930 and this Order may be cited together as the Portsmouth Corporation (Trolley Vehicles) Act and Order 1930 and 1935.

Interpreta-
tion.

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

“The city” means the city of Portsmouth;

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

“The Act of 1930” means the Portsmouth Corporation Act 1930;

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

Power to use
trolley
vehicles
upon certain
routes.

3. The Corporation may use trolley vehicles upon the following routes in the city (that is to say):—

Route No. 1 (6 furlongs 8·18 chains or thereabouts in length) commencing in Twyford Avenue at the terminus of the existing tramway therein proceeding along Northern Parade to and terminating at its junction with London Road;

Route No. 2 (7 furlongs or thereabouts in length) commencing at the junction of Portsmouth Road (Cosham) with Northern Road (Cosham) proceeding along Northern Road (Cosham) to its junction with London Road (Cosham) and along London Road (Cosham) to its junction with Spur Road and along Spur Road to and terminating at its junction with Northern Road (Cosham):

Provided that—

(a) before equipping any trolley vehicle route to include a turning point or before 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;

[25 & 26 GEO. 5.] *Portsmouth Corporation* [Ch. xlv.]
(Trolley Vehicles) Order Confirmation Act, 1935.

(b) 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; A.D. 1935.
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(c) 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 shall so far as they relate to the use of trolley vehicles upon the route upon which the Corporation shall not have commenced to use trolley vehicles cease to be exerciseable.

4. The provisions of Part IV (Trolley vehicles &c.) of the Act of 1930 as amended by the Road Traffic Act 1930 and of the enactments incorporated therewith or applied thereby in so far as those provisions relate to trolley vehicles and are applicable to and not inconsistent with or rendered unnecessary by the provisions of this Order shall apply to the trolley vehicles and routes referred to in and authorised by this Order in like manner as they apply to the trolley vehicles and routes authorised by the said Part IV. Application
of Part IV of
Act of 1930.

5.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest 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 periods as the Corporation may determine not exceeding those respectively mentioned in the third column of the said table (namely) :— Power to
borrow.

Purpose.	Amount.	Period for Repayment.
(a) The provision of trolley vehicles	£ 8,000	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 along the routes authorised by this Order.	5,300	Fifteen 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 confirmation of this Order.

[Ch. xlv.] *Portsmouth Corporation [25 & 26 GEO. 5.]
(Trolley Vehicles) Order Confirmation Act, 1935.*

A.D. 1935.

(2) For the purposes of subsection (2) of section 63 (Power to borrow and repayment of borrowed moneys) of the Act of 1930 as modified by section 197 of the Local Government Act 1933 the purposes of this Order shall be deemed to be purposes of the tramway undertaking of the Corporation.

(3) The provisions of this section shall not limit the powers conferred upon the Corporation by section 149 (Power to use one form of mortgage for all purposes) of the Portsmouth Corporation Act 1920.

Procedure
for making
byelaws.

6. The provisions of section 250 (Procedure &c. for making byelaws) of the Local Government Act 1933 shall not apply in respect of byelaws to be made under section 46 (Byelaws by local authority Promoters may make certain regulations) of the Tramways Act 1870 or under section 69 (Shelters or waiting rooms and barriers) of the Portsmouth Corporation Act 1920.

Inquiries by
Minister of
Transport.

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.

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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