



CHAPTER xxii.

An Act to confirm a Provisional Order made by the Minister of Transport under the West Hartlepool Corporation Act 1923 relating to West Hartlepool Corporation trolley vehicles. A.D. 1928.
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[2nd July 1928.]

WHEREAS under the authority of sections five and fifteen of the West Hartlepool Corporation Act 1923 the Minister of Transport has made the Provisional Order set out in the schedule to this Act annexed: 13 & 14 Geo. 5. c. xciv.

And whereas a Provisional Order made by the Minister of Transport under the authority of the said sections 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 sections 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 West Hartlepool Short title.
(*Trolley Vehicles*) Order Confirmation Act 1928.

[Price 4d. Net.]

[Ch. xxii.] *West Hartlepool* [18 & 19 GEO. 5.]
(*Trolley Vehicles*) *Order Confirmation Act, 1928.*

A.D. 1928.

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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.

SCHEDULE.

A.D. 1928.

WEST HARTLEPOOL CORPORATION (TROLLEY VEHICLES).

Order authorising the mayor aldermen and burgesses of the borough of West Hartlepool to use trolley vehicles upon routes in the borough of West Hartlepool and in the parish of Seaton.

1. This Order may be cited as the West Hartlepool Corporation (Trolley Vehicles) Order 1928. Short title.

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 West Hartlepool;

“The borough” means the borough of West Hartlepool;

“The general rate fund” and “the general rate” mean respectively the general rate fund and the general rate of the borough or until the date when the first new valuation list made under Part II. of the Rating and Valuation Act 1925 comes into force in the borough the borough fund and the borough rate of the borough;

“Trolley vehicle” and “road authority” have the meaning assigned to them by section 3 (Interpretation) of the Act of 1923;

“Trolley vehicle routes” means the routes upon which the Corporation are by this Order authorised to work and use trolley vehicles;

“The Act of 1919” means the West Hartlepool Corporation Act 1919;

“The Act of 1923” means the West Hartlepool Corporation Act 1923;

“The Order of 1925” means the West Hartlepool Corporation (Trolley Vehicles) Order 1925.

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A.D. 1928.

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Power to
use trolley
vehicles.

3.—(1) Subject to the provisions of this Order and of the Act of 1923 so far as such provisions are not inconsistent with or rendered unnecessary by the provisions of this Order the Corporation may use trolley vehicles upon the following trolley vehicle routes in addition to any routes upon which they are already authorised to use trolley vehicles (that is to say):—

Route No. 1 (3·45 chains or thereabouts in length to be situate in the borough) commencing at the junction of Clarence Road and Clarence Street passing along Clarence Street to and terminating at the junction of that street with Church Square North;

Route No. 2 (6·0 chains or thereabouts in length to be situate in the borough) commencing at the junction of Upper Church Street and Church Square South passing along Church Square South to and terminating at its junction with Church Street;

Route No. 3 (2 furlongs 0·9 chain or thereabouts in length to be situate in the borough) commencing at the junction of Hart Road and York Road passing along York Road to and terminating at the junction of that road with Victoria Road;

Route No. 4 (2 furlongs 9·0 chains or thereabouts in length to be situate in the parish of Seaton) commencing at the junction of Brenda Road and Seaton Lane passing eastwards along Seaton Lane to and terminating at the boundary of the borough:

Provided that 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 points to the Minister of Transport for approval:

Provided also that subsection (B) (4) of section 24 (For protection of Postmaster-General) of the West Hartlepool Corporation Tramways Order 1912 shall in its application to this Order be read and have effect as if the words "generated or used" by or supplied to the Promoters for the purposes of this Order "enter any of the Promoters works" were inserted in that subsection in substitution for the words "generated for the purposes of this Order at any works of the Promoters enter thereon":

Provided further that the Corporation shall not commence to use trolley vehicles upon Route No. 4 authorised by this Order until the carriageway of Seaton Lane along that route (where such carriageway is less than twenty feet in width) has been widened to a width of not less than twenty feet.

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(*Trolley Vehicles*) *Order Confirmation Act, 1928.*

(2) Unless and until an order be made by the Minister of Transport under section 5 (As to abandonment of tramways) of the Order of 1925 as extended and applied to this Order in relation to any tramway along any of the trolley vehicle routes it shall not be necessary to provide a service of tramcars upon the route of any such tramway along which a service of trolley vehicles is provided by the Corporation under the provisions of this Order so long as such service of trolley vehicles continues to be so provided.

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4.—(1) The trolley vehicles authorised by this Order shall not be deemed to be light locomotives within the meaning of the Locomotives on Highways Act 1896 nor shall they be deemed to be motor cars within the meaning of any of the provisions of the Motor Car Act 1903 (except subsection (1) of section 1 and the provisions necessary for enforcing that subsection section 6 and the provisions as amended by the Roads Act 1920 relating to the licensing and licences of drivers) and subject to that exception neither the Motor Car Acts 1896 and 1903 nor any byelaws or regulations made thereunder nor the enactments mentioned in the Schedule to the Locomotives on Highways Act 1896 nor the Locomotives Act 1898 shall apply to the said trolley vehicles.

Vehicles not to be deemed light locomotives or motor cars.

(2) The trolley vehicles authorised by this Order shall not be deemed to be omnibuses within the meaning of the Town Police Clauses Act 1889.

5. For the purposes of section 30 (As to through service between Hartlepool and West Hartlepool) of the Hartlepool Corporation (*Trolley Vehicles*) Act 1926 Routes Nos. 1 and 2 authorised by this Order shall be deemed to be part of Trolley Vehicle Route No. 4 authorised by the Act of 1923 and of the portion of Trolley Vehicle Route No. 1 authorised by that Act which is referred to in the said section 30 and the provisions of the said section 30 shall with any necessary modifications apply to Routes Nos. 1 and 2 authorised by this Order accordingly.

As to through service between Hartlepool and West Hartlepool.

6.—(1) The mayor aldermen and burgesses of the borough of Hartlepool and the Corporation may enter into and carry into effect agreements for and in relation to (a) the payment by the said mayor aldermen and burgesses to the Corporation of a portion of the costs charges and expenses incurred by the Corporation preliminary to and of and incidental to the preparing applying for obtaining and passing of this Order and (b) the payment by the Corporation to the said mayor aldermen and burgesses of a portion of any costs charges and expenses incurred by them in relation to this Order.

Agreements with Hartlepool Corporation as to costs.

(2) Any sum paid by the said mayor aldermen and burgesses of the borough of Hartlepool to the Corporation under the provisions of this section shall be deemed to be money necessary for the

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A.D. 1928. purposes of the Hartlepool Corporation (Trolley Vehicles) Act 1926 within the meaning of subsection (2) of section 40 (Power to borrow) of that Act.

Power to borrow.

7.—(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 thereof and in order to secure the repayment thereof 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 the 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):—

1	2	3
Purpose.	Amount.	Period for repayment.
(a) The provision of trolley vehicles -	£ 4,500	Ten years from the date or dates of borrowing.
(b) The provision of electrical equipment and the construction of other works necessary for working the trolley vehicles authorised by this Order.	1,100	Twenty years from the date or dates of borrowing.
(c) The payment of the costs charges and expenses of this Order or any portion of such costs charges and expenses and the payment of any sum under the provisions of the section of this Order of which the marginal note is "Agreements with Hartlepool Corporation as to costs."	The sum requisite.	Five years from the passing of this Order.

(2) The provisions of this section shall not limit the powers conferred upon the Corporation by section 55 (Power to use one form of mortgage for all purposes) of the Act of 1919.

Incorporation of provisions of Order of 1925.

8. The following provisions of the Order of 1925 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 4 (Adaptation of roads);

Section 5 (As to abandonment of tramways);

Section 7 (As to traffic on trolley vehicles).

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(Trolley Vehicles) Order Confirmation Act, 1928.

9. 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. 1928.

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Costs of
Order.

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