



CHAPTER xciv.

An Act to empower the Pontypridd Urban District Council to provide and work trolley vehicles and omnibuses and for other purposes. A.D. 1929.

[10th May 1929.]

WHEREAS the district of Pontypridd in the county of Glamorgan (in this Act called "the district") is an urban district and is under the management of the Pontypridd Urban District Council (in this Act called "the Council"):

And whereas the Council are the owners of and are working a system of tramways within the district and it is expedient to empower them to provide and work vehicles adapted for use upon roads without rails and moved by electrical power transmitted thereto from some external source (in this Act called "trolley vehicles") along the routes described in this Act along some of which routes tramways have been constructed and to confer upon the Council all necessary and convenient powers in regard thereto:

And whereas it is expedient to confer powers upon the Council for the running of omnibuses:

And whereas it is expedient to make further provision with regard to the finances of the Council and the application of revenue derived from their several undertakings:

And whereas it is expedient that the other provisions contained in this Act be enacted:

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

And whereas estimates have been prepared by the Council for the purposes hereinafter mentioned and such estimates are as follows :—

	£
The provision of trolley vehicles - - -	19,500
The provision of electrical equipment and the construction of other works necessary for working trolley vehicles	5,972
The reconstruction of the roads upon which the tramways to be removed or discontinued under the provisions of this Act are situate - - -	21,900
The adaptation or erection of buildings for the purposes of the trolley vehicles and omnibuses of the Council - - -	5,000
The provision of omnibuses - - -	15,000

And whereas the several works included in such estimates are permanent works and it is expedient that the cost thereof should be spread over a term of years :

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed :

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 (that is to say) :—

PRELIMINARY.

Short title.

1. This Act may be cited as the Pontypridd Urban District Council Act 1929.

Incorporation of Acts.

2. The Lands Clauses Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act but with the following exceptions (namely) :—

(a) The provisions of the Lands Clauses Consolidation Act 1845 with respect to the

purchase and taking of lands otherwise than A.D. 1929.
by agreement;

- (b) Section 127 of the Lands Clauses Consolidation Act 1845 (relating to the sale of superfluous lands).

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or by the Public Health Acts have the same respective meanings unless there be something in the subject or context repugnant to such construction And in this Act unless the subject or context otherwise requires— Interpre-
tation.

“The Council” means the Pontypridd Urban District Council;

“The district” means the urban district of Pontypridd;

“The clerk” and “the treasurer” mean respectively the clerk and the treasurer of the Council and respectively include any person duly authorised to discharge temporarily the duties of those offices;

“The general rate fund” and “the general rate” mean respectively the general rate fund and the general rate of the district;

“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;

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

“Omnibus” means any stage carriage moved by animal power or by mechanical power (including in that expression steam electrical and every other motive power not being animal power) obtained from some internal source;

“Road authority” means with reference to any road or part of a road over which any proposed omnibus or trolley vehicle service will pass the authority company or person charged with or liable to contribute to the maintenance of such road or part of a road;

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“Statutory borrowing power” “statutory security” and “revenues of the Council” have the meanings assigned to them respectively by section 3 (Interpretation) of the Act of 1903;

“The Act of 1893” “the Order of 1901” “the Order of 1902” “the Act of 1903” “the Act of 1907” and “the Act of 1920” mean respectively the Pontypridd Local Board (Gas) Act 1893 the Pontypridd Urban District Council Tramways Order 1901 the Pontypridd Urban District Council Tramways Order 1902 the Pontypridd Urban District Council Act 1903 the Pontypridd Urban District Council Act 1907 and the Pontypridd Urban District Council Act 1920.

TROLLEY VEHICLES OMNIBUSES AND TRAMWAYS.

Power to
use trolley
vehicles.

4.—(1) Subject to the provisions of this Act the Council may provide maintain and equip (but shall not manufacture) trolley vehicles and may use the same upon all or any of the following trolley vehicle routes in the district (that is to say) :---

Route No. 1 Commencing in the Cardiff-Merthyr main road at the point opposite the entrance to the Albion Colliery at Cilfynydd passing in a southerly direction along that road to Norton Bridge along Coedpenmaen Road Corn Stores Hill Bridge Street Taff Street High Street Broadway Fothergill Street and Park Street and terminating in that road at a point opposite John Street;

Route No. 1A Commencing in Park Street Treforest at its junction with John Street passing along John Street and Long Row to and terminating by a junction with Route No. 1B in Forest Road;

Route No. 1B Commencing in Park Street Treforest at its junction with Forest Road passing along Forest Road across Castle Bridge along the Cardiff-Merthyr main road across the Glyn Taff Bridge over the Glamorganshire Canal and along Cemetery Road to and terminating at the car depôt of the Council;

Route No. 1c Commencing in Broadway at its junction with Fothergill Street proceeding thence across Machine Bridge to and terminating by a junction with Route No. 1b in the Cardiff-Merthyr main road; A.D. 1929.

Route No. 1d Commencing by a junction with Route No. 1 at the northern junction of Market Street with Taff Street proceeding along Market Street to and terminating by a junction with Route No. 1 at the southern junction of Market Street with Taff Street;

Route No. 2 Commencing in Mill Street at its junction with Taff Street passing in a westerly direction along that road the Viaduct Rhondda Road Hopkinstown Road Gyfeillon Road and Trehafod Road to and terminating at the boundary of the district;

Route No. 2A Commencing in Trehafod Road at its junction with the unnamed road between Nos. 113 and 114 Trehafod Road passing along such unnamed road in a southerly direction to its junction with Ivor Street at its westerly end thence in a westerly direction to a junction with and proceeding along the unnamed road between the Trehafod Hotel and No. 117 Trehafod Road to and terminating by a junction of such last mentioned unnamed road with Route No. 2 in Trehafod Road;

and with the consent of the Minister of Transport along any other street or road in the district which the Council think it necessary or convenient to use for the purpose of providing a turning point of or connecting trolley vehicle routes or of obtaining access thereto from any depôt garage building or work of the Council.

(2) Before equipping any trolley vehicle route to include a turning point or before arranging for a new turning point on any route the Council shall submit plans of the turning point to the Minister of Transport for approval. 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.

5.—(1) The Council may in under or over the surface of the streets or roads along or adjoining those along which they are authorised to run trolley vehicles As to electrical works.

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A.D. 1929. or in which it may be necessary so to do in order to connect the apparatus and equipment for working such vehicles with any generating station place erect and maintain all necessary and proper standards brackets conductors mains cables wires posts poles and any other necessary or convenient apparatus and equipment for the purpose of working the trolley vehicles by electrical power and may for that purpose subject to the provisions contained in Part II of the Tramways Act 1870 and in this Act open and break up any such street or road and any sewers drains water or gas pipes tubes wires telephonic and telegraphic apparatus therein or thereunder and may supply electrical energy for the purpose of working the trolley vehicles :

Provided that no post or other apparatus shall be erected on the carriageway except with the consent of the Minister of Transport.

(2) Nothing in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electricity (Supply) Acts 1882 to 1928 to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of that section.

(3) The Council may also adapt and use for the purpose of working trolley vehicles any apparatus and equipment already provided by them for working tramways in streets or roads along which they are or may be authorised to run trolley vehicles.

(4) In this section the expression "generating station" has the meaning assigned to it by section 25 of the Electric Lighting Act 1909.

For protection of Cardiff Corporation.

6. The provisions of section 29 (For protection of Cardiff Corporation) of the Act of 1920 shall extend and apply for the protection of the Cardiff Corporation in relation to the exercise by the Council of the powers conferred upon them by the section of this Act of which the marginal note is "As to electrical works" as if—

(a) the works to be executed by the Council under the provisions of the said section of this Act in so far as those works involve the opening and breaking up of any street or road were referred

to in the said section 29 in lieu of the works authorised by the Act of 1920 and the tramways authorised by Part II of that Act; and

(b) the last sentence of subsection (1) of the said section 29 were omitted therefrom.

7. Subject to the provisions of this Act the Council shall have the exclusive right of using any apparatus provided erected or maintained by them for the purpose of working the trolley vehicles and any person (except by agreement with the Council) using the said apparatus shall for every offence be liable to a penalty not exceeding twenty pounds.

8.—(1) The trolley vehicles authorised by this Act 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 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 those exceptions 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.

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

9. Nothing in this Act shall in any way affect the duties of excise now payable by law on licences to be taken out for trolley vehicles authorised by this Act as hackney carriages.

10.—(1) The trolley vehicles and the electrical equipment thereof used under the authority of this Act shall be of such form construction weight and dimensions as the Minister of Transport may approve and no trolley vehicle shall be used by the Council which does not comply with the requirements of the Minister of Transport.

(2) Before applying to the Minister for his approval of the weight of any trolley vehicle to be used upon any

A.D. 1929. — road which crosses a bridge belonging to or repairable by a railway company the Council shall give to the railway company notice of the weight of the trolley vehicles proposed to be used by them upon such road and the Minister shall consider and determine after such inquiry as he may think fit any objections which may be submitted by the railway company to him on the ground that the strength of the bridge is insufficient to carry trolley vehicles of such weight Provided that a copy of the objections shall be sent by the railway company to the Council at the same time as they are sent to the Minister.

Inspection
by Minister
of Trans-
port.

11. No trolley vehicle route shall be opened for public traffic until it has been inspected and certified to be fit for traffic by an officer appointed by the Minister of Transport.

Application
of certain
provisions of
Tramways
Act 1870
to trolley
vehicles.

12.—(1) The following provisions of the Tramways Act 1870 (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act and shall apply to the trolley vehicles authorised by this Act and such provisions shall be read and have effect as if the works to be constructed in the streets or roads for moving the trolley vehicles by electrical power were tramways and as if the said trolley vehicles were carriages used on tramways:—

Part II (Relating to the construction of tramways) except sections 25 28 and 29;

Section 41 (Tramways to be removed in certain cases);

Section 46 (Byelaws by local authority Promoters may make certain regulations);

Section 47 (Penalties may be imposed in byelaws);

Section 48 (Power to local authority to license drivers conductors &c.);

Section 49 (Penalty for obstruction of promoters in laying out tramway);

Section 51 (Penalty on passengers practising frauds on the promoters);

- Section 53 (Penalty for bringing dangerous goods on the tramway); A.D. 1929.
- Section 55 (Promoters or lessees to be responsible for all damages);
- Section 56 (Recovery of tolls penalties &c.);
- Section 57 (Right of user only);
- Section 60 (Reserving powers of street authorities to widen &c. roads); and
- Section 61 (Power for local or police authorities to regulate traffic in roads).

(2) Nothing in this section shall be deemed to exclude a trolley vehicle from the provisions of section 78 of the Highway Act 1835 as to the side of the road on which any wagon cart or other carriage is to be kept.

13.—(1) Subject to the provisions of this Act the following provisions of the Order of 1901 the Order of 1902 the Act of 1903 and the Act of 1920 (as amended by this Act) shall extend and apply to the trolley vehicles authorised by this Act as if those provisions were with all necessary modifications re-enacted in this Act (that is to say):—

Applica-
tion of
certain
tramway
provisions
to trolley
vehicles.

The Order of 1901—

- Section 18 (Additional cross-over roads &c. may be made where necessary);
- Section 19 (Temporary tramways may be made when necessary);
- Section 20 (Application of road materials excavated in construction of works);
- Section 22 (Provisions as to motive power);
- Section 23 (Mechanical power works);
- Section 25 (Byelaws);
- Section 27 (Special provisions as to use of electrical power);
- Section 30 (Promoters' lessees not bound to carry animals goods &c.);
- Section 31 (Passengers' fares);
- Section 32 (As to fares on Sundays and holidays);
- Section 33 (Passengers' luggage);
- Section 34 (Cheap fares for labouring classes);

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Section 35 (Rates and charges for animals goods &c.);

Section 37 (Periodical revision of rates and charges);

The schedule.

The Order of 1902—

Section 5 (Notice of alterations of tramways &c.);

Section 6 (For protection of Postmaster-General).

The Act of 1903—

Section 27 (Attachment of brackets to buildings);

Section 36 (Supply of electrical energy for traction purposes).

The Act of 1920—

Section 11 (Use of tramway posts by Postmaster-General);

Section 14 (Shelters or waiting-rooms);

Section 15 (Cloakrooms &c.);

Section 16 (Power to reserve cars for special purposes);

Section 17 (Penalty for malicious damage);

Section 18 (Lost property);

Section 19 (Payment of fares rates and charges);

Section 21 (For protection of railway companies as to tramways);

Section 22 (Through cars);

Section 23 (Attachment of signs indicating stopping-places to lamp-posts &c.);

Section 25 (Use of tramways for sanitary purposes);

Section 27 (Power to acquire patent rights).

(2) Provided that in the application of the provisions referred to in subsection (1) of this section—

(a) the same shall be read and have effect as if the working equipment for trolley vehicles were tramways within the meaning of the said provisions and as if trolley vehicles were carriages used on the tramways of the Council and as if

the trolley vehicle undertaking authorised by this Act formed part of the tramway undertaking authorised by the Orders of 1901 and 1902 and the Acts of 1903 and 1920; A.D. 1929.

(b) sections 31 and 34 of the Order of 1901 shall be read and have effect as amended by the section of this Act of which the marginal note is "Increase of rates for passengers on tramways";

(c) for the purposes of section 27 of the Act of 1903 the word "building" where used therein shall include any bridge or other structure belonging to a railway company.

(3) Provided also that the trolley vehicles shall only be used for the purpose of conveying—

(a) passengers and their luggage;

(b) dogs in the care of passengers the maximum charge for any such dog to be a sum not exceeding the fare payable by the passenger;

(c) mails;

(d) parcels not exceeding fifty-six pounds in weight;

(e) materials required by the Council in the exercise of the powers conferred upon them by section 25 of the Act of 1920; and

(f) materials required for the purposes of the Council or for or in connection with the several undertakings of the Council;

and save as aforesaid shall not be used for the carriage of animals minerals or goods.

14. Subsection (b) (4) of section 6 (For protection of Postmaster-General) of the Order of 1902 shall be read and have effect as if the words "generated or used by or supplied to" were inserted in that subsection in substitution for the words "generated by." For protection of Postmaster-General.

15.—(1) If at any time hereafter the Council desire to provide maintain equip and use trolley vehicles upon any road as defined by the Tramways Act 1870 within the district (other than the streets and roads in this Act hereinbefore referred to) they may make application to the Minister of Transport and the Minister of Transport is hereby empowered to make a Provisional Order authorising the use by the Council of trolley Minister of Transport may authorise new routes.

A.D. 1929. — vehicles subject to such conditions and restrictions (if any) as he may think fit upon any road or roads to which such application relates and containing such incidental provisions as the said Minister may deem expedient and subject to the terms of the Provisional Order the provisions of this Act shall apply as if the use of trolley vehicles upon such road were authorised by this Act.

(2) No such application shall be entertained by the Minister of Transport unless the Council shall—

- (a) have published once in each of two successive weeks in the months of October or November notice of their intention to make such application in some newspaper or newspapers circulating in the district;
- (b) have also published such notice once in the months of October or November in the London Gazette;
- (c) have posted for fourteen consecutive days in the months of October or November in conspicuous positions in each of the roads to which such application relates a notice of their intention to make such application;

and each such notice shall state the time and method for bringing before the Minister of Transport any objections to the grant of such application.

(3) The Minister of Transport may and he is hereby empowered to prescribe the procedure with respect to any application for a Provisional Order under this section.

(4) The Minister of Transport shall consider any such application and may if he thinks fit direct an inquiry to be held in relation thereto or may otherwise inquire as to the propriety of proceeding upon such application and he shall consider any objection to such application that may be lodged with him in accordance with the prescribed procedure and shall determine whether or not it is expedient and proper that the application be granted either with or without addition or modification or subject or not to any restriction or condition.

(5) In any case where it shall appear to the Minister of Transport expedient that the application be granted he may settle and make a Provisional Order authorising

the same and shall as soon as conveniently may be thereafter procure a Bill to be introduced into either House of Parliament for an Act to confirm the Provisional Order which shall be set out at length in the schedule to the Bill and until confirmation with or without amendment by such Act of Parliament a Provisional Order under this Act shall not have any operation.

(6) If while any such Bill is pending in either House of Parliament a petition is presented against any Provisional Order comprised therein the Bill so far as it relates to the Order petitioned against may be referred to a select committee and the petitioner shall be allowed to appear and oppose as in the case of a Bill for a special Act.

(7) The Act of Parliament confirming a Provisional Order under this Act shall be deemed a public general Act.

(8) The making of a Provisional Order under this section shall be *prima facie* evidence that all the requirements of this section in respect of proceedings required to be taken previously to the making of such Provisional Order have been complied with.

(9) Any expenses incurred by the Minister of Transport in connection with the preparation and making of any such Provisional Order and any expenses incurred by the Minister of Transport in connection with any inquiry under this section shall be paid by the Council.

16. All subsisting regulations and byelaws relating to the tramways of the Council made in pursuance of the Tramways Act 1870 or of any other statutory enactment so far as the same are applicable shall with the necessary modifications apply to the trolley vehicles provided by the Council in pursuance of this Act.

Tramway regulations to apply to trolley vehicles.

17.—(1) Subject to the provisions of this Act the Council may provide and maintain (but shall not manufacture) and may run omnibuses within the district.

Power to provide and run omnibuses.

(2) The Council may purchase by agreement take on lease and hold lands and buildings and may erect on any lands acquired by or belonging to them omnibus carriage and motor houses buildings and sheds and may provide such plant appliances and conveniences as may be requisite or expedient for the establishment running equipment maintenance and repair of such omnibuses

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A.D. 1929. — but the Council shall not create or permit any nuisance on any lands upon which they erect any such houses buildings or sheds.

(3) Every omnibus moved by electrical power shall be so equipped and worked as to prevent any interference with telegraphic communication by means of any telegraphic line (as defined by the Telegraph Act 1878) of the Postmaster-General.

(4) The provisions of section 51 (Penalty on passengers practising frauds on the promoters) and section 56 (Recovery of tolls penalties &c.) of the Tramways Act 1870 shall apply to and in relation to the omnibuses of the Council as if they were carriages used on tramways.

(5) The Council may make byelaws for regulating the travelling in or upon their omnibuses and for the prevention of nuisances in or upon the same or in or against any premises held by the Council in connection therewith.

Omnibus
fares and
charges
&c.

18.—(1) (a) Subject to the provisions of this section the Council may demand and take for passengers and parcels carried on the omnibuses of the Council fares and charges not exceeding such maximum fares and charges as may from time to time be approved by the Minister of Transport.

(b) Any application for a revision of such maximum fares or charges may be made by the Council.

(c) Before approving any maximum fares or charges or any revision thereof under this section the Minister of Transport may direct an inquiry to be held.

(2) Where the Minister of Transport causes any such inquiry as aforesaid to be held all expenses incurred by the said Minister in relation to that inquiry shall be paid as the said Minister may by order direct either by the Council or by any of the parties on whose representation the inquiry is held or partly by the Council and partly by any of such parties and the said Minister may certify the amount of the expenses so incurred and any sum so certified and directed by the said Minister to be paid shall be a debt due to the Crown.

(3) Every passenger travelling upon the omnibuses of the Council may take with him personal luggage not exceeding twenty-eight pounds in weight without extra

charge but all such luggage shall be carried by hand and shall not occupy any part of a seat nor be of a form or description to annoy or inconvenience other passengers. A.D. 1929.
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(4) The Council may if they think fit convey on the omnibuses small parcels not exceeding fifty-six pounds in weight and dogs in the care of passengers the charge for any such dog to be a sum not exceeding the fare payable by the passenger but they shall not carry any other goods or animals.

19.—(1) Subject to the provisions of this Act the following provisions of the Order of 1901 and the Act of 1920 shall extend and apply to the omnibuses authorised by this Act as if those provisions were with any necessary modifications re-enacted in this Act (that is to say) :— Application of certain tramway provisions to omnibuses.

The Order of 1901—

- Section 34 (Cheap fares for labouring classes);
- Section 37 (Periodical revision of rates and charges).

The Act of 1920—

- Section 14 (Shelters or waiting-rooms);
- Section 15 (Cloakrooms &c.);
- Section 16 (Power to reserve cars for special purposes);
- Section 18 (Lost property);
- Section 19 (Payment of fares rates and charges);
- Section 21 (For protection of railway companies as to tramways);
- Section 22 (Through cars);
- Section 23 (Attachment of signs indicating stopping-places to lamp-posts &c.).

(2) Provided that in the application of the provisions referred to in subsection (1) of this section—

- (a) the same shall be read and have effect as if omnibuses were carriages used on the tramways of the Council and as if the omnibus undertaking authorised by this Act formed part of the tramway undertaking authorised by the Orders of 1901 and 1902 and the Acts of 1903 and 1920;

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(b) the said section 34 of the Order of 1901 shall only extend and apply to and in respect of the running of omnibuses by the Council along the trolley vehicle routes authorised by the section of this Act of which the marginal note is "Power to use trolley vehicles" and the said section 37 of the Order of 1901 shall only extend and apply in respect of the fares referred to in the said section 34 and in so far as those fares are applicable under this section to the running of omnibuses.

Convey-
ance of
mails.

20. The Council shall perform in respect of the trolley vehicles and omnibuses provided under this Act such services in regard to the conveyance of mails as are prescribed by the Conveyance of Mails Act 1893 in the case of a tramway to which that Act applies.

Adaptation
of roads.

21.—(1) (a) Before the Council commence to run omnibuses or trolley vehicles over any road or part of a road it shall be determined by agreement between the Council and the road authority (where it is not the Council) or failing agreement by the Minister of Transport whether it is necessary (in order to provide for the running under the powers of this Act of an omnibus or trolley vehicle service (as the case may be) over any such road or part of a road) to adapt alter or reconstruct such road or part of a road or to strengthen any county bridge or district bridge and if so what sum of money per mile of road so to be adapted altered or reconstructed or what sum of money in respect of any such bridge shall be payable by the Council to the road authority by way of contribution towards the cost incurred in such adaptation alteration reconstruction or strengthening.

(b) Within six months after the date upon which all questions to be agreed or determined in pursuance of paragraph (a) of this subsection have been so agreed or determined the Council shall give notice in writing to the road authority as to whether they intend to run omnibuses or trolley vehicles over the road or part of a road or bridge in question.

(c) If the Council give notice in writing to the road authority that they intend to run omnibuses or trolley vehicles over the road or part of a road or bridge in question and if it shall have been agreed or determined

that the Council are to make any payment to the road authority under the provisions of paragraph (a) of this subsection the Council shall on receipt of any certificate which may from time to time be issued by the engineer in charge of the work of adaptation alteration or reconstruction of such road or part of a road or of strengthening such bridge pay to the road authority such proportion of the total amount of the contribution agreed or determined to be payable by the Council as the amount so certified to have been expended upon such work bears to the total amount estimated to be expended by the road authority on such work Provided that the aggregate amount to be so paid by the Council shall not exceed the amount of the contribution agreed or determined to be payable by them as aforesaid. A.D. 1929.

(d) Notwithstanding anything in this subsection the Council shall not be required to pay any sum in respect of any work towards or in respect of the adaptation alteration or reconstruction of any such road or part of a road or the strengthening of any bridge which is not executed within three years from the date on which the Council shall commence to run omnibuses or trolley vehicles over the road or part of a road to be adapted altered or reconstructed or over the bridge to be strengthened.

(e) Not more than one payment or (in the case of a payment by instalments in accordance with paragraph (c) of this subsection) one series of payments shall be made in respect of any such road or part of a road so adapted altered or reconstructed or of any such bridge so strengthened.

(f) For the purposes of this subsection the expression "county bridge" shall include every bridge maintainable by a county council and in respect of such bridge the county council shall be deemed to be the road authority and the expression "district bridge" shall include every bridge maintainable by a district council and in respect of such bridge the district council shall be deemed to be the road authority.

(2) If any such adaptation alteration reconstruction or strengthening as aforesaid shall involve an alteration of any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General the enactments contained in section 7 of the Telegraph

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A.D. 1929. Act 1878 shall apply to any such alteration and the road authority shall be deemed to be "undertakers" within the meaning of the said Act.

(3) The road authority shall not under section 23 of the Highways and Locomotives (Amendment) Act 1878 as amended by section 12 of the Locomotives Act 1898 or otherwise make any claim against the Council in respect of extraordinary traffic by reason of the user of any highway by the omnibuses or trolley vehicles of the Council.

(4) An agreement under this section with respect to any main road maintained by a local authority at the expense of any county council shall not be made except with the concurrence of that county council.

Restriction on use of trolley vehicles and omnibuses in Market Street.

22. Notwithstanding anything contained in this Act the Council shall not except with the consent of the Pontypridd Markets Fairs and Town Hall Company—

(a) use any trolley vehicles in Market Street within the district on any market or fair day; or

(b) run omnibuses in that street on any market or fair day if such running of omnibuses interferes with the market or fair then being carried on in such street;

but nothing in this section shall take away or prejudice any rights of the Council in over or affecting the said street.

Working and other agreements.

23.—(1) The Council and any company body or person may enter into and carry into effect agreements for the working user management and maintenance subject to the provisions of this Act of any trolley vehicle and omnibus services which the Council are for the time being empowered to run or which the Rhondda Tramways Company Limited are for the time being empowered to run from the boundary of the district at Trehafod to Porth.

(2) Any agreement made under subsection (1) of this section may provide for all or any of the following purposes (that is to say):—

(a) The formation of junctions between the trolley vehicle systems of the contracting parties;

(b) The working user management and maintenance of any trolley vehicles omnibuses lands depôts buildings sheds and property provided in con-

nection with any such trolley vehicle and omnibus services as aforesaid by either of the contracting parties and the right to provide and use the same and to demand and take the fares and charges authorised in respect of such services provided that the omnibuses of the Council shall not be worked used or managed outside the district except within that part of the urban district of Rhondda which is referred to in subsection (1) of this section;

- (c) The supply by any of the contracting parties under and during the continuance of any such agreement under this section of trolley vehicles and omnibuses and conveniences in connection therewith respectively necessary for the purposes of such agreement and the employment of officers and servants;
- (d) The interchange accommodation conveyance transmission and delivery of traffic arising on or coming from or destined for any trolley vehicle or omnibus service of the contracting parties;
- (e) The payment collection and apportionment of the fares and charges and other receipts arising from any such trolley vehicle or omnibus service as aforesaid.

(3) During the continuance of any agreement under this section for the working running over or user by one of the contracting parties of the trolley vehicle or omnibus systems of the other the trolley vehicle or omnibus systems of the parties so contracting shall for the purposes of calculating maximum fares and charges in respect of conveyance partly over the trolley vehicle or omnibus systems of the one party and partly over those of the other be considered as one trolley vehicle or omnibus system as the case may be and the maximum charge for each portion of the entire distance shall be calculated at the maximum rate which according to the scale applicable to such portion would be chargeable for the entire distance.

(4) The Council shall not enter into or carry into effect any agreement under the provisions of this section in relation to any omnibus service lands depôts buildings sheds or property in the urban district of Rhondda otherwise than with the consent of the Rhondda Urban

[Ch. xciv.] *Pontypridd Urban* [19 & 20 GEO. 5.]
District Council Act, 1929.

A.D. 1929. District Council Provided that on complaint being made to the Minister of Transport that such consent is unreasonably withheld the said Minister may if he thinks fit by order dispense with such consent.

As to
abandon-
ment of
tramways.

24.—(1) At any time after the passing of this Act the Minister of Transport may by order authorise or require the Council to abandon or discontinue temporarily or permanently any of the tramways of the Council along the route of which the Council have provided and equipped or are about to provide and equip trolley vehicles or have provided omnibuses under the provisions of this Act or any Provisional Order made thereunder.

(2) Before making any order under the provisions of this section the Minister of Transport may hold such inquiry as he may consider desirable.

(3) Any order made under the provisions of this section may as from such date as may be specified therein provide for the cesser of all or any of the powers liabilities duties or obligations conferred or imposed upon the Council by any Act or Order relating to any tramway to be abandoned or discontinued in pursuance of such Order and may provide for the removal of the rails of such tramway from the surface of the road and for the portion of the road upon which such rails were laid to be left in good repair and condition so as to comply with the requirements of section 41 of the Tramways Act 1870.

(4) All works carried out by the Council under the powers of this section which affect the property of any railway company shall be carried out in accordance with plans and particulars to be previously submitted to and reasonably approved by the engineer of the railway company and under the superintendence (if such superintendence shall be given) and to the reasonable satisfaction of the said engineer.

As to
liability of
Council for
road repair.

25. As from the date upon which and so long as a service of trolley vehicles or omnibuses is provided by the Council in lieu of a tramway service upon the route of any of the tramways of the Council the revenue of the tramway undertaking of the Council shall (to such extent as the Council may from time to time by resolution determine) cease to be charged with any expenses incurred by the Council upon or in connection with the maintenance and repair of roads along the route or routes upon which such service of trolley vehicles or omnibuses is provided

under any statutory enactment relating to that undertaking but nothing in this section shall relieve the Council of any liability attaching to them in respect of such maintenance and repair. A.D. 1929.
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26. The Council may appoint the stations and places from which their trolley vehicles and their omnibuses shall start or at which they may stop for the purposes of taking up or setting down passengers and may fix the time during which such trolley vehicles and omnibuses shall be allowed to remain at any such place. Council
may appoint
stopping
and start-
ing places.

27. Any byelaws and regulations made by the Council under the provisions contained in this Act shall be made subject and according to the provisions of the Tramways Act 1870 with respect to the making of byelaws. As to bye-
laws &c.
under this
Act.

28. Nothing in this Act shall impose any obligation upon or enlarge any existing obligation of a railway company to strengthen adapt alter or reconstruct any bridge or road maintainable by them. As to roads
and bridges
of railway
companies

29. Subject to the provisions of this Act the trolley vehicle and omnibus undertakings authorised by this Act shall be deemed to form part of the tramway undertaking of the Council Provided that in the accounts of the Council relative to their tramway undertaking the receipts and expenditure upon and in connection with omnibuses and trolley vehicles respectively shall (so far as may be reasonably practicable) be distinguished from the receipts and expenditure upon or in connection with the remainder of such undertaking and in such accounts capital shall be distinguished from revenue. Trolley
vehicles
and omni-
buses to
form part
of tramway
under-
taking.

30. As from the passing of this Act—

- (1) Section 31 (Passengers' fares) of the Order of 1901 shall be read and have effect as if the words "three half-pence" were therein inserted instead of the words "one penny";
- (2) Section 34 (Cheap fares for labouring classes) of the Order of 1901 shall be read and have effect as if the words "one penny for every " mile or fraction of that distance but in no " case shall the promoters' lessees be bound to " charge a less sum than three half-pence " were therein inserted instead of the words " one half-penny for every mile or fraction of that distance."

Increase of
rates for
passengers
on tram-
ways.

A.D. 1929.

Accounts to be furnished to Minister of Transport.

31. The Council shall in every year within three months after the close of their financial year or such longer period as the Minister of Transport may allow furnish to the Minister of Transport a copy of the annual accounts of their tramway undertaking.

FINANCIAL PROVISIONS.

Power to borrow.

32.—(1) The Council 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 of the said sums and the payment of interest thereon they may mortgage or charge the revenues of the Council and they shall pay off all moneys so borrowed within the respective periods (which for the purposes of this Act and of any enactment incorporated therewith or applied thereby shall respectively be "the prescribed period") mentioned in the third column of the said table (namely):—

1	2	3
Purpose.	Amount.	Period of Repayment.
(a) The provision of trolley vehicles	£ 19,500	Ten years from the date or dates of borrowing.
(b) The provision of electrical equipment and the construction of other works necessary for working trolley vehicles.	5,972	Twenty years from the date or dates of borrowing.
(c) The reconstruction of the roads upon which the tramways to be removed or discontinued under this Act are situate.	21,900	Twenty years from the date or dates of borrowing.
(d) The adaptation or erection of buildings for the purposes of the trolley vehicles and omnibuses of the Council.	5,000	Twenty-five years from the date or dates of borrowing.
(e) The provision of omnibuses	15,000	Eight years from the date or dates of borrowing.
(f) The payment of the costs charges and expenses of this Act.	The sum requisite.	Five years from the passing of this Act.

(2) (a) The Council may also borrow with the consent of the Minister of Transport such further moneys as may be necessary for any of the purposes of the foregoing provisions of this Act. A.D. 1929.

(b) The Council may also borrow such further moneys as may be necessary for the purpose of providing a fund for working capital—

- (i) as respects the tramway undertaking of the Council or the trolley vehicle or omnibus undertakings authorised by this Act with the consent of the Minister of Transport;
- (ii) as respects the electricity undertaking with the consent of the Electricity Commissioners;
- (iii) as respects any undertaking of the Council other than the tramway trolley vehicle omnibus and electricity undertakings with the consent of the Minister of Health.

(c) Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Minister or Commissioners with whose consent it is borrowed and that period shall be the prescribed period for the purposes of this Act and the enactments incorporated therewith or applied thereby.

(d) In order to secure the repayment of any money borrowed under this subsection and the payment of interest thereon the Council may mortgage or charge the revenues of the Council.

33. Notwithstanding anything contained in any previous enactment the Council may use for the purpose of any statutory borrowing power exercisable by them any moneys forming part but not for the time being required for the purposes of any fund accumulated as a reserve renewals depreciation contingent or insurance or other similar fund (in this section referred to as "the lending fund") subject to the following conditions:—

Use of moneys forming part of funds instead of borrowing.

- (a) The moneys so used shall be repaid to the lending fund within the period by the methods and out of the fund rate or revenue within by and out of which a loan raised under the statutory borrowing power would be repayable:

Provided that the Council shall repay to the lending fund the moneys so used or the

A.D. 1929.

balance thereof for the time being outstanding as the case may be as and when the same shall be required for the purposes of the lending fund and may if they so resolve repay the same at any time within the period aforesaid and in either case the repayment shall be made out of the fund rate or revenue aforesaid or out of moneys which would have been applicable to the repayment of a loan if raised under the statutory borrowing power;

- (b) Interest shall be paid to the lending fund on any moneys so used and for the time being not repaid at such rate per centum per annum as may be determined by the Council to be equal as nearly as may be to the rate of interest which would be payable on a loan raised on mortgage under the statutory borrowing power and such interest shall be paid out of the fund rate or revenue which would be applicable to the payment of interest on a loan raised under the statutory borrowing power;
- (c) The statutory borrowing power shall be deemed to be exercised by such use as fully in all respects as if a loan of the same amount had been raised in exercise of the power and the provisions of any enactment as to re-borrowing of sums raised under the statutory borrowing power shall apply accordingly.

As to
section 234
of Public
Health
Act 1875.

34. In calculating under subsection (2) of section 234 (Regulations as to exercise of borrowing powers) of the Public Health Act 1875 the amount which the Council may borrow the amount at the time of such calculation of any sinking fund or redemption fund accumulated for the purpose of providing for the repayment of loans contracted by the Council under the Sanitary Acts and the Public Health Act 1875 shall be deducted from the outstanding loans contracted by the Council under those Acts.

Interest on
mortgages
held jointly.

35. Where more persons than one are registered as joint holders of any mortgage of the Council any one of them may give an effectual receipt for any interest thereon unless notice to the contrary has been given to the Council or the treasurer by any other of them.

36. It shall not be obligatory on the Council to receive or register any transfer assignment certificate of death burial bankruptcy or marriage probate letters of administration or other document evidencing a transmission of any authorised security (except securities issued under the Local Loans Act 1875 and except securities to which regulations made under section 52 (Issue of stock) of the Public Health Acts Amendment Act 1890 apply) except upon the production to and temporary deposit with the clerk of the security or the certificate thereof for the purpose of the endorsement thereon of a memorandum of such transmission or the issue of a new security or certificate thereof and in case of the issue of a new security or certificate for the purpose of cancellation of the security or certificate so deposited.

A.D. 1929.

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Evidence
of transfer
or trans-
mission of
securities.

37. If any moneys are payable to a mortgagee or stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Council.

Receipt in
case of
persons
not sui
juris.

38.—(1) The clerk shall if and when he is requested by the Minister of Health so to do transmit to that Minister a return showing the provision made for the repayment of any loans raised by the Council under any statutory borrowing power.

Return to
Minister
with
respect to
repayment
of debt.

(2) The return shall show such particulars and shall be made up to such date and in such form as the said Minister may require and shall if so required by him be verified by statutory declaration of the treasurer or other the chief accounting officer of the Council and shall be transmitted within one month after the making of the request and in the event of his failing to make such return the clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by the said Minister in a court of summary jurisdiction and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the said Minister out of the High Court.

(3) If it appears to the Minister of Health by such a return as aforesaid or otherwise that the Council have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any

A.D. 1929. sinking fund (whether such instalment or annual payment or sum is required by any enactment relating to the statutory borrowing power or by the said Minister in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the said Minister may by order direct that the sum in such order mentioned not exceeding the amount in respect of which default has been made shall be paid or applied in the manner and by the date in such order mentioned and the Council shall notify the said Minister as soon as the order is complied with and any such order shall be enforceable by writ of mandamus to be obtained by the said Minister out of the High Court.

(4) Any provision of any enactment now in force in the district requiring an annual return to be made to the Minister of Health with regard to the repayment of debt is hereby repealed.

Investment
of and
payments
into sinking
fund.

39. When under the provisions of this Act or of any Act of Parliament or of any Order confirmed by or having the effect of an Act of Parliament whether passed confirmed or made before or after the passing of this Act the Council are empowered or required to form a sinking fund redemption fund or loans fund the following provisions shall have effect with respect to the appropriate yearly sums and to the accumulations thereof (if any) required to be set apart for or paid into such sinking fund redemption fund or loans fund for the purpose of providing for the repayment of moneys borrowed by the Council (that is to say) :—

(1) The Council may (in addition to any other powers for the time being vested in them) invest the said yearly sums and accumulations in statutory securities;

(2) The accumulations of the said yearly sums shall be paid and provided out of the general rate fund and general rate and any interest dividends and proceeds arising from the investment of the said yearly sums and the accumulations thereof (including such annual sums and accumulations as have been provided prior to the passing of this Act) shall be paid into and form part of the general rate fund.

40.—(1) Subject to the provisions of subsection (2) of this section notwithstanding anything contained in any previous enactment all money received by the Council on account of the revenue of any undertaking for the time being of the Council from which revenue is derived shall be carried to and shall form part of the general rate fund and all payments and expenses made and incurred in respect of any such undertaking shall be paid out of that fund.

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Application of revenue and payment of expenses of undertakings.

(2) Nothing contained in this section shall be deemed to authorise the Council to apply or dispose of the surplus revenue of the electricity undertaking otherwise than in accordance with the provisions of section 43 of and the Fifth Schedule to the Electricity (Supply) Act 1926.

(3) The Council may (if they think fit) apply money received by them on account of the revenue of their tramway undertaking (including the trolley vehicle and omnibus undertakings authorised by this Act) their gas undertaking and their baths undertaking in the construction renewal extension and improvement of the works and conveniences for the purposes of such undertakings respectively.

41.—(1) The Council shall notwithstanding the provisions of any Act or Order to the contrary keep their accounts so as to distinguish capital from revenue and as regards revenue accounts so as to show under a separate heading or division in respect of each of the undertakings of the Council referred to in the last preceding section of this Act (each of which is in this section separately referred to as "the undertaking") on the one side all receipts (including the interest on any reserve fund authorised in connection therewith) in respect of the undertaking and on the other side all payments and expenses in respect of the undertaking such payments and expenses being divided so as also to show in each case the amounts expended in respect of each of the following purposes (that is to say):—

Separate accounts to be kept.

(a) The working and establishment expenses and cost of maintenance of the undertaking;

(b) The interest on moneys borrowed and applied by the Council for the purposes of or connected with the undertaking;

A.D. 1929.

- (c) The requisite appropriations instalments or sinking fund payments in respect of moneys borrowed or applied for the purposes of the undertaking;
- (d) All other expenses (if any) of the undertaking properly chargeable to revenue;
- (e) The amount (if any) paid to any reserve fund which the Council are by this or any other Act or Order (whether passed before or after the date of this Act) authorised to maintain.

(2) The Council shall show in their accounts relating to any undertaking or purpose all items (including receipts and payments in respect of loans applicable thereto) which ought to be entered therein in order to show the financial position of the undertaking or purpose.

(3) In all cases in which the Council keep separate accounts for separate purposes they shall so far as reasonably practicable apportion between those accounts or carry to either of them any receipts credits payments and liabilities which from time to time ought to be so apportioned or carried.

(4) Section 51 (Separate accounts to be kept and audited) of the Act of 1903 is hereby repealed.

Trolley
vehicle
and omni-
bus reserve
funds.

42.—(1) The Council may (if they think fit) provide a reserve fund in respect of each of the following undertakings (namely):—

- (a) the trolley vehicle undertaking;
- (b) the omnibus undertaking;

by setting aside such an amount as they may from time to time think reasonable and (if they invest the amount so set aside or any part thereof) investing the same in statutory securities and accumulating the same until the fund so formed amounts to the maximum reserve fund for the time being prescribed by the Council not exceeding one-tenth of the aggregate capital for the time being expended by the Council upon the undertaking.

(2) Any reserve fund formed under this section shall be applicable to answer any deficiency at any time happening in the income of the Council from the undertaking in respect of which it is formed or to meet any extraordinary claim or demand at any time arising against the Council in respect of that undertaking or for

payment of the cost of renewing improving or extending any part of the works forming part thereof or otherwise for the benefit of that undertaking and so that if that fund be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens. A.D. 1929.

(3) Resort may be had to a reserve fund under the foregoing provisions although such fund may not at the time have reached or may have been reduced below the prescribed maximum.

43.—(1) The following sections of the Act of 1903 the Act of 1907 and the Act of 1920 shall with any necessary modifications and subject as regards mortgages to the provisions of section 25 (Power to use one form of mortgage for all purposes) of the Act of 1907 extend and apply to the exercise of the powers of this Act as if the same were re-enacted in this Act (that is to say) :— Applica
tion of
provisions
of Acts of
1903 1907
and 1920.

The Act of 1903—

- Section 10 (Temporary stoppage of streets);
- Section 19 (Power to retain sell &c. lands);
- Section 20 (Proceeds of sale of surplus lands);
- Section 39 (Certain regulations of Public Health Act 1875 as to borrowing not to apply);
- Section 40 (Provisions of Public Health Act 1875 as to mortgages);
- Section 42 (Mode of payment off of money borrowed);
- Section 43 (Sinking fund);
- Section 44 (Protection of lender from inquiry);
- Section 45 (Council not to regard trusts);
- Section 46 (Appointment of receiver);
- Section 49 (Application of money borrowed);
- Section 50 (Expenses of execution of Act);
- Section 53 (Inquiries by Local Government Board).

The Act of 1907—

- Section 18 (Mode of raising money).

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District Council Act, 1929.

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The Act of 1920—

Section 69 (Recovery of penalties &c.);

Section 70 (Recovery of demands);

Section 71 (Informations by whom to be laid);

Section 72 (Application of section 265 of Public Health Act 1875);

Section 73 (Judges not disqualified).

(2) Provided that—

(a) in the exercise of the powers of section 19 of the Act of 1903 as applied to this Act the Council shall not without the consent of the Minister of Health sell lease exchange or otherwise dispose of any lands or interests therein at a price or rent or for a consideration of a value less than the current market value of such lands or interests but a purchaser or lessee shall not be concerned to inquire whether the consent of the said Minister is necessary or has been obtained;

(b) nothing in section 19 of the Act of 1903 shall release the Council or any person purchasing or acquiring any lands from them under that section as applied to this Act from any rents covenants restrictions reservations terms or conditions made payable by or contained in any conveyance lease or other deed or instrument by which any such lands were or may hereafter be conveyed or leased to or otherwise acquired by the Council or any person from or through whom the Council may have derived or may hereafter derive title to the same but all such rents covenants restrictions reservations terms and conditions shall remain and be of as full force and effect and may be recovered exercised enjoyed and enforced in like manner and to the same extent as if this Act had not been passed;

(c) In the application of the said section 53 of the Act of 1903 that section shall be read and have effect as if the words "five guineas" were substituted therein for the words "three guineas."

44. Where the payment of more than one sum by any person is due under any Act or Order for the time being in force in the district any summons or warrant issued for the purposes of such Act or Order in respect of that person may contain in the body thereof or in a schedule thereto all the sums payable by him.

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—
Summons
or warrant
may contain
several
sums.

45. In respect of the exercise of any powers or duties conferred on the Minister of Transport or the giving by him of any consents under this Act or any existing Act or Order of the Council the provisions of Part I of the Board of Trade Arbitrations &c. Act 1874 shall apply as if the Minister of Transport were referred to therein in lieu of the Board of Trade and as if in section 4 of that Act the words "under the seal of the Minister of Transport" were substituted for the words "by writing under the hand of the President or of one of the secretaries of the Board."

Inquiries
by Minister
of Trans-
port.

46. 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 out of the general rate fund and general rate or out of money to be borrowed under this Act for that purpose.

Costs of
Act.

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