



CHAPTER cxxvi.

An Act to authorise the Hastings Tramways Company to run trolley vehicles on additional routes and for other purposes. A.D. 1930.

[10th July 1930.]

WHEREAS the Hastings Tramways Company (hereinafter referred to as "the Company") constructed under powers conferred on them by the Hastings Tramways Act 1900 to 1921 a system of tramways and light railways in the county borough of Hastings and the borough of Bexhill :

And whereas by the Hastings Tramways Company (Trolley Vehicles) Act 1927 the Company were authorised to provide and run trolley vehicles on the routes of their tramways and light railways and on other routes defined in that Act and were required when they had provided apparatus and equipment for the working of trolley vehicles on the routes of their tramways and light railways to abandon and discontinue the tramways and light railways and to take up and remove the rails thereof and to reinstate the roadways :

And whereas by the said Act of 1927 other obligations were placed on the Company including the obligation to provide reasonable services of trolley vehicles and during certain hours of the day services of trolley vehicles at reduced fares on all the routes authorised by that Act :

And whereas the conversion of the Company's tramway and light railway system into a trolley vehicle system has been completed :

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— And whereas it is expedient to authorise the Company to run trolley vehicles on certain other routes defined in this Act on some of which they are now running trolley vehicles and have provided equipment and apparatus for that purpose :

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

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

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 :—

Short and
collective
titles.

1.—(1) This Act may be cited as the Hastings Tramways Company (Trolley Vehicles) Act 1930.

(2) The Hastings Tramways and Trolley Vehicles Acts 1900 to 1927 and this Act may together be cited as the Hastings Tramways and Trolley Vehicles Acts 1900 to 1930.

Interpreta-
tion.

2. In this Act unless the subject or context otherwise requires—

“The Company” means the Hastings Tramways Company;

“The existing Acts” means the Hastings Tramways and Trolley Vehicles Acts 1900 to 1927 and includes the Bexhill and St. Leonards Light Railway Order 1900;

“The Act of 1927” means the Hastings Tramways Company (Trolley Vehicles) Act 1927;

“The 1927 routes” means the routes on which the Company are by the Act of 1927 authorised to run trolley vehicles;

“The new routes” means the routes described in the next succeeding section of this Act;

“The Hastings Corporation” “the Bexhill Corporation” “the Minister” “trolley vehicle” “apparatus” and “road authority” have the same respective meanings as in the Act of 1927.

3.—(1) The Company may subject to the provisions of this Act work and run trolley vehicles along the following routes in addition to the 1927 routes (namely):—

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—
New trolley
vehicle
routes and
turning
points.

In the county borough of Hastings—

Route No. 1 Battle Road in a northerly direction from a point in that road about 10·20 chains northwards from the junction of that road with Upper Church Road to Glen Road and including the turning point on private land at the termination of that route;

Route No. 2 St. Helen's Road from St. Helen's Park Road to Park Cross Road including the turning point at the termination of that route;

Route No. 3 Hughenden Road from Hughenden Place to Mount Pleasant Road;

Route No. 4 Elphinstone Road from St. Helen's Road to Mount Pleasant Road;

Route No. 5 From Cambridge Road along Cambridge Gardens Cornwallis Terrace and Havelock Road to the Albert Memorial.

In the borough of Bexhill—

Route No. 8 From Devonshire Road along Western Road and Wickham Avenue to Cooden Drive;

and with the consents of the local and road authorities (which consents shall not be unreasonably withheld) along any other roads highways and public places in the said boroughs for the purpose of turning any trolley vehicle worked or run by the Company under the powers of the Act of 1927 or this Act or of obtaining access to and egress from any lands garage shed or other building or property of the Company Any question between the Company and any local or road authority as to whether or not any consent under this subsection has been unreasonably withheld shall be determined by the Minister Provided nevertheless that no turning point for trolley vehicles shall be provided along Route No. 8 in Western Road or Wickham Avenue in the borough of Bexhill.

(2) If and so long as no omnibuses are licensed to ply for hire in Havelock Road in the county borough of Hastings or all omnibuses licensed to ply for hire in that

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A.D. 1930. — road are restricted to running in one direction only along that road such direction being from Cornwallis Terrace to the Albert Memorial the Company shall unless otherwise agreed with the Hastings Corporation run trolley vehicles along Route No. 5 authorised by this Act in one direction only such direction being from Cambridge Road along Cambridge Gardens Cornwallis Terrace and Havelock Road to the Albert Memorial.

(3) The running by the Company before the passing of this Act of trolley vehicles along the routes Nos. 1 and 2 above described and the placing and erection by the Company before the passing of this Act of apparatus in under or over the surface of the streets roads and lands constituting those routes (including the respective turning points thereof) and at the turning point provided by the Company at or near the junction of Grosvenor Crescent with Bexhill Road in the county borough of Hastings are hereby sanctioned and confirmed and such apparatus may be continued maintained and used by the Company as though placed or erected under the provisions of the Act of 1927 and this Act.

Cesser of powers.

4. If within three years from the passing of this Act the Company shall not have commenced to run trolley vehicles along any one or more of the new routes the powers conferred by this Act with reference to the route or routes along which the Company have not commenced to run trolley vehicles shall cease to be exerciseable as from the expiration of that period.

Application of Act of 1927 to new trolley vehicle routes and turning points.

5. Except as by this Act otherwise expressly provided the new routes and all turning points provided or maintained by the Company under the powers of section 3 (New trolley vehicle routes and turning points) of this Act shall be deemed to be routes along which the Company are by the Act of 1927 authorised to work or use or to run trolley vehicles and accordingly the provisions of the Act of 1927 as amended by this Act and of the enactments applied by that Act to the trolley vehicle routes authorised by that Act and to the trolley vehicles worked and run and the apparatus provided or used by the Company under the authority of that Act shall (subject to the provisions of this Act) have effect as though the expression "the trolley vehicle routes" in the Act of 1927 included the new routes and the said turning points and the expressions "the trolley vehicles" and "apparatus" in

the Act of 1927 included the trolley vehicles worked and run and the apparatus provided and maintained under the authority of this Act and as though the new routes formed part of the Company's trolley vehicle system.

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6.—(1) Notwithstanding anything in the Act of 1927 or this Act the Company shall not (except as hereinafter provided) run any trolley vehicles along All Saints Street in the county borough of Hastings until the carriageway of that street shall have been widened to a minimum width of twelve feet and shall not run trolley vehicles in both directions simultaneously along that street until the carriageway thereof shall have been widened to a minimum width of twenty feet :

Running of
trolley
vehicles in
All Saints
Street and
High Street.

Provided that—

- (a) if All Saints Street be at any time constituted a street in which vehicular traffic shall pass in one direction only and if and so long as it is a street which may be used by omnibuses the Company may whether or not the carriageway of the street shall have been increased beyond its present width run trolley vehicles along that street in that direction;
- (b) if both All Saints Street and High Street shall at any time be constituted streets in which vehicular traffic shall pass in one direction only and the direction in All Saints Street shall be opposite to the direction in High Street the Company may and shall whether or not the carriageway of All Saints Street shall have been increased beyond its present width run trolley vehicles along each of those streets in one direction only such direction being the direction specified for vehicular traffic in that street;
- (c) if High Street shall at any time be constituted a street in which vehicular traffic shall pass in one direction only and omnibuses are allowed to run along All Saints Street in the opposite direction the Company may whether or not the carriageway of All Saints Street shall have been increased beyond its present width run trolley vehicles along High Street in the direction specified for vehicular traffic in that street and along All Saints Street in the opposite direction.

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(2) Until such time as High Street shall be constituted a street in which vehicular traffic shall pass in one direction only the Company may run trolley vehicles in both directions along that street but the Company shall not—

- (a) run any greater number of trolley vehicles per hour or a service of trolley vehicles of any greater frequency than shall be approved from time to time by the chief constable of the county borough of Hastings; or
- (b) take up or set down passengers in that street except at such point or points (if any) as the said chief constable shall from time to time approve.

The approval of the said chief constable under this subsection shall not be unreasonably withheld and any question as to whether or not such approval has been unreasonably withheld shall be determined by the Minister.

(3) If High Street shall at any time be constituted a street in which vehicular traffic shall pass in one direction only the Company shall not run trolley vehicles along that street other than in the direction specified for vehicular traffic.

(4) The first proviso to section 3 (Power to use trolley vehicles) of the Act of 1927 is hereby repealed.

Company to
provide
reasonable
services.

7.—(1) The Company shall—

- (a) at all times after the passing of this Act provide on each of the 1927 routes (subject as regards All Saints Street and High Street to the provisions of the immediately preceding section) and on the routes Nos. 1 and 2 authorised by this Act; and
- (b) at all times after the opening for public traffic of any other of the new routes provide on such route

such services of trolley vehicles (including through services) as may be reasonably required in the public interests.

(2) The Company shall be liable to a penalty not exceeding five pounds for every day on which they shall fail to comply with the provisions of this section

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Provided that if the failure occurs in more than one borough they shall not be liable for more than one penalty for any one day on which any such failure occurs. A.D. 1930.

(3) Any question which may arise as to what services of trolley vehicles are reasonably required in the public interests shall be determined on the application of the Company or the Hastings Corporation and the Bexhill Corporation or either of them by the Minister whose decision shall be final.

(4) Section 15 (Company to provide reasonable service) of the Act of 1927 is hereby repealed.

8. In the application to the Company's trolley vehicle system of subsections (1) (2) and (3) of section 8 (Reduced return fares to be issued during certain hours) of the Hastings Tramways Act 1920 as extended to that system and modified by section 25 (Reduced return fares during certain hours) of the Act of 1927 the said subsection (1) shall after the passing of this Act be read and have effect as if—

Reduced return fares during certain hours.

(a) the following proviso were inserted immediately before the existing proviso to that subsection (namely) :—

“ Provided that as regards any section of the trolley vehicle system comprising a route or part of a route for which the fare for a single journey is higher in one direction than in the other the Company may charge the higher fare for any return ticket issued under the provisions of this subsection ” ; and

(b) the word “ also ” were inserted after the word “ Provided ” in the said subsection (1).

9. If any failure by the Company to provide such services of trolley vehicles as they are for the time being required to provide under the provisions of the Act of 1927 and this Act is due to any strike or unforeseen accident or other circumstances beyond the control of the Company (for which purpose the want of sufficient funds shall not be considered a circumstance beyond their control) such failure shall not render the Company liable to any penalty under subsection (2) of section 7 (Company to provide reasonable services) of this Act.

Saving for unavoidable failures.

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As to purchase of Company's undertaking.

10. Section 44 (Power to corporations to purchase trolley vehicle undertaking) and section 45 (Right of pre-emption of corporations) of the Act of 1927 shall have effect as if the expression "the undertaking" in those sections included the whole of the undertaking of the Company under the existing Acts and this Act.

Power to apply funds.

11. The Company may from time to time apply towards any of the purposes of this Act to which capital is properly applicable any moneys which they have raised or may hereafter raise under the existing Acts.

Inquiries by Minister.

12. In respect of the exercise of any powers or duties conferred on the Minister or the giving by him of any consents under this Act 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."

Recovery of penalties &c.

13. Save as otherwise expressly provided by this Act all offences against this Act and all penalties forfeitures costs and expenses imposed or recoverable under this Act or under any byelaw made thereunder may be prosecuted and recovered in a summary manner Provided that costs or expenses (except such as are recoverable along with a penalty) shall not be recovered as penalties but may be recovered summarily as civil debts.

Costs of Act.

14. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

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