
STATUTORY INSTRUMENTS

1973 No. 357

TRANSPORT

The British Railways Board (Severn Valley) Light Railway Order 1973

Made - - - - 27th February 1973

Coming into Operation 28th February 1973

The Secretary of State for the Environment on the application of the British Railways Board and in exercise of powers conferred by sections 7, 9, 10 and 18 of the Light Railways Act 1896(a) as amended by the Light Railways Act 1912(b) and Part V of the Railways Act 1921(c) and now vested in him(d) and of all other powers him enabling in that behalf, hereby makes the following Order:—

Citation and commencement

1. This Order shall come into operation on 28th February 1973, and may be cited as the British Railways Board (Severn Valley) Light Railway Order 1973.

Interpretation

2.—(1) In this Order unless the context otherwise requires the following expressions have the meanings hereby respectively assigned to them (that is to say):—

“the Board” means the British Railways Board;

“the principal Act” means the Light Railways Acts 1896 and 1912 as amended by the Railways Act 1921;

“railway No. 1” and “railway No. 2” mean respectively the railways more particularly described in the Schedule hereto;

“the railways” means the railways authorised by this Order to be worked as light railways under the principal Act.

(2) The Interpretation Act 1889(e) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(a) 1896 c. 48.

(b) 1912 c. 19.

(c) 1921 c. 55.

(d) S.I. 1970/1681 (1970 III, p. 5551).

(e) 1889 c. 63.

Power to work railways as light railways

3. Subject to the provisions of this Order—

- (1) the Board may work as light railways under the principal Act railway No. 1 and railway No. 2, and
- (2) such of the enactments set out in the Second Schedule to the Light Railways Act 1896 as are still in force (except paragraphs (a) and (c) of section 1 and sections 5 and 6 of the Regulation of Railways Act 1889(a) shall cease to apply to the railways.

Restrictions of weight on rails and of speed and as to conveyance of passengers

4.—(1) The Board shall not use upon the railways any engine, carriage or truck bringing any weight upon the rails by any one pair of wheels exceeding such weight as the Secretary of State may allow.

(2) The Board shall not run any train or engine upon any part of the railways at a rate of speed exceeding at any time that fixed by the Secretary of State for such part.

(3) No part of the railways shall be used for the public conveyance of passengers without the permission in writing of the Secretary of State first being had and obtained, and the Board shall comply with the conditions (if any) which the Secretary of State may from time to time prescribe for the safety of the public using the railways.

(4) If the Board act in contravention of any of the provisions of this section they shall for each offence be liable on summary conviction to a penalty not exceeding twenty pounds.

Recovery of penalties

5. Any penalty under this Order may be recovered in manner provided by the Magistrates' Courts Act 1952(b).

Costs of Order

6. All costs, charges and expenses of and incident to the preparing for obtaining and making of this Order or otherwise in relation thereto shall be paid by the Board and may in whole or in part be defrayed out of revenue.

Signed by authority of the Secretary of State

W. J. Sharp,

An Under Secretary in the
Department of the Environment.

27th February 1973.

(a) 1889 c. 57.

(b) 1952 c. 55.

SCHEDULE

RAILWAY No. 1

Such part of the Board's Severn Valley and Kidderminster Loop railways as comprises—

- (a) such part of the railway described in and authorised by the Severn Valley Railway Act 1855(a) as extends from the southern end of the railway authorised to be worked as a light railway by the British Railways Board (Severn Valley) Light Railway Order 1970(b) to its junction with the railway described in and authorised by section 5 of the Great Western Railway Act 1868(c); and
- (b) such part of the said railway described in and authorised by the said section 5 of the Great Western Railway Act 1868 as lies between its commencement at the aforesaid junction and a point 247 yards east of the bridge carrying the A451 Kidderminster to Stourport Road over the said railway in the borough of Kidderminster in the county of Worcester.

RAILWAY No. 2

Such further part of the Board's Severn Valley railway described in and authorised by the Severn Valley Railway Act 1855 as lies between its junction with the said railway authorised by the said section 5 of the Great Western Railway Act 1868 and a point in the borough of Bewdley in the county of Worcester 302 yards south of the southern portal of the tunnel known as Mount Pleasant Tunnel.

(a) 1855 c. clxxxiii.
(c) 1868 c. cxlv.

(b) S.I. 1970/7.