CHAPTER xxv.

An Act to confirm a Provisional Order made by the Minister of Transport under the Brighton Corporation (Transport) Act 1938 relating to Brighton Corporation trolley vehicles. [31st July 1947.]

WHEREAS under the authority of section eighteen of the Brighton Corporation (Transport) Act 1938 the Minister of Transport has made the Provisional Order set out in the schedule to this Act annexed: 1 & 2 Geo. 6. c. lxxxix.

And whereas a Provisional Order made by the Minister of Transport under the authority of the said section is not of any validity or force whatever until the confirmation thereof by Act of Parliament:

And whereas it is expedient that the Provisional Order made by the Minister of Transport under the authority of the said section and set out in the schedule to this Act annexed be confirmed by Act of Parliament:

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. 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. Confirmation of Order in schedule.

2. This Act may be cited as the Brighton Corporation (Trolley Vehicles) Order Confirmation Act 1947. Short title.

SCHEDULE.

BRIGHTON CORPORATION.

Order authorising the mayor aldermen and burgesses of the borough of Brighton to provide maintain equip and use trolley vehicles upon additional routes in that borough.

Short and collective titles.

1.—(1) This Order may be cited as the Brighton Corporation (Trolley Vehicles) Order 1947.

(2) The Brighton Corporation (Transport) Act 1938 and this Order may be cited together as the Brighton Corporation (Trolley Vehicles) Act and Order 1938 and 1947.

Interpretation.

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

"The Corporation" means the mayor aldermen and burgesses of the borough of Brighton;

"The borough" means the borough of Brighton;

"The Act of 1938" means the Brighton Corporation (Transport) Act 1938;

"Trolley vehicle" has the meaning assigned to it by section 2 (Interpretation) of the Act of 1938.

Power to use trolley vehicles upon certain routes.

3. The Corporation may provide maintain and equip (but shall not manufacture) trolley vehicles and may use the same upon the following routes in the borough in addition to any routes upon which they are already authorised to use trolley vehicles:—

Route No. 1 (6 furlongs 2 chains or thereabouts in length) commencing at the junction of Braybon Avenue with Carden Avenue passing in a north-easterly direction along Carden Avenue to and terminating at the junction of that avenue with Carden Hill;

Route No. 2 (1 mile 1 furlong 7 chains or thereabouts in length) commencing at the junction of Ditchling Road and Surrenden Road at the termination of Route No. 3 authorised by the Act of 1938 passing in a northerly direction along Ditchling Road to its junction with Woodbourne Avenue thence along that avenue and Carden Hill to and terminating in Carden Avenue by a junction with Route No. 1 authorised by this Order;

Route No. 3 (6 furlongs 2 chains or thereabouts in length) commencing at Seven Dials at the termination of Route No. 8 authorised by the Act of 1938 passing in a south-easterly direction along Dyke Road North Street and West Street to and terminating at the junction of West Street with King's Road;

Route No. 4 (1 furlong 6 chains or thereabouts in length) commencing at the junction of West Street North Street and Queen's Road by a junction with Route No. 3 authorised by this Order passing along the last-mentioned road to and terminating at the junction of that road with North Road by a junction with the existing trolley vehicle route of the Corporation ;

Route No. 5 (4 furlongs 3 chains or thereabouts in length) commencing at the junction of Coombe Road with Lewes Road by a junction with the existing trolley vehicle route of the Corporation passing along Coombe Road Baden Road and Eastbourne Road to and terminating at the junction of the last-mentioned road with Bevendean Road :

Provided that the Corporation shall not without the consent in writing of the Brighton Hove and District Omnibus Company Limited use trolley vehicles upon Route No. 3 Route No. 4 or Route No. 5 authorised by this Order.

Undertaking to form part of trolley vehicle undertaking.

4. The undertaking authorised by this Order shall be deemed to form part of the trolley vehicle undertaking authorised by the Act of 1938.

Power to borrow. 23 & 24 Geo. 5. c. 51.

5. Subject to the provisions of this Order the Corporation shall have power in addition to and without prejudice to their powers of borrowing under the Local Government Act 1933 from time to time to borrow without the consent of any sanctioning authority for or in connection with the purposes mentioned in the first column of the following table the respective sums mentioned in the second column of the said table and they shall pay off all money so borrowed within such periods as they may determine not exceeding those respectively mentioned in the third column of the said table.:—

(1)	(2)	(3)
Purpose.	Amount.	Period for repayment calculated (except where otherwise stated) from the date or dates of borrowing.
(*a*) The provision of trolley vehicles.	£35,000	Twelve years.
(*b*) The provision of electrical equipment and the construction of other works necessary for working trolley vehicles along the routes authorised by this Order.	£23,000	Twenty years.
(*c*) The payment of the costs charges and expenses of this Order.	The sum requisite.	Five years from the passing of the Act of Parliament confirming this Order.

Restriction on borrowing.
2 & 3 Geo. 6. c. 62.
9 Geo. 6. c. 10.

6.—(1) So long as the making of an issue of capital in the United Kingdom without the consent of the Treasury is prohibited by regulations made under the Emergency Powers (Defence) Act 1939 or under that Act as extended by any subsequent enactment including the Supplies and Services (Transitional Powers) Act 1945 or so long as the borrowing of money in Great Britain without the consent of the Treasury is prohibited by an order made under section 1 of the Borrowing (Control and Guarantees) Act 1946 it shall not be lawful otherwise than by the use of the Corporation's internal funds to exercise the powers of borrowing conferred by this Order (other than the power of borrowing to pay the costs charges and expenses of this Order as hereinafter defined) without such consent.

9 & 10 Geo. 6. c. 58.

(2) It shall not be lawful to exercise the powers of borrowing conferred by this Order otherwise than in compliance with the provisions of the Local Authorities Loans Act 1945.

8 & 9 Geo. 6. c. 18.

Costs of Order.

7. 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 general rate of the borough or out of moneys to be borrowed under the powers of this Order for that purpose.

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