STATUTORY INSTRUMENTS

1973 No. 785

TRANSPORT

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

Made - - -	13*th April* 1973
Coming into Operation	14*th April* 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 14th April 1973 and may be cited as the British Railways Board (Meon 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;

"the railway" means the railway authorised by this Order to be worked as a light railway under the principal Act;

"the Act of 1897" means the South Western (Meon Valley) Railway Act 1897(e).

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

Power to work railway as a light railway

3. Subject to the provisions of this Order—

(*a*) the Board may work as a light railway under the principal Act so much of the Railway (No. 2) described in and authorised by the Act of 1897 as extends from a point 37 yards north of Bridge No. 12 which carries the Wickham to Droxford public road (A32) over the railway at Upperford Copse to a point 24 yards south of Bridge No. 6 which carries the railway over the public road (B2150) at Droxford Station; and

(a) 1896 c. 48.
(b) 1912 c. 19.
(c) 1921 c. 55.
(d) S.I. 1970/1681 (1970 III, p. 5551).
(e) 1897 c. xxxv.
(f) 1889 c. 63.

(*b*) sections 87, 88, 94, 95, 97, 103 to 104, 117 to 124 of the Railways Clauses Consolidation Act 1845(**a**) and such of the enactments set out in the Second Schedule to the Light Railways Act 1896 as are still in force (except section 1 of the Regulation of Railways Act 1889(**b**)) shall cease to apply to the railway.

Restriction of weight on rails and of speed

4.—(1) The Board shall not use upon the railway 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 railway at a rate of speed exceeding at any time that fixed by the Secretary of State for such part.

(3) 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.

Traffic on railway

5. After the coming into operation of this Order no part of the railway shall be used for the public conveyance of passengers or as a public railway for the conveyance of merchandise or mineral traffic without the permission in writing of the Secretary of State being first had and obtained, which permission shall not be withheld if the Secretary of State is satisfied that such use will not be attended with danger to the public, 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 railway.

Recovery of penalties

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

Costs of Order

7. All costs, charges and expenses of and incidental 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.

13th April 1973.

(**a**) 1845 c. 20.
(**b**) 1889 c. 57.
(**c**) 1952 c. 55.

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