

CHAPTER lx.

An Act to confirm a Provisional Order made by the Minister of Transport under the Cleethorpes Urban District Council Act 1928 relating to Cleethorpes Trolley Vehicles. [6th July 1937.]

A.D. 1937.

WHEREAS under the authority of section twenty-nine of the Cleethorpes Urban District Council Act 1928 the Minister of Transport has made the Provisional Order set out in the schedule to this Act annexed: 18 & 19 Geo. 5. c. lxxvi.

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

Confirmation of Order in schedule.

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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.

Short title.

2. This Act may be cited as the Cleethorpes Corporation (Trolley Vehicles) Order Confirmation Act 1937.

SCHEDULE.

CLEETHORPES CORPORATION (TROLLEY VEHICLES).

Order authorising the mayor aldermen and burgesses of the borough of Cleethorpes to use trolley vehicles upon additional routes in the borough of Cleethorpes and the borough of Grimsby.

Short and collective titles.

1.—(1) This order may be cited as the Cleethorpes Corporation (Trolley Vehicles) Order 1937.

(2) The Cleethorpes Urban District Council Act 1928 and this Order may be cited together as the Cleethorpes Corporation (Trolley Vehicles) Act and Order 1928 and 1937.

Interpretation.

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

" The borough " means the borough of Cleethorpes;

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

" The Act of 1928 " means the Cleethorpes Urban District Council Act 1928;

" Trolley vehicle " has the meaning assigned to that expression by section 4 (Interpretation) of the Act of 1928.

Power to use trolley vehicles on certain routes.

3. Subject to the provisions of this Order the Corporation may use trolley vehicles upon the following routes in addition to any routes upon which they are already authorised to use trolley vehicles (that is to say) :—

Route No. 1 (1 furlong and 9·29 chains or thereabouts in length to be situate in the borough and in the borough of Grimsby) commencing in Grimsby Road at its junction with Daubney Street by a junction with a route authorised by the Act of 1928 passing thence along Daubney Street in a south-westerly direction to the junction of that street with Sidney Street thence along Sidney Street in a north-westerly direction to the junction of that street with Park Street thence along Park Street in a north-easterly direction to its junction with Grimsby Road and terminating in Grimsby Road at its junction with Park Street by a junction with the said authorised route;

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Route No 3 (3 furlongs and 2·47 chains or thereabouts in length to be situate in the borough) commencing in High Cliff Road at its junction with Brighton Street by a junction with a route authorised by the Act of 1928 passing thence along Kingsway in a south-easterly direction to the junction of Kingsway with Cromwell Road and terminating in Kingsway at the said junction with Cromwell Road :

Provided that before equipping any route to include a turning point or before arranging for a new turning point on any route the Corporation shall submit plans of the turning point to the Minister of Transport for approval and in the case of a turning point in the borough shall also submit a copy of such plans to the chief constable of Lincolnshire and before approving any such plans the Minister of Transport shall give to the chief constable an opportunity of making representations with reference thereto and shall consider any such representations which may be made.

As to operation of Route No. 1.

4. So long as the mayor aldermen and burgesses of the borough of Grimsby have power to operate trolley vehicles along Park Street (forming part of Route No. 2 authorised by the Grimsby Corporation (Trolley Vehicles) Order 1936) the Corporation shall not operate trolley vehicles on Route No. 1 authorised by this Order otherwise than in a south-westerly direction along that street.

Period for commencement of trolley vehicle services.

5. If the Corporation shall not have commenced to use trolley vehicles upon each of the routes authorised by this Order within five years from the passing of the Act confirming this Order or such extended time as the Minister of Transport may upon the application of the Corporation allow the powers conferred by this Order shall so far as they relate to the use of trolley vehicles upon the route upon which the Corporation shall not have commenced to use trolley vehicles cease to be exerciseable.

Application of Parts III and V of Act of 1928. 20 & 21 Geo. 5. c. 43.

6. The provisions of Part III (Trolley vehicles) and Part V (Provisions as to tramways trolley vehicles and omnibuses) of the Act of 1928 as amended by the Road Traffic Act 1930 and of the enactments applied thereby in so far as those provisions relate to trolley vehicles and are applicable to the purposes and not inconsistent with the provisions of this Order shall apply to the trolley vehicles used by the Corporation under the powers of this Order and to the routes authorised by this Order and the streets and roads comprised therein or adjacent thereto and any other streets or roads in the borough in like manner as they apply to the trolley vehicles used by the Corporation under the powers of the said Parts III and V and to the routes authorised by the said Part III and the streets and roads comprised therein or adjacent thereto and any other streets or roads in the borough In the

application of section 42 (Shelters and waiting rooms) and section 43 (Cloakrooms &c.) of the Act of 1928 to the routes authorised by this Order the Corporation shall before making application to the local authority or road authority notify the chief officer of police of the police district in which such highway is situate.

Application of byelaws &c.

7. All regulations and byelaws relating to the trolley vehicles authorised by the Act of 1928 and made in pursuance of that Act or any other enactment shall with any necessary modifications apply to the trolley vehicles used by the Corporation under the powers of this Order.

Procedure for making byelaws. 23 & 24 Geo. 5. c. 51. 33 & 34 Vict. c. 78.

8. The provisions of section 250 (Procedure &c. for making byelaws) of the Local Government Act 1933 shall not apply in respect of byelaws to be made in pursuance of this Order under section 46 of the Tramways Act 1870 as applied by section 25 (Application of certain provisions of Tramways Act 1870 to trolley vehicles) of the Act of 1928 or under the following provisions of the Act of 1928 (namely) :—

Section 41 (Power to reserve cars and omnibuses for special purposes);

Section 49 (Byelaws for regulating travelling).

Power to borrow.

9.—(1) The Corporation shall have power in addition 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 and 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 the Corporation may determine not exceeding those respectively mentioned in the third column of the said table (namely) :—

1	2	3
Purpose.	Amount.	Period for repayment.
	£	
(*a*) The provision of apparatus and equipment and the construction of other works necessary for working trolley vehicles along the routes authorised by this Order.	1,502	Twenty years from the date or dates of borrowing.
(*b*) The payment of the costs charges and expenses of this Order.	The sum requisite.	Five years from the confirmation of this Order.

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(2) The provisions of Part IX of the Local Government Act 1933 so far as they are not inconsistent with this Order or the provisions of any scheme made under section 179 (Consolidated loans fund) of the Act of 1928 shall extend and apply to money borrowed under this section as if it were borrowed under Part IX of that Act and the period fixed for the repayment of any money borrowed under this section shall as respects that money be the fixed period for the purpose of the said Part IX.

(3) In the application of the said provisions of the Local Government Act 1933 to the borrowing of any further money for the purposes of this Order the Minister of Transport shall be the sanctioning authority.

Inquiries by Minister of Transport.

10. The Minister of Transport may hold such inquiries as he may consider necessary in regard to the exercise of any powers conferred upon him or the giving of consents under this Order and section 290 of the Local Government Act 1933 shall apply accordingly.

Costs of Order.

11. 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.

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