CHAPTER clxvii.

An Act to make provision in relation to rates dues and charges at the harbours docks and piers of the London Midland and Scottish Railway Company and for other purposes. A.D. 1930.

[1st August 1930.]

WHEREAS the London Midland and Scottish Railway Company (in this Act referred to as "the Company") is the owner of harbours docks and piers and it is expedient that the charges authorised by the London Midland and Scottish Railway Harbours Docks and Piers (Temporary Increase of Charges) Order 1929 made under the Harbours Docks and Piers (Temporary Increase of Charges) Acts 1920 to 1922 should be continued and it is expedient that additional powers in relation to rates dues and charges should be conferred upon the Company:

And whereas it is expedient to sanction and confirm the acquisition by the Company and by the Company and the London and North Eastern Railway Company jointly of the lands in this Act in that behalf mentioned and to authorise the Company and the London and North Eastern Railway Company to hold and use the same for the purposes of and as part of their undertakings:

And whereas it is expedient that the other powers in this Act mentioned should be conferred upon the Company:

[*Price* 4*d. Net.*]

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And whereas the objects of this Act cannot be attained 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 title.

1. This Act may be cited for all purposes as the London Midland and Scottish Railway (No. 2) Act 1930.

Confirmation of purchase of lands by Company.

2. The Company may hold use and appropriate for the general purposes (including the provision of garages and repair shops and other purposes of road transport traffic) of their undertaking the following lands and properties which have already been acquired by them (that is to say):—

In the county of Chester—

Lands in the city and county borough of Chester—

(*a*) bounded on the west by Upper Northgate Street and Liverpool Road on the east by Victoria Road and on the north by Abbots Nook;

(*b*) fronting to Delamere Street and being one hundred and five yards or thereabouts from Upper Northgate Street;

(*c*) at Crane Bank fronting to Sealand Road;

(*d*) fronting to Sealand Road on the south and bounded by Finchurts Gutter on the west;

Lands in the urban district of Bebington and Bromborough known as No. 228 New Ferry Road;

Lands in the urban district of Nantwich fronting to Station Road and adjoining Pratchitts Row;

Lands in the parish of Bidstone-cum-Ford in the rural district of Wirral fronting to Hoylake Road and Eric Avenue;

Lands in the parish of Weston in the rural district of Nantwich on the north side of West Road and near Weston Road;

Lands in the urban district of Hoylake and West Kirby—

(*a*) fronting to Dee Lane and Banks Road;

(*b*) fronting to Bridge Road and Orrisdale Road;

Lands in the county borough of Birkenhead known as Nos. 2A and 4 Singleton Avenue respectively;

Lands in the parish of Heswall with Oldfield in the rural district of Wirral—

(*a*) lying between May Road and Pie Road;

(*b*) lying between Telegraph Road and May Road;

Lands in the borough of Crewe—

(*a*) fronting to Queen Street and being ninety-four feet from Earl Street;

(*b*) bounded on the north by March Street:

In the county of Lancaster—

Lands in the county borough of Warrington fronting to Chester New Road;

Lands in the city and county borough of Liverpool fronting to Church Road and Edge Lane:

In the county of Denbigh—

Lands in the parish of Llanferras in the rural district of Ruthin adjoining the river Alyn and being the whole or part of the fields or enclosures numbered 801 804 806 807 814 815 and 830c in the said parish on the $\frac{1}{2500}$ Ordnance map Denbigh (edition 1912):

In the county of Flint—

Lands in the parish of Mold Rural in the rural district of Holywell and being the whole or part of the fields or enclosures numbered 2639

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2640 2641 and 2660 in the said parish on the $\frac{1}{2500}$ Ordnance map Flint (edition 1912):

In the county of Merioneth—

Lands in the urban district of Festiniog situate at Bowydd Buildings High Street Blaenau and in part adjoining the river Bowydd:

In the county of Carnarvon—

Lands in the urban district of Criccieth abutting on High Street and adjoining the post office;

and the expenditure of money by the Company in or about the purchase or acquisition of the said lands or the works and buildings executed or erected thereon is hereby sanctioned and confirmed.

Confirmation of purchase of lands by Company and London and North Eastern Railway Company.

3. The Company and the London and North Eastern Railway Company jointly may hold use and appropriate for the general purposes (including the provision of garages and repair shops and other purposes of road transport traffic) of their undertakings the following lands and properties which have been already acquired by them (that is to say):—

In the west riding of the county of York—

Lands in the county borough of Halifax with the garages offices workshops and other buildings thereon situate in Walnut Street;

and the expenditure of money by the said companies in or about the purchase or acquisition of the said lands or the works and buildings executed or erected thereon is hereby sanctioned and confirmed.

Application of section 35 of Hackney Carriage Act 1831 to station premises.

4. Any premises comprising a railway station of the Company and the precincts thereof and the approaches thereto which are situate within the limits of the London Hackney Carriage Act 1831 as amended by subsequent Acts shall be deemed for the purposes of section 35 of that Act to be a street or place.

Dock rates and charges.

5.—(1) Notwithstanding anything contained in the Harbours Docks and Piers (Temporary Increase of Charges) Acts 1920 to 1922 or section 3 of the London Midland and Scottish Railway Harbours Docks and Piers (Temporary Increase of Charges) Order 1929 (in this section referred to as "the Order of 1929") the provisions of sections 1 and 2 of the Order of 1929 shall subject as in

this section provided remain and continue in force after the first day of October one thousand nine hundred and thirty.

(2) The Company shall keep open for public inspection at their principal office at every harbour dock or pier mentioned in Schedule I to the Order of 1929 the book or list specifying the rates dues and charges to which the Order of 1929 relates and which were in operation at such harbour dock or pier on the thirty-first day of December one thousand nine hundred and thirteen and the conditions attaching to any such rates dues and charges.

(3) If it is represented by application in writing to the Minister of Transport (in this section referred to as "the Minister")—

(*a*) by any chamber of commerce or shipping or any representative body of traders or any dock or harbour authority or any person who in the opinion of the Minister is a proper person for the purpose; or

(*b*) by the Company;

that under the circumstances then existing the authorised rates dues and charges or any of them should be revised the Minister may if he thinks fit at any time after the first day of October one thousand nine hundred and thirty make an order revising the authorised rates dues and charges referred to in the application or any of them and may fix the date as from which such order shall take effect and thenceforth such order shall remain in force until the same expires or is revoked or modified by a further order of the Minister made in pursuance of this section Provided that before making an order under this section the Minister shall cause an inquiry to be held with reference thereto in pursuance of the Board of Trade Arbitrations &c. Act 1874 as applied by this section.

(4) On any application being made to the Minister under this section he may require the Company to show cause why the rates dues and charges to which such application relates should not be submitted for revision to the body or persons holding an inquiry for the purposes of this section and the applicant shall have access to any information furnished to the Minister by the Company when showing cause.

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(5) The provisions of Part I of the Board of Trade Arbitrations &c. Act 1874 shall apply for the purposes of subsection (3) of this section—

(*a*) as if the Minister were referred to therein in lieu of the Board of Trade;

(*b*) as if the person or persons duly authorised to hold any inquiry thereunder were the Rates Advisory Committee constituted under the Ministry of Transport Act 1919 or any sub-committee thereof to which the said advisory committee may under section 2 of the Harbours Docks and Piers (Temporary Increase of Charges) Act 1920 have delegated their powers or in the event of the said advisory committee ceasing to exist some persons with similar qualifications to be appointed for the purpose by an order of the Minister under section 2 of the said Act of 1874; and

(*c*) as if in section 4 of the said Act of 1874 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."

(6) An application made to the Minister under this section shall be accompanied by such information and particulars as the Minister may consider relevant certified in such manner as he may require and the Minister and the body or persons holding an inquiry for the purposes of this section may call for such information documents and accounts as they may consider relevant and may hear such witnesses as they shall think fit and shall have power to take evidence on oath and for that purpose may administer oaths.

(7) It shall be the duty of any applicant or objectors furnishing any information particulars documents or accounts accompanying any application under this section or accompanying any objection thereto or called for either by the Minister or by the body or persons holding an inquiry for the purposes of this section to call evidence at the inquiry in support of such information particulars documents or accounts.

(8) The Minister or the body or persons holding an inquiry for the purposes of this section in considering any proposed modification of any rates dues or charges may take into consideration among other matters the effect which such modification would be likely to have upon the rates dues and charges levied or made or the traffic dealt with at any other harbour dock or pier whether forming part of the undertaking of the Company or not.

(9) Any chamber of commerce or shipping or any representative body of traders or any dock or harbour authority or any person who in the opinion of the Minister is a proper person for the purpose shall if they or he or the interests they represent or he represents are directly affected thereby or any dock or harbour authority who appear to the Minister to be likely to be affected by the decision on the application shall be entitled to be heard on any application to increase or reduce rates dues or charges.

(10) Where upon an application for revision of authorised rates dues and charges or an authorised rate due or charge an order has been made or the Minister has decided not to make an order no further application for a revision of the rates dues and charges or rate due or charge to which the application related shall be made within twelve months from the date of such order or decision as the case may be.

Application of certain sections of London Midland and Scottish Railway Act 1924.

6. The provisions of section 44 (Power to lease &c. land) and of section 54 (Powers as to building on or over lands) of the London Midland and Scottish Railway Act 1924 shall extend and apply to any lands or premises which have from time to time been acquired or held or which under the powers of this Act may hereafter be held by the Company and the expression " the Company " shall have the same meaning in the application of the said sections to this Act as that expression has in the said sections respectively.

Provision as to general Railway Acts.

7. Nothing in this Act contained shall exempt the Company from the provisions of any general Act relating to railways or the better and more impartial audit of the accounts of railway companies passed before or after the passing of this Act or from any future revision or alteration

A.D. 1930. under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels authorised to be taken by the Company.

Extent of Act.

8. This Act shall not extend to Scotland or Northern Ireland.

Costs of Act.

9. 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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