CHAPTER xxvii.

An Act to empower the lord mayor aldermen and citizens of the city and county of Newcastle-upon-Tyne to provide trolley vehicle services in the said city and elsewhere to authorise the Corporation to construct a new road and for other purposes. [12th July 1946.]

WHEREAS the city and county of Newcastle-upon-Tyne (hereinafter referred to as "the city") is a county borough under the government of the lord mayor aldermen and citizens of the city (hereinafter referred to as "the Corporation"):

And whereas under various Acts and Orders the Corporation own and work an extensive transport undertaking consisting of tramways light railways omnibuses and trolley vehicles on routes both within and without the city:

And whereas it is expedient that the Corporation should be authorised to run trolley vehicles upon the additional routes described in this Act and that the provisions contained in this Act with respect thereto should be enacted:

And whereas it is expedient that for the purposes aforesaid the Corporation should be authorised to construct the new road described in this Act:

And whereas it is expedient that the other provisions in this Act contained should be enacted:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

And whereas an estimate has been prepared by the Corporation in relation to the following purposes in respect

of which they are by this Act authorised to borrow money and such estimate is as follows:—

For or in connection with the construction of roads and the purchase of lands and easements therefor	£40,100

And whereas the works included in such estimate are permanent works and it is expedient that the cost thereof should be spread over a term of years as by this Act provided:

And whereas in relation to the promotion of the Bill for this Act the requirements of the Local Government Act 1933 have been observed: 23 & 24 Geo. 5. c. 51.

And whereas a plan and section (in this Act respectively referred to as the deposited plan and the deposited section) showing the line or situation and levels of the work by this Act authorised and the lands in or through which the same may be made and a book of reference to that plan (in this Act referred to as the deposited book of reference) containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of the said lands have been deposited with the clerk of the council of the administrative county of Northumberland:

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 (that is to say):—

PART I.

PRELIMINARY.

Short title.

1. This Act may be cited as the Newcastle-upon-Tyne Corporation Act 1946.

Act divided into Parts.

2. This Act is divided into Parts as follows:—

Part I.—Preliminary.
Part II.—Trolley vehicles.
Part III:—Works and lands.
Part IV.—Financial and miscellaneous.

Interpretation.

3. In this Act unless the subject or context otherwise requires—

"The city" means the city and county of Newcastle-upon-Tyne;

"The Corporation" means the lord mayor aldermen and citizens of the city acting by the council of the city;

"The Act of 1935" means the Newcastle-upon-Tyne Corporation (General Powers) Act 1935; 25 & 26 Geo. 5. c. cxxiv.

ART I. —*cont.*

"The Order of 1937" means the Newcastle-upon-Tyne Corporation (Trolley Vehicles) Order 1937 (scheduled to and confirmed by the Newcastle-upon-Tyne Corporation (Trolley Vehicles) Order Confirmation Act 1937); 1 Edw. 8. & 1 Geo. 6. c. vi.

"The Order of 1938" means the Newcastle-upon-Tyne Corporation (Trolley Vehicles) Order 1938 (scheduled to and confirmed by the Newcastle-upon-Tyne Corporation (Trolley Vehicles) Order Confirmation Act 1938); 1 & 2 Geo. 6. c. lxviii.

"Trolley vehicle" has the meaning assigned to that expression by section 26 (Definitions for Part V of Act) of the Act of 1935.

PART II.

TROLLEY VEHICLES.

Power to run trolley vehicles.

4.—(1) Subject to the provisions of this Act the Corporation may provide maintain and equip (but shall not manufacture) trolley vehicles and may run the same along the whole or any part of the following routes:—

Route No. 1 (3 miles 7 furlongs 4.29 chains or thereabouts in length) commencing in the Great North Road in the parish of North Gosforth in the rural district of Castle Ward in the county of Northumberland at a point 6.18 chains or thereabouts northward of the main entrance gate into High Gosforth Park by a junction with the Route No. 8 by this Act authorised passing thence along the Great North Road into and along Lansdowne Crescent Lansdowne Terrace High Street and the Great North Road in the urban district of Gosforth in the said county of Northumberland and into and along and terminating in the Great North Road in the city at its junction with Jesmond Road by a junction with the Route No. 1 authorised by the Order of 1938;

Route No. 2 (6 miles 4 furlongs 1.27 chains or thereabouts in length) commencing in Newburn Lane in the urban district of Newburn in the county of Northumberland at a point half a chain southward of West Road passing thence along Newburn Lane Church Bank High Street Lemington Road Northumberland Road Tyne View and Scotswood Road in the said urban district into and along and terminating in Scotswood Road in the city at the junction of that road with Neville Street and Clayton Street by a junction with the Routes Nos. 9 and 11 authorised by the Order of 1938;

PART II. —*cont.*

Route No. 3 (3 furlongs 1.2 chains or thereabouts in length) wholly in the said urban district of Newburn commencing in Lemington Road at the junction of that road with Northumberland Road by a junction with the Route No. 2 by this Act authorised and terminating in Scotswood Road by a junction with the said Route No. 2 opposite Holy Saviour's Church;

Route No. 4 (1 mile 2 furlongs 1.82 chains or thereabouts in length) wholly in the city commencing in Jesmond Road at its junction with Osborne Road by a junction with the Route No. 1 authorised by the Order of 1938 passing thence along Jesmond Road Benton Bank and Stephenson Road into and terminating in Chillingham Road and Benton Road or one of those roads at their point of junction by a junction with the Route No. 7 by this Act authorised;

Route No. 5 (4 furlongs 7.65 chains or thereabouts in length) wholly in the city commencing in Shields Road at its junction with Raby Street by a junction with the Route No. 2 authorised by the Order of 1937 passing thence along Raby Street into and terminating in Walker Road by a junction with the Route No. 1 authorised by the Act of 1935;

Route No. 6 (7 furlongs 0.80 chain or thereabouts in length) wholly in the city commencing in New Bridge Street at its junction with Clarence Street by a junction with the Route No. 2 authorised by the Order of 1937 passing thence along Clarence Street Portland Road and Sandyford Road into and terminating in Jesmond Road at the junction of that road with Sandyford Road by a junction with the Route No. 4 by this Act authorised;

Route No. 7 (4 miles 0 furlong 4.58 chains or thereabouts in length) commencing in Shields Road in the city at its junction with Chillingham Road by a junction with the Route No. 6 authorised by the Order of 1937 passing thence along Chillingham Road and Benton Road in the city passing thence along Benton Road Benton Lane Park Terrace and Great Lime Road in the urban district of Longbenton in the county of Northumberland and terminating in the last-mentioned road at a point 6.4 chains or thereabouts north-westward of Gosforth East Lodge by a junction with the Route No. 8 by this Act authorised;

Route No. 8 (1 mile 2 furlongs 2.2 chains or thereabouts in length) commencing in the Great North Road in the said parish of North Gosforth by a junction with

the Route No. 1 by this Act authorised at its commencement passing thence through High Gosforth Park into and along and terminating in Great Lime Road in the said urban district of Longbenton by a junction with the Route No. 7 by this Act authorised at its termination;

Route No. 9 (1 mile 0 furlong 0.42 chain or thereabouts in length) wholly in the city commencing in Shields Road at its junction with Heaton Road by a junction with the Route No. 2 authorised by the Order of 1937 passing thence along Heaton Road into and terminating in Stephenson Road at the junction of that road with Heaton Road by a junction with the Route No. 4 by this Act authorised;

Route No. 10 (1 mile 1 furlong 7.3 chains or thereabouts in length) wholly in the said urban district of Longbenton commencing in the Benton and Whitley main road Benton Road Benton Park Road and Benton Lane or in one of those roads at their point of junction by a junction with the Route No. 7 by this Act authorised passing thence along the Benton and Whitley main road and Station Road and terminating in Station Road at a point 1.20 chains northward of the junction therewith of Benton View;

Route No. 11 (1 mile 1 furlong 9.65 chains or thereabouts in length) wholly in the city commencing in Ponteland Road at its junction with Fenham Hall Drive by a junction with the Route No. 7 authorised by the Order of 1938 passing thence along Ponteland Road Stamfordham Road and Two Ball Lonnen into and terminating in Fenham Hall Drive by a junction with the said authorised Route No. 7;

Route No. 12 (6 furlongs 8.9 chains or thereabouts in length) wholly in the city commencing in Stamfordham Road Ponteland Road and Two Ball Lonnen or one of those roads at their point of junction by a junction with the Route No. 11 by this Act authorised passing thence along and terminating in Stamfordham Road at its junction with Blakelaw Road;

Route No. 13 (1 mile 6 furlongs 9.50 chains or thereabouts in length) wholly in the city commencing in Ponteland Road and Stamfordham Road or one of those roads at the junction thereof by a junction with the Route No. 11 by this Act authorised passing thence along and terminating in Ponteland Road at the boundary of the city;

Route No. 14 (1 mile 2 furlongs 7.85 chains or thereabouts in length) commencing in the city in the

PART II. —*cont.*

Fossway at the southern entrance to the Byker tramway depot of the Corporation by a junction with the Route No. 7 authorised by the Order of 1937 passing thence along the Fossway into and along Maurice Road and Neptune Road in the borough of Wallsend and terminating in the last-mentioned road by a junction with the Route No. 1 authorised by the Act of 1935;

Route No. 15 (5 furlongs 2.13 chains or thereabouts in length) wholly in the city commencing in Osborne Road at its junction with Lonsdale Terrace by a junction with the Routes Nos. 1 and 2 authorised by the Order of 1938 passing thence along Osborne Road and Jesmond Dene Road into and along and terminating in Matthew Bank at the boundary of the city;

Route No. 16 (2 miles 3 furlongs 5.3 chains or thereabouts in length) commencing in the city in Stephenson Road at its junction with Newton Road by a junction with the Route No. 4 by this Act authorised passing thence along Newton Road and Freeman Road into and along Benton Park Road in the city into and along Benton Park Road in the said urban district of Longbenton and terminating at the junction of that road with Benton Lane Benton and Whitley main road and Benton Road in the said urban district of Longbenton by a junction with the Route No. 7 by this Act authorised;

and with the consent of the Minister of Transport—

(*a*) along any other street whether within or without the city which the Corporation think it necessary or convenient to use for the purpose of connecting trolley vehicle routes or of connecting any trolley vehicle route with any depot garage building or work of the Corporation; and

(*b*) along any other street whether within or without the city which the Corporation think it necessary or convenient to use for the purpose of providing a turning point.

(2) Provided that before equipping any trolley vehicle 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 any turning point outside the city) shall also submit a copy of such plans to the chief officer of the police district in which the turning point is proposed to be situate and to the local authority and (where the local authority are not the road authority) to the road authority and

before approving any such plans the Minister of Transport shall give to the local authority and (where the local authority are not the road authority) the road authority an opportunity of making representations with reference thereto and shall consider any such representations which may be made to him.

(3) Provided also that the Corporation shall not run trolley vehicles along any street without the city for any of the purposes mentioned in paragraph (*a*) of subsection (1) of this section without the consent of the local authority and (where the local authority are not the road authority) of the road authority but such consent shall not be unreasonably withheld and any question as to whether or not any such consent is unreasonably withheld shall be determined by the Minister of Transport.

(4) Provided further that the Corporation shall provide a turning point for services between Henry Street Gosforth and the town hall in the city at or near Henry Street between that street and a point one hundred yards north of the bridge in the urban district of Gosforth carrying the Great North Road over the London and North Eastern Railway but the provision of such turning point shall be subject to the conditions set forth in subsection (2) of this section.

Period for commencement of certain trolley vehicle services.

5.—(1) If the Corporation shall not have commenced to run trolley vehicles along any of the Routes Nos. 11 12 13 14 15 and 16 authorised by this Act within five years from the date of the passing of this Act or such extended time as the Minister of Transport may upon the application of the Corporation allow the powers conferred by this Act with reference to the running of trolley vehicles along any of such routes along which the Corporation have not commenced to run trolley vehicles shall cease to be exerciseable.

(2) If the Corporation shall not have commenced to run trolley vehicles along Route No. 8 authorised by this Act within seven years from the date of the passing of this Act the powers conferred by this Act with reference to the running of trolley vehicles along such route shall cease to be exerciseable.

Incorporation of provisions of Act of 1935 relating to trolley vehicles.

6. The following provisions of the Act of 1935 so far as they relate to trolley vehicles and are applicable to the purposes and are not inconsistent with the provisions of this Act are incorporated with and form part of this Part of this Act and shall extend and apply to and for the purposes of this Act as fully and effectually as if such provisions had been re-enacted

PART II. —*cont.*

with any necessary modifications in this Part of this Act (that is to say):—

Section 59 (As to electrical works);
Section 60 (Corporation to have exclusive right of using apparatus for working trolley vehicles);
Section 61 (Trolley vehicles not to be deemed omnibuses);
Section 62 (Licence duties on trolley vehicles);
Section 63 (Approval of trolley vehicles by Minister of Transport) except subsection (2) thereof;
Section 64 (Certification by Minister of Transport);
Section 65 (Application of certain provisions of Tramways Act 1870 to trolley vehicles);
Section 66 (Application of road materials excavated in construction of works);
Section 73 (Cesser of charge on revenue of transport undertaking for repair of streets in certain events);
Section 74 (Trolley vehicle undertaking to form part of transport undertaking);
Section 75 (Application of tramway byelaws and regulations);
Section 76 (Conveyance of mails);
Section 77 (As to abandonment of tramways) except the words "subject to the provisions of the section of this Act of which the marginal note is 'As to abandonment of tramway in Wallsend'" in subsection (1) thereof;
Section 78 (Corporation may reduce width of footway for constructing tramways or trolley vehicle routes);
Section 79 (Temporary tramways and trolley vehicles);
Section 80 (Provisions as to motive power);
Section 81 (Special provisions as to use of electrical power);
Section 82 (Junctions with tramways and trolley vehicle routes);
Section 83 (For protection of Postmaster-General);
Section 84 (For protection of Post Office telegraph lines);
Section 85 (Use of posts by Postmaster-General);
Section 86 (Regulations);
Section 87 (Traffic upon tramways and trolley vehicles);
Section 88 (Rates for passengers);

Section 89 (Charges for luggage &c.);
Section 90 (Periodical revision of fares rates and charges);
Section 91 (As to fares &c. on Sundays or holidays);
Section 92 (For protection of Gosforth Urban District Council) subject to the insertion therein after the words " shall not " of the words " without the consent in writing of the Gosforth Urban District Council which may be given from time to time for such period or periods as they think fit ";
Section 93 (Cheap fares for labouring classes);
Section 94 (As to payment of fares &c.);
Section 95 (Powers of sale working &c.);
Section 96 (Power to reserve cars for special purposes);
Section 97 (Through cars);
Section 98 (Agreements as to supply of electrical energy);
Section 101 (Local authority to have access to sewers);
Section 102 (Penalty for malicious damage);
Section 103 (Provision as to general Acts);
Section 107 (For further protection of Gosforth Urban District Council);
Section 111 (Inquiries by Minister of Transport).

Abandonment of light railway.

7. At any time after the Corporation are in a position to commence the running of trolley vehicles on the Route No. 8 authorised by this Act they may abandon and discontinue the Railway (No. 1) authorised by the Newcastle-upon-Tyne Corporation Light Railway Order 1922 and may take up and remove the rails of the said railway and such (if any) of the posts poles wires and other works and apparatus provided in connection therewith as they do not require to retain for working trolley vehicles on the said Route No. 8 and may use or dispose of all materials so taken up and removed.

For protection of London and North Eastern Railway Company.

8. For the protection of the London and North Eastern Railway Company (in this section referred to as " the company ") the following provisions shall unless otherwise agreed in writing between the company and the Corporation apply and have effect with reference to the exercise by the Corporation of the powers of this Part of this Act in relation to the trolley vehicle routes by this Act authorised (hereinafter referred to as " the authorised trolley vehicle routes ") (that is to say):—

(1) Nothing in section 4 (Power to run trolley vehicles) of this Act or in section 59 (As to electrical works) of the Act of 1935 as applied by section 6 (Incorporation of provisions of Act of 1935 relating to trolley

PART II. —*cont.*

vehicles) of this Act shall authorise any interference with any street belonging to and forming the approach to any station depot or works of the company nor shall the Corporation in erecting the trolley vehicle apparatus and equipment for the purposes of or using any of the authorised trolley vehicle routes obstruct or interfere with the convenient access to any such station depot or works without the consent in writing of the company which consent shall not be unreasonably withheld:

(2) The provisions of paragraphs (2) to (9) inclusive of section 71 (For protection of London and North Eastern Railway Company in relation to authorised trolley vehicle routes) of the Act of 1935 shall extend and apply to and for the purposes of this Act as fully and effectually as if such provisions had been re-enacted in this Part of this Act with any necessary modifications (including the substitution of the words "at the date of the passing of this Act" for the words "on the thirty-first day of July one thousand nine hundred and thirty-four" in paragraph (4) thereof):

(3) The provisions of paragraphs (13) and (14) of section 50 (For protection of London and North Eastern Railway Company in relation to tramways) of the Act of 1935 shall apply with respect to the taking up and removal by the Corporation under section 77 (As to abandonment of tramways) of the Act of 1935 as incorporated with this Act of any tramway or apparatus connected therewith situate on or attached to any bridge or bridge approaches or any structure belonging to or maintained by the company as fully and effectually as if such provisions had been re-enacted in this Part of this Act with any necessary modifications (including the substitution of references to the company for references to the railway company).

For protection of Newcastle and District Electric Lighting Company Limited.

9. For the protection of the Newcastle and District Electric Lighting Company Limited (in this section called "the lighting company") the following provisions shall unless otherwise agreed in writing between the Corporation and the lighting company apply and have effect:—

33 & 34 Vict. c. 78.

The provisions of sections 30 32 and 33 of the Tramways Act 1870 shall extend and apply to any cable apparatus or appliance of the lighting company which may be affected by the execution of the works by

this Part of this Act authorised as if those works were a tramway within the meaning of the said sections and as if the said cable apparatus or appliance were a main or pipe or other work for the supply of gas Provided that if within seven days of the receipt by the lighting company of the notice required by subsection (1) of the said section 30 (as applied by this section) to be given by the Corporation the lighting company shall by notice in writing so elect the lighting company may by their own engineer or workmen execute any work of lowering or altering the position of any cable apparatus or appliance which they would be entitled under the provisions of the said section 30 (as applied as aforesaid) to require the Corporation to execute and shall carry out such work with all reasonable speed and the Corporation shall on completion thereof pay to the lighting company the reasonable expenses incurred by them in carrying out such work.

For protection of Longbenton Urban District Council.

10. For the protection of the Longbenton Urban District Council (in this section called " the council ") the following provisions shall unless otherwise agreed in writing between the Corporation and the council have effect (that is to say):—

(1) The Corporation shall charge for the running of trolley vehicles on the Route No. 7 and the Route No. 10 authorised by this Act respectively or between the city and the termination of the said Route No. 10 fares not exceeding the following:—

To or from the Central railway station in the city from or to the termination of the said Route No. 10	threepence halfpenny.
To or from the south end of Northumberland Street in the city from or to the termination of the said Route No. 10 ...	threepence.
To or from the junction of Chillingham Road with Cragside in the said Route No. 7 from or to the termination of the said Route No. 10...	three halfpence.

PART II. —*cont.*

To or from the junction of Chillingham Road with Cragside in the said Route No. 7 from or to the junction of the Benton and Whitley main road with Station Road	one penny.
To or from the commencement of the said Route No. 10 from or to the termination of that Route	one penny.
To or from a point in Station Road Forest Hall opposite the Benton railway station of the London and North Eastern Railway Company from or to the termination of the said Route No. 10 ...	one halfpenny.

The Corporation shall also issue return tickets from and to the Central railway station in the city to and from Forest Hall at a fare not exceeding sixpence for the outgoing and return journeys which tickets shall be available for use on the day of issue by the said Route No. 7 and Route No. 10:

Provided that in the event of either the charging of such reduced fares disclosing an actual loss upon the working of trolley vehicles and public service vehicles of the Corporation in the urban district of Longbenton in respect of any period of twelve months commencing on the first day of April in any year or the revenue of the Corporation in respect of their whole system of trolley vehicles and public service vehicles for any such period of twelve months being insufficient to meet all the expenditure in connection therewith for the same period it shall be lawful for the Corporation after not less than two months' previous notice in writing to the council to increase the said fares to such an amount as they may think fit not exceeding the maximum amount which the Corporation may now or hereafter be authorised to charge Provided also that the provisions of this subsection shall not in any way restrict or otherwise affect the powers conferred upon the Corporation by section 96 (Power to reserve cars

for special purposes) of the Act of 1935 as incorporated and applied by section 6 (Incorporation of provisions of Act of 1935 relating to trolley vehicles) of this Act:

(2) If the Corporation in exercise of the powers contained in the said section 96 as so incorporated and applied run a service of special trolley vehicles in or through the urban district of Longbenton on any day they shall also provide on any such day on which a meeting for horse racing or other purposes is held at Gosforth Park a service of trolley vehicles from the Central railway station in the city via the said Route No. 7 to the termination of that route between the hours of 11.30 a.m. and 2.30 p.m. and from the termination of the said Route No. 7 via that route to the Central railway station in the city between the hours of 4.0 p.m. and 6.0 p.m. at not greater intervals than fifteen minutes and at the fares for passengers which may for the time being be ordinarily charged upon the route between the Central railway station in the city and the termination of the said Route No. 7 and on any other such day a similar service during the hours while the service of special trolley vehicles is being run and such services shall during the said hours be in lieu of any ordinary service usually run by the Corporation between the Central railway station in the city and the termination of the said Route No. 7:

Provided that the Corporation shall not run any such service of special trolley vehicles in or through the urban district of Longbenton on any Sunday Christmas Day Good Friday or bank or other public holiday unless on such holiday a meeting for horse racing or other purposes is held at Gosforth Park:

(3) The Corporation shall not under the provisions of section 97 (Through cars) of the Act of 1935 as incorporated and applied by the said section 6 of this Act run through trolley vehicles in or through the urban district of Longbenton:

(4) Any difference which may arise between the Corporation and the council under the provisions of this section shall be referred to and determined by a single arbitrator to be appointed unless otherwise agreed by the Minister of Transport on the application of either party after notice in writing to the other party and subject thereto the provisions of the Arbitration Acts

PART II. —*cont.*

1889 to 1934 or any then subsisting statutory modification or re-enactment thereof shall apply to the reference.

For protection of Wallsend Corporation.

11. For the protection of the mayor aldermen and burgesses of the borough of Wallsend (in this section respectively referred to as "the Wallsend Corporation" and "the borough") the following provisions shall notwithstanding anything in this Act and unless otherwise agreed in writing between the Corporation and the Wallsend Corporation apply and have effect:—

(1) If the Corporation in the execution of any works in connection with trolley vehicle routes the construction of which is authorised by this Act shall cause any damage injury or disturbance to any street in respect of which the Wallsend Corporation exercise the functions of maintenance and repair and shall fail after reasonable notice from the Wallsend Corporation properly to make good all such damage injury or disturbance in accordance with the provisions in that behalf contained in section 27 of the Tramways Act 1870 it shall be lawful for the Wallsend Corporation after reasonable notice to the Corporation of the works which they propose to execute to do all works necessary for making good all such damage injury or disturbance and the Corporation shall repay to the Wallsend Corporation all costs charges and expenses which the Wallsend Corporation shall reasonably incur in carrying out such works:

(2) If it is reasonably necessary owing to the widening or improvement of the carriageway of any street in the borough on which trolley vehicles are run in pursuance of the powers of this Act to alter the position of any standard post or pole used by the Corporation in connection with so much of the trolley vehicle routes the construction of which is authorised by this Act as is situate in the borough the Corporation shall at their own expense alter the position thereof in such manner as the Wallsend Corporation may reasonably direct:

(3) If any differences arise under this section between the Corporation and the Wallsend Corporation the same shall be settled by an engineer to be appointed at the request of either party by the Minister of Transport and subject as aforesaid the provisions of the Arbitration Acts 1889 to 1934 or any statutory modification or re-enactment thereof for the time being in force shall apply to such arbitration.

PART II. —*cont.*

For protection of Tyneside Tramways and Tramroads Company.

12. For the protection of the Tyneside Tramways and Tramroads Company (in this section referred to as "the company") the following provisions shall unless otherwise agreed in writing between the Corporation and the company apply and have effect (that is to say):—

(1) In this section—

(*a*) the expressions "stage carriage" and "road service licence" have the same meanings respectively as in the Road Traffic Acts 1930 to 1937 and the expression "road service licence" includes a permit issued under the Emergency Powers (Defence) (Road Vehicles & Drivers) Order 1943 authorising the provision of a road service;

(*b*) "the Act of 1929" means the Tyneside Tramways and Tramroads Act 1929; and 20 & 21 Geo. 5. c. xxxvi.

(*c*) "the 1929 agreement" means the agreement dated the twenty-first day of November one thousand nine hundred and twenty-nine and made between the company of the one part and the Corporation of the other part (which was confirmed by and a copy of which is scheduled to the Act of 1929) subject to any modifications from time to time agreed between the parties thereto and for the time being in force:

(2) The Corporation shall not oppose an application by the company to the Traffic Commissioners for the Northern Traffic Area for a road service licence to authorise the company at any time after the Corporation have commenced to run a service of trolley vehicles along Route No. 14 authorised by this Act or any part thereof to provide a service of stage carriages along that route if such application is—

(*a*) an application for a road service licence subject to the condition that except with the consent of the Corporation the company shall not on any one journey both take up and set down the same passenger upon any part of so much of the route of the said service as is between its terminus in the city and the point at which the said Route No. 14 crosses the present boundary of the city; or

(*b*) an application for a road service licence to authorise the provision by the company as part of or in conjunction with the services for the time being provided by the Corporation and the company along the east and west route as defined by the Act of 1929 of a service of stage carriages under the provisions contained in the 1929 agreement so far as such provisions may be applicable

PART II. —*cont.*

and subject to such modifications thereof as may be agreed between the Corporation and the company or in default of agreement determined by arbitration to be necessary having regard to the route of the proposed service;

and if and so long as the company provides a service of stage carriages over the said Route No. 14 or any part thereof (other than a service which the company may be licensed so to provide subject to such condition as aforesaid) then during the continuance in force of the 1929 agreement the provisions of that agreement shall so far as applicable and subject to such modifications as aforesaid apply to any service of stage carriages or trolley vehicles provided by the company or the Corporation along the said Route No. 14 or any part thereof in like manner as if that service had originally formed part of the services for the time being provided by the Corporation and the company under the 1929 agreement:

(3) Any dispute or difference between the Corporation and the company under this section shall be referred to and settled by an arbitrator to be agreed upon between them or in default of agreement appointed on the application of either of them after notice in writing to the other by the Minister of Transport and subject as aforesaid the provisions of the Arbitration Acts 1889 to 1934 shall apply to any such reference and settlement.

PART III.

WORKS AND LANDS.

Power to execute work.

13. Subject to the provisions of this Act the Corporation may for the purposes of the trolley vehicle Route No. 8 by this Act authorised make and maintain the following work in the county of Northumberland in the line or situation and according to the levels shown on the deposited plan and section upon land belonging to the Corporation:—

A road commencing in the parish of North Gosforth in the rural district of Castle Ward by a junction with the Great North Road at a point 7·6 chains or thereabouts northward of the main entrance gate into High Gosforth Park and terminating in the urban district of Longbenton by a junction with Great Lime Road at a point 6·4 chains or thereabouts north-westward of Gosforth East Lodge.

PART III. —*cont.*

Deviation.

14. In the execution of the work by this Part of this Act authorised or any part thereof the Corporation may deviate laterally from the lines thereof shown on the deposited plan to any extent within the limits of deviation shown thereon and vertically from the levels shown on the deposited section to any extent not exceeding five feet upwards or downwards.

Correction of errors in deposited plan and book of reference.

15. If there is any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plan or specified in the deposited book of reference the Corporation after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices having jurisdiction in the place in which the lands are situate for the correction thereof and if it appears to the justices that the omission or misstatement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and such certificate or a copy thereof shall be deposited with the clerk of the county council of the county of Northumberland and a duplicate thereof shall be deposited with the clerk of the council of the county district in which the lands are situate and if the lands are situate in a rural parish having a parish council also with the clerk of that council and such certificate or copy and duplicate respectively shall be kept by such clerks respectively with the other documents to which the same relate and thereupon the deposited plan and book of reference shall be deemed to be corrected according to the certificate and it shall be lawful for the Corporation to execute the works in accordance with the certificate.

Power to acquire lands or easements by agreement.

16. The Corporation may by agreement with the High Gosforth Park Company Limited purchase or acquire such lands forming part of High Gosforth Park or easements or rights in and over the said lands as shall be necessary for the construction maintenance and use of the work by this Part of this Act authorised.

PART IV.

FINANCIAL AND MISCELLANEOUS.

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

17.—(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 thereof and they shall pay off all moneys so

PART IV. —*cont.*

borrowed within such periods as the Corporation may determine not exceeding those respectively mentioned in the third column of the said table (namely):—

1. Purpose.	2. Amount.	3. Period for repayment.
	£	
(*a*) For the purchase of land and rights.	100	Sixty years from the date or dates of borrowing.
(*b*) For or in connection with the construction of roads.	40,000	Twenty years from the date or dates of borrowing.
(*c*) For the provision of electrical equipment and construction of other works necessary for working the trolley vehicle routes authorised by this Act.	215,000	Twenty years from the date or dates of borrowing.
(*d*) For the provision of trolley vehicles.	570,000	Ten years from the date or dates of borrowing.
(*e*) For paying the costs and expenses of this Act as hereinafter defined.	The sum requisite	Five years from the passing of this Act.

(2) (*a*) The Corporation may also with the consent of the Minister of Transport borrow such further sums as they may from time to time require for any of the purposes of this Act.

(*b*) Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Minister of Transport.

(3) The provisions of Part IX (Borrowing) of the Local Government Act 1933 so far as they are not inconsistent with the provisions of this Act or of any order made under section 127 (Consolidated loans fund) of the Act of 1935 shall extend and apply to the borrowing of money under this section and to money so borrowed as if it were borrowed under the said Part IX and the period fixed by subsection (1) of this section 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.

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

18.—(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 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 Act (other than the

PART IV. —*cont.*

power of borrowing to pay the costs charges and expenses of this Act as hereinafter defined) without such consent.

(2) It shall not be lawful to exercise the powers of borrowing conferred by this Act otherwise than in compliance with the provisions of the Local Authorities Loans Act 1945. 8 & 9 Geo. 6. c. 18.

For protection of supply company.

19. For the protection of the North Eastern Electric Supply Company Limited (in this section referred to as " the supply company ") the following provisions shall unless otherwise agreed in writing between the Corporation and the supply company have effect:—

(1) The provisions of section 71 (For protection of works of Newcastle-upon-Tyne Electric Supply Company Limited) of the Newcastle-upon-Tyne Corporation Act 1904 (other than subsection (3) of that section) shall apply to and in relation to the exercise by the Corporation of the powers of Part II of this Act and to and in relation to the work by Part III of this Act authorised as if the provisions of that section (other than subsection (3) thereof) were re-enacted in this Act mutatis mutandis and with the substitution of references to the supply company and their electric mains wires lines or other works and property for the references in the said section 71 to the Newcastle-upon-Tyne Electric Supply Company Limited and their electric mains wires lines or other works and property: 4 Edw. 7. c. ccxxxvi.

(2) Except as expressly provided in this Act nothing in this Act shall diminish take away lessen prejudice or in any manner affect alter or interfere with any of the rights powers or privileges vested in or enjoyed or exerciseable by the supply company.

For protection of Northumberland County Council.

20. Notwithstanding anything contained in this Act the following provisions for the protection of the county council of the administrative county of Northumberland (in this section called " the county council ") shall unless otherwise agreed between the county council and the Corporation apply and have effect:—

(1) The provisions of section 106 (For protection of Northumberland County Council and Newburn Urban District Council) of the Act of 1935 shall so far as they relate to the county council extend and apply to the permanent abandonment or discontinuance of the tramways situate in any street vested in the county council and comprised in trolley vehicle

PART IV. —*cont.*

Route No. 2 7 or 10 authorised by this Act or any parts of those tramways as if such tramways or parts thereof were tramways permanently abandoned or discontinued under the powers of the Act of 1935:

(2) (*a*) Plans and sections of so much of the road authorised by the section of this Act of which the marginal note is " Power to execute work " as will be situate within a distance of one hundred feet from the middle of the Great Lime Road shall be submitted by the Corporation to the county council for their approval not less than two months before the construction of the said part of the said road is proposed to be commenced Provided that such approval shall not be unreasonably withheld and that if the county council fail to signify their approval or disapproval of such plans and sections within two months after the receipt thereof they shall be deemed to have approved thereof:

(*b*) Any difference which may arise between the Corporation and the county council under the provisions of this subsection shall be referred to and determined by an arbitrator to be agreed upon between them or in default of agreement appointed on the application of either of them after notice in writing to the other of them by the Minister of Transport and subject as aforesaid the provisions of the Arbitration Acts 1889 to 1934 shall apply to any such reference and determination.

Crown rights.

21. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown.

Costs of Act.

22. All costs charges and expenses of and incidental to the preparing applying for and obtaining and passing of this Act or otherwise 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 the general rate of the city or out of moneys to be borrowed under this Act for that purpose.

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