CHAPTER xxiii.

An Act to confirm a Provisional Order made by the Minister of Transport under the Portsmouth Corporation Act 1930 as amended by the Portsmouth Corporation Act 1946 relating to Portsmouth Corporation trolley vehicles. [1st August 1952.]

WHEREAS under the authority of section thirty-two of the Portsmouth Corporation Act 1930 as amended by section eight of the Portsmouth Corporation Act 1946 the Minister of Transport has made the Provisional Order set out in the schedule to this Act annexed:

And whereas a Provisional Order made by the Minister of Transport under the authority of the said section as so amended 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 as so amended and set out in the schedule to this Act annexed be confirmed by Act of Parliament:

Be it therefore enacted by the Queen'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:—

Confirmation of Order in schedule.

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.

Short title.

2. This Act may be cited as the Portsmouth Corporation (Trolley Vehicles) Order Confirmation Act 1952.

SCHEDULE

PORTSMOUTH CORPORATION (TROLLEY VEHICLES)

Provisional Order authorising the lord mayor aldermen and citizens of the city of Portsmouth to use trolley vehicles upon an additional route in the city of Portsmouth.

Short and collective titles.

1.—(1) This Order may be cited as the Portsmouth Corporation (Trolley Vehicles) Order 1952.

(2) The Portsmouth Corporation (Trolley Vehicles) Act and Orders 1930 to 1948 and this Order may be cited together as the Portsmouth Corporation (Trolley Vehicles) Act and Orders 1930 to 1952.

Interpretation.

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

"The Act of 1930" means the Portsmouth Corporation Act 1930;

"The city" means the city of Portsmouth;

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

"The Minister" means the Minister of Transport;

"Trolley vehicle" has the meaning assigned to it by section 4 (Interpretation) of the Act of 1930.

Power to use trolley vehicles upon an additional route.

3. The Corporation may use trolley vehicles upon the following route in the city:—

Route No. 1 (5 furlongs 4·09 chains or thereabouts in length) commencing at the junction of London Road and Chichester Road proceeding along Chichester Road to and terminating at its junction with Copnor Road:

Provided that—

(*a*) before equipping the trolley vehicle route to include a turning point or before arranging for a new turning point on the route the Corporation shall submit plans of the turning point to the Minister for approval;

(*b*) if the Corporation shall not have commenced to use trolley vehicles upon the trolley vehicle route authorised by this Order within five years from the passing of the Act confirming this Order or such extended time as the Minister may upon the application of the Corporation allow the powers conferred by this Order shall cease to be exercisable.

Power to borrow.

4.—(1) Subject to the provisions of this Order the Corporation may from time to time independently of any other borrowing power borrow at interest 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 moneys so borrowed within such periods as the Corporation may determine not exceeding those respectively mentioned in the third column of the said table (namely):—

Purpose	Amount	Period for repayment
(*a*) The provision of trolley vehicle equipment and the construction of other works necessary for working trolley vehicles along the route authorised by this Order.	£3,200	Fifteen 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.

(2) The provisions of Part IX of the Local Government Act 1933 so far as they are not inconsistent with this Order 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 shall be the sanctioning authority.

(4) The provisions of this section shall not limit the powers conferred upon the Corporation by section 149 (Power to use one form of mortgage for all purposes) of the Portsmouth Corporation Act 1920.

Saving for powers of Treasury.

5. 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 or of any order for the time being in force made under section 1 of the Borrowing (Control and Guarantees) Act 1946.

Inquiries by Minister of Transport.

6. The Minister 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.

Saving for town and country planning.

7. This Order shall be deemed to be an enactment passed before and in force at the passing of the Town and Country Planning Act 1947 for the purposes of subsection (4) of section 13 and subsection (1) of section 118 of that Act.

Costs of Order.

8. 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.

Table of Statutes referred to in this Act

Short title	Session and chapter
Portsmouth Corporation Act 1920	10 & 11 Geo. 5. c. lxviii.
Portsmouth Corporation Act 1930	20 Geo. 5. c. lii.
Local Government Act 1933	23 & 24 Geo. 5. c. 51.
Local Authorities Loans Act 1945	8 & 9 Geo. 6. c. 18.
Portsmouth Corporation Act 1946	9 & 10 Geo. 6. c. xxxix.
Borrowing (Control and Guarantees) Act 1946 ...	9 & 10 Geo. 6. c. 58.
Town and Country Planning Act 1947	10 & 11 Geo. 6. c. 51.

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