CHAPTER xxvii.

An Act to confer powers upon the lord mayor aldermen and citizens of the city of Sheffield with respect to the construction of tramways and the running of omnibuses and for other purposes. [24th June 1915.]

A.D. 1915.

WHEREAS the lord mayor aldermen and citizens of the city of Sheffield (in this Act called "the Corporation") own and work tramways in that city and run motor omnibuses in that city and along certain routes in the neighbourhood thereof and it is expedient to authorise them to construct the tramways referred to in this Act and to confer further powers upon them with respect to the running of motor omnibuses:

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

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

And whereas estimates have been prepared by the Corporation for the purposes hereinafter mentioned and such estimates are as follows:—

	£
For the construction and equipment of the tramways authorised by this Act and for the general purposes of the tramway undertaking	17,520
For the provision of motor omnibuses - -	4,735

And whereas the several works included in such estimates respectively are permanent works and it is expedient that the cost thereof should be spread over a term of years:

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872

A.D. 1915.

and 1903 have been observed and the approval of the Local Government Board has been obtained:

And whereas a plan and section showing the lines and levels of the tramways authorised by this Act were duly deposited with the clerk of the peace for the west riding of the county of York and are in this Act respectively referred to as the deposited plan and section:

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):—

PRELIMINARY.

Short title.

1. This Act may be cited as the Sheffield Corporation (Tramways) Act 1915.

Incorporation of general Acts.

2. The following Acts and parts of Acts so far as they are applicable to the purposes of and are not inconsistent with the provisions of this Act are hereby incorporated with and form part of this Act (that is to say):—

(1) The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845 and except the provisions with respect to the purchase and taking of lands otherwise than by agreement); and

(2) Section 3 (Interpretation of terms) section 19 (Local authority may lease or take tolls) and Parts II. and III. of the Tramways Act 1870.

Interpretation.

3. In this Act unless the subject or context otherwise requires the several words and expressions to which by the Acts wholly or partially incorporated with this Act and by the Public Health Act 1875 and any Act amending the same meanings are assigned have the same respective meanings And—

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

"The city" means the city of Sheffield;

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

"The district fund" and "the general district rate" mean respectively the district fund and the general district rate of the city;

"The tramway undertaking" means the tramway undertaking of the Corporation for the time being authorised.

TRAMWAYS.

Power to construct tramways.

4. Subject to the provisions of this Act the Corporation may make form lay down work use and maintain within the city the tramways hereinafter described in the lines and according to the levels shown on the deposited plan and section with all proper rails plates works and conveniences connected therewith:—

Tramway No. 1 (4 furlongs 4·9 chains in length whereof 4 furlongs 3·9 chains will be double line and 1 chain will be interlacing line) commencing in Sheffield Road by a junction with the existing tramway of the Rotherham Corporation therein at a point twelve yards or thereabouts south-west of Bawtry Road passing thence along Sheffield Road and Bawtry Road and terminating in Bawtry Road at the boundary of the city:

Tramway No. 1A (double line 1·3 chains in length) commencing in Sheffield Road by a junction with the existing tramway of the Rotherham Corporation therein at a point fourteen yards or thereabouts north-east of Bawtry Road and terminating in Bawtry Road by a junction with Tramway No. 1 at a point ten yards or thereabouts south-east of Sheffield Road.

Tramways to form part of Corporation's tramway undertaking.

5. The tramways authorised by this Act shall form part of the tramway undertaking and the Corporation and their lessees and licencees may in respect of those tramways exercise and enjoy all and the like powers rights privileges and authorities which they now are or may be empowered to exercise and enjoy and shall be subject and liable to the like penalties conditions restrictions and stipulations as they are respectively subject and liable to with respect to their existing tramway undertaking or any part thereof and may demand take and recover in respect of the said tramways or any parts thereof the like tolls rates and charges for the use thereof and for the conveyance thereon of traffic of all kinds as they may now demand and take in respect of the tramway undertaking.

A.D. 1915.

Application of provisions of former Acts to tramways.

6. The provisions of the Sheffield Corporation Act 1912 hereinafter mentioned and the provisions thereby applied which relate to the tramway undertaking shall so far as the same are applicable to and are not inconsistent with the provisions of this Act extend and apply mutatis mutandis to the tramways authorised by this Act (namely):—

Section 15 (Application of provisions of former Acts to tramways);
Section 16 (Provisions as to motive power);
Section 17 (Gauge of tramways and width of carriages);
Section 24 (Attachment of brackets to buildings);
Section 25 (Apparatus used for mechanical power to be deemed part of tramways);
Section 77 (Temporary stoppage of streets); and
Section 78 (Application of road materials excavated in construction of works).

Period for completion of tramways.

7. The tramways authorised by this Act shall be completed within five years from the passing of this Act and on the expiration of that period the powers by this Act granted to the Corporation for executing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

For protection of Rotherham Corporation.

8. For the protection of the Rotherham Corporation the following provisions shall unless otherwise agreed between the Corporation and the Rotherham Corporation apply and have effect so long as the tramway in Sheffield Road in the city is vested in the Rotherham Corporation (that is to say):—

(1) The tramways by this Act authorised shall be adapted for the same system of traction as the tramways of the Rotherham Corporation in the city and shall in all respects be constructed and maintained so as to correspond and be capable of being worked in connection with the said tramways of the Rotherham Corporation and so as not to obstruct impede or interfere with the free and uninterrupted and safe use of the said tramways of the Rotherham Corporation or with the traffic thereon and if any such obstruction or interference shall be caused or take place the Corporation shall pay to the Rotherham Corporation full compensation in respect thereof:

(2) The tramways by this Act authorised and all the works both temporary and permanent necessary and incident to the construction thereof so far as they affect the said tramways of the Rotherham Corporation (in this section referred to as "the junction tramways") shall be constructed in accordance with the provisions of this section and at such times and according to such plans sections and specifications as shall be previously submitted to and reasonably approved in writing by the engineer of the Rotherham Corporation (in this section referred to as "the engineer") and the Corporation shall not commence the construction of any part of the junction tramways or enter upon or interfere with any tramway or works of the Rotherham Corporation until such plans sections and specifications and the times at which the works shall be constructed shall have been so submitted and approved Provided always that if the engineer shall for the period of one month fail to disapprove of such plans sections and specifications or such times or to give notice of such disapproval to the Corporation he shall be deemed to have approved the same:

(3) The junction tramways shall be executed by and in all things at the expense of the Corporation and under the superintendence if the same be given and to the reasonable satisfaction of the engineer:

(4) The Corporation shall at all times maintain the junction tramways in substantial repair and good order to the reasonable satisfaction in all respects of the engineer and if and whenever the Corporation fail so to do the Rotherham Corporation after giving to the Corporation reasonable notice of their intention to do so may make and do all such works repairs and things as they may reasonably think requisite in that behalf and the sums from time to time reasonably expended thereon shall be repaid to the Rotherham Corporation by the Corporation:

(5) During the construction of the junction tramways the Corporation shall bear and on demand pay to the Rotherham Corporation all reasonable expenses of employment by them of a sufficient number of

A.D. 1915.

inspectors watchmen and flagmen to be appointed by that Corporation for watching their tramway and works with reference to and during the execution of the intended works and for preventing as far as may be all interference obstruction danger and accident which may arise from any of the operations or from the acts or defaults of the Corporation or their contractors or any person or persons in the employment of the Corporation or their contractors with reference thereto or otherwise:

(6) If any difference shall arise between the Corporation and the Rotherham Corporation under this section such difference shall be referred to and determined by an engineer to be appointed failing agreement by the President of the Institution of Civil Engineers on the application of either party and subject thereto the provisions of the Arbitration Act 1889 shall apply to any such reference.

Extension of time for construction of tramways authorised in 1907.

9. The period limited by section 28 (Extension of time for construction of certain tramways authorised by Act of 1907) of the Sheffield Corporation Act 1912 for the construction of Tramway No. 3 authorised by the Sheffield Corporation Act 1907 and of so much of Tramway No. 5 authorised by that Act as has not been completed is hereby extended until the fourteenth day of February nineteen hundred and eighteen.

Working agreements.

10.—(1) The Corporation on the one hand and any local authority company body or person owning or working any tramways which may now or hereafter be connected with any tramways of the Corporation on the other hand may enter into and carry into effect agreements with respect to the following purposes or any of them (that is to say):—

(*a*) The formation of junctions between the tramways of the contracting parties:

(*b*) The leasing working running over using maintaining and managing by either of the contracting parties of the tramways or any of the tramways of the other and the fixing collecting apportionment and distribution of the rates and profits arising therefrom:

(*c*) The supply and maintenance by the working party under and during the continuance of any such agreement as aforesaid for the working of the tramways

of rolling stock necessary for the purposes of such agreement and the employment of officers and servants:

(*d*) The supply of motive power:

(*e*) The payments to be made and the conditions to be performed with respect to the matters aforesaid:

(*f*) The management regulation interchange collection transmission and delivery of traffic upon or coming from or destined for the tramways of the contracting parties:

Provided that except in cases of emergency no electrical energy shall be supplied under the powers of this section by either of the contracting parties except for the purposes of any tramway owned or worked by such party.

An appeal shall lie to the Board of Trade by any local authority company or person authorised to supply electrical energy in the district in which such tramway is situate as to whether in fact such emergency exists.

(2) During the continuance of any agreement under this section for the working running over or user by one of the contracting parties of the tramways of the other the tramways of the parties so contracting shall for the purposes of calculating maximum rates and charges or fares in respect of conveyance partly over the tramways of the one party and partly over those of the other be considered as one tramway and the maximum charge for conveyance over the tramways of each such party shall be calculated at the maximum rate or fare which would be applicable if the conveyance took place for the entire distance over those tramways only.

MOTOR OMNIBUSES.

Further powers to run motor omnibuses.

11.—(1) The powers of section 16 (Powers to provide and run motor omnibuses) of the Sheffield Corporation Act 1907 as amended by subsection (2) of section 25 (Further powers to run motor omnibuses) of the Sheffield Corporation Act 1914 shall extend to enable the Corporation to provide and run motor omnibuses along the following route in the urban district of Handsworth and in the parishes of Orgreave and Aston-cum-Aughton

A.D. 1915.

in the rural district of Rotherham in the west riding of the county of York (namely) :—

From the boundary of the city at Handsworth Bridge along the main road Handsworth Lane and Worksop Road to the junction of the last-named road with Brickkiln Lane and Aston Lane at the westernmost end of the present village of Aston.

(2) If at any time after the expiration of three years from the date on which the Corporation are authorised under the provisions of this Act to borrow money for the provision of motor omnibuses the Corporation shall not provide a service of motor omnibuses reasonably sufficient to meet the needs of the public on every day (excepting if the Corporation think fit Sundays Good Friday and Christmas Day) on the route referred to in subsection (1) of this section the Board of Trade may on the representation of the local authority of any district in which the route is situate order that the powers of the Corporation as regards such route or any part thereof shall cease and on any such order being made those powers shall cease accordingly.

(3) The provisions of section 26 (As to road maintenance) of the Sheffield Corporation Act 1914 shall apply to the running of omnibuses under this section except in regard to any main road to which the section of this Act of which the marginal note is "Contribution to cost of maintenance of main roads" applies.

Contribution to cost of maintenance of main roads.

12. For the protection of the county council of the west riding of Yorkshire (in this section referred to as "the county council") the following provisions shall unless otherwise agreed in writing between the county council and the Corporation apply and have effect with respect to the running of motor omnibuses under the powers of this Act upon any main road in the said west riding (that is to say) :—

(1) The Corporation shall pay to the county council an annual sum equal to three-eighths of a penny per car mile run by motor omnibuses of the Corporation over any such main road towards the cost of the maintenance of such road All sums of money payable to the county council under the provisions of this section shall be deemed to be a debt due to the

county council and recoverable from the Corporation accordingly :

(2) The Corporation shall keep statements for the purposes of this section showing in proper detail the mileage run by each motor omnibus on any such main road and shall furnish copies of such statements annually to the county council and the Corporation shall allow any person duly authorised by the county council in that behalf at all reasonable times to inspect and take copies of all such statements and any accounts kept by the Corporation relating to the running of all such motor omnibuses :

(3) In consideration of the payments to be made by the Corporation to the county council the county council shall not under section 23 (Power of road authority to recover expenses of extraordinary traffic) of the Highways and Locomotives (Amendment) Act 1878 as amended by section 12 (Amendments as to proceedings for extraordinary traffic damage) of the Locomotives Act 1898 or otherwise make any claim against the Corporation in respect of extraordinary traffic by reason of the user of any main road by the motor omnibuses of the Corporation :

(4) Any difference at any time arising between the county council and the Corporation as to the sum from time to time payable under the provisions of this section shall be settled by an arbitrator to be agreed upon between the county council and the Corporation or failing such agreement to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration :

(5) In this section the expression "main road" does not include any bridge or the roadway over the same repairable by any railway company.

FINANCIAL AND MISCELLANEOUS PROVISIONS.

Power to borrow and repayment of borrowed moneys.

13.—(1) The Corporation may in addition to any moneys they are now authorised to borrow or which they may be authorised to borrow under the provisions of the Public Health

A.D. 1915.

Acts or any public general Act borrow at interest for the purposes set forth in the first column of the following table any sums not exceeding the respective sums set forth in the second column thereof and all moneys borrowed under the powers of this subsection shall be repaid within the respective periods set forth in the third column of the said table (that is to say):—

1	2	3
Purpose.	Amount.	Period for Repayment.
	£	
(*a*) For the construction and equipment of the tramways authorised by this Act and for the general purposes of the tramway undertaking.	17,520	25 years from the date or dates of borrowing.
(*b*) For the provision of motor omnibuses -	4,735	5 years from the date or dates of borrowing.
(*c*) For paying the costs charges and expenses of this Act as hereinafter defined.	The sum requisite.	5 years from the passing of this Act.

(2) The Corporation may also with the consent of the Board of Trade borrow such further money as may be necessary for any of the purposes of this Act and any money borrowed under this subsection shall be repaid within such period as may be prescribed by that Board.

(3) In order to secure the repayment of any money borrowed under this section and the payment of interest thereon the Corporation may mortgage or charge the revenue of the tramway undertaking and the district fund and the general district rate.

(4) The provisions of this section shall not limit the powers conferred upon the Corporation by section 51 (Mode of raising moneys) of the Sheffield Corporation Water Act 1896 or by section 126 (Power to use one form of mortgage for all purposes) of the Sheffield Corporation Act 1912.

Restriction on borrowing.

14. Notwithstanding anything in this Act the Corporation shall not under the powers of this Act borrow any money (other than money required to pay the costs charges and expenses of this Act as hereinafter defined) during the continuance of the present war and twelve months thereafter unless the consent of the Treasury has been previously obtained.

Certain provisions of Public

15. In calculating the sums which the Corporation may borrow under the provisions of any other enactment any sums

which they may borrow under this Act shall not be reckoned and the powers of the Corporation as to borrowing and re-borrowing under this Act shall not be restricted by any of the provisions of the Public Health Acts.

Health Act as to borrowing not to apply.

16. The following provisions of the Sheffield Corporation Water Act 1896 the Sheffield Corporation (Streets and Tramways) Act 1897 the Sheffield Corporation Act 1907 and the Sheffield Corporation Act 1912 shall subject to the provisions of this Act apply in respect of moneys borrowed by the Corporation under this Act as if they were herein with any necessary modifications re-enacted (that is to say):—

Incorporation of certain financial provisions of former Acts.

The Sheffield Corporation Water Act 1896—

Section 51 (Mode of raising moneys);

Section 52 (Power to issue new redeemable stock);

Section 53 (Establishment of Consolidated Loans Fund No. 2 in respect of new stock);

Section 56 (Regulations as to sinking fund for moneys borrowed on mortgage);

Section 58 (Protection of lenders from inquiry); and

Section 61 (Application of money borrowed under Act):

The Sheffield Corporation (Streets and Tramways) Act 1897—

Section 42 (As to mortgages of Corporation):

The Sheffield Corporation Act 1907—

Section 48 (Corporation may issue new redeemable stock):

The Sheffield Corporation Act 1912—

Section 119 (Annual payments towards redemption);

Section 121 (Power to borrow under Local Loans Act 1875);

Section 123 (Appointment of receiver);

Section 124 (Corporation not to regard trusts);

Section 125 (Audit of accounts); and

Section 131 (Application of moneys from sale of lands).

17. All expenses incurred by the Corporation in carrying into execution the provisions of this Act with respect to which no other provision is made may be defrayed out of the revenue of the tramway undertaking or out of the district fund and general district rate.

Expenses of execution of Act.

A.D. 1915.

Costs of Act.

18. The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act 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 moneys borrowed under the authority of this Act or out of the revenue of the tramway undertaking or out of the district fund and general district rate or partly in one way and partly in another or others.

Printed by EYRE and SPOTTISWOODE, LIMITED,
FOR
FREDERICK ATTERBURY, Esq., C.B., the King's Printer of Acts of Parliament.

To be purchased, either directly or through any Bookseller, from
WYMAN AND SONS, LIMITED, 29, BREAMS BUILDINGS, FETTER LANE, E.C., and
28, ABINGDON STREET, S.W., and 54, ST. MARY STREET, CARDIFF; or
H.M. STATIONERY OFFICE (SCOTTISH BRANCH), 23, FORTH STREET, EDINBURGH; or
E. PONSONBY, LIMITED, 116, GRAFTON STREET, DUBLIN;
or from the Agencies in the British Colonies and Dependencies,
United States of America, and other Foreign Countries of
T. FISHER UNWIN, LIMITED, LONDON, W.C.