CHAPTER xxii

An Act to confirm a Provisional Order made by the Minister of Transport under the Walsall Corporation Act 1925 relating to Walsall Corporation trolley vehicles. [14th July 1953.]

WHEREAS under the authority of section seventeen of the Walsall Corporation Act 1925 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 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 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 Walsall Corporation (Trolley Vehicles) Order Confirmation Act 1953.

SCHEDULE

WALSALL CORPORATION (TROLLEY VEHICLES)

Provisional Order authorising the mayor aldermen and burgesses of the borough of Walsall to use trolley vehicles upon additional routes in the said borough and the urban districts of Darlaston and Willenhall.

Short and collective titles.

1.—(1) This Order may be cited as the Walsall Corporation (Trolley Vehicles) Order 1953.

(2) The Walsall Corporation (Trolley Vehicles) Acts and Orders 1914 to 1951 and this Order may be cited together as the Walsall Corporation (Trolley Vehicles) Acts and Orders 1914 to 1953.

Interpretation.

2. In this Order the following expressions have the meanings hereby assigned to them respectively (that is to say):—

"the Act of 1914" and "the Act of 1925" mean respectively the Walsall Corporation Act 1914 and the Walsall Corporation Act 1925;

"the borough" means the borough of Walsall;

"the commission" means the British Transport Commission and any reference to the commission in relation to any functions of the commission which are for the time being delegated to an executive in pursuance of section 5 of the Transport Act 1947 shall be construed as a reference to that executive;

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

"the Minister" means the Minister of Transport;

"the Order of 1951" means the Walsall Corporation (Trolley Vehicles) Order 1951;

"trolley vehicle" has the meaning assigned to it by section 4 (Interpretation) of the Act of 1925;

"trolley vehicle equipment" means and includes all posts poles standards brackets cables conductors tubes mains transformers feeders wires and other apparatus and equipment for the purpose of working and lighting the trolley vehicles.

Power to use trolley vehicles upon certain routes.

3. Subject to the provisions of this Order and of the Act of 1925 (except so much of section 9 of that Act as applies section 22 of the Act of 1914 to the provision maintenance and running of trolley vehicles) so far as such provisions relate to trolley vehicles and trolley vehicle routes and are applicable to this Order the Corporation may use trolley vehicles upon the following routes situate wholly in the borough except where otherwise stated in addition to any routes upon which they are already authorised to use trolley vehicles (that is to say):—

Route No. 1 (2 miles 1 furlong 1·75 chains or thereabouts in length) Commencing at the junction of Proffitt Street with Stafford Street proceeding along Proffitt Street Coalpool Lane to the junction of that Lane with Ross Road and

thence along Ross Road to the junction of that road with Harden Road thence along Harden Road to its junction with Walker Road and thence along Walker Road to its junction with Barracks Lane ;

Route No. 2 (4 furlongs 1·8 chains or thereabouts in length) Commencing at the southerly side of the junction of Walker Road with Barracks Lane proceeding along Walker Road to and along Green Rock Lane to the junction of that Lane with Livingstone Road ;

Route No. 3 (2 furlongs 5 chains or thereabouts in length) Commencing at the junction of Green Rock Lane with Livingstone Road and proceeding along Livingstone Road to its junction with Lichfield Road Little Bloxwich ;

Route No. 4 (1 mile 4 furlongs 3·36 chains or thereabouts in length) Commencing at the easterly side of the junction of Livingstone Road with Lichfield Road Little Bloxwich proceeding along Lichfield Road to and across Stafford Road Bloxwich thence along Bell Lane to and along Sneyd Lane to a point in that lane 12 chains or thereabouts west of its junction with Sneyd Hall Road ;

Route No. 5 (2 furlongs 4·23 chains or thereabouts in length) Commencing at Wolverhampton Road Bloxwich at its junction with High Street Bloxwich and proceeding along Wolverhampton Road to its junction with Bell Lane ;

Route No. 6 (2 miles 8·41 chains or thereabouts in length) Commencing at the junction of Green Lane with Townend Street proceeding along Green Lane to and across Leamore Lane and thence along Somerfield Road to its junction with High Street Bloxwich ;

Route No. 7 (5 furlongs 7·95 chains or thereabouts in length) Commencing at the junction of Stephenson Avenue with Cavendish Road and proceeding along Stephenson Avenue to its junction with Bloxwich Lane ;

Route No. 8 (2 furlongs 0·45 chain or thereabouts in length) Commencing at the junction of Darwin Road with Stephenson Avenue and proceeding along Darwin Road to its junction with Hatherton Lane ;

Route No. 9 (1 mile 2 furlongs 7·41 chains or thereabouts in length) Commencing at the junction of Bloxwich Lane with Stephenson Avenue and proceeding along Bloxwich Lane to and along Hatherton Lane thence along Leamore Lane to and across Bloxwich Road and thence along Harden Road to its junction with Walker Road ;

Route No. 10 (2 furlongs 0·45 chain or thereabouts in length) Commencing at the junction of Broadstone Avenue with Bloxwich Road and proceeding along Broadstone Avenue to its junction with Harden Road ;

Route No. 11 to be situate in the borough and in the urban districts of Darlaston and Willenhall (1 mile 2 furlongs 4 chains or thereabouts in length) Commencing at the

junction of Bloxwich Lane with Stephenson Avenue and proceeding along Bloxwich Lane to its junction with Wolverhampton Road ;

Route No. 12 (3 furlongs 7·73 chains or thereabouts in length) Commencing at the junction of Bloxwich Road with Blakenall Lane and proceeding along Blakenall Lane and across Chantry Avenue to and along the south-easterly side of Blakenall Heath to its junction with Walker Road and Barracks Lane ;

Route No. 13 (1 furlong 1·81 chains or thereabouts in length) Commencing at the junction of Blakenall Lane with Blakenall Heath and proceeding along the westerly side of Blakenall Heath to its junction with Walker Road near Ingram Road ;

Route No. 14 (1 mile 2 furlongs 8·73 chains or thereabouts in length) Commencing at the junction of Wednesbury Road with Corporation Street East proceeding along Wednesbury Road and Darlaston Road to and terminating at a point in the last-named road 30 yards or thereabouts east of the borough boundary ;

Route No. 14A (3 furlongs 7·36 chains or thereabouts in length) Commencing at the junction of Bescot Road with Wednesbury Road and proceeding along Bescot Road to and terminating at a point in that road 170 yards or thereabouts north of the borough boundary ;

Route No. 15 (2 furlongs 6·84 chains or thereabouts in length) Commencing at the junction of Wallows Lane with Bescot Road proceeding along Wallows Lane to its junction with Hillary Street and thence along Hillary Street to its junction with Wednesbury Road ;

Route No. 16 (1 furlong 7·27 chains or thereabouts in length) Commencing at the Clock Tower on The Bridge proceeding along The Bridge and Bradford Street and along Bradford Place to the junction of that place with Bridgeman Street and thence along Bridgeman Street to its junction with Bradford Street :

Provided that—

(*a*) before equipping any trolley vehicle route to include a turning point or arranging for a new turning point on any route the Corporation shall submit plans of the turning point to the Minister for approval and in the case of a turning point outside the borough shall also submit a copy of such plans to the chief officer of police of the district in which the turning point is proposed to be situate and to the local and road authorities concerned and before approving any such plans the Minister shall give to such chief officer of police and to such local and road authorities an opportunity of making representations with reference thereto and shall consider any such representations which may be made to him ;

(*b*) no turning point shall be fixed upon any street or road belonging to or maintained by the commission without the consent in writing of the commission which consent shall not be unreasonably withheld ;

(*c*) any question as to whether or not the consent of the commission under proviso (*b*) of this section has been unreasonably withheld shall be determined by the Minister ;

(*d*) subsection (2) (*d*) of section 38 (For protection of Postmaster-General) of the Act of 1914 shall be read and have effect as if the words " generated or used by or supplied to " were inserted in that subsection in substitution for the words " generated by " ;

(*e*) section 60 (For protection of Midland Railway Company) of the Act of 1914 shall extend and apply to the trolley vehicle routes hereby authorised as if the commission were named therein instead of the Midland Railway Company.

Period for completion of trolley vehicle equipment.

4. 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 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 any route upon which the Corporation shall not have commenced to use trolley vehicles cease to be exercisable.

Corporation to pay cost of altering trolley vehicle equipment in certain circumstances.

5. If at any time routes Nos. 11 14 and 14A authorised by this Order or any part thereof shall become part of a special road authorised by a scheme under section 1 of the Special Roads Act 1949 and the Minister shall consider it desirable in consequence thereof that the trolley vehicle equipment on those routes or on such part thereof as becomes part of the special road shall be altered the reasonable cost of effecting such alteration shall be borne by the Corporation.

For protection of British Transport Commission.

6. The following provisions for the protection of the commission shall unless otherwise agreed in writing between the Corporation and the commission apply and have effect: —

(1) In this section " the bridge " means the bridge known as Hollands Bridge whereby the road comprised in Route No. 3 authorised by this Order is carried over the Birmingham Canal Navigations of the commission or (as the case may be) the bridge known as Stokes Bridge whereby the road comprised in Route No. 9 authorised by this Order is carried over the said navigations:

(2) The Corporation shall not in pursuance of this Order use any trolley vehicle upon the bridge until the property of the commission in the bridge and the road carried thereby and the approaches thereto has been transferred to the Corporation together with the rights and obligations of the commission attaching to such bridge road and approaches either by an agreement made pursuant to section 2 of the Bridges Act 1929 or by an order made

by the Minister under that Act and the bridge has been reconstructed or improved by and at the expense of the Corporation in such manner and to such extent as may be agreed between the Corporation and the commission or failing such agreement determined by arbitration to be reasonably necessary to render the bridge suitable for use by trolley vehicles without in any way hindering or rendering less convenient the use by the commission of the waterway under the bridge for the purposes of navigation:

(3) If the property of the commission in the bridge and the road carried thereby and the approaches thereto is transferred to the Corporation in accordance with the provisions of subsection (2) of this section the commission shall on the date of the transfer pay to the Corporation a sum to be agreed between them or failing such agreement determined by arbitration representing a capital sum equivalent to what would have been the amount of the commission's liability if such transfer had not taken place:

(4) Any difference which may arise between the Corporation and the commission under this section shall be referred to and settled by a single arbitrator to be agreed between the parties or failing agreement to be appointed on the application of either party (after notice in writing to the other) by the President of the Institution of Civil Engineers and subject as aforesaid the Arbitration Act 1950 shall apply to such arbitration.

Borrowing powers.

7.—(1) Subject to the provisions of this Order 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 or 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 Purpose	2 Amount	3 Period for repayment calculated from the date or dates of borrowing
	£	
(*a*) The provision of trolley vehicles ...	150,000	Twelve years.
(*b*) The provision of electrical equipment and the construction of other works necessary for working trolley vehicles	181,000	Twenty years.
(*c*) The payment of the costs charges and expenses of this Order ...	The sum requisite	Five years.

(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.

Saving for powers of Treasury.

8. It shall not be lawful to exercise the powers of borrowing conferred by this Order (other than the power of borrowing to pay the costs charges and expenses of obtaining and confirming this Order) otherwise than in compliance with the provisions of any order for the time being in force made under section 1 of the Borrowing (Control and Guarantees) Act 1946.

Application of certain provisions of Order of 1951.

9. The following provisions of the Order of 1951 shall with any necessary modifications extend and apply to the exercise of the powers of this Order as if the same were set out in this Order (that is to say):—

Section 5 (Application of byelaws);

Section 6 (Inquiries by Minister);

Section 7 (Saving for town and country planning).

Costs of Order.

10. 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
Walsall Corporation Act 1914	4 & 5 Geo. 5. c. clx.
Walsall Corporation Act 1925	15 & 16 Geo. 5. c. cxxii.
Bridges Act 1929	19 & 20 Geo. 5. c. 33.
Local Government Act 1933	23 & 24 Geo. 5. c. 51.
Special Roads Act 1949	12 13 & 14 Geo. 6. c. 32.
Arbitration Act 1950	14 Geo. 6. c. 27.

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Walsall Corporation (Trolley Vehicles) Order Confirmation Act, 1953

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ARRANGEMENT OF SECTIONS

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SCHEDULE

WALSALL CORPORATION (TROLLEY VEHICLES)

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