

[20 & 21 GEO. 5.] *London United* [Ch. clxxxvii.]  
*Tramways Act, 1930.*



## CHAPTER clxxxvii.

An Act to authorise the London United Tramways Limited to provide services of trolley vehicles and to abandon their tramways and light railways to confer upon them additional powers and for other purposes. [1st August 1930.] A.D. 1930.

**W**HEREAS the London United Tramways Limited (hereinafter referred to as "the Company") under and by virtue of the London United Tramways Acts 1873 to 1918 are the owners of an extensive system of tramways and light railways in the counties of Middlesex Surrey and London :

And whereas it is expedient that the Company should be authorised to run trolley vehicles along the streets and roads in which their said tramways and light railways are laid in addition to or in substitution for such tramways and light railways and that the provisions contained in this Act with respect to the running of trolley vehicles should be enacted :

And whereas by the London United Tramways Act 1918 (hereinafter referred to as "the Act of 1918") provision was (inter alia) made for the financial reorganisation of the Company and the Company were required to put their tramways light railways rolling stock plant machinery and equipment and such parts of any roadway as were repairable by the Company into good condition and repair (which process of putting into good condition and repair was in the Act of 1918 referred to as "reconstruction") and were precluded from paying any

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And whereas by the Act of 1918 provision was also made as to the application of the revenue of the Company and the Company were (inter alia) required after paying the interest on their mortgage debenture stock and all other interest and other outgoings properly chargeable to revenue (including the working expenses of the Company and the cost of maintenance management and administration of their undertaking for the time being) and before paying any such dividends as aforesaid to pay to a fund to be called the "special reserve fund" (to be applicable only in or towards such reconstruction as aforesaid) certain specified sums in each year so far as such revenue should be available for the purpose but without any obligation to make up out of the revenue of any year any amount by which the sum paid to the said special reserve fund for any previous year was less than the sum payable for such previous year :

And whereas the Company duly expended the said sum of four hundred thousand pounds in compliance with their said obligation but the revenue of the Company since the passing of the Act of 1918 has not sufficed to enable them to make the annual contributions to the said special reserve fund provided for by that Act :

And whereas in order to enable the Company to increase the efficiency of their transport services further expenditure is required for such purposes as are referred to in the Act of 1918 and other purposes and it is expedient that with the object of enabling the Company to raise further money or otherwise to make financial provision for such further expenditure the powers in that behalf by this Act conferred upon them should be granted :

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

And whereas the objects aforesaid 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

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Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

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1. This Act may be cited as the London United Tramways Act 1930 and the London United Tramways Acts 1873 to 1918 and this Act may be cited together as the London United Tramways Acts 1873 to 1930.

Short and collective titles.

2. In and for the purposes of this Act unless the subject or context otherwise requires—

Interpretation.

“The Company” means the London United Tramways Limited;

“The existing Acts” means the London United Tramways Acts 1873 to 1918;

“The Act of 1918” means the London United Tramways Act 1918;

“Trolley vehicle” means a mechanically propelled vehicle adapted for use without rails upon roads and moved by electrical power transmitted thereto from some external source;

“The trolley vehicles” means the trolley vehicles by this Act authorised to be provided maintained and used by the Company;

“The trolley vehicle routes” means the routes on which the Company are or may from time to time be authorised by or under the provisions of this Act to work or use the trolley vehicles;

“Trolley vehicle apparatus” means all posts poles standards brackets cables conductors tubes mains transformers feeders wires and other apparatus and equipment for the purpose of working or lighting trolley vehicles or for the purpose of telephonic communication in connection therewith or for the purpose of connecting such apparatus and equipment with any generating station or stations or electrical substation or substations;

“The existing tramways” means the tramways and light railways constructed by the Company under the powers of the existing Acts and

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belonging to the Company at the date of the passing of this Act or any of such tramways or light railways or any part or parts thereof respectively;

“Tramway” includes light railway;

“Road authority” means—

(a) (with reference to any road or part of a road of which the whole or any part of the width has at any time been maintainable by a railway company under the provisions of any enactment and over which any trolley vehicle service of the Company passes or is proposed to pass) such railway company;

(b) (with reference to any other road or part of a road over which any trolley vehicle service of the Company passes or is proposed to pass) the authority company or person exercising the functions of maintenance and repair of such road or part of a road;

“The Minister” means the Minister of Transport;

“The undertaking” means the undertaking of the Company as for the time being authorised.

Power to  
use trolley  
vehicles.

**3.** The Company may subject to the provisions of this Act provide maintain and equip trolley vehicles and work and run the same in the counties of Middlesex and Surrey along the whole or part of all or any of the routes of the existing tramways:

Provided that nothing in this section shall authorise the Company to work or run trolley vehicles along any part of—

(a) such of the existing tramways as are situate in the county of Middlesex northward of a point in London Road Twickenham three hundred and fifty yards or thereabouts measured in a northerly direction from the centre of the bridge carrying the said London Road over the Southern Railway; or

(b) such of the existing tramways as are situate in the county of Surrey eastward of the junction of Victoria Crescent with the Broadway Merton Road Wimbledon:

Provided also that if the powers conferred by this section are not exercised within five years from the passing of this Act such powers shall upon the expiration of that period cease and determine except so far as they shall then have been exercised. A.D. 1930.  
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4. The Company may make such provision as the Minister may approve for the turning of trolley vehicles on or adjacent to any route along which the Company run or are about to run a service of trolley vehicles or at or adjacent to either end of any such route and may for the purpose of such turning run the trolley vehicles along any street or road or part of a street or road (whether comprised in any of the trolley vehicle routes or not) in which such provision is made : Provision for turning trolley vehicles.

Provided that before equipping any route for working trolley vehicles to include a turning point or before arranging for a new turning point on any route the Company shall submit plans of the turning point to the Minister for approval and shall also submit a copy of such plans to the local authority and the road authority and that before approving any such plans the Minister shall give to the local authority and (if 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.

5.—(1) Subject to the provisions of this Act the Company may in under or over the surface of the streets or roads comprised in or adjacent to the trolley vehicle routes or any of them or in which it may be necessary or convenient so to do in order to make provision for the turning of trolley vehicles or to connect the apparatus and equipment for working the trolley vehicles with any generating station or to connect any of the trolley vehicle routes with any depot or lands of the Company place erect and maintain all necessary and proper standards brackets conductors mains cables wires posts poles and any other necessary or convenient apparatus and equipment for the purpose of working the trolley vehicles by electrical power or of lighting such vehicles or of providing telephonic communication in connection therewith and may for any such purpose subject to the provisions of Part II of the Tramways Act 1870 as incorporated As to electrical works.

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— up alter or interfere with any such street or road and  
any sewers drains water or gas pipes tubes cables  
wires telephonic and telegraphic apparatus therein or  
thereunder :

Provided that—

- (a) No apparatus shall be erected on the carriage-way of any public road except with the consent of the Minister;
- (b) All posts and apparatus erected by the Company under this section in any road shall be of such design as the local authority and (if the local authority are not the road authority) the road authority may approve and such posts and apparatus and all apparatus placed or laid under any road shall be placed in such position as such authority or authorities may approve;
- (c) The route in which any apparatus is to be placed or erected for the purposes of connecting the trolley vehicle routes or any of them with a generating station shall be approved by the local authority and (if the local authority are not the road authority) the road authority;
- (d) Any approval of a local or road authority under the aforesaid provisoes (b) and (c) shall not be unreasonably withheld and any question whether or not any such approval has been unreasonably withheld shall be determined by the Minister;
- (e) If any post or overhead wire becomes in the opinion of any local authority or road authority an obstruction to traffic the Company shall if reasonably so required by such authority alter the position of such post or overhead wire in such manner as the authority may reasonably direct and on completion of such alteration the authority shall pay to the Company the cost reasonably incurred by them in making the same Any question between the Company and any local authority or road authority under this proviso shall be determined by the Minister.

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(2) The Company may also adapt or alter and use for the purpose of working trolley vehicles any apparatus and equipment already provided for working the existing tramways. A.D. 1930.  
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(3) The Company shall not place or permit to be placed on any post or pole erected under the powers of this section any advertisement other than notices giving information to the public as to the traffic of the Company and of the companies associated with them or general information in connection therewith and with the undertakings of such companies.

(4) In this section the expression "generating station" has the meaning assigned to it by section 25 of the Electric Lighting Act 1909.

6. If the Company intend to equip for the working of trolley vehicles any part less than the whole of the route of so much of the existing tramways as is situate between Wimbledon Station and the junction of the Kingston Hill tramway with the tramway from Kingston to Malden they shall give notice in writing of such intention to the councils of the boroughs of Kingston-on-Thames and Wimbledon and of the urban districts of The Maldens and Coombe and Merton and Morden and those councils or any of them shall be at liberty to apply to the Minister for and the Minister may on such application make an order directing the Company to equip for such working the whole of the said portion of the said route. As to provision of equipment on part of existing tramways.

7. Subject to the provisions of this Act the Company shall have the exclusive right of using any trolley vehicle apparatus placed erected adapted altered re-constructed or maintained by them and any person (except by agreement with the Company) using the said apparatus shall for every offence be liable to a penalty not exceeding twenty pounds. Company to have exclusive right of using trolley vehicle apparatus.

8. The following provisions of the Tramways Act 1870 (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act or of any enactment applied by the section of this Act of which the marginal note is "Application to trolley vehicles of certain provisions of existing Acts") shall apply to the trolley vehicles and the trolley Application of Tramways Act 1870 to trolley vehicles.

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vehicle apparatus and for the purpose of such application such provisions shall be read and have effect as if the trolley vehicle apparatus were tramways and as if the trolley vehicles were carriages used on tramways:—

- Part II (Relating to the construction of tramways) except sections 22 25 28 and 29;
- Section 41 (Tramways to be removed in certain cases);
- Section 42 (Proceedings in case of insolvency of promoters);
- Section 44 (Power of sale);
- Section 46 (Byelaws by local authority Promoters may make certain regulations);
- Section 47 (Penalties may be imposed in byelaws);
- Section 49 (Penalty for obstruction of promoters in laying out tramway);
- Section 51 (Penalty on passengers practising frauds on the promoters);
- Section 53 (Penalty for bringing dangerous goods on the tramway);
- Section 55 (Promoters or lessees to be responsible for all damages);
- Section 56 (Recovery of tolls penalties &c.);
- Section 57 (Right of user only);
- Section 60 (Reserving powers of street authorities to widen &c. roads); and
- Section 61 (Power for local or police authorities to regulate traffic in roads).

Application to trolley vehicles of certain provisions of existing Acts.

9. The sections hereinafter referred to of the existing Acts shall extend and apply to the trolley vehicles and the trolley vehicle apparatus and to the Company in respect thereof as fully and effectually as if those sections had been re-enacted in this Act with reference thereto (that is to say):—

The London United Tramways Act 1898—

- Section 24 (Inspection by Board of Trade);
- Section 38 (Provisions as to motive power);



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- Section 40 (Byelaws); A.D. 1930.  
Section 41 (Recovery of penalties);  
Section 42 (Amendment of Tramways Act 1870  
as to byelaws by local authority);  
Section 43 (Orders &c. of Board of Trade);  
Section 50 (Provisions as to arbitration).

The London United Tramways Act 1899—

- Section 12 (Special provisions as to use of  
electrical power).

The London United Tramways Act 1900—

- Section 30 (As to fares on Sundays and holidays);  
Section 44 (Penalty for injuring apparatus).

The London United Tramways Act 1901—

- Section 24 (As to powers of Board of Trade in  
respect of use of mechanical  
power);  
Section 25 (For protection of Postmaster-General)  
as amended by this Act;  
Section 27 (Power to erect posts &c.).

The London United Tramways Act 1908—

- Section 8 (Use of tramway posts by Postmaster-  
General).

The Act of 1918—

- Section 5 (Tolls fares and charges) as amended  
by this Act;  
Section 6 (Stages on tramways and light rail-  
ways) as amended by this Act;  
Section 7 (Periodical revision of fares and charges  
and variation of stages);

and in construing the said sections for the purposes of  
this section the expressions "the tramway" "the tram-  
ways" and "the Middlesex tramways" shall mean the  
trolley vehicles or the trolley vehicle apparatus or the  
trolley vehicle routes as the case may require.

10. The trolley vehicles and the trolley vehicle  
apparatus shall be deemed for all purposes to form part  
of the undertaking as if such vehicles and apparatus had  
been vehicles or apparatus provided and used for or in  
connection with the existing tramways.

Trolley  
vehicles and  
apparatus  
to form  
part of  
undertaking.

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Application  
of certain  
enactments  
as to supply  
of electrical  
energy.

**11.** For the purposes of the supply of electrical energy for working the trolley vehicles section 23 (Power to supply electrical energy) of the Metropolitan District Railway Act 1911 and section 51 (Power to Company and other companies as to supply &c. of electrical energy) of the London Electric Railway Act 1911 shall apply and have effect as if the trolley vehicles had formed part of the undertaking of the Company as constituted at the respective dates of the passing of those Acts and were tramways of the Company.

Approval of  
vehicles by  
Minister.

**12.—(1)** The trolley vehicles shall be of such form construction weight and dimensions as the Minister may approve and no trolley vehicle shall be used by the Company which does not comply with the requirements of the Minister.

(2) The Company shall not (unless the Minister otherwise approves) use on any trolley vehicle run by them any tyres other than pneumatic tyres.

(3) Before applying to the Minister for his approval of the weight of any trolley vehicle to be used upon any road which crosses a bridge belonging to or repairable by a railway company the Company shall give to the railway company notice of the weight of the trolley vehicles proposed to be used by them upon such road and the Minister shall consider and determine after such inquiry (if any) as he may think fit any objections which may be submitted by the railway company to him within twenty-one days from the receipt of such notice on the ground that the strength of the bridge is insufficient to carry trolley vehicles of such weight Provided that a copy of the objections shall be sent by the railway company to the Company at the same time as they are sent to the Minister.

Licence  
duties on  
trolley  
vehicles.

**13.** Nothing in this Act shall in any way affect the duties of excise now payable by law on licences to be taken out for trolley vehicles as hackney carriages.

Vehicles  
not to be  
deemed  
light  
locomotives  
or motor  
cars.

**14.—(1)** The trolley vehicles shall not be deemed to be light locomotives within the meaning of the Locomotives on Highways Act 1896 or of the byelaws and regulations made thereunder nor shall they be deemed to be motor cars within the meaning of any of the provisions of the Motor Car Act 1903 (except subsection (1)

of section 1 and the provisions necessary for enforcing that subsection section 6 and the provisions as amended by the Roads Act 1920 relating to the licensing and licences of drivers) and subject to that exception neither the Motor Car Acts 1896 and 1903 nor any byelaws or regulations made thereunder nor the enactments mentioned in the schedule to the Locomotives on Highways Act 1896 nor the Locomotives Act 1898 shall apply to the trolley vehicles.

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(2) The trolley vehicles shall not be deemed to be omnibuses within the meaning of the Town Police Clauses Act 1889.

**15.** Nothing in this Act shall be deemed to exclude a trolley vehicle from the provisions of section 78 of the Highway Act 1835 as to the side of the road on which any wagon cart or other carriage is to be kept.

Application  
of Highway  
Act 1835.

**16.** The Company (in addition to using the trolley vehicles for the carriage of passengers) may if they think fit convey on the trolley vehicles parcels not exceeding fifty-six pounds in weight and dogs in the care of passengers and may demand and take for parcels and dogs so conveyed any charges not exceeding the charges which they are at the passing of this Act authorised to demand and take for parcels and small animals respectively conveyed on the existing tramways Provided that the charge for any dog shall not exceed the fare payable by the passenger in whose care such dog is conveyed.

Carriage of  
parcels &c.

**17.** The fares rates and charges authorised by this Act to be demanded and taken by the Company on the trolley vehicles shall be paid to such persons and at such places and in such manner and under such regulations as the Company may appoint.

Payment of  
fares rates  
and charges.

**18.** Every passenger travelling upon the trolley vehicles may take with him his personal luggage not exceeding twenty-eight pounds in weight without any charge being made for the carriage thereof but all such personal luggage shall be carried by hand and at the responsibility of the passenger and shall not occupy any part of a seat required for a passenger nor be of a form or description to annoy or inconvenience other passengers.

Passengers'  
luggage.

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Conveyance  
of mails.

**19.** The Company shall perform in respect of the trolley vehicles all such services in regard to the conveyance of mails as are prescribed by the Conveyance of Mails Act 1893 in the case of a tramway to which that Act applies.

Tramway  
regulations  
to apply to  
trolley  
vehicles.

**20.** All subsisting regulations and byelaws relating to the existing tramways made in pursuance of the Tramways Act 1870 or of any other statutory enactment so far as the same are applicable shall with the necessary modifications apply to the trolley vehicles.

Stopping  
places.

**21.** The Company shall not be required to stop the trolley vehicles for the purposes of taking up or setting down passengers elsewhere than at a duly appointed stopping place.

Attachment  
of signs  
indicating  
stopping  
places.

**22.—(1)** The Company may attach to any lamp-post pole standard or similar erection erected on or in the highway of or near to any of the trolley vehicle routes signs or directions indicating the position of stopping places for the trolley vehicles. Provided that in cases where the Company are not the owners of such lamp-post pole standard or similar erection they shall give notice in writing of their intention to attach thereto any such sign or direction and shall make compensation to the owner for any damage or injury occasioned to such lamp-post pole standard or similar erection by such attachment and the Company shall indemnify the said owner against any claim for damage occasioned to any person or property by or by reason of such attachment.

(2) Nothing in this section shall be deemed to require the said owner to retain any such lamp-post pole standard or similar erection when no longer required for his purposes.

(3) The Company shall not attach any such sign or direction to any pole post or standard belonging to the Postmaster-General except with his consent in writing.

(4) The Company shall not attach any such sign or direction to any lamp-post pole standard or similar erection belonging to any local authority county council or railway company without the consent in writing of the authority council or railway company.

23.—(1) If at any time hereafter the Company desire to provide maintain equip and use trolley vehicles upon any road (as defined by the Tramways Act 1870)—

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Minister  
may  
authorise  
additional  
routes.

(a) along which any of the existing tramways are laid not being a road or the part of a road along which the Company are authorised by the section of this Act of which the marginal note is "Power to use trolley vehicles" to work and run trolley vehicles; or

(b) in extension of the trolley vehicle routes or any of them or any part thereof respectively;

they may make application to the Minister and the Minister is hereby empowered to make a Provisional Order authorising the use by the Company of trolley vehicles subject to such conditions and restrictions (if any) as he may think fit upon any road to which such application relates and containing such incidental provisions as the Minister may deem expedient and subject to the terms of the Provisional Order the provisions of this Act shall apply as if the use of trolley vehicles upon such road were authorised by this Act.

(2) No application under this section shall be entertained by the Minister unless the Company shall—

(a) have published once in each of two successive weeks in the months of October or November in some newspaper or newspapers circulating in the borough or district to which the application relates notice of their intention to make such application and have published the like notice once in one or other of the same months in the London Gazette;

(b) have posted for fourteen consecutive days in the months of October or November in conspicuous positions in each of the roads along which it is proposed to run trolley vehicles a notice of their intention to make such application;

and each such notice shall state the time and method for bringing before the Minister any objections to the grant of such application.

(3) The Minister may and he is hereby empowered to prescribe the procedure with respect to any application for a Provisional Order under this section.

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(4) The Minister shall consider any such application and may if he thinks fit direct an inquiry in relation thereto to be held or may otherwise inquire as to the propriety of proceeding upon such application and he shall consider any objection to such application that may be lodged with him in accordance with the prescribed procedure and shall determine whether or not it is expedient and proper that the application be granted either with or without addition or modification or subject or not to any restriction or condition.

(5) No Provisional Order shall be made without the consent of the local authority of the district in which the route is situate and (where the local authority are not the road authority) without the consent of the road authority.

(6) In any case where it shall appear to the Minister expedient that the application be granted he may settle and make a Provisional Order authorising the same and shall as soon as conveniently may be thereafter procure a Bill to be introduced into either House of Parliament for an Act to confirm the Provisional Order which shall be set out at length in the schedule to the Bill and until confirmation with or without amendment by such Act of Parliament a Provisional Order under this section shall not have any operation.

(7) If while any such Bill is pending in either House of Parliament a petition is presented against any Provisional Order comprised therein the Bill so far as it relates to the Order petitioned against may be referred to a select committee and the petitioner shall be allowed to appear and oppose as in the case of a Bill for a special Act.

(8) The Act of Parliament confirming a Provisional Order under this section shall be deemed a public general Act.

(9) The making of a Provisional Order under this section shall be prima facie evidence that all the requirements of this section in respect of proceedings required to be taken previously to the making of such Provisional Order have been complied with.

(10) Any expenses incurred by the Minister in connection with the preparation and making of any such Provisional Order and any expenses incurred by the

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Minister in connection with any inquiry under this section shall be paid by the Company. A.D. 1930.

**24.**—(1) The Company may and if so required by an order of the Minister (which order the Minister is hereby empowered to make) shall abandon and discontinue the existing tramways or any of them if and when they have provided or adapted trolley vehicle apparatus along the route thereof in pursuance of the powers of the section of this Act of which the marginal note is “As to electrical works” Provided that the Company shall give to the road authority not less than one month’s previous notice of any intended abandonment and discontinuance.

As to  
abandon-  
ment of  
existing  
tramways.

Any order under this section for the abandonment and discontinuance of any tramway or part thereof may be applied for by the local authority of any district in which such tramway or part is situate.

(2) Within one month from the giving of notice pursuant to subsection (1) of this section of their intention to abandon and discontinue a tramway or part thereof the Company shall pay to the road authority to whom the notice is given a sum calculated on the basis of nine shillings per superficial yard of so much of the road in which the tramway or part thereof so to be abandoned and discontinued is laid as the Company are at the date of the passing of this Act liable to maintain and as from the date of the abandonment and discontinuance of such tramway or part thereof the rails paving and substructure thereof shall become and be the property of the road authority who may if they think fit at any time after that date take up and remove and use or dispose of such rails paving and substructure and restore the surface of the road and shall indemnify the Company against all claims liabilities costs charges and expenses in respect of or in connection with such rails paving and substructure or the removal thereof or the restoration of the surface of the road Provided that nothing in this subsection shall be construed as vesting in the road authority any apparatus provided or used in connection with any tramway or part thereof which the Company shall require to use for working the trolley vehicles Provided also that—

(a) the provisions of this subsection shall not apply to any road or part of a road which has

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at any time been maintainable by any railway company under the provisions of any enactment or to any tramway of the Company laid in such road or part of a road or the rails paving substructure apparatus or equipment of such tramway;

- (b) at any time after the date of any notice given by the Company to any railway company under the provisions of subsection (1) of this section the Company may and (if so required in writing by the railway company within one month from the date of the said notice) shall take up and remove the rails paving and apparatus (but not any part of the substructure) of the tramway to which such notice relates except so far as such apparatus is adapted or used or intended to be adapted or used for the purpose of working the trolley vehicles;
- (c) on the taking up or removal by the Company of any such rails paving or apparatus the Company shall make good with materials similar to those of the adjoining portions the surface of so much of the road as is disturbed by such taking up or removal;
- (d) any difference which may arise under this proviso between the Company and any railway company shall be settled by an arbitrator to be agreed upon between them or failing such agreement to be appointed on the application of either party by the President of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

(3) As from the date on which the Company abandon and discontinue the existing tramways or any of them in pursuance of the foregoing provisions of this section they shall cease to be under any obligation to use the same or to run carriages thereon or to maintain or repair the road or bridge in or on which the same is situate or any part of such road or bridge or to be subject to any financial or other obligations or liabilities (whether statutory or contractual) to which they are or may be subject in respect of or in connection with any of the



existing tramways so abandoned and discontinued except any obligation as to the payment (otherwise than in respect of the maintenance or repair of roads or bridges) of an annual sum of fixed amount to any local or road authority under any of the existing Acts or any agreement:

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Provided that any such excepted annual sum shall not be payable after purchase of the relevant portion of the undertaking under the provisions of the existing Acts as modified by the section of this Act of which the marginal note is "As to purchase of trolley vehicles and trolley vehicle apparatus":

Provided also that as from the date on which the making good of the surface of any road or part of a road to which the second proviso to subsection (2) of this section relates is completed pursuant to paragraph (c) of that proviso (but not earlier) the Company shall (except as provided by subsection (9) of the section of this Act of which the marginal note is "For protection of Southern Railway Company") cease to be under any liability or responsibility with reference to the reinstatement maintenance or repair of the road or part of a road in which the abandoned tramway was situate and the railway company to whom the said second proviso applies in relation to such road or part of a road shall be subject to the like obligation (if any) as to the maintenance of such road or part of a road as that to which they were subject before such tramway was constructed.

(4) The powers conferred by this section upon the Company shall be in addition to and not in derogation of any other powers of abandoning or discontinuing tramways or light railways which are or may be exercisable by them.

**25.** The following provisions for the protection of the Southern Railway Company (in this section referred to as "the railway company") shall unless otherwise agreed in writing between the Company and the railway company apply and have effect (that is to say):—

For protection of Southern Railway Company.

- (1) All trolley vehicle apparatus placed or erected under or in pursuance of the powers of this Act upon across under or over any bridge or the approaches thereto or other work belonging to or maintainable by the railway company shall

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be placed or erected according to plans and particulars to be previously submitted to and approved by the railway company or in case of difference between them and the Company by an arbitrator to be appointed as hereinafter provided. Provided that if the railway company shall not within twenty-one days from the delivery of such plans and particulars signify their approval or disapproval thereof they shall be deemed to have approved thereof :

- (2) All such apparatus shall be placed or erected under the superintendence (if such superintendence be given) and to the reasonable satisfaction of the railway company. The Company shall so place erect maintain and use the apparatus as not injuriously to affect any such bridge or approaches or other work and in the event of any injury being occasioned to such bridge or approaches or work by the placing erection maintenance user or removal of the apparatus upon across under or over the same the Company shall forthwith make good the injury and if they fail so to do within a reasonable time the railway company may themselves make good the injury and recover from the Company the reasonable expenses of so doing :
- (3) The Company shall bear and on demand pay to the railway company the reasonable expense (if any) incurred by the railway company of and in connection with the employment by the railway company during the placing erection or removal by the Company under or in pursuance of this Act of any trolley vehicle apparatus affecting any railway bridge or other work belonging to or maintainable by the railway company of such inspectors signalmen and watchmen as may be necessary for inspecting watching and protecting the said railways and works and the conduct of the traffic thereon with reference to and during the placing erection or removal of any such apparatus of the Company and for preventing all interference obstruction danger and accident from any of the operations or from the acts or defaults of the

Company or their contractors or any person in the employ of either of them or otherwise : A.D. 1930.

- (4) The Company shall not in any manner in the placing erection maintenance or removal of any trolley vehicle apparatus obstruct or interfere with the free uninterrupted and safe user of any railway belonging to or maintainable by the railway company or any traffic thereon :
- (5) The Company shall be responsible for and make good to the railway company all losses damages and expenses which may be occasioned to the railway company or any of their works or property or to any works or property which they may be liable to maintain or to the traffic on their railways or to any company or person using the same by or by reason of the placing erection or failure of any of the said apparatus or by or by reason of any act default or omission of the Company or of any person in their employ or of their contractors and the Company shall effectually indemnify and hold harmless the railway company from all claims and demands upon or against them by reason of such placing erection or failure or of any such act default or omission :
- (6) If the railway company shall hereafter require in pursuance of any powers exerciseable by them at the date of the passing of this Act—
  - (a) to widen lengthen strengthen reconstruct alter or repair any of their bridges approaches or other works under or upon which the trolley vehicle apparatus is laid ; or
  - (b) to widen or alter any railway thereunder or thereover the Company shall afford to the railway company all reasonable and proper facilities for the purpose and if it shall be necessary for such purpose that such apparatus be taken up diverted or removed and if the railway company accordingly give to the Company twenty-eight days' notice in writing (or in case of emergency such notice as may be reasonably practicable) requiring such taking up diversion or removal then the working or user of such part of the apparatus shall be

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stopped or delayed or such part of the apparatus shall be taken up diverted or removed as stated in such notice at the reasonable expense of the Company and under their superintendence (if they shall give such superintendence) but no such working or user shall be stopped or delayed for a longer period than may be necessary for effecting such purpose as aforesaid and such part of the apparatus shall be restored with all practicable dispatch and the railway company shall not be liable to pay compensation in respect of such stoppage delay or taking up diversion or removal :

(7) If and when the railway company shall require to reconstruct alter repair or paint any bridge under which any electric wire of the Company has been placed under or in pursuance of the powers of this Act the Company shall in order to ensure the safety of the workmen employed in such reconstruction alteration repairing or painting cut off the electric current from the trolley wires under such bridge at such time as shall be agreed between the Company and the engineer of the railway company or failing agreement as shall be determined by arbitration under this section unless the Company shall have previously adopted some other means of protection to workmen approved by the said engineer Provided that the Company shall not be required to cut off the electric current at any time for a longer period than shall be necessary for effecting the purpose of the railway company :

(8) If having regard to the proposed position of any trolley vehicle apparatus of the Company when considered in relation to the position of the works of the railway company at any point where any such apparatus will be constructed over or under any railway or other works of the railway company it becomes necessary in order to avoid danger from the breaking or falling of wires that any electric telegraphic telephonic or signal wires or apparatus or electrical works or apparatus for traction purposes of the railway company shall be altered the railway company

may (unless the Company make such alteration in the position of the said apparatus or adopt such measures as may be reasonably necessary for obviating such danger) execute any works reasonably necessary for such first-mentioned alteration and the reasonable expense of so doing shall be repaid to the railway company by the Company : A.D. 1930.

- (9) Nothing in this Act or in any Provisional Order made thereunder shall extend to release the Company from any obligation or liability to the railway company in respect of the maintenance and repair of roads footpaths bridges drains or other works to which if this Act had not been passed they would from time to time have been subject under the provisions of paragraphs (b) (d) and (f) of section 18 (For the protection of railway companies) of the London United Tramways Act 1902 or of the agreements and conveyance mentioned in the following table and made on the respective dates set out in the second column of the said table and between the respective parties set out in the third column of the said table (namely) :—

(1)	(2)	(3)
	Date.	Parties.
Agreement	11th April 1900	London and South Western Railway Company and the Company.
Conveyance	24th December 1903	London and South Western Railway Company and the Company.
Agreement	8th May 1904	London and South Western Railway Company and the Company.
Agreement	2nd July 1906	London and South Western Railway Company and the Company.
Agreement	10th May 1907	London and South Western and London Brighton and South Coast Railway Companies and the Company.

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- (10) On the removal by the Company under the powers of this Act of any overhead apparatus or overhead equipment attached to any bridge or property belonging to the railway company the Company shall to the reasonable satisfaction of the railway company restore any part of such bridge or property disturbed by the removal and make good all damage thereto :
- (11) Any difference which may arise under this section between the Company and the railway company shall be settled by an arbitrator 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.

For protection of statutory gas and water undertakers.

**26.** For the protection of every company or body carrying on a gas or water undertaking under statutory powers and having mains pipes valves or apparatus (all of which are in this section referred to as "apparatus") in any street or road in which any of the existing tramways is abandoned and discontinued under the powers of this Act (each of which companies and bodies is in this section referred to as "the undertakers") the following provisions shall unless otherwise agreed in writing between the Company and the undertakers have effect (that is to say) :—

- (1) The provisions of the existing Acts and of the Tramways Act 1870 which at the date of the passing of this Act enure for the protection of the undertakers in relation to the existing tramways and to any equipment used in connection therewith shall in relation to any of the existing tramways which shall be so abandoned and discontinued continue in force and enure for the protection of the undertakers until the date when the taking up and removal thereof or of the rails paving setts or equipment thereof shall be commenced :
- (2) The provisions of section 30 of the Tramways Act 1870 except subsection (1) thereof shall extend and apply to—
- (a) the taking up and removal of any rails paving apparatus or equipment of any of the

existing tramways so abandoned and discontinued as aforesaid; and A.D. 1930.

(b) the filling in of the ground and making good and restoration of the portion of road disturbed by such taking up and removal;

in all respects as if those works or operations were the laying down of a tramway within the meaning of the said section.

**27.** For the protection of the Metropolitan Water Board the Gas Light and Coke Company the Wandsworth Wimbledon and Epsom District Gas Company the Kingston-upon-Thames Gas Company and the Hampton Court Gas Company (each of which is in this section hereinafter referred to as "the undertakers") the following provisions shall unless otherwise agreed between the Company and the undertakers apply and have effect (that is to say):—

For protection of certain undertakers.

(1) In the application of section 30 of the Tramways Act 1870 for the purposes mentioned in the section of this Act of which the marginal note is "Application of Tramways Act 1870 to trolley vehicles" to the undertakers and to anything to be done thereunder affecting any mains pipes or apparatus of the undertakers (in this section called "apparatus")—

(a) The said section 30 shall have effect as if the seven days' notice mentioned in subsection (1) thereof were twenty-one days' notice;

(b) The undertakers may at any time before the Company commence to lower or otherwise alter the position of any apparatus of the undertakers under the provisions of the said section 30 give notice to the Company of the desire of the undertakers themselves to carry out such lowering or alteration and thereupon such lowering or alteration and the works in connection therewith shall be executed by the undertakers and not by the Company and in that event the undertakers shall commence execute and complete such works with all reasonable dispatch and in such manner as may be agreed between the undertakers

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and the Company or as failing such agreement shall be settled in manner provided by the said Act of 1870 for the determination of differences under that Act and upon the completion of such lowering or alteration and works the Company shall repay to the undertakers the cost and expenses reasonably incurred by them in so doing :

- (2) The Company shall not under the powers of this Act erect any post or pole or lay down any apparatus in any street or road in which there may be any apparatus of the undertakers in such manner as substantially to obstruct the access to such apparatus.

As to works of electrical undertakers.

**28.** Nothing in this Act shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electricity (Supply) Acts 1882 to 1928 to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of that section.

As to purchase of trolley vehicles and trolley vehicle apparatus.

**29.** The rights of purchase of the undertaking or any part thereof exercisable by the local authorities of the districts in which the existing tramways are situate under or by virtue of the existing Acts or any agreement relating to the Company or to the undertaking or any part thereof or by any other authority shall extend and apply to and be exercisable by the said local and other authorities in respect of the trolley vehicles and the trolley vehicle apparatus as if the same were part of the tramway or light railway undertaking of the Company in addition to any of the existing tramways which may be retained by the Company and in substitution for any of the existing tramways which may be abandoned under the powers of this Act.

Application of funds &c.

**30.**—(1) (a) Any sums which the Company—

- (i) set aside to form a fund for the repayment of money borrowed or the redemption of debentures or debenture stock issued; or  
(ii) pay as an instalment of principal or of principal and interest combined by way of reimbursement or discharge of any expenditure incurred on their behalf or at their request by any other party or of any liability incurred by the Company;



for all or any of the purposes mentioned in this subsection shall (in addition to the interest on such borrowed money debentures or debenture stock or on the amount of such expenditure or liabilities so far as such interest is not comprised in any instalment of principal and interest combined) be deemed to be outgoings properly chargeable to revenue within the meaning of subsection (5) of section 8 (Provision for financial reorganisation and for reconstruction) of the Act of 1918.

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(b) The said purposes are the following (that is to say) :—

- (i) the renewal of the existing tramways and the rolling stock plant machinery apparatus and equipment provided or used for the purposes thereof or in connection therewith;
- (ii) the replacement of the existing tramways and such rolling stock plant machinery apparatus and equipment as aforesaid including the provision under the powers of this Act (pursuant to any determination of the Company in that behalf) of a system of trolley vehicles (with such rolling stock plant machinery apparatus and equipment as the Company may deem necessary or convenient for the purposes of or in connection with that system) in substitution wholly or partially for all or some of the existing tramways and of such rolling stock plant machinery apparatus and equipment as are referred to in sub-paragraph (i) of this paragraph;
- (iii) the effecting of repairs (other than repairs of which the cost would ordinarily be charged direct to revenue) of the existing tramways or any such system of trolley vehicles rolling stock plant machinery apparatus and equipment as aforesaid;
- (iv) the putting into good condition and repair either by renewal or by effecting repairs (other than repairs of which the cost would ordinarily be charged direct to revenue) of such parts of any roadway as may from time to time be repairable by the Company or the making of any payment pursuant to subsection (2) of the

A.D. 1930.

section of this Act of which the marginal note is "As to abandonment of existing tramways";

(v) the execution or carrying out of any other work or operation of renewal or improvement of the undertaking or of any property of the Company.

(2) The sum which pursuant to the said subsection (5) of section 8 of the Act of 1918 the Company are required to pay in any year to the special reserve fund referred to in that subsection shall be reduced by the aggregate amount of any sums set aside or paid by them as mentioned in paragraph (a) of subsection (1) of this section in respect of that year but (where such aggregate amount includes an instalment of principal and interest combined) after deducting from such aggregate amount the amount comprised in that instalment in respect of interest.

Provision  
for annul-  
ment of  
certain  
enactments.

**31.**—(1) At any time after the expiration of—

- (a) the period of ten years from the date of the passing of this Act; or
- (b) any year in respect of which the Company shall have paid a dividend on their ordinary shares;

whichever shall first happen the Middlesex County Council and the Surrey County Council or either of them or the council of any borough or urban district in which any of the existing tramways is situate may apply to the Minister for an order annulling the provisions of subsection (5) of section 8. (Provision for financial re-organisation and for reconstruction) of the Act of 1918 and of the section of this Act of which the marginal note is "Application of funds &c." or of any of those provisions and the Minister if satisfied that the annulment of the said provisions would not impair the ability of the Company to provide adequate transport services and is expedient in the public interest having regard to the financial condition and prospects of the Company may if he thinks fit make an order annulling all or some of the said provisions or providing for the continuance of all or some of the said provisions subject to such modifications as he may determine. Provided that any of the said councils when making any such application shall give notice thereof in writing to the

Company and that before making any such order as  
aforesaid the Minister shall consider any representations  
which the Company may make to him with reference to  
such application. A.D. 1930.

(2) As from such date as may be specified in that  
behalf in any order made by the Minister under the  
provisions of this section the provisions annulled by  
such order shall cease to have effect and shall be deemed  
to have been repealed by virtue of this Act.

(3) The annulment by any such order of any of  
the provisions referred to in subsection (1) of this section  
shall not prejudice or affect—

- (a) the previous operation of the said provisions or  
anything duly done or suffered thereunder; or
- (b) any right privilege obligation or liability ac-  
quired accrued or incurred under the said  
provisions; or
- (c) any investigation legal proceeding or remedy in  
respect of any such right privilege obligation or  
liability.

**32.** The Company and any local authority body  
company or person owning leasing or working any  
tramways or light railways which can be conveniently  
worked in connection or conjunction with the existing  
tramways may with the consent of the Minister enter  
into and carry into effect vary and rescind agreements  
and arrangements for and with respect to the making  
maintenance and use by the contracting parties or  
either of them of junctions and connections between  
the tramways or light railways of the contracting parties  
and such parties or either of them may for the purpose  
of making any such junction or connection as aforesaid  
but subject to the provisions of Part II of the Tramways  
Act 1870 lay down construct erect maintain repair  
renew and use all such rails plates posts poles standards  
brackets pipes mains cables wires and other works  
apparatus equipment and appliances as may be necessary  
or convenient and open break up or interfere with any  
streets roads sewers and drains and alter the position  
of or otherwise interfere with water or gas mains or  
pipes tubes wires telephonic and telegraphic apparatus  
in or under such roads Provided that when applying  
for the consent of the Minister under the provisions

Power to  
make  
junctions  
between  
tramways  
and light  
railways.

A.D. 1930.

of this section the Company shall give notice of such application to the local authority of the district and the county council of the county in which any such junction or connection as aforesaid is proposed to be made and that before giving his consent the Minister shall consider any representations which such local authority or county council may within one month after the receipt of such notice make to him with reference to such application.

For protec-  
tion of  
Postmaster-  
General.

**33.**—(1) Nothing in this Act shall authorise the Company to transmit any telegram which is within the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869.

(2) Notwithstanding anything in this Act contained if any of the works authorised to be executed by this Act involves or is likely to involve any alteration of any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General the provisions of section 7 of the Telegraph Act 1878 shall apply (instead of the provisions of section 30 of the Tramways Act 1870) to any such alteration.

(3) Subsection (4) of section 25 of the London United Tramways Act 1901 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.”

Workmen's  
services.

**34.** Where under the provisions of the existing Acts the Company are required to run on any of the existing tramways a service of carriages for artisans mechanics and daily labourers they shall in respect of any trolley vehicle service substituted for such tramway under or by virtue of this Act be subject to the like obligation.

Notice to  
Commis-  
sioner of  
Police.

**35.** Before breaking up or otherwise interfering with any street or road situate in the metropolitan police district in connection with the execution by the Company of any works under the powers of this Act or the taking up and removal by any road authority of the rails paving or substructure of any tramway the Company or road authority (as the case may be) shall (except in cases of emergency) give seven days' notice in writing to the Commissioner of Police of the

metropolis and make such arrangements with the said commissioner as may be reasonably necessary so as to cause as little interference as may be reasonably practicable with the traffic in the street or road during the execution of such works. A.D. 1930.

**36.**—(1) Notwithstanding anything contained in any other enactment the Company may charge for the conveyance of artisans mechanics and daily labourers travelling upon the existing tramways or in the trolley vehicles between the hours and on the days during and on which the Company are required by the existing Acts to provide a service of carriages for such persons on the existing tramways return fares rates or charges not exceeding the single fares rates or charges for the time being charged for the conveyance of ordinary passengers travelling the single journey with a minimum return fare of twopence. Working-class fares on tramcars and trolley vehicles.

(2) The following enactments are hereby repealed (that is to say):—

- (a) Paragraph (2) of section 5 (Tolls fares and charges) of the Act of 1918;
- (b) Paragraph (a) of section 6 (Stages on tramways and light railways) of the Act of 1918 and the words “in any other case” in paragraph (b) of that section;
- (c) The London United Tramways (Temporary Increase of Charges) Order 1928 made by the Minister of Transport under the Statutory Undertakings (Temporary Increase of Charges) Act 1918.

**37.** In respect of the exercise of any powers or duties conferred on the Minister or the giving by him of any consents under the provisions of this Act the provisions of Part I of the Board of Trade Arbitrations &c. Act 1874 shall apply as if the Minister of Transport were referred to therein in lieu of the Board of Trade and as if in section 4 of that Act 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.” Inquiries by Minister.

**38.** Where the Minister causes any inquiry to be held for the purposes of this Act otherwise than in pursuance of an application within the meaning of section 3 As to inquiries by Minister.

[Ch. clxxxvii.] *London United.* [20 & 21 GEO. 5.]  
*Tramways Act, 1930.*

A.D. 1930. of the Board of Trade Arbitrations &c. Act 1874 the expenses incurred by the Minister in relation to such inquiry including such reasonable sum not exceeding five guineas per day as he may determine for the services of the inspector holding the inquiry shall be payable and recoverable under the said section 3 as if they were expenses incurred by the Minister in relation to an application.

Copy of Act  
to be  
registered.

**39.** The Company shall deliver to the Registrar of Companies a printed copy of this Act and he shall retain and register the same and if such copy is not so delivered within three months from the passing of this Act the Company shall incur a penalty not exceeding two pounds for every day after the expiration of those three months during which the default continues and any director or manager of the Company who knowingly and wilfully authorises such default shall incur the like penalty Every penalty under this section shall be recoverable summarily.

There shall be paid to the registrar by the Company on such copy being registered the like fee as is for the time being payable under the Companies Act 1929 or any Act amending or extending that Act on registration of any document other than the memorandum or the abstract required to be delivered to the registrar by a receiver or manager or the statement required to be sent to the registrar by the liquidator in a winding-up in England.

Costs of Act.

**40.** 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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