



CHAPTER xiii.

An Act to confer further powers upon the Corporation of Preston with reference to the Ribble Navigation and to make further provision with reference to their tramway and water undertakings and the finance of the borough and for other purposes. A.D. 1931.
—
[27th March 1931.]

WHEREAS the county borough of Preston is a municipal borough under the management and local government of the mayor aldermen and burgesses of the borough acting by the council (in this Act respectively referred to as "the borough" and "the Corporation"):

And whereas under the Ribble Navigation Acts 1853 to 1905 and the Preston Corporation Acts 1914 and 1921 the Corporation are the port and harbour authority of the port and harbour of Preston and have constructed various training walls and other works for the protection and benefit of the said port and harbour and it is expedient that with a view to improving further the access and maintaining the channel to the said port and harbour the Corporation should be authorised to construct the new training walls and the heightening of part of the existing north training wall of the river Ribble in this Act described:

And whereas by the Preston Corporation Act 1921 the Corporation were authorised to construct certain works for taking the waters of the Langden Brook and

A.D. 1931. Hareden Brook and certain aqueducts for conveying the same to the limits for the supply of water by the Corporation :

And whereas in order to limit interference with important highways it is expedient that the Corporation should be empowered to make the deviations by this Act authorised of portions of the said aqueducts and that further provision should be made in regard to their water undertaking as by this Act authorised :

And whereas the Corporation are the owners of a system of tramways in and near the borough and run public service vehicles within the borough and it is expedient that further powers should be conferred upon them in connection with their tramway undertaking including powers in relation to the running of trolley vehicles :

And whereas it is expedient that further provision should be made with regard to the finance of the borough as by this Act provided :

And whereas estimates have been prepared by the Corporation in relation to the following purposes in respect of which they are by this Act authorised to borrow money and such estimates are as follows :—

For the construction of the training walls and heightening of training wall by this Act authorised and works in connection therewith	£ 110,000
For the general purposes of the Ribble Navigation	50,000
For the provision of and equipment for trolley vehicles	28,000

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

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

And whereas plans and sections showing the lines and levels of the works to be authorised by this Act and a book of reference to the plans containing the names of the owners or reputed owners and lessees or reputed lessees and of the occupiers of the lands required or

which may be taken for the purposes or under the powers of this Act were duly deposited with the clerks of the county councils of the county palatine of Lancaster and of the west riding of the county of York which plans sections and book of reference are in this Act respectively referred to as the deposited plans sections and book of reference :

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And whereas the objects of this Act cannot be attained without the authority of Parliament :

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed :

May it therefore please your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

PART I.

PRELIMINARY.

1. This Act may be cited as the Preston Corporation Act 1931. Short title.

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

Division of
Act into
Parts.

Part I.—Preliminary.

Part II.—Ribble Navigation.

Part III.—Water.

Part IV.—Trolley vehicles &c.

Part V.—Finance &c.

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

(1) The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845) Provided that the bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be under the corporate seal of the Corporation and shall be sufficient without the addition of the sureties mentioned in that section :

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(2) The Waterworks Clauses Act 1847 except—

(a) the words “with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner” in section 44;

(b) sections 75 to 82 with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit and section 83 relating to accounts.

Inter-
pretation.

4. Subject to the provisions of this Act and unless the subject or context otherwise requires the several words and expressions to which by the Acts incorporated with this Act meanings are assigned shall in this Act have the same respective meanings And in this Act—

“The borough” means the county borough of Preston;

“The Corporation” means the mayor aldermen and burgesses of the borough and so far as regards so much of this Act as relates to the Ribble Navigation means the mayor aldermen and burgesses of the borough whether acting under the provisions of the Municipal Corporations Acts or in the execution of the Acts relating to the port and harbour of Preston;

“The town clerk” means the town clerk of the borough and includes any person duly appointed by the Corporation to discharge temporarily the duties of such officer;

“The general rate fund” and “the general rate” mean respectively the general rate fund and the general rate of the borough;

“The Minister” means the Minister of Transport;

“The Act of 1880” means the Preston Improvement Act 1880;

“The Act of 1896” means the Ribble Navigation Act 1896;

“The Act of 1900” means the Preston Corporation Act 1900;

“The Act of 1902” means the Preston Corporation Act 1902;

- “ The Act of 1914 ” means the Preston Corporation Act 1914; A.D. 1931.
- “ The Act of 1921 ” means the Preston Corporation Act 1921;
- “ The Act of 1929 ” means the Preston Corporation Act 1929;
- “ The Lands Clauses Acts ” means those Acts and the Acquisition of Land (Assessment of Compensation) Act 1919;
- “ The tramway undertaking ” means the tramway undertaking of the Corporation as from time to time authorised;
- “ Public service vehicle ” has the same meaning as in the Road Traffic Act 1930;
- “ Trolley vehicle ” means a mechanically propelled vehicle adapted for use upon roads without rails and moved by electrical power transmitted thereto from some external source;
- “ Road authority ” means with reference to any road or part of a road over which any tramcar trolley vehicle or public service vehicle will pass the authority company or person charged with the maintenance of such road or part of a road;
- “ The water undertaking ” means the water undertaking of the Corporation as from time to time authorised;
- “ The Ribble Navigation undertaking ” means the Ribble Navigation undertaking of the Corporation as from time to time authorised;
- “ The water limits ” means the limits within which the Corporation are from time to time authorised to supply water;
- “ Statutory borrowing power ” means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or

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to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed; and

“Revenues of the Corporation” includes the revenues of the Corporation from time to time arising from any land undertakings or other property for the time being of the Corporation and the rates or contributions leviable by or on the order or precept of the Corporation.

PART II.

RIBBLE NAVIGATION.

Power to
construct
training
walls &c.

5. Subject to the provisions of this Act the Corporation may in the lines and situations and upon the lands delineated on the deposited plans and described in the deposited book of reference and according to the levels shown on the deposited sections make and maintain the following works with all proper works and conveniences connected therewith and they may enter upon take and use all or any of the lands in that behalf delineated on the said plans and described in the deposited book of reference relating thereto respectively (that is to say) :—

- (1) A training wall (No. 1) in the estuary of the river Ribble adjoining the county palatine of Lancaster commencing at the western termination of the existing north training wall in the said estuary proceeding in a westerly direction for a distance of about one and a half miles and terminating in the bed of the sea :
- (2) A training wall (No. 2) in the estuary of the river Ribble adjoining the county palatine of Lancaster commencing at the western termination of the existing south training wall in the said estuary proceeding in a westerly direction for a distance of about one and a half miles and terminating in the bed of the sea :

(3) A training wall (No. 3) in the parish of Freckleton in the rural district of Fylde in the county palatine of Lancaster commencing on the west side of Freckleton Pool at a point about two hundred yards south-east of Naze Cottage and terminating in the existing north training wall of the river Ribble at a point about three hundred and thirty-five yards west of the said pool : A.D. 1931.

(4) A heightening of the existing north training wall of the river Ribble in the parishes of Freckleton and Warton in the rural district of Fylde in the county palatine of Lancaster commencing at the termination of training wall (No. 3) and terminating at the Sixth Mile Perch measured from the Preston dock entrance gates.

6. In the construction of the works authorised by this Part of this Act the Corporation may deviate laterally to any extent within the limits of deviation shown on the deposited plans and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding two feet upwards and ten feet downwards : Limits of deviation of works.

Provided that no deviation either lateral or vertical below high-water mark shall be made without the previous consent in writing of the Board of Trade or otherwise than in such manner as is expressly authorised by the Board of Trade.

7.—(1) The Corporation shall not construct any part of training wall (No. 1) or training wall (No. 2) by this Act authorised of a greater height than six feet above the low-water level of ordinary spring tides in the navigable channel abreast of such part of such training wall and if by reason of the construction of the works of the Corporation the said low-water level of the navigable channel be lowered the Corporation shall lower proportionately the training wall or walls abreast of such channel where so lowered. As to height of training walls.

(2) The Corporation shall not construct training wall (No. 3) or the heightening of the existing north training wall by this Act authorised so that any part thereof respectively shall be of a greater height than five feet nine inches above ordnance datum.

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Permanent
lights on
works.

8.—(1) After the completion of the works by this Act authorised the Corporation shall at the outer extremity of those works below high-water mark of ordinary spring tides exhibit and keep burning every night from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Corporation of Trinity House Deptford Strond shall from time to time direct.

(2) If the Corporation fail to comply in any respect with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding twenty pounds and in the case of a continuing offence to an additional penalty not exceeding two pounds for every day on which after conviction thereof they so fail.

Incorpora-
tion of
certain
sections
of Acts of
1896 and
1929.

9. The following sections of the Act of 1896 and of the Act of 1929 (namely) :—

The Act of 1896—

Section 10 (Works to be executed in accordance with the principle recommended by the Commission);

Section 15 (As to future accretions); and

Section 21 (Saving rights of the duchy of Lancaster):

The Act of 1929—

Section 7 (Works below high-water mark to be subject to approval of Board of Trade);

Section 8 (Lights on works during construction);

Section 9 (Survey of works by Board of Trade);

Section 10 (Abatement of work abandoned or decayed);

Section 11 (Provision against danger to navigation); and

Section 12 (Saving for Trinity House of Deptford Strond);

are hereby incorporated with this Part of this Act and shall extend and apply to the Corporation and mutatis mutandis to and in relation to the works by this Part of this Act authorised as if the said sections had been expressly re-enacted in this Act.

10. The powers granted by this Part of this Act for the compulsory purchase of lands for the purposes of the works by this Part of this Act authorised shall cease on the first day of October one thousand nine hundred and thirty-six.

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Period for compulsory purchase of lands for training walls.

11. Section 39 (Correction of errors in deposited plans and book of reference) of the Act of 1914 shall so far as applicable extend and apply as if the said section were re-enacted in this Act. Provided that the said section shall be read and have effect as if the clerk of the county council of the county palatine of Lancaster had been referred to therein in lieu of the clerk of the peace for the county of Lancaster.

Application of section 39 of Act of 1914.

PART III.

WATER.

12.—(1) Subject to the provisions of this Act the Corporation may in the parishes of Bowland Forest Higher Division and Bowland Forest Lower Division in the rural district of Bowland in the west riding of the county of York and in the lines and situations and upon the lands delineated on the deposited plans and described in the deposited book of reference and according to the levels shown on the deposited sections make and maintain the following works and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as may be required for those purposes (that is to say):—

Power to make water-works.

An aqueduct (No. 1A) commencing by a junction with Aqueduct No. 1 authorised by the Act of 1921 at a point situate in Nursery Plantation about 183 yards west of Langdenholme and terminating by a junction with the said aqueduct at a point about 233 yards north-east of Burholme Bridge; and

An aqueduct (No. 1B) commencing by a junction with Aqueduct No. 1 authorised by the Act of 1921 at a point situate in Porter Wood about 283 yards north-east of Whitewell Hotel and terminating by a junction with the said aqueduct at a point situate at the east side of Laund Wood about 230 yards north-east of Lilyholme Barn.

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(2) In addition to the foregoing works the Corporation may upon the said lands make and maintain all such buildings machinery works and apparatus of whatever character as may be necessary or convenient in connection with or subsidiary to the before-mentioned works but nothing in this subsection shall exonerate the Corporation from any action indictment or other proceeding for nuisance in the event of any nuisance being caused or permitted by them.

Power to deviate.

13. In the construction of the works authorised by this Part of this Act the Corporation may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans and they may also deviate vertically from the levels shown on the deposited sections to any extent.

Period for compulsory purchase of lands for aqueducts.

14. The powers granted by this Part of this Act for the compulsory purchase of lands for the purposes of the works by this Part of this Act authorised shall cease on the first day of October one thousand nine hundred and thirty-four.

Application of provisions of former Acts to waterworks.

15. Subject to the provisions of this Act the works authorised by this Part of this Act shall for all purposes form part of the water undertaking and the provisions hereinafter mentioned of the Act of 1921 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 said works as if they had been expressly re-enacted in this Act with reference thereto (that is to say) :—

Section 7 (Application of Waterworks Clauses Act 1847 to conduits);

Section 8 (Works to form part of water undertaking);

Section 12 (Corporation may acquire easements only in certain cases);

Section 15 (As to private rights of way over lands taken compulsorily); and

Section 16 (Persons under disability may grant easements &c.);

Subsections (1) (2) (3) (4) and (8) of section 20 (For protection of Fylde Water Board) :

Provided that for the purpose of the application of the said section 20 subsection (2) thereof shall be read and have effect as if the words "existing and" were inserted therein before the word "intended."

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16. The Corporation and their surveyors officers and workmen and any person duly authorised in writing under the hand of the town clerk may at all reasonable times upon giving in the first instance twenty-four hours' and subsequently twelve hours' previous notice in writing enter upon and into the lands by this Part of this Act authorised to be taken and used or any of them for the purpose of surveying and valuing the said lands without being deemed trespassers and without being subject or liable to any fine penalty or punishment on account of entering or continuing upon any part of the said lands and buildings.

Power to Corporation to enter upon property for survey and valuation.

17. All powers conferred by the Act of 1921 for or with reference to the construction of such portions of Aqueduct No. 1 authorised by that Act as lie between the respective points of commencement and termination of the aqueducts (Nos. 1A and 1B) by this Act authorised are hereby repealed.

Repeal of powers relating to portions of authorised aqueduct.

18. For the protection of the county council of the administrative county 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 have effect (that is to say):—

For protection of West Riding County Council.

- (1) In the laying or construction of the aqueducts and works incidental thereto authorised by this Act or the Act of 1921 across any river stream watercourse or drain in the said west riding above the water level thereof the Corporation shall not diminish the width between the banks of such river stream watercourse or drain and shall lay or construct such aqueducts and works at such height as to allow the free passage of flood waters thereunder. Where such aqueducts or works are proposed to be laid or constructed across any such river stream watercourse or drain otherwise than as aforesaid they shall be laid or constructed at such depth below the bed thereof as not to cause obstruction to the

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flow of water therein and as to allow of the proper cleansing or scouring of the river stream watercourse or drain and of the deepening of the bed thereof to a reasonable extent to allow of any necessary improvements :

- (2) Before commencing to construct any such aqueduct or work across or under any river stream watercourse or drain the Corporation shall submit to the county council or other the drainage authority for the time being having jurisdiction within the area in which such aqueduct or work will be situated for their reasonable approval a plan and section showing the proposed mode of constructing the same across or under such river stream watercourse or drain Provided that if the county council or such other authority as aforesaid do not express their approval or disapproval within twenty-one days after the receipt of any such plan and section they shall be deemed to have approved thereof and that if within the said period the county council or such other authority as aforesaid shall have expressed their disapproval of such plan and section a difference shall be deemed to have arisen between them and the Corporation which shall be determined by arbitration as hereinafter provided :
- (3) In executing the works authorised and exercising the powers conferred by the Act of 1921 and this Act so far as they affect county roads of the said west riding the following provisions shall have effect (that is to say) :—
- (a) All aqueducts or works to be laid in or across any such county road shall be constructed and laid at such depth below the surface of the road as the county council shall by writing under the hand of their surveyor reasonably direct ;
- (b) All works to be constructed or laid in or across or in any way affecting any such county road shall be so constructed or laid at the expense of the Corporation under the superintendence (if given) and to the reasonable satisfaction of the said

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surveyor and in accordance with plans sections and specifications to be submitted to and reasonably approved of by him in writing before the commencement of any such work. Provided that if the said surveyor shall not within twenty-one days after the said plans sections and specifications shall have been submitted so express his approval or disapproval thereof or signify his requirements in relation thereto he shall be deemed to have approved thereof and that if within the said period the said surveyor shall express his disapproval of such plans sections and specifications a difference shall be deemed to have arisen between the county council and the Corporation which shall be determined by arbitration as hereinafter provided :

- (4) Any difference which shall arise under this section between the Corporation on the one hand and the county council or any such drainage authority as is referred to in subsection (2) of this section on the other hand shall be referred to and determined by an arbitrator to be agreed upon or failing agreement to be appointed on the application of either of the parties in difference (after notice in writing to the other of them) 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.

19. The following provisions shall notwithstanding anything in this Act contained or shown on the deposited plans and sections and unless otherwise agreed in writing have effect for the protection of Sir Bernard Edward Halsey Bircham K.C.V.O. Charles Robert Chadwick and William Butler Wasbrough the trustees of the Bowland Estate in the west riding of the county of York (in this section referred to as "the trustees" which expression shall include the trustees for the time being of the said estate and persons claiming under or in succession to them being the owner or owners for the time being entitled to the possession or to the rack rents of the

For pro-
tection of
Bowland
Estate.

A.D. 1931. — said estate or any part thereof affected by the works by this Act authorised in this section referred to as "the estate") :—

- (1) The provisions of section 18 (For protection of Bowland Estate) of the Act of 1921 except subsections (18) (19) and (20) thereof are incorporated with this Act and shall extend and apply to the aqueducts (No. 1A) and (No. 1B) and works in connection therewith authorised by this Act and to the trustees their tenants and the estate as fully and effectually to all intents and purposes as if those provisions had been expressly re-enacted in this Act with reference thereto respectively :
- (2) The Corporation their contractors agents and workmen or any of them shall not enter upon use or interfere with any portion of the property numbered on the deposited plans 12 in the parish of Bowland Forest (Lower) in the rural district of Bowland during the six months commencing the first day of July in any year and all work to be executed in on or under such property shall except in case of emergency be commenced and completed by the Corporation within the six months commencing on the first day of January in any year.

Charges
for supplies
for motor
cars and
certain
apparatus.

20.—(1) Where a person who takes a supply of water for domestic purposes desires to use the water for horses or washing carriages or motor cars or for other purposes in stables garages or premises where horses carriages or motor cars are kept the Corporation may if a hose-pipe or other similar apparatus be used charge (except where the water so used is taken by measure) such sum not exceeding twenty-five shillings per annum as they may prescribe and (where more motor cars than one are kept) a further sum not exceeding ten shillings per annum for each motor car beyond the first Any sums chargeable under this subsection shall be in addition to the rates for the time being authorised by or under the Acts and Orders relating to the Corporation for the supply of water for domestic purposes and shall be recoverable in all respects with and in the same manner as the said rates.

(2) Where a person who takes a supply of water from the Corporation for any purpose desires to use the water so supplied for or in connection with a refrigerating apparatus or for or in connection with any apparatus depending for proper use upon a supply of continuously running water the Corporation may if they think fit require that all water used for or in connection with the said apparatus shall—

(a) be taken by measure on the conditions and at the rates for the time being in force for the supply of water by measure and if the person only takes a supply for domestic purposes the minimum quarterly charge for the water so taken by measure shall be ten shillings; or

(b) be paid for at such rates as may be agreed between the person and the Corporation.

(3) Section 54 (Supply of water by hose-pipe to stables &c.) of the Act of 1914 is hereby repealed.

21. The price to be charged by the Corporation for a supply of water by measure shall not exceed two shillings and sixpence per thousand gallons. Provided that except as otherwise by this Act expressly provided the Corporation shall be entitled to charge for water supplied by measure in any quarter of a year a minimum sum (exclusive of meter rent) which shall not exceed fifteen shillings. Price of supply by measure.

22. Where two or more houses or buildings or parts of a house or building or of two or more houses or buildings connected by any means of communication not being a public highway are in the occupation of one and the same company body firm or person they shall be deemed for the purpose of determining the amount of the water rate chargeable by the Corporation in respect of any supply of water for domestic purposes furnished by the Corporation to any one or more of such two or more houses or buildings or such two or more parts of a house or building or of two or more houses or buildings to be one tenement having a net annual value equal to the aggregate of the net annual values of the separate houses or buildings or parts of a house or building or of houses or buildings so occupied. Water rate in case of two or more houses in one occupation.

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As to
streets
and roads
forming
boundary
of limits of
supply.

23. Where the water limits are bounded by or abut upon any street or road outside such limits the Corporation may for the purpose of supplying water to the owner or occupier of any premises abutting upon such street or road and being within such limits exercise with respect to such street or road the like powers of breaking up the same for the purpose of laying maintaining inspecting repairing and renewing pipes as are exerciseable by them with respect to streets or roads within the water limits and subject to the like conditions and the owner or occupier of any such premises may for the purpose of laying any communication pipe or of complying with any obligation to maintain any pipe or apparatus which he is liable to maintain exercise the like power of opening the ground between any main or pipe of the Corporation and his premises and of opening or breaking up so much of the pavement of the street and any sewer or drain therein as shall be between such main or pipe and his premises as if such street or road were within the limits of supply Provided that nothing in this section shall entitle or require the Corporation to supply water to the owner or occupier of any premises abutting upon any such street or road as aforesaid and being outside the water limits.

Corporation
to connect
communi-
cation
pipes with
mains.

24. Notwithstanding anything contained in any Act relating to the Corporation the Corporation shall have the exclusive right of executing any works on any of the water mains of the Corporation for connecting any communication pipe therewith and the Corporation shall on the request of any owner or occupier of any premises who is entitled to be supplied with water by the Corporation execute on any such main any work which shall be necessary to connect the communication pipe of such owner or occupier therewith and any expenses incurred by the Corporation in so doing shall be repaid by the owner or occupier so requesting and shall be recoverable as a civil debt.

Stopcocks
to be fitted
in communi-
cation pipes.

25. In the case of all new buildings erected after the passing of this Act within the water limits and connected with the mains of the Corporation the Corporation may in cases where the communication pipes are laid by the owner or by the Corporation at his request require the owner at the time when the

pipes are laid to insert or to have inserted a stopcock in the communication pipe from the said premises in some position as near as is reasonably possible to the main of the Corporation from which the supply is given to the said premises and if such owner make default the Corporation may insert a stopcock in such communication pipe and recover the expense from the owner as a civil debt. A.D. 1931.

26.—(1) The Corporation shall not be bound to supply more than one house or part of a house occupied as a separate tenement by means of the same communication pipe and they may if they think fit require that a separate pipe be laid from the main pipe into each house or part of a house occupied as a separate tenement supplied by them with water : Separate communication pipes may be required.

Provided that this section shall not apply in the case of a communication pipe which at the passing of this Act is used for the supply of water to more than one house or part of a house unless and until such communication pipe becomes defective or inadequate to carry a sufficient supply or requires renewal in which event the Corporation may require that a separate pipe be laid from the main pipe into each house or part of a house occupied as a separate tenement formerly supplied with water by means of that communication pipe.

(2) If the owner of any house or part of a house occupied as a separate tenement and supplied with water by the Corporation when so required in pursuance of the preceding subsection fails within a period of three months after the receipt of such requirement to provide a separate pipe from the main into such house or part of a house the Corporation may themselves do the work necessary in that behalf and may recover the cost incurred by them in so doing from the owner.

(3) Section 50 (Corporation not bound to supply several houses by one pipe) of the Act of 1914 is hereby repealed.

27.—(1) For the purpose of complying with any obligation under the Waterworks Clauses Acts 1847 and 1863 to maintain any pipe or apparatus the person liable to maintain the same shall have the like power to open the ground as is conferred upon him by and Opening of ground by person liable to maintain pipes &c.

A.D. 1931. — subject to the conditions of sections 48 to 52 of the Waterworks Clauses Act 1847 in relation to the laying of communication pipes.

(2) The Corporation may by agreement with any owner or occupier entitled or required to lay maintain repair or remove any communication pipe and for that purpose to open or break up any street execute such works on behalf of such owner or occupier and any expenses incurred by the Corporation shall be repaid by the owner or occupier with whom the agreement is made.

Power to
remove
meters and
fittings.

28. The Corporation by their agents or workmen after forty-eight hours' notice in writing under the hand of the engineer or some other officer of the Corporation to the occupier or if there be no occupier then to the owner or lessee of any house building or land in which any pipe meter or fitting belonging to the Corporation is laid or fixed and through or in which the supply of water is from any cause other than the default of the Corporation discontinued for the space of forty-eight hours may enter such house building or land between the hours of nine in the morning and four in the afternoon or with the authority in writing of a justice at any other time for the purpose of removing and may remove every such pipe meter and fitting repairing all damage caused by such entry or removal.

Extension
of power
to inspect
premises.

29. In addition to the powers conferred by section 57 of the Waterworks Clauses Act 1847 any duly authorised officer of the Corporation may at all reasonable times between the hour of four o'clock in the afternoon and one hour after sunset enter into any house or premises supplied with water by the Corporation in order to examine if there be any waste or misuse of such water and if any person hinder any such officer from entering either under the said section 57 or under this section or from making an examination under either of those sections he shall for every such offence be liable to a penalty not exceeding five pounds :

Provided that no person shall for the same offence have the water supplied to him turned off in pursuance of the said section 57 and be liable to a penalty under this section.

30.—(1) The Corporation may subject to the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes and with the written consent of the local authority and road authority construct place fix and maintain in or under any street within the water limits tanks or other receptacles for water for use by the users of mechanically propelled vehicles with all necessary or convenient apparatus and appliances (including covers or boxes and pillars or standpipes projecting above the level of the surface of the street) for taking or using water from such tanks or receptacles :

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Power to
provide
water tanks
under
streets.

Provided that the Corporation shall not under the powers of this section construct or place any such tank or receptacle as aforesaid on any county bridge or other bridge carrying a public highway or the approaches thereto.

(2) The Corporation may make and recover such charges as they may think fit for any water so taken or used and make regulations as to the taking or use of such water and the issuing of permits for such taking or use and the mode of payment of the charges of the Corporation therefor.

(3) If any person shall take or use any water from any such tank or receptacle as aforesaid without being duly authorised so to do by the Corporation he shall be deemed to have committed an offence under section 59 of the Waterworks Clauses Act 1847.

(4) The Corporation may attach to any lamp-post pole or standard or other similar erection erected on or in any street under or near to which any such tank or other receptacle is constructed or placed signs or directions indicating the position of such tank or other receptacle and the means by which water may be obtained from the same and may in any such street as aforesaid erect place fix and maintain posts or poles for carrying such signs or directions :

Provided that—

(a) the Corporation shall not erect place fix or maintain any such posts or poles in any part of the highway without the written consent of the local authority and road authority ;

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- (b) the Corporation shall give notice in writing to the owner of such lamp-post pole standard or similar erection 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 the lamp-post pole standard or similar erection by the attachment and the Corporation shall indemnify the owner against any claim for damage occasioned to any person or property by or by reason of the attachment;
- (c) the Corporation shall not attach any signs or directions to any post pole or standard belonging to the Postmaster-General except with his consent in writing;
- (d) the Corporation shall not attach any such sign or direction to any guide or road sign post direction arm or similar erection provided or maintained by a county council without the written consent of such council;
- (e) nothing in this section shall be deemed to require the owner to retain any such lamp-post pole standard or similar erection when no longer required for his purposes.

(5) The Corporation shall not under the powers of this section construct place or fix any such tank or receptacle or any appliances in connection therewith in any street belonging to the London Midland and Scottish Railway Company on any bridge or the approaches thereto carrying any street or road over the railway of such company or under any bridge carrying any such railway over any street or road within ten feet of any abutment of such bridge or so as to interfere with or render less convenient the access to or exit from any station or depot of such company nor shall the Corporation attach any signs or directions to any lamp-post standard or similar erection belonging to such company except with their consent.

Penalty for
interfering
with valves
&c.

31.—(1) Any person being the owner or occupier of any house or building or part of a house or building or premises to or in respect of which he is not for the time being entitled to a supply or the continuance of

the supply of water by the Corporation who shall without the authority of the Corporation turn on any valve cock or other work or apparatus attached to any service main or communication pipe connected with any main of the Corporation and provided or available for the purpose of affording such supply shall be deemed to commit an offence under section 60 of the Waterworks Clauses Act 1847 and the said section shall extend and apply accordingly.

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(2) Every person who shall wilfully (without the consent of the Corporation) or negligently close or shut off any valve cock or other work or apparatus belonging to the Corporation whereby the supply of water shall be interfered with shall (without prejudice to any other right or remedy of the Corporation) be liable on conviction to a penalty not exceeding five pounds and the Corporation may in addition thereto recover the amount of any damage sustained by them. Provided that this subsection shall not apply to a consumer closing the valve fixed on his communication pipe which is not also used for the purposes of supply to any other consumer.

(3) Section 30 (Penalty for closing valves and apparatus) of the Act of 1921 is hereby repealed.

32.—(1) The council of any urban or rural district in whole or in part within the water limits may give and enter into a guarantee or contract for securing payment to the Corporation of such periodical or other sum or sums at such time or times in such manner and subject to such stipulations as may be agreed by and between such council and the Corporation for the purpose of or with respect to the providing or laying down by the Corporation of any main pipe or works for the supply of water within any part of such district.

Guarantees
by local
authorities.

(2) The giving of such guarantee and the performance of any contract in relation thereto shall be deemed to be a purpose for which under the provisions of any general Act relating to the powers of such council they may incur expenditure and any such council may raise in like manner as money may be raised under the provisions of any such general Act any money which may become payable to the Corporation under this section.

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(3) Subject to the provisions of the Local Government Act 1929 any expenses incurred by a rural district council in pursuance of this section shall be defrayed as special expenses on the contributory places in respect of which the guarantee or contract is entered into.

PART IV.

TROLLEY VEHICLES &C.

Power to
use trolley
vehicles.

33.—(1) The Corporation may provide maintain and equip (but shall not manufacture) trolley vehicles and may work the same along any street or road in or beyond the borough in which they are at the passing of this Act authorised to construct or work tramways and with the consent of the Minister along any other street or road which the Corporation think it necessary or convenient to use for the purpose of providing a turning point or of connecting trolley vehicle routes or of obtaining access thereto from any depot garage building or work of the Corporation.

(2) Provided that—

- (a) the powers of this section shall not be exercised in any street or road beyond the borough without the consent of the local and road authority which consent shall not be unreasonably withheld and any question as to whether such consent is unreasonably withheld shall be determined by the Minister;
- (b) before equipping any trolley vehicle route to include a turning point or before arranging for a new turning point on any route the Corporation shall submit plans of the turning point to the Minister for approval and to the road authority who may make representations in regard thereto to the Minister;
- (c) no turning point shall be fixed upon any road or street belonging to or maintained by the London Midland and Scottish Railway Company without their consent in writing which consent shall not be unreasonably withheld.

34.—(1) The Corporation may in under or over the surface of the streets or roads along or adjoining those along which they are authorised to run trolley vehicles or in which it may be necessary so to do in order to connect the apparatus and equipment for working such vehicles with any generating station 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 and may for that purpose subject to the provisions contained in Part II of the Tramways Act 1870 and in this Part of this Act open and break up any such street or road and any sewers drains water or gas pipes tubes wires telephonic and telegraphic apparatus therein or thereunder and may supply electrical energy for the purpose of working the trolley vehicles :

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As to
electrical
works.

Provided that all posts and other apparatus erected by the Corporation under this section shall be placed in such position as the road authority may approve but no post or other apparatus shall be erected on the carriage-way except with the consent of the Minister.

(2) Nothing in this section 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.

(3) The Corporation may also adapt and use for the purpose of working trolley vehicles any apparatus and equipment already provided by them for working tramways in streets or roads along which they are or may be authorised to run trolley vehicles.

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

35. Subject to the provisions of this Act the Corporation shall have the exclusive right of using any apparatus provided erected or maintained by them for the purpose of working the trolley vehicles and any person (except by agreement with the Corporation) using the said apparatus shall for every offence be liable to a penalty not exceeding twenty pounds.

Corporation
to have
exclusive
right of
using
apparatus
for working
trolley
vehicles.

A.D. 1931.

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Licence duties
on trolley
vehicles.

36. 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 authorised by this Act as hackney carriages.

Approval
of vehicles
by Minister.

37.—(1) The trolley vehicles and the electrical equipment thereof used under the authority of this Act shall be of such form construction weight and dimensions as the Minister may approve and no trolley vehicle shall be used by the Corporation which does not comply with the requirements of the Minister.

(2) 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 and repairable by the London Midland and Scottish Railway Company the Corporation shall give to such railway company notice of the weight of the trolley vehicles proposed to be used by them and the Minister shall consider and determine after such inquiry as he may think fit any objections which may be submitted by such railway company to him on the ground that the strength of such bridge is insufficient to carry trolley vehicles of such weight. Provided that notice of such objections shall be forwarded by the said railway company to the Corporation at the same time as the same are submitted to the Minister.

Vehicles
not to be
deemed
omnibuses.

38. The trolley vehicles authorised by this Act shall not be deemed to be omnibuses within the meaning of the Town Police Clauses Act 1889.

Application
to trolley
vehicles of
certain
provisions
of Tram-
ways Act
1870.

39.—(1) 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) are hereby incorporated with this Act and shall apply to the trolley vehicles authorised by this Act and such provisions shall be read and have effect as if the works to be constructed in the streets or roads for moving the trolley vehicles by electrical power were tramways and as if the said trolley vehicles were carriages used on tramways (namely):—

Part II (Relating to the construction of tramways) except sections 25 28 and 29;

Section 41 (Tramways to be removed in certain cases);

- | | | |
|------------|---|-----------------|
| Section 46 | (Byelaws by local authority Promoters may make certain regulations); | A.D. 1931.
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| Section 47 | (Penalties may be imposed in bye-laws); | |
| Section 48 | (Power to local authority to license drivers conductors &c.); | |
| 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). | |

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

40. The sections of the following Acts the marginal notes of which are in this section set forth shall so far as applicable apply with reference to the trolley vehicles authorised by or in pursuance of this Act and the apparatus and equipment for working the same and for the purpose of such application those sections shall be read and have effect as if the works constructed or to be constructed in the streets or roads for moving trolley vehicles by electrical power were tramways and as if the trolley vehicles were carriages used on tramways (namely) :—

The Act of 1880—

- | | | |
|------------|---|--|
| Section 39 | (Corporation may use tramways for sanitary purposes &c.); | |
| Section 45 | (Passengers' luggage); | |
| Section 52 | (Payment of tolls). | |

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The Act of 1900—

- Section 18 (Inspection by Board of Trade);
 Section 24 (Power to make additional crossings &c.);
 Section 25 (Temporary tramway to be made where necessary);
 Section 26 (Junctions with tramways which can be worked in connection with Corporation tramways);
 Section 28 (Provisions as to motive power);
 Section 29 (Special provisions as to use of electrical power);
 Section 31 (Power to attach brackets &c. to buildings);
 Section 36 (Power to Corporation to work tramways);
 Section 40 (As to fares on Sundays and holidays);
 Section 41 (Cheap fares for labouring classes);
 Section 42 (Periodical revision of rates and charges);
 Section 43 (Byelaws);
 Section 44 (Amendment of the Tramways Act 1870 as to byelaws by local authority);
 Section 47 (Orders &c. of the Board of Trade);
 Section 49 (For protection of the London and North Western and Lancashire and Yorkshire Railway Companies).

The Act of 1902—

- Section 10 (For protection of Postmaster-General) as amended by this Act;
 Section 19 (Application of road materials excavated in construction of works).

The Act of 1914—

- Section 22 (Use of tramway posts by Postmaster-General); and
 Section 24 (Regulations by Corporation):

Provided that references in the said sections of the Act of 1880 the Act of 1900 the Act of 1902 and the Act of 1914 to the Board of Trade shall be deemed to refer to the Minister and reference to the London and North Western Railway Company and the Lancashire and Yorkshire Railway Company in the said section 49 of the Act of 1900 shall be deemed to refer to the London Midland and Scottish Railway Company :

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Provided also that section 24 (Power to make additional crossings &c.) and section 26 (Junctions with tramways which can be worked in connection with Corporation tramways) of the Act of 1900 as applied by this Act shall be read and have effect as if the words "with the consent of the Minister of Transport" had been inserted therein after the word "Corporation" where it first occurs in those sections respectively.

41. The Corporation may demand and take for every passenger travelling upon their trolley vehicles including every expense incidental to such conveyance a fare not exceeding three half-pence per mile and in computing the said fare a fraction of a mile shall be deemed to be a mile.

Fares and charges on trolley vehicles.

42. The Corporation may convey upon their trolley vehicles parcels not exceeding fifty-six pounds in weight and may demand and take in respect of such conveyance rates and charges not exceeding such maximum rates and charges as may from time to time be approved by the Minister but the Corporation shall not carry any other goods.

Power to carry parcels.

43. Subsection (4) of section 10 (For protection of Postmaster-General) of the Act of 1902 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."

Amendment of section 10 (4) of Act of 1902.

44.—(1) If at any time hereafter the Corporation desire to provide maintain equip and use trolley vehicles along any part of the Preston—Longridge county road between the boundary of the borough and a point opposite to the entrance gate of Grimsargh parish church they may make application to the Minister and the Minister is hereby empowered to make a Provisional Order authorising the use by the Corporation of trolley vehicles

Minister may authorise new routes.

A.D. 1931. — subject to such conditions and restrictions (if any) as he may think fit upon any part of the said 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 part of the said road were authorised by this Act.

(2) No such application shall be entertained by the Minister unless the Corporation shall—

(a) have published once in each of two successive weeks in the months of October or November notice of their intention to make such application in some newspaper or newspapers circulating in the borough;

(b) have also published such notice once in the months of October or November in the London Gazette;

(c) have posted for fourteen consecutive days in the months of October or November in conspicuous positions in the road to which such application relates 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.

(4) The Minister shall consider any such application and may if he think fit direct an inquiry to be held in relation thereto 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) 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 Act shall not have any operation.

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(6) 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.

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

(8) 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.

(9) Any expenses incurred by the Minister in connection with the preparation and making of any such Provisional Order and any expenses incurred by the Minister in connection with any inquiry under this section shall be paid by the Corporation.

45.—(1) At any time after the passing of this Act the Minister may by order authorise or require the Corporation to abandon or discontinue temporarily or permanently any of their tramways (for the time being) along the route of which the Corporation have provided and equipped or are about to provide and equip trolley vehicles under the provisions of this Act or any Provisional Order made thereunder.

As to
abandon-
ment of
tramways.

(2) Before making any order under the provisions of this section the Minister may hold such inquiry as he may consider desirable.

(3) Any order made under the provisions of this section may as from such date as may be specified therein provide for the cesser of all or any of the powers liabilities duties or obligations conferred or imposed

A.D. 1931. — upon the Corporation by any Act or Order relating to any tramway to be abandoned or discontinued in pursuance of such order.

(4) Upon the making of any such order permanently to abandon or discontinue any such tramway the provisions of section 41 of the Tramways Act 1870 shall apply as if the Minister had granted a certificate that an order had been made under the said section in relation to such tramway.

Tramway regulations to apply to trolley vehicles.

46. All subsisting regulations and byelaws relating to the tramways of the Corporation 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 provided by the Corporation in pursuance of this Act.

Conveyance of mails.

47. The Corporation shall perform in respect of their trolley vehicles all such services with 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.

Working agreements as to tramways and trolley vehicles.

48.—(1) The Corporation on the one hand and any other local authority company body or person having statutory powers to own or work any tramways or trolley vehicles which may now or hereafter be connected with the tramway or trolley vehicle systems 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 tramway and trolley vehicle systems of the contracting parties;
- (b) The leasing working running over using maintaining and managing by any or all of the contracting parties or by a joint committee of the contracting parties of the tramways or trolley vehicles of any or all of the contracting parties 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 or trolley vehicles of the contracting parties of rolling stock and vehicles necessary for the purposes of such agreement and the employment of officers and servants;

- (d) The supply of motive power for the working of the tramways or trolley vehicles of the contracting parties;
- (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 tramway and trolley vehicle systems of the contracting parties.

(2) During the continuance of any agreement under this section for the working or user by one of the contracting parties of the tramway and trolley vehicle systems of the other the tramway and trolley vehicle systems of the parties so contracting shall for the purposes of calculating maximum rates and charges or fares in respect of conveyance partly over the tramway and trolley vehicle systems of the one party and partly over those of the other be considered as one system and the maximum charge for each portion of the entire distance shall be calculated at the maximum rate which according to the scale applicable to such portion would be chargeable for the entire distance.

(3) In this section the word "tramway" includes light railway.

(4) Section 34 (Agreements for working &c.) of the Act of 1900 is hereby repealed.

49.—(1) The Corporation may erect or construct and hold depots yards offices motor-houses buildings sheds works and other conveniences in connection with the tramway undertaking. Provision
of depots
&c.

(2) Nothing in this section shall exonerate the Corporation from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them thereunder.

- A.D. 1931.
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Power to hold patent rights.
50. The Corporation may acquire and hold patent and other rights and licences (not being exclusive) in relation to the use of electrical power for any purpose of the tramway undertaking.
- Definition of cars.
51. In the provisions of this Part of this Act hereinafter contained the expressions "the cars" and "cars" mean the carriages used on any of the tramways of the Corporation and on any tramways tramroads or light railways from time to time demised to or run over by the Corporation and the trolley vehicles and the public service vehicles of the Corporation.
- Shelters and waiting rooms.
52. The Corporation may erect and maintain sheds shelters or waiting rooms and gangways for the accommodation of passengers on any route of the cars and may with the consent of the road authority (where other than the Corporation) use for that purpose portions of the public streets or roads.
- Cloakrooms &c.
- 53.—(1) The Corporation may provide cloakrooms and rooms or sheds for the storage of bicycles and other vehicles at any depot or building used by them in connection with the tramway undertaking and at any suitable places on the routes of the cars and the Corporation may make charges for the use of such cloakrooms rooms and sheds and for the deposit therein of articles and things and bicycles and other vehicles.
- (2) The Corporation may use for the purpose of this section portions of the public streets or roads but only with the consent of the road authority.
- Power to reserve cars for special purposes.
- 54.—(1) Notwithstanding anything contained in this or any other Act to the contrary the Corporation may on any occasion run and reserve cars for any special purpose which the Corporation may consider necessary or desirable :
- Provided that—
- (a) such cars shall be distinguished from other cars in such manner as may be directed by the Corporation ;
- (b) during the running of special cars the Corporation shall maintain a reasonably sufficient ordinary service ; and

(c) the Corporation shall not run special public service vehicles except on routes on which they have for the time being power to run public service vehicles.

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(2) The Corporation may make byelaws for prohibiting the use of any such cars by any persons other than those for whose conveyance the same are reserved.

(3) The restrictions contained in this Act or any other Act or any Order relating to the Corporation as to fares or charges for passengers shall not extend to any cars run under the powers of this section and in respect thereof the Corporation may demand and take such fares rates or charges as they shall think fit.

(4) Nothing in this section shall be in derogation of the provisions of Part IV of the Road Traffic Act 1930.

55.—(1) The Corporation may run through cars and such cars shall be distinguished from other cars in such manner as may be directed by the Corporation and they may demand and take for every passenger by such cars a fare or charge not exceeding the maximum fare or charge authorised or chargeable for and in respect of the whole of such route or the whole of the portion thereof traversed by any such cars Provided that during the running of such through cars the Corporation shall maintain a reasonably sufficient ordinary service Provided also that the Corporation shall not run through public service vehicles except on routes on which they have for the time being power to run public service vehicles.

Through
cars.

(2) Nothing in this section shall be in derogation of the provisions of Part IV of the Road Traffic Act 1930.

56. The Corporation may appoint the stations and places from which the cars (other than public service vehicles) shall start or at which they may stop for the purposes of taking up or setting down passengers and may fix the time during which such cars shall be allowed to remain at any such place but any such appointment and fixing of time shall (as respects any station or place outside the borough) be subject to the consent of the local authority of the district within which that station or place is appointed.

Stopping
and starting
places.

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Attachment
of signs
indicating
stopping
places to
lamp-posts
&c.

57.—(1) The Corporation may attach to any lamp-post pole standard or other similar erection erected on or in the highway on or near to the route of any of the cars signs or directions indicating the position of stopping places. Provided that in cases where the Corporation 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 Corporation 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 owner to retain any such lamp-post pole standard or similar erection when no longer required for his purposes.

(3) Any sign erected in pursuance of this section shall be subject to any regulations applicable to any such sign made by the Minister under section 48 of the Road Traffic Act 1930.

(4) Notwithstanding anything contained in this section the Corporation shall not attach any such sign or direction to any pole post standard or similar erection belonging to the Postmaster-General or to the Central Electricity Board except with his or their consent in writing as the case may be or to any lamp-post belonging to a local authority except with their consent in writing.

(5) The Corporation shall not attach any such sign or direction to any lamp-post pole standard or any similar erection belonging to the London Midland and Scottish Railway Company without their consent in writing.

Property
found in
cars.

58. Any property found in any car or in any shelter or waiting-room in connection with the tramway undertaking shall forthwith be taken to a place to be appointed for the purpose by the Corporation and if the same be not claimed within six months after the finding thereof it may be sold as unclaimed property by public auction after notice by advertisement in one or more local newspapers once in each of two successive weeks and the proceeds thereof shall be treated as part of the revenue of the tramway undertaking. Provided that this section shall have effect subject to any regulations made by the

Minister under paragraph (j) of section 94 of the Road Traffic Act 1930. A.D. 1931.

59. If any person wilfully does or causes to be done with respect to any apparatus used for or in connection with the working of any of the tramways trolley vehicles or public service vehicles of the Corporation anything which is calculated to obstruct or interfere with the working of such tramways trolley vehicles or public service vehicles or to cause injury to any person he shall (without prejudice to any proceedings by way of indictment or otherwise to which he may be subject) be guilty of an offence punishable on summary conviction and every person convicted of such offence or of any offence under section 50 of the Tramways Act 1870 with respect to any of such tramways or trolley vehicles shall be liable to a penalty not exceeding twenty pounds. Penalty for malicious damage.

60.—(1) The Corporation may for the purpose of regulating and facilitating the traffic on market or fair days or for the execution of any works by the Corporation or during the time of any public meeting procession or demonstration or for any other purpose which the Corporation having regard to the good government of the borough or the safety of the public may deem necessary order that the working of any of the cars shall be stopped delayed or suspended but so that such stoppage delay or suspension shall continue only so long as may reasonably be necessary for the purposes aforesaid or any of them and the Corporation shall not be liable to pay compensation for damage in respect thereof. Power to Corporation to suspend running of cars &c.

(2) Nothing in this section shall be in derogation of the provisions of Part IV of the Road Traffic Act 1930.

61. If any obstruction to the traffic on any of the tramways of the Corporation be caused by any vehicle breaking down or any load falling from a vehicle the person in charge of the vehicle shall forthwith remove the vehicle or load so as to prevent the continuance of the obstruction and if he fail to do so the Corporation may so remove the vehicle or load and may remove any other obstruction of the like character to such traffic and may provide and use all necessary plant and apparatus and take all necessary steps to remove any such obstruction and may recover the reasonable cost of so doing from the owner of the vehicle. Removal of obstructions.

A.D. 1931.

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Trees over-
hanging
highways.

62.—(1) Where the Corporation consider that any tree hedge or shrub overhangs any street outside the borough so as to be likely to obstruct or interfere with the passage of the cars or to obstruct the view of drivers of such vehicles the Corporation may require the authority by whom powers may be exercised under section 23 of the Public Health Act 1925 to exercise those powers in respect of the trees hedges or shrubs to which the requisition refers.

(2) If the said authority have not adopted the said section and refuse or neglect to do so or having adopted the said section or being a county council refuse or neglect to exercise those powers in accordance with the said requisition the Corporation may apply to the Minister of Health for and the said Minister may make an order conferring on the Corporation all or any of the powers of a local authority under the said section in respect of the streets in which the said trees hedges or shrubs are situated.

(3) On the making of such order any authority having powers under section 23 of the Public Health Act 1925 shall during the continuance of the order cease to exercise such powers in respect of the said street or streets to the extent to which they have been conferred on the Corporation.

Carriage of
dogs on
cars.

63. The Corporation may if they think fit convey on the cars dogs in the care of passengers the charge for any such dog to be a sum not exceeding the fare payable by the passenger.

Byelaws to
be subject to
Tramways
Act 1870.

64. Any byelaws made by the Corporation under the provisions of this Part of this Act shall be made subject and according to the provisions of the Tramways Act 1870 with respect to the making of byelaws.

Consents of
local or road
authorities.

65. Subject to the provisions of this Act where the consent or approval of any local or road authority is by this Part of this Act required before the exercise of any powers by the Corporation such consent or approval shall not be unreasonably withheld and if any difference arises as to whether any consent or approval is unreasonably withheld that difference shall be determined by the Minister.

66. In respect of the exercise of any powers or duties conferred on the Minister by this Part of this Act or the giving by him of any consents thereunder the provisions of Part I. of the Board of Trade Arbitrations &c. Act 1874 shall apply as if the Minister 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."

A.D. 1931.

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Inquiries by
Minister.

67. Subject to the provisions of this Act the trolley vehicle undertaking authorised by this Act shall form part of the tramway undertaking.

Trolley
vehicles to
form part
of tramway
undertaking.

68. The Corporation shall keep the accounts in respect of the tramway undertaking so as to show separately (so far as may be reasonably practicable) the receipts and expenditure in regard to (a) the tramways (b) the trolley vehicles and (c) the public service vehicles which the Corporation are empowered to provide and run and in such accounts capital shall be distinguished from revenue.

Accounts of
tramway
under-
taking.

69. The Corporation shall not under the powers of the sections of this Act of which the marginal notes are "As to electrical works" "Shelters and waiting-rooms" "Cloakrooms &c" and "Stopping and starting places" break up any street or road belonging to or maintainable by or at the expense of the London Midland and Scottish Railway Company or erect any standards brackets posts poles or other apparatus or any shelter or waiting-room or cloakroom upon any such street or road so as to render less convenient the access to or exit from any railway station depot or other property of such railway company without the consent of that company.

For pro-
tection of
London
Midland
and
Scottish
Railway
Company.

70. The following provisions of the Act of 1914 are hereby repealed (namely):—

Repeal of
certain
provisions
of Act of
1914.

Section 26 (Penalty for malicious damage);

Section 27 (Power to hold patent rights);

Section 28 (Shelters or waiting-rooms); and

Section 29 (Lost property).

A.D. 1931.

PART V.

FINANCE &C.

Power to
borrow and
repayment
of borrowed
moneys.

71.—(1) The Corporation may in addition to any moneys which they are now authorised to borrow or which they may be authorised to borrow under the provisions of 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 so borrowed shall be chargeable on the revenues of the Corporation and shall be repaid within the respective periods set forth in the third column thereof and the Corporation may apply any sum so borrowed for the said purposes respectively (that is to say) :—

Purpose.	Amount.	Period for repayment.
	£	
(1) For paying the costs charges and expenses of this Act as hereinafter defined.	The sum requisite.	Five years from the passing of this Act.
(2) For the construction of the training walls and heightening of training wall by this Act authorised and works in connection therewith.	110,000	Sixty years from the date or dates of borrowing.
(3) For the general purposes of the Ribble Navigation.	50,000	Forty years from the date or dates of borrowing.
(4) For the provision of trolley vehicles	18,000	Ten years from the date or dates of borrowing.
(5) For the provision of electrical and other equipment for trolley vehicles.	10,000	Twenty years from the date or dates of borrowing.

(2) The Corporation may also with the sanction of the Minister borrow such moneys as may be necessary for any purpose of the Ribble Navigation undertaking and any moneys borrowed under the powers of this subsection shall be repaid within such periods not exceeding sixty years as may be prescribed by the Minister and all moneys so borrowed shall be chargeable on the revenues of the Corporation.

72. The provisions contained in the sections of the Preston Corporation Water Act 1904 the numbers and marginal notes of which are set forth in this section shall so far as applicable extend and apply as if they were re-enacted in this Act (that is to say):—

- Section 26 (Mode of raising money);
- Section 27 (Provision as to mortgages);
- Section 29 (Mode of payment off of money borrowed);
- Section 30 (Sinking fund);
- Section 33 (Protection of lender from necessity of inquiry);
- Section 34 (Corporation not to regard trusts);
- Section 38 (Application of money borrowed);
and
- Section 40 (Audit of accounts):

Provided that the periods of repayment referred to in the section of this Act of which the marginal note is "Power to borrow and repayment of borrowed moneys" shall respectively be deemed to be "the prescribed period" for the purpose of such application of the said sections.

73. The powers of borrowing conferred upon the Corporation by the Act of 1921 for the purpose of the purchase of lands for and for the construction of the waterworks by that Act authorised shall extend and apply to the purpose of the construction of the aqueducts by this Act authorised and the acquisition of lands and easements therefor.

74.—(1) The Corporation may at any time hereafter and from time to time make a scheme for prescribing one or more uniform periods within which all or any loans contracted by them under statutory borrowing powers shall be discharged and such scheme may extend or vary the periods within which such loans shall be discharged and may apply to any such loans all or any of the provisions of this Act in regard to the borrowing and repayment of money with or without modification and may make provision in regard to all matters incidental to the objects aforesaid.

A.D. 1931.

—
Incorporation of certain financial provisions of Act of 1904.

Borrowing powers under Act of 1921 to be applicable for certain purpose of this Act.

Scheme for fixing equated periods.

A.D. 1931
—

(2) No scheme made by the Corporation under this section shall have any force or effect until confirmed by the Minister of Health who may by order confirm the same with or without modifications and when so confirmed the scheme shall notwithstanding any enactment order or sanction to the contrary have full force and effect and such scheme shall be deemed to be within the powers of this Act.

(3) Nothing in any scheme made under this section shall prejudice or affect the security rights and remedies of any mortgagee under any mortgage existing at the time of the confirmation of the scheme or of the holder of any stock existing at that time except with the consent of such mortgagee or holder.

(4) The loans referred to collectively in any scheme under general headings in accordance with a classification approved by the Minister of Health may be consolidated and dealt with in the accounts of the Corporation as if the aggregate amount of the several loans relative to each heading were one loan raised under one statutory borrowing power and if approved by the Minister of Health separate consolidations may be made of all or any of the loans included under such general headings.

(5) The Corporation may with the sanction of the Minister of Health and on the security of the revenues of the Corporation on the security of which the moneys included in the scheme were respectively authorised to be borrowed borrow such sums as may be necessary for the purpose of giving effect to such scheme and for compensating the holders of securities of the Corporation for their consent thereto and any moneys so borrowed shall be repaid within such period as the Minister of Health may sanction.

(6) Any scheme confirmed under this Act may be altered extended amended or annulled by any other scheme prepared and confirmed in like manner as the original scheme.

Expenses of
execution
of Act.

75. All expenses incurred by the Corporation in carrying into execution the provisions of this Act with respect to which no other provision is made shall be defrayed out of the general rate fund and the general rate.

76. The provisions contained in the sections of the Act of 1914 the numbers and marginal notes of which are set forth in this section shall so far as applicable extend and apply as if the said provisions were re-enacted in this Act (that is to say) :—

- Section 152 (Recovery of penalties &c.);
- Section 153 (Recovery of demands);
- Section 154 (Damages and charges to be settled by justices);
- Section 157 (Persons acting in execution of Act not to be personally liable);
- Section 158 (Saving for indictments);
- Section 159 (Judges not disqualified); and
- Section 160 (Powers of Act cumulative).

A.D. 1931.

—
Incorporation of certain provisions of Act of 1914.

77. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Corporation to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Crown Lands or of the Board of Trade respectively without the consent in writing of the Commissioners of Crown Lands or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose.

Crown rights.

78. The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed and ascertained by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the general rate fund and the general rate or out of money to be borrowed under this Act for that purpose.

Costs of Act.

Printed by EYRE and SPOTTISWOODE, LTD.,

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