

# Clifton Suspension Bridge Act, 1952

15 & 16 GEO. 6 & 1 ELIZ. 2 Ch. xli

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## ARRANGEMENT OF SECTIONS

### PART I

#### PRELIMINARY

Section

1. Short title.
2. Act divided into Parts.
3. Interpretation.
4. Commencement and repeal.

### PART II

#### INCORPORATION CONSTITUTION AND PROCEEDINGS OF TRUSTEES

5. Incorporation of Trustees.
6. Transfer of property.
7. Existing deeds contracts etc. to remain in force.
8. Management and administration.
9. Number of Trustees.
10. First Trustees.
11. Qualifications for appointment as Trustee.
12. Appointment of resident Trustees.
13. Appointment of representative Trustees.
14. Provisions where failure to appoint representative Trustee.
15. Substitutes for representative Trustees.
16. Disqualification of Trustee.
17. Removal of Trustees from office.
18. Retirement of resident Trustees under age limit.
19. Disability of Trustees from voting on account of interest in contracts etc.
20. First and subsequent meetings.
21. Special meetings of Trustees.
22. Ordinary business of annual meetings.
23. Procedure at meetings of Trustees and power of Trustees to frame regulations.
24. Powers of Trustees in relation to contracts etc.
25. Indemnity to Trustees and to their officers and servants.
26. Remuneration of resident Trustees and payment of expenses of Trustees.
27. Appointment of officers and servants.
28. Common seal.

## PART III

## TRANSFER OF UNDERTAKING OF THE COMPANY

Section

29. Transfer of company's undertaking.
30. Company to be entitled to receipts and to pay outgoings until transfer.
31. Payment of dividends for 1952.
32. Purchase of shares held by directors and secretary.
33. Compensation of officers and servants of the company.
34. Evidence of transfer.
35. Actions not to abate.
36. Contracts with company to be binding on Trustees.
37. Evidence of books and documents.
38. Inspection of books etc.
39. Winding up and dissolution of company.

## PART IV

## POWERS IN RELATION TO THE BRIDGE

40. Maintenance of bridge.
41. Bridge to be public highway.
42. Bridge within city for purposes of criminal jurisdiction.
43. Power to charge tolls.
44. Exemption from tolls.
45. Revision of tolls.
46. Byelaws.
47. Inspection and certification of bridge.
48. Powers of appointing local authorities with respect to closure of bridge.

## PART V

## FINANCE

49. Books to be kept by Trustees.
50. Accounts audit and report.
51. Power to borrow on mortgage.
52. Saving for powers of Treasury.
53. Application of moneys.
54. Powers of investment.
55. Receipts in case of persons not sui juris.

## PART VI

## MISCELLANEOUS

56. Power to hold and acquire lands.
57. Compulsory purchase of land.
58. Power to sell mortgage etc. lands etc.
59. Power to promote or oppose private Bills etc.
60. Power to grant allowances or gratuities.

PART VII  
GENERAL

Section

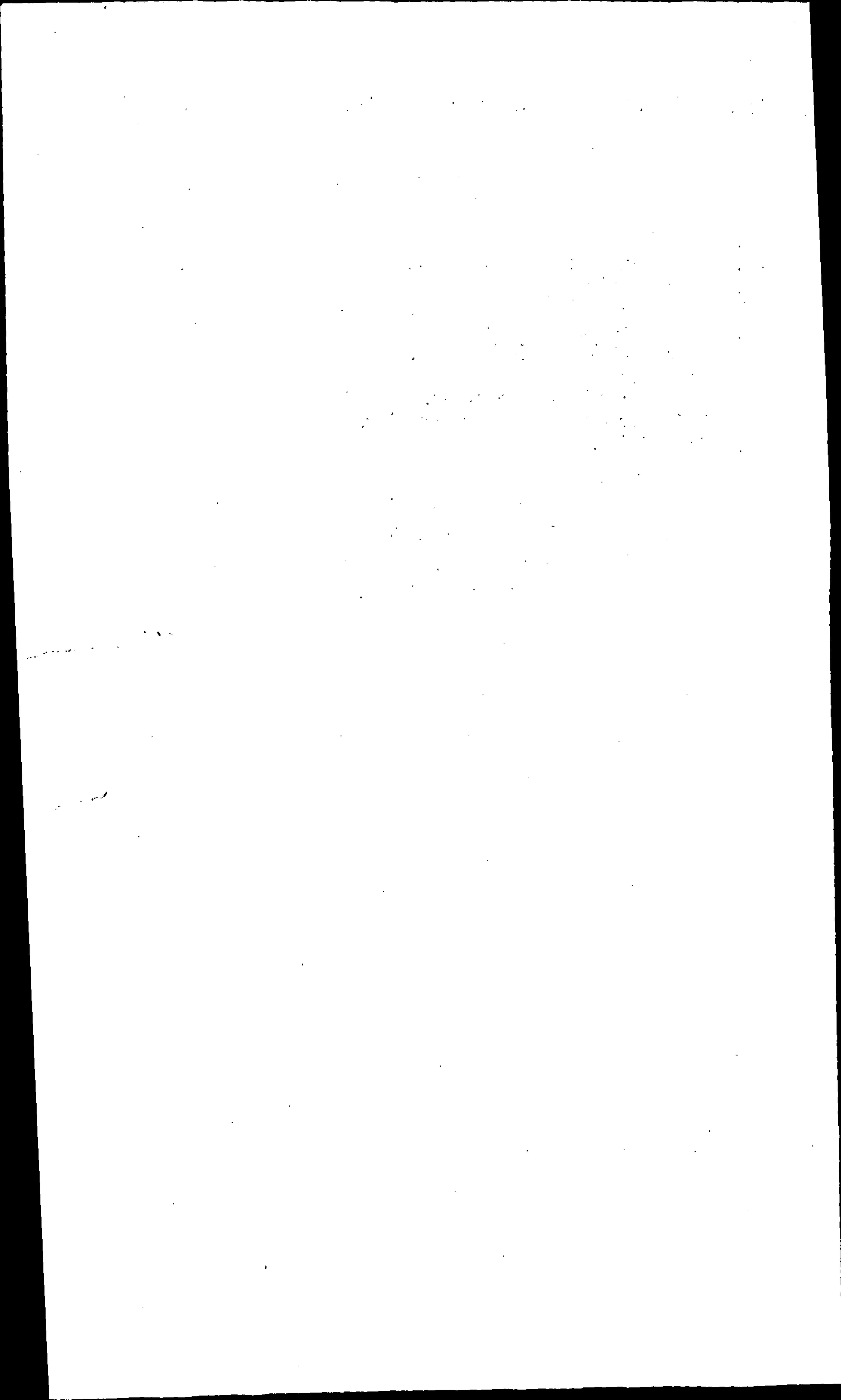
61. Inquiries by Minister.
62. Restriction on right to prosecute.
63. Recovery of costs.
64. Several sums in one summons.
65. Application of provisions of Local Government Act 1933  
and Public Health Act 1936.
66. Crown rights.
67. Saving for Bristol Corporation.
68. Saving for town and country planning.
69. Costs of Act.

SCHEDULES :

First Schedule—Names of the existing Trustees.

Second Schedule—First regulations of the Trustees.

Third Schedule—Tolls in respect of foot-passengers  
vehicles and animals making use of the bridge.





## CHAPTER xli

An Act to constitute the Clifton Suspension Bridge Trust to incorporate the Trustees of the Trust and to make provision for the vesting in the Trustees of the property of the existing Trustees and for the constitution and proceedings of the Trustees to transfer to the Trustees the undertaking of the Clifton Suspension Bridge Company and to provide for the winding up and dissolution of that company to confer powers on the Trustees in relation to the said bridge and to the charging of tolls to make provision regarding the finances of the said trust to repeal the Acts relating to the Trustees and to the company and for other purposes.

[1st August 1952.]

**W**HEREAS by an Act passed in the eleventh year of the reign of King George IV intituled "An Act for building a bridge over the river Avon from Clifton in the county of Gloucester to the opposite side of the river in the county of Somerset and for making convenient roads and approaches to communicate therewith" (hereinafter in this Act referred to as "the Act of 1830") the funds therein specified were vested in certain named trustees and their successors to be elected as provided for in the Act (hereinafter referred to as "the Trustees") for the purpose of constructing maintaining and keeping in repair a bridge (hereinafter in this Act referred to as "the bridge") partly of stone and partly of iron or other materials in the nature of a chain or suspension bridge over the river Avon from Clifton in the county of Gloucester now in the city and county of Bristol to the opposite side of the river in the county of Somerset and of the approaches thereto:

And whereas the Act of 1830 provided for (inter alia)—

- (1) the election and qualification of subsequent Trustees not exceeding in the whole thirty-five and not being less than twenty-five in number;
- (2) the acquisition of the land necessary for the construction of the bridge and of the approaches thereto;
- (3) the construction maintenance and keeping in repair of the bridge and of the approaches thereto;
- (4) the charging of tolls not exceeding the respective amounts set out in the Act until all the moneys borrowed and raised under the Act had been paid off:

And whereas despite the extension by subsequent Acts of the period limited by the Act of 1830 for the construction of the bridge and of the approaches thereto the Trustees were unable to raise sufficient funds to complete the construction of the bridge and their powers under the Act of 1830 lapsed:

And whereas by the Clifton Suspension Bridge Act 1861 (hereinafter in this Act referred to as "the Act of 1861") a company was incorporated by the name of "Clifton Suspension Bridge Company" (hereinafter in this Act referred to as "the company") and it was provided that—

- (1) upon the company paying the consideration therein specified the Trustees were to convey to the company in fee simple the estate and interest of the Trustees in the lands and buildings on both sides of the river acquired under the Acts hereinbefore recited;
- (2) the company was to complete the construction of the bridge and approaches thereto within the period prescribed by the Act;
- (3) tolls not exceeding those specified in the Act were to be charged by the company;
- (4) certain annual payments were to be made by the company to the Trustees to be used by them after paying certain expenses in purchasing all the mortgages or shares of the company issued under the Act;
- (5) as from the date when the mortgages and shares of the company had been purchased by the Trustees in accordance with the provisions of the Act the powers granted to the company (except those of maintaining and supporting the bridges and approaches thereto and of collecting tolls) should cease and determine and the company should be dissolved and their said powers transferred to the Trustees;
- (6) after the said transfer to the Trustees an accumulation fund should be formed by the Trustees for the purpose ultimately of freeing the bridge from tolls:

And whereas the construction of the bridge and of the approaches thereto was completed by the company and further powers were conferred on the company by the Clifton Suspension Bridge Act 1888 :

And whereas out of the tolls collected by the company from persons using the bridge the payments required by the Act of 1861 to be made to the Trustees have been duly made and with the funds so provided the Trustees have purchased the whole of the company's issued share and loan capital with the exception of the shares held by the directors and auditors of the company as the qualification required for holding their respective offices and of those held by the secretary :

And whereas since the funds in the hands of the Trustees are sufficient to purchase the said shares the re-vesting of the bridge in the Trustees is due to take place :

And whereas it is expedient that the Trustees should be incorporated that provision should be made for the appointment of two additional Trustees one by the council of the administrative county of Somerset (hereinafter in this Act referred to as "the county council") and the other by the lord mayor aldermen and burgesses of the city of Bristol (hereinafter in this Act referred to as "the corporation") and that provision should be made for the constitution and proceedings of the Trustees as in this Act provided :

And whereas it is also expedient that the undertaking of the company should be transferred to the Trustees and that the company should be wound up and dissolved :

And whereas it is also expedient that the provisions of the Act of 1861 relating to the charging of tolls (as amended by the Clifton Suspension Bridge Act 1888) should be revised and that the maximum tolls which the Trustees are authorised to charge should be increased as in this Act provided :

And whereas the necessity of making provision for the contingency that the bridge may ultimately have to be replaced makes it expedient to provide for continuing the powers to charge tolls for an unlimited period :

And whereas it is expedient that such other provisions should be made as are in this Act contained and that the Acts hereinbefore recited should be repealed :

And whereas the objects of this Act 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 Queen's most Excellent Majesty by and

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

## PART I

## PRELIMINARY

Short title.

1. This Act may be cited as the Clifton Suspension Bridge Act 1952.

Act divided  
into Parts.

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

Part I.—Preliminary.

Part II.—Incorporation constitution and proceedings of Trustees.

Part III.—Transfer of undertaking of the company.

Part IV.—Powers in relation to the bridge.

Part V.—Finance.

Part VI.—Miscellaneous.

Part VII.—General.

Interpretation.

3.—(1) In this Act unless there is something in the subject or context repugnant to such construction—

“the Act of 1830” means the Act passed in the eleventh year of the reign of King George IV intituled “An Act for building a bridge over the river Avon from Clifton in the county of Gloucester to the opposite side of the river in the county of Somerset and for making convenient roads and approaches to communicate therewith”;

“the Act of 1861” means the Clifton Suspension Bridge Act 1861;

“the Act of 1888” means the Clifton Suspension Bridge Act 1888;

“the appointed day” means the first day of October nineteen hundred and fifty-two;

“the appointing local authority” means in relation to a representative Trustee appointed by the corporation the corporation and in relation to a representative Trustee appointed by the county council the county council and “the appointing local authorities” means the corporation and the county council;

“the bridge” means the Clifton Suspension Bridge and includes the toll-gates the toll-keepers’ lodges and all other buildings and so much of the roads and approaches to the bridge as lie within a distance of thirty-seven feet six inches measured from the outside



of the north-eastern toll-gate and within a distance of thirty-six feet measured from the outside of the south-western toll-gate ;

“ the clerk ” means in relation to the period before a clerk has been appointed by the Trustees the clerk to the existing Trustees and in relation to the period after such appointment the clerk to the Trustees ;

“ the city ” means the city and county of Bristol ;

“ the company ” means the Clifton Suspension Bridge Company ;

“ the corporation ” means the lord mayor aldermen and burgesses of the city acting by the council of the city ;

“ the county ” means the administrative county of Somerset ;

“ the county council ” means the council of the county ;

“ the day of transfer ” means the first day of January nineteen hundred and fifty-three ;

“ the existing Trustees ” means the persons specified in the First Schedule to this Act being the Trustees elected under and for the purposes of the Act of 1830 and holding office as such immediately before the date of the passing of this Act ;

“ the first Trustees ” means the first Trustees specified in section 10 (First Trustees) of this Act ;

“ the Minister ” means the Minister of Transport ;

“ the repealed enactments of the company ” means the Act of 1861 and the Act of 1888 ;

“ the repealed enactments of the Trustees ” means—

(a) the Act of 1830 ;

(b) an Act of the sixth year of the reign of King William IV intituled “ An Act for extending the time for building a bridge over the river Avon from Clifton in the county of Gloucester to the opposite side of the river in the county of Somerset ” ;

(c) an Act of the fourth year of the reign of Queen Victoria intituled “ An Act for enlarging the powers of the Acts for building a bridge over the river Avon from Clifton to the opposite side of the river in the county of Somerset ” ;

(d) an Act of the eighth and ninth years of the reign of Queen Victoria intituled “ An Act to amend the Acts for building a bridge over the river Avon from Clifton to the opposite side of the river in the county of Somerset ” ; and

PART I  
—cont.

(e) an Act of the eleventh and twelfth years of the reign of Queen Victoria intituled "An Act for extending the time for building a bridge over the river Avon from Clifton to the opposite side of the river in the county of Somerset";

"the representative Trustees" means the two Trustees one of whom is to be appointed by the county council and the other by the corporation in accordance with the provisions of this Act and "representative Trustee" means either of the said two Trustees;

"the resident Trustees" means such of the first Trustees as are referred to in paragraph (a) of section 10 (First Trustees) of this Act and any new Trustees appointed under section 12 (Appointment of resident Trustees) of this Act and "resident Trustee" means any one of those Trustees;

"the Trust" means the body corporate constituted by this Act under the name of the "Clifton Suspension Bridge Trust";

"the Trustees" means the first Trustees or the survivors of them and such other persons as shall be appointed under the provisions of this Act to be Trustees and as shall from time to time hold office as such and "Trustee" means any one of such Trustees or persons;

"the undertaking of the company" means the undertaking of the company authorised by the repealed enactments of the company and as existing at the day of transfer and includes the bridge and all property (both real and personal) rights powers privileges exemptions and interests of every description vested in or exercisable or enjoyed by the company under or by virtue of the repealed enactments of the company or exercised or enjoyed by them as the owners of or in connection with the bridge howsoever the same may have been acquired or are held used exercised or enjoyed but does not include such of the minute books books of account and other books and papers belonging to the company as may properly be required by them for the purposes of the winding up and dissolution of the company and subject to all debts outgoing liabilities and obligations of the company outstanding at the day of transfer.

(2) References in this Act to any other enactment shall be construed as references to that enactment as amended by any subsequent enactment including this Act.

4.—(1) Parts I and II (with the exception of section 13 (Appointment of representative Trustees) which shall come into force on the passing of this Act) and Parts V to VII of this Act shall come into force on the appointed day and as from that day the repealed enactments of the Trustees shall be and are hereby repealed.

PART I  
—cont...  
Commence-  
ment and  
repeal.

(2) (a) Part III (with the exception of subsection (2) of section 29 (Transfer of company's undertaking) subsection (1) of section 30 (Company to be entitled to receipts and to pay outgoings until transfer) and section 31 (Payment of dividends for 1952) which shall come into force as provided for therein) and Part IV (with the exception of section 46 (Byelaws) which shall come into force on the passing of this Act) of this Act shall come into force on the day of transfer and as from that day the repealed enactments of the company shall be and are hereby repealed except so far as it may be necessary for any of the provisions of the said enactments to remain unrepealed for the purpose of winding up the company.

(b) Notwithstanding the coming into force as from the passing of this Act of the said section 46 no byelaws made thereunder shall come into force until the day of transfer.

## PART II

### INCORPORATION CONSTITUTION AND PROCEEDINGS OF TRUSTEES

5. The Trustees are hereby constituted for all purposes a body corporate by the name of "the Clifton Suspension Bridge Trust" for the purpose of carrying this Act into effect and by that name shall have perpetual succession and a common seal and may by and in the same name sue and be sued and do all things incidental or appertaining to a body corporate.

Incorporation  
of Trustees.

6.—(1) All the property (both real and personal) which immediately before the appointed day was held by or in trust for the existing Trustees in connection with their powers and duties under the repealed enactments of the Trustees shall by virtue of this Act and without any conveyance transfer or other instrument be transferred to and vested in the Trustees.

Transfer of  
property.

(2) The production of a copy of this Act together with a statutory declaration by the chairman for the time being of the Trustees and by any person in whose name any registered land or any stock transferred by virtue of this Part of this Act is standing describing for the purpose of identification the land or stock transferred shall be sufficient authority to the Chief Land Registrar of Her Majesty's Land Registry to enter the name of the Trustees as proprietor of the said land or to any company in whose books any such stock is standing to transfer the stock into the name of the Trustees and to pay any dividend interest or bonuses thereon to the Trustees.

PART II  
—cont.

(3) In this section—

“company” includes the Bank of England and any corporation or person keeping books in which any stock is registered or inscribed;

“stock” includes any share bond fund annuity or other security.

Existing deeds  
contracts etc.  
to remain in  
force.

7. Notwithstanding the repeal of the repealed enactments of the Trustees—

(1) all agreements conveyances contracts deeds and other instruments entered into or made with or by the existing Trustees before and in force on the appointed day and all liabilities and obligations incurred before the appointed day and except where otherwise expressly provided in this Act all the provisions of any Act of Parliament (other than the repealed enactments of the Trustees) relating to the existing Trustees and in force on the appointed day shall be as binding and of as full force and effect in every respect against or in favour of the Trustees as they would or might have been against or in favour of the existing Trustees if this Act had not been passed:

(2) if on the appointed day any action arbitration or proceeding or any cause of action arbitration or proceeding shall be pending or existing against or in favour of the existing Trustees the same shall not abate or be discontinued or in anywise prejudicially affected by this Act but the same may be continued and prosecuted and enforced by or against or in favour of the Trustees as and when it might have been continued prosecuted and enforced by or against or in favour of the Trustees if this Act had not been passed:

(3) every officer and servant of the existing Trustees appointed or continued in his employment by virtue of or acting under any of the repealed enactments of the Trustees shall enjoy and hold his office and employment with the salary and emoluments thereunto annexed and be deemed an officer or servant of the Trustees as the case may be until he shall vacate or be removed from such office or employment and he shall have the same rights and privileges and be subject to the same conditions of service powers of removal rules regulations pains and penalties as he would have had or been subject to if this Act had not been passed subject nevertheless and without prejudice to any powers authorities obligations pains or penalties vested in him or to which he may be subject under any provisions of this Act:

- (4) the Trustees shall for the purposes of this Act be and continue seised and possessed of and entitled to all things in action claims and demands whatsoever of or to which the existing Trustees were seised possessed or entitled immediately before the appointed day :
- (5) all books and documents which if this Act had not been passed would have been receivable in evidence in respect of any matter for or against the existing Trustees shall be receivable in evidence in respect of the same or the like matter for or against the Trustees :
- (6) everything before the appointed day done suffered and confirmed respectively shall be as valid as if this Act had not been passed.

8. The affairs and property of the Trust shall be managed and administered by the Trustees. Management and administration.

9.—(1) The number of the Trustees shall be not more than twelve and not less than ten. Number of Trustees.

(2) The Trustees for the time being in office may act notwithstanding any vacancy in their body and no act or proceeding of the Trustees shall be questioned on account of any such vacancy.

10. The first Trustees shall be— First Trustees.

- (a) the existing Trustees or the survivors of them and any Trustee appointed under the Act of 1830 between the passing of this Act and the appointed day ;
- (b) a Trustee appointed by the county council ; and
- (c) a Trustee appointed by the corporation.

11. A person shall not be qualified for appointment as a Trustee unless— Qualifications for appointment as Trustee.

- (a) in the case of a resident Trustee he resides or carries on business or other similar activity within a radius of twenty miles from the centre of the bridge ; and
- (b) in the case of a representative Trustee he is a member of the local authority by whom he is appointed.

12.—(1) Any vacancy in the number of resident Trustees may be filled by the Trustees: Appointment of resident Trustees.

Provided that if as a result of the vacancy the number of resident Trustees is reduced below eight the Trustees shall fill such vacancy with all convenient speed.

(2) A candidate for appointment as a new resident Trustee under the foregoing subsection must be duly proposed and seconded by persons who are resident Trustees and the names

PART II  
—cont.

of all candidates for such appointment together with the names of their proposers and seconders must be sent to all the Trustees not later than fourteen days before the date of the meeting at which the appointment is to take place.

Appointment  
of represen-  
tative Trustees.

**13.**—(1) The first appointment of a representative Trustee by each appointing local authority shall take place at a meeting of the authority to be held before the appointed day and the representative Trustee so appointed shall subject to the provisions of this Act continue in office for such period as the authority by whom he is appointed shall determine.

(2) A representative Trustee appointed in pursuance of the foregoing subsection shall come into office on the appointed day.

(3) A person who is a member of both appointing local authorities shall not be qualified to represent more than one of them and if the same person shall be appointed a representative Trustee by both appointing local authorities he shall within one month after the second appointment choose by notice in writing to the clerks of the appointing local authorities under which appointment he shall serve and the other appointment shall be deemed to be void.

(4) If any vacancy shall arise in the office of a representative Trustee the appointing local authority by whom he was appointed shall with all convenient speed appoint another person to be a representative Trustee.

(5) A representative Trustee who ceases to hold office as such shall subject to the provisions of this Act be eligible for re-appointment.

(6) (a) Whenever the appointment of a representative Trustee has been made the clerk of the appointing local authority by whom the appointment has been made shall in writing under his hand certify the appointment to the Trustees and shall forthwith transmit the certificate to the clerk.

(b) A certificate transmitted to the clerk in accordance with the provisions of this section shall be conclusive evidence of the appointment of the representative Trustee to whom it relates.

Provisions  
where failure  
to appoint  
representative  
Trustee.

**14.** If either appointing local authority fail to appoint the first representative Trustee it shall be competent for the other Trustees to carry this Act into execution and if either appointing local authority subsequently fail to appoint a representative Trustee at the proper time for his appointment the then existing representative Trustee representing the authority and qualified to be a representative Trustee shall continue in office until his successor is appointed.

**15.**—(1) Either of the appointing local authorities may appoint a substitute for the representative Trustee appointed by the authority who shall be entitled to attend (but not to vote at) any meeting of the Trustees or of any committee of the Trustees which the representative Trustee for whom he is a substitute is unable to attend owing to illness or other unavoidable cause.

PART II  
—cont.  
Substitutes for  
representative  
Trustees.

(2) The following provisions of this Part of this Act (that is to say):—

(a) paragraph (b) of section 11 (Qualifications for appointment as Trustee);

(b) subsections (3) to (6) (inclusive) of section 13 (Appointment of representative Trustees);

(c) subsection (2) of section 16 (Disqualification of Trustee); shall apply to a person appointed as a substitute for a representative Trustee as if he were a representative Trustee.

(3) In calculating whether a quorum of the Trustees or of any committee of the Trustees is present a person so appointed shall be deemed to be a Trustee but he shall not be eligible for appointment as chairman or deputy chairman of the Trustees or of any committee of the Trustees.

(4) A representative Trustee and a person appointed as his substitute shall not both attend the same meeting of the Trustees or of any committee of the Trustees:

Provided that nothing in this subsection shall prevent a representative Trustee or the person so appointed attending an adjournment of a meeting which was attended by the other.

**16.**—(1) The office of Trustee shall be vacated if the Trustee— Disqualification  
of Trustee.

(a) resigns by notice in writing; or

(b) is removed from office under the provisions of section 17 (Removal of Trustees from office) of this Act; or

(c) ceases to be qualified by virtue of section 11 (Qualifications for appointment as Trustee) of this Act; or

(d) in the case of a resident Trustee—

(i) he ceases to be a Trustee by virtue of section 18 (Retirement of resident Trustees under age limit) of this Act; or

(ii) he becomes bankrupt or makes any arrangement or composition with his creditors generally; or

(iii) he becomes of unsound mind; or

(iv) he shall have been absent without permission of the Trustees from six consecutive ordinary meetings of the Trustees.

PART II  
—cont.

(2) The office of a representative Trustee shall be vacated on the expiration of the period for which he was appointed under section 13 (Appointment of representative Trustees) of this Act or if at the expiration of that period his successor has not been appointed on the date on which his successor takes office.

Removal of  
Trustees from  
office.

17.—(1) (a) In any case in which the interests of the Trust so require the Trustees may by a resolution passed by a majority of not less than three-fourths of the Trustees then in office at a meeting of which not less than twenty-one days' notice specifying the intention to propose the resolution has been given remove a resident Trustee from office.

(b) Notice of intention to move a resolution under the provisions of the foregoing paragraph of this subsection shall be served on the clerk who shall forthwith serve a copy on the Trustee concerned.

(c) A resident Trustee upon whom any such notice as aforesaid has been served shall be entitled to be heard on the resolution at the meeting and if he makes representations in writing with respect thereto to the Trustees (not exceeding a reasonable length) and requests their notification to the other Trustees the clerk shall unless the representations are received too late for him to do so—

(i) in any notice of intention to move the resolution given to the Trustees state the fact of the representations having been made; and

(ii) send a copy of the representations to every Trustee;

and if a copy of the representations is not sent as aforesaid because it was received too late or because of the clerk's default the Trustee concerned may (without prejudice to his right to be heard orally) require that the representations shall be read out at the meeting.

(2) (a) A resident Trustee who has been removed from office by a resolution passed under this section may appeal to the Minister within fourteen days of the date on which the resolution was passed and if any such appeal is allowed by the Minister the resolution shall be deemed never to have been passed.

(b) A resolution passed under this section to remove a resident Trustee from office shall not take effect until the time for lodging an appeal has expired or if within such period an appeal is duly lodged until it has been dismissed by the Minister.

(3) A representative Trustee may be removed at any time by resolution of the appointing local authority by whom he was appointed.



18.—(1) Subject to the provisions of this section—

(a) no person shall be capable of being appointed a resident Trustee if at the time of his appointment he has attained the age of seventy ;

(b) a resident Trustee shall vacate his office at the conclusion of the annual meeting of the Trustees commencing next after he attains the age of seventy :

Provided that—

(i) acts done by a resident Trustee shall be valid notwithstanding that it is afterwards discovered that his appointment had terminated by virtue of this paragraph ;

(ii) a resident Trustee whose office has been vacated under this paragraph shall be eligible for re-election.

(2) Any person who has been appointed or to his knowledge is proposed to be appointed a resident Trustee at a time when he has attained the age of seventy years shall give notice of his age to the Trustees.

(3) This section shall not apply to any of the first Trustees.

19.—(1) If a Trustee has any pecuniary interest direct or indirect in any contract or proposed contract or other matter and is present at a meeting of the Trustees at which the contract or other matter is the subject of consideration he shall at the meeting as soon as practicable after the commencement thereof disclose the fact and shall not take part in the consideration or discussion of or vote on any question with respect to the contract or other matter.

Disability of  
Trustees from  
voting on  
account of  
interest in  
contracts etc.

(2) For the purposes of this section a Trustee shall (subject as hereafter in this subsection provided) be treated as having indirectly a pecuniary interest in a contract or other matter if—

(a) he or any nominee of his is a member of a company or other body with which the contract is made or is proposed to be made or which has a direct pecuniary interest in the other matter under consideration ; or

(b) he is a partner or is in the employment of a person with whom the contract is made or is proposed to be made or who has a direct pecuniary interest in the other matter under consideration :

Provided that—

(i) this subsection shall not apply to membership of or employment under any public body ;

(ii) a member of a company or other body shall not by reason only of his membership be treated as being so interested if he has no beneficial interest in any shares of that company or other body.

PART II  
—cont.

(3) Where a Trustee has indirectly a pecuniary interest in a contract or other matter and would not fall to be treated as having such an interest but for the fact that he has a beneficial interest in shares of a company or other body then if the total nominal value of those shares does not exceed two hundred pounds or one-hundredth of the total nominal value of the issued share capital of the company or body whichever is the less so much of subsection (1) of this section as prohibits him from taking part in the consideration or discussion of and from voting on any question with respect to the contract or other matter shall not apply to him without prejudice however to the duty of disclosure imposed by the said subsection (1):

Provided that where the share capital of the company or other body is of more than one class this subsection shall not apply if the total nominal value of all the shares of any one class in which he has a beneficial interest exceeds one-hundredth part of the total issued share capital of that class of the company or other body.

(4) In the case of married persons living together the interest of one spouse shall if known to the other be deemed for the purposes of this section to be also an interest of that other spouse.

(5) A general notice given in writing to the clerk by a Trustee to the effect that he or his spouse is a member or in the employment of a specified company or other body or that he or his spouse is a partner or in the employment of a specified person shall unless and until the notice is withdrawn be deemed to be a sufficient disclosure of his interest in any contract proposed contract or other matter relating to that company or other body or to that person which may be the subject of consideration after the date of the notice.

(6) The clerk shall record in a book to be kept for the purpose particulars of any disclosure made under subsection (1) of this section and of any notice given under subsection (5) thereof and the book shall be open at all reasonable hours to the inspection of any of the Trustees.

(7) If any person fails to comply with the provisions of subsection (1) of this section he shall for each offence be liable on summary conviction to a fine not exceeding fifty pounds unless he proves that he did not know that a contract proposed contract or other matter in which he had a pecuniary interest was the subject of consideration at the meeting.

(8) In this section the expression "shares" includes stock and the expression "share capital" shall be construed accordingly.

First and  
subsequent  
meetings.

20.—(1) The first meeting of the Trustees shall be held not later than two months after the appointed day and shall be convened by the clerk.

(2) The Trustees shall hold an annual meeting in every year and not more than fifteen months shall elapse between the date of the annual meeting and that of the next.

PART II  
—cont.

(3) Subject to the provisions of this section and to any regulations made under section 23 (Procedure at meetings of Trustees and power of Trustees to frame regulations) of this Act the meetings of the Trustees subsequent to their first meeting but including their annual meeting shall be held at such place on such days and at such times as the Trustees may from time to time appoint.

21. The chairman or any three or more Trustees may at any time by notice in writing addressed and sent to the clerk require a special meeting of the Trustees to be convened and the clerk shall convene a meeting accordingly. Special meetings of Trustees.

22.—(1) At every annual meeting—

Ordinary business of annual meetings.

(a) the Trustees shall appoint two of their number to be their chairman and deputy chairman respectively until the next annual meeting ;

(b) the annual accounts of the Trust and the auditor's report thereon shall be submitted for the consideration of the meeting ;

(c) a person or firm shall be appointed to act as auditor until the next annual meeting :

Provided that no person or firm shall be qualified for appointment as auditor unless he is a member or in the case of a firm unless all the partners are members of one or more of the following bodies :—

The Institute of Chartered Accountants in England and Wales ;

The Society of Incorporated Accountants and Auditors ;

The Institute of Chartered Accountants of Scotland ;

The Association of Certified and Corporate Accountants ;

The Institute of Chartered Accountants in Ireland.

(2) The business specified in this section shall be the ordinary business of an annual meeting.

23.—(1) Subject to the provisions of this Part of this Act the Trustees may in their discretion for the purpose of exercising their powers and fulfilling their duties under this Act— Procedure at meetings of Trustees and power of Trustees to frame regulations.

(a) frame regulations concerning the summoning and adjournment of meetings of the Trustees and the conduct of business thereat ;

PART II  
—cont.

(b) appoint committees and frame regulations for the conduct of their business and delegate to them such powers as they think fit:

Provided that—

(i) the Trustees shall not delegate to a committee appointed under paragraph (b) of this subsection the powers conferred upon them by any of the following sections of this Act:—

Section 12 (Appointment of resident Trustees);

Section 43 (Power to charge tolls);

Section 45 (Revision of tolls);

Section 46 (Byelaws);

Section 51 (Power to borrow on mortgage);

Section 54 (Powers of investment).

(ii) at least one of the representative Trustees shall be a member of every committee appointed under the provisions of the said paragraph (b).

(2) The first regulations made under paragraph (a) of the last foregoing subsection shall be those set forth in the Second Schedule to this Act and they shall continue in force unless altered or revoked by the Trustees.

(3) (a) Meetings of the Trustees shall be held not less than four times in every year except in the year nineteen hundred and fifty-two.

(b) Except as otherwise provided by this Act or in case of an emergency not less than ten days' notice of every meeting of the Trustees shall be given to every Trustee.

(c) The quorum at all meetings of the Trustees shall be five and of a committee of the Trustees shall be three.

(d) At any meeting of the Trustees the chairman shall preside. In the absence of the chairman the deputy chairman shall preside. In the absence of the chairman and of the deputy chairman from any meeting the Trustees present shall by resolution appoint a chairman of the meeting.

(e) Every member of the Trustees present at a meeting thereof shall have one vote and except as otherwise provided by this Act all questions shall be decided by a simple majority of the votes cast by members present in person and in the case of an equality of votes the chairman of the meeting shall have a second or casting vote.

(f) A declaration by the chairman at the meeting that a resolution has been carried or carried by a particular majority or lost or not carried by a particular majority and a subsequent entry to that effect in the book of proceedings of the Trustees

shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour or against such resolution.

(g) The proceedings at any meeting of the Trustees shall not be invalidated by reason of any failure on the part of any Trustee to receive due notice of the meeting or any other mere informality.

(4) In the event of the office of chairman or that of deputy chairman becoming vacant during his period of office the Trustees shall appoint one of their number to be the chairman or deputy chairman (as the case may be) for the remainder thereof.

(5) Proper minutes of the proceedings of every meeting of the Trustees shall be taken by the clerk and inscribed in a book to be kept by him for the purpose and signed by the chairman at the next meeting.

24.—(1) The Trustees may enter into contracts with any person in the execution of the trusts or powers of this Act and every such contract shall be in writing and the power hereby granted to the Trustees to enter into contracts may lawfully be exercised as follows:— Powers of Trustees in relation to contracts etc.

(a) Any contract which if made between private persons would be by law required to be in writing and under seal the Trustees may make in writing under their common seal;

(b) Any other contract the Trustees may make in writing signed by the chairman or two other Trustees acting by the direction and on behalf of the Trustees and countersigned by the clerk;

(c) All conveyances and leases of land made in pursuance of the powers of this Act shall be made by the Trustees by deed under the common seal of the Trustees.

(2) All contracts deeds or documents made or executed according to the provisions of this section shall be effectual in law and binding on the Trustees.

(3) The Trustees may compound with any party who has entered into any contract with them or against whom any action or suit has been brought for the recovery of any amount due under such contract as liquidated damages or of any penalty contained in such contract or in any bond or security for the performance thereof or on account of any breach or non-performance of any such contract bond or security for such sums of money or other recompense as the Trustees may think proper.

PART II  
—cont.

Indemnity to  
Trustees and to  
their officers  
and servants.

**25.**—(1) Every Trustee and every officer and servant of the Trustees shall be indemnified by the Trustees out of the funds of the Trust against all costs losses and expenses which any such Trustee officer or servant may incur or become liable for in the execution of his office or in the case of an officer or servant in the course of his employment by the Trustees unless incurred or occasioned by his own wilful default or negligence.

(2) No Trustee officer or servant as aforesaid shall be answerable for any act or default for any other of those persons or for any loss misfortune or damage which may happen in the execution of his office or in the case of an officer or servant in the course of his employment by the Trustees or in relation thereto unless occasioned by his own wilful default or negligence.

Remuneration  
of resident  
Trustees and  
payment of  
expenses of  
Trustees.

**26.**—(1) The Trustees may out of the funds of the Trust pay to a resident Trustee—

- (a) such sum as they think fit but not exceeding two guineas in respect of each meeting of the Trustees or of a committee of the Trustees at which he is present; and
- (b) such further reasonable sum as the Trustees think fit by way of travelling allowance or subsistence allowance where expenditure on travelling or as the case may be on subsistence is necessarily incurred by him for the purpose of enabling him to perform any duty as a Trustee.

(2) Part VI of the Local Government Act 1948 shall apply to the Trustees in relation to the representative Trustees as if the Trustees were a body prescribed under paragraph (h) of subsection (1) of section 111 of that Act and the representative Trustees were members of that body.

(3) The Trustees may defray any expenses necessarily incurred by a Trustee on behalf of the Trust.

Appointment  
of officers and  
servants.

**27.**—(1) The Trustees shall—

- (a) appoint the clerk and may appoint such other officers and servants as they think fit; and
- (b) determine the conditions of employment and remuneration of the clerk and the other officers and servants so appointed.

(2) A firm shall be eligible for appointment to the office of the clerk.

Common seal.

**28.** The Trustees shall provide for the safe custody of the common seal which shall only be used by the authority of Trustees or of a committee of the Trustees authorised by the Trustees in that behalf and every instrument to which the seal shall be affixed shall be signed by a Trustee and shall be countersigned by the clerk or by a second Trustee or by some other person appointed by the Trustees for the purpose.

PART III

TRANSFER OF UNDERTAKING OF THE COMPANY

29.—(1) On the day of transfer the undertaking of the company shall by virtue of this Act be transferred to and vested in the Trustees without any payment being made therefor to the company by the Trustees. Transfer of company's undertaking.

(2) On and from the date of the passing of this Act the undertaking of the company shall be carried on until the day of transfer by the company for the benefit of the Trustees and with due regard to the interests of the Trustees as the prospective owners of the undertaking after the day of transfer and accordingly the company shall be deemed to have been authorised to make and incur all such proper expenditure and liabilities on capital and revenue account as the company shall deem necessary for the carrying on of the undertaking of the company in the ordinary course of business and the directors of the company shall continue to act at the same rate of remuneration as on the first day of January nineteen hundred and fifty-one and the company shall keep proper accounts but shall not make any expenditure on capital account exceeding one hundred pounds for any one item except at the request or with the consent in writing of the Trustees under the hand of the clerk nor shall the company (except with the like consent which shall not be unreasonably withheld) increase the remuneration salaries or emoluments of auditors officers or servants of the company beyond their usual remuneration salaries and emoluments at the rates operative on the first day of January nineteen hundred and fifty-one nor grant any pensions or retiring gratuities.

30.—(1) The company shall be entitled to all tolls rents and profits and sums of money accrued due in respect of the undertaking of the company up to the day of transfer (other than such as represent sums paid in advance in respect of any period after the day of transfer) and shall discharge all outgoings up to that day. Company to be entitled to receipts and to pay outgoings until transfer.

(2) As from the day of transfer all outgoings incurred after that day shall be borne and paid by the Trustees who shall be entitled as from that day to all tolls rents profits and sums of money in respect of the undertaking of the company.

31. Notwithstanding anything in this Act the directors of the company may within one month before the day of transfer and without first obtaining the sanction of the company in general meeting pay in respect of any part of the period of twelve months ending immediately before the day of transfer a dividend on so much of the share capital as is not then held by the Trustees at such a rate as together with any dividend which has already been paid in respect of that period will not exceed the rate of seven and one-half per centum per annum. Payment of dividends for 1952.

PART III  
—cont.

Purchase of  
shares held by  
directors and  
secretary.

**32.**—(1) As soon as is reasonably practicable after the day of transfer the Trustees shall pay to each of the holders of the shares to which this section applies a sum in cash calculated at the rate of fifteen pounds in respect of each such share.

(2) This section applies to the shares held immediately before the day of transfer by—

(a) the directors and auditors of the company as the qualification necessary for holding their respective offices; and

(b) the secretary of the company.

Compensation  
of officers and  
servants of the  
company.

**33.** If by reason of the transfer of the undertaking of the company to the Trustees under this Act any officer (not being a director) or servant of the company suffers direct pecuniary loss by reason of the determination of his appointment or the diminution of his salary the Trustees may pay him as compensation an amount not exceeding an amount equal to three times the amount which (in a case where the appointment was determined) he received from the company in respect of the office in respect of which compensation is paid during the financial year ending on the day next before the day of transfer and (in a case of diminution of salary) represents the difference between his salary before and after the transfer of the undertaking of the company.

Evidence of  
transfer.

**34.** The production of a Queen's Printers' or Royal Assent copy of this Act shall be conclusive evidence in all courts and proceedings of the transfer of the undertaking of the company to the Trustees and its vesting in them.

Actions not to  
abate.

**35.** If on the day of transfer any action arbitration or proceeding or any cause of action arbitration or proceeding shall be pending or existing against or in favour of the company in relation to any property debt liability or obligation transferred to the Trustees the same shall not abate or be discontinued or in anywise prejudicially affected by reason of such transfer but the same may be continued prosecuted and enforced by or against or in favour of the Trustees as and when it might have been continued prosecuted and enforced by or against or in favour of the company if this Act had not been passed.

Contracts with  
company to be  
binding on  
Trustees.

**36.**—(1) All agreements conveyances contracts deeds and other instruments lawfully entered into or made with or by the company before and in force on the day of transfer shall be as binding and of as full force and effect in every respect against or in favour of the Trustees and may be enforced as fully and effectually as if instead of the company the Trustees had been a party thereto.



(2) The Trustees shall indemnify the company against all claims and demands under such agreements conveyances contracts deeds and other instruments.

PART III  
—cont.

37. All books and documents which if the transfer of the undertaking of the company had not been made would have been receivable in evidence in respect of any matter for or against the company shall be receivable in evidence in respect of the same or the like matter for or against the Trustees.

Evidence of  
books and  
documents.

38. The Trustees before the day of transfer and thereafter the company shall be entitled to have access to and take copies of all books and documents to be handed over to the Trustees so far as the same may be necessary for the purpose of enabling the Trustees or the company to execute any of the provisions of this Act and the Trustees shall also be entitled at any time and for the like purpose to have access to and to take copies of all books and documents to be retained by the company.

Inspection of  
books etc.

39.—(1) As soon as is reasonably practicable after the day of transfer the company shall be wound up.

Winding up  
and dissolution  
of company.

(2) (a) The liquidator of the company shall be such person as the directors of the company shall not less than twenty-eight days before the day of transfer appoint and shall be paid by the Trustees the sum of one hundred pounds in cash as remuneration for his services.

(b) Forthwith after the making of such appointment the secretary of the company shall inform the Trustees in writing of the name and address of the person so appointed.

(3) The company shall on publication in a local newspaper circulating in the city of a notice signed by the liquidator and certifying that all the provisions of this Act relating to the company have been complied with be dissolved.

(4) In case the liquidator is for six months after the day of transfer unable after diligent inquiry to ascertain the person to whom any sum of money ought to be paid or who can give an effectual receipt for the same he may pay the sum into court as if it belonged to a trust of which he were trustee.

(5) All reasonable costs and expenses of and incident to the winding up of the company shall be paid by the Trustees.

#### PART IV

##### POWERS IN RELATION TO THE BRIDGE

40.—(1) It shall be the duty of the Trustees to maintain the Maintenance bridge as transferred to them by virtue of this Act in proper of bridge repair and working order.

PART IV  
—cont.

(2) The Trustees may improve renew extend or replace the bridge or contribute towards the cost of such improvement renewal extension or replacement.

(3) Nothing in this section shall impose on the Trustees a greater obligation than can be discharged out of the funds of the Trust which are for the time being available for the purpose.

Bridge to be  
public  
highway.

**41.** Subject to the provisions of this Act the roadway over the bridge shall be deemed to be a public highway:

Provided that notwithstanding anything in any enactment to the contrary it shall not be lawful for any person to enter upon or interfere with the bridge or to break up the carriageway and footways over the bridge for the purpose of executing any work whatsoever therein or thereon or thereunder except with the consent of the Trustees in writing and in accordance with such terms and conditions either as to the payment of any rent or other valuable consideration or otherwise as the Trustees may determine.

Bridge within  
city for  
purposes of  
criminal  
jurisdiction.  
Power to  
charge tolls.

**42.** Notwithstanding that part of the bridge is in the county any offence committed on the bridge shall be deemed to have been committed in the city.

**43.—(1)** The Trustees may levy and demand in respect of the use of the bridge such tolls as they think fit not exceeding those specified in the Third Schedule to this Act and may receive and recover payment accordingly.

(2) The Trustees may compound with any person with respect to the use of the bridge by any person by means of the payment of a fixed sum payable in advance or a composition for the year or other shorter period.

(3) In fixing the tolls which are for the time being payable and in making any agreement to compound any such tolls the Trustees shall not show any undue preference to any person or class of persons and shall not exercise any undue discrimination against any person or class of persons.

(4) A printed list of the tolls which are for the time being charged by the Trustees shall be exhibited at every toll gate or bar where such tolls are payable.

(5) Any person who with the intention of avoiding or of enabling some other person to avoid payment of the said toll or other sum obstructs or interferes with any person appointed by the Trustees to collect tolls shall be liable on summary conviction to a fine not exceeding five pounds.

(6) It shall be lawful for any person appointed by the Trustees to collect tolls or any other authorised officer of the Trustees to take such steps as are necessary to prevent the use of the bridge by any person who on demand refuses or neglects to pay the amount of the toll for which he is liable.

44.—(1) Nothing in this Act shall prejudice any existing right of Her Majesty or extend to authorise any tolls to be demanded or received from any person—

PART IV  
—cont.

Exemption  
from tolls.

- (a) when on duty as a member of the armed forces of the Crown ;
- (b) when on duty as a police officer ;
- (c) when on duty as a member of one of the civil defence forces as defined in the Civil Defence Act 1948 ;
- (d) when on duty as a member of a fire brigade maintained in pursuance of the Fire Services Act 1947 ;
- (e) in charge of a mail bag as defined by the Post Office Act 1908.

(2) The exemption conferred by this section shall also apply to—

- (a) any animal or vehicle when being used in the service of the Crown or of the authority in whose service the person is engaged (as the case may be) by a person to whom exemption is granted by the foregoing subsection of this section or returning after being so used ; and
- (b) any ambulance or other means of transport provided by a local health authority under section 27 (Ambulance services) of the National Health Service Act 1946 or by a voluntary organisation under an arrangement made under that section.

(3) Nothing in this Act shall extend to authorise any tolls to be demanded or received—

- (a) from any Trustee or any officer or servant of the Trustees ; or
- (b) in respect of any animal belonging to him or in respect of any vehicle of which he is in charge ;

on any occasion on which the Trustee officer or servant (as the case may be) is engaged in carrying out the duties of his office or employment.

(4) If any person wilfully and with intent to defraud claims or takes the benefit of any exemption conferred by this section as aforesaid without being entitled thereto he shall for every such offence be liable on summary conviction to a fine not exceeding five pounds.

45.—(1) In this section “ authorised tolls ” means the tolls which the Trustees are for the time being authorised to charge in pursuance of section 43 (Power to charge tolls) of this Act or any order made under this section.

Revision of  
tolls.

PART IV  
—cont.

(2) If it is represented by application in writing to the Minister—

- (a) by any chamber of commerce or any representative body of traders ; or
- (b) by either of the appointing local authorities or any body representative of the users of the bridge ; or
- (c) by any person who in the opinion of the Minister has a substantial interest in the use of the bridge and is a proper person to make an application ; or
- (d) by the Trustees ;

that under the circumstances then existing the authorised tolls should be revised in whole or in part the Minister if he thinks fit may make an order revising all or any of the authorised tolls referred to in the application and may fix the date as from which such order shall take effect and thenceforth such order shall remain in force until the same expires or is revoked or modified by a further order of the Minister made in pursuance of this subsection.

(3) An application made to the Minister under subsection (2) of this section shall be accompanied by such information and particulars as the Minister may consider relevant certified in such manner as he may require.

(4) Where upon an application under subsection (2) of this section for an increase or a decrease of the authorised tolls or any of them an order has been made or the Minister has decided not to make an order no further application for an increase or a decrease (as the case may be) of any of the tolls to which the application related shall be made within twelve months from the date of such order or decision as the case may be.

(5) Before making an order under subsection (2) of this section the Minister shall consult with such bodies or persons as aforesaid as appear to him to be appropriate including the Trustees where they are not the applicants and for the purpose of ascertaining such bodies or persons may require public notice of the application to be given and where an objection to an application is made by the Trustees or by any such body or person as aforesaid and is not withdrawn the Minister unless it appears to him that the objection is of a trival nature shall cause an inquiry to be held in reference to the application.

(6) The Minister shall not by an order under subsection (2) of this section make any such revision of the authorised tolls as in his opinion would so far as can be estimated be likely to result in the annual revenue of the Trust being insufficient or more

than sufficient to enable the Trustees with efficient management of the Trust to make adequate provision for paying all proper expenses of and connected with the working management and maintenance of the bridge including interest on and provision for repayment of moneys borrowed (regard being had to any capital expenditure which the Trustees may reasonably be expected to incur) making good depreciation making provision to carry out any of the purposes for which the reserve fund is authorised providing for any contributions which the Trustees may reasonably and properly carry to any contingency fund or sinking fund and meeting all other costs charges and expenses (if any) properly chargeable to revenue.

(7) The power of the Minister to make an order under subsection (2) of this section shall be exercisable by statutory instrument.

46.—(1) The Trustees shall make byelaws for regulating the traffic on the bridge and (without prejudice to the generality of the foregoing words of this section) byelaws made under this section may— Byelaws.

- (a) limit the collective weight of the persons animals and vehicles which may be on the bridge at the same time and prohibit any person animal or vehicle going on to the bridge if the collective weight so prescribed would be exceeded thereby ;
- (b) prohibit the use of the bridge by any specified class or classes of vehicles ;
- (c) limit the weight of vehicles (either including or excluding their contents) using the bridge ;
- (d) regulate the speed of vehicles using the bridge ;
- (e) provide for the closure of the bridge at such times and in such circumstances as may be prescribed by the byelaws.

(2) The provisions of subsections (2) to (7) of section 250 and sections 251 and 252 of the Local Government Act 1933 shall apply to any byelaws made under this section as if the Trustees were a local authority and the clerk were the clerk to a local authority and for the purposes of such application the Minister shall be the confirming authority.

(3) Before making any byelaw under this section the Trustees shall send a copy of the byelaw to the clerk of each of the appointing local authorities and to the clerk of the rural district council of Long Ashton.

PART IV  
—cont.

(4) Except in a case of emergency when so long a notice as is reasonably practicable shall be given the Trustees shall not less than seven days before closing the bridge in accordance with the powers conferred by any byelaw made under this section give notice of the closure to the clerk of each appointing local authority and to the clerk of the said rural district council.

(5) Notwithstanding the repeal of the repealed enactments of the company the provisions of section 27 (For preventing injury to bridge) section 28 (Penalty on persons committing offences on bridge &c.) section 46 (Limiting weight to be carried over the bridge) section 47 (Limiting weight to be on the bridge at the same time) and section 49 (Toll-keeper may weigh carriages &c.) of the Act of 1861 and section 3 (Penalty for riding or driving &c. at other than walking pace) of the Act of 1888 and any byelaws made by the company under section 4 (Power to make byelaws) of the Act of 1888 shall continue in force until the first byelaws made by the Trustees under this section come into operation and while so in force shall have effect in all respects as if the Trustees had been named therein instead of the company.

Inspection and  
certification of  
bridge.

47. The Trustees shall arrange for periodic inspections of the structure of the bridge by an engineer being a member of the Institution of Civil Engineers appointed for the purpose and not later than the thirty-first day of December in the year nineteen hundred and fifty-two and in every subsequent third year the Trustees shall supply to each appointing local authority a certificate issued by the said engineer as to the worthiness of the said structure together with a copy of any report made by him in connection with any such inspection.

Powers of  
appointing  
local  
authorities  
with respect to  
closure of  
bridge.

48.—(1) In any case where the Trustees have under the powers conferred by this Act or by any byelaws made under section 46 (Byelaws) of this Act closed the bridge either wholly or to vehicles of a particular class or description either of the appointing local authorities may during the period in which the restrictions are in force keep posted in a conspicuous manner on any road in their district approaching the bridge a notice indicating the effect of the restrictions and describing the alternative route or routes available for the vehicles to which the bridge is closed.

(2) Notwithstanding the foregoing provisions of this section nothing in this Act shall impose any obligation or liability on either of the appointing local authorities with regard to the bridge or in respect of the maintenance repair improvement or replacement of the bridge.

PART V

FINANCE

49.—(1) The Trustees shall cause proper books of account to be kept with respect to all sums of money received and expended by them or on their behalf and the matters in respect of which such receipt and expenditure took place. Books to be kept by Trustees.

(2) The said books of account shall be kept at such place as the Trustees shall determine and shall be open there to the inspection of every Trustee at such times on any day (except a Sunday bank holiday or public holiday) as the Trustees shall determine.

50.—(1) The Trustees shall in respect of each financial year cause to be prepared proper accounts of the Trust in such a form as to show the income received in respect thereof and the expenditure thereout and a balance sheet showing the assets and liabilities thereof as at the thirty-first day of December and such accounts and balance sheet shall be audited by the auditor of the Trust who shall deliver his report to the clerk and the clerk shall cause to be sent to every Trustee not less than fourteen days before the annual meeting a copy of such accounts and balance sheet and of the auditor's report thereon. Accounts audit and report.

(2) A copy of the said accounts and balance sheet and of the auditor's report thereon shall be sent to the Minister and to the clerk of each appointing local authority not later than the first day of May in the year following that to which they relate.

51. The Trustees may from time to time borrow such sums of money as they may require for expenditure on capital account for any purpose of the Trust or for payment of the costs charges and expenses of this Act as hereinafter defined and may for securing the payment of interest on and the repayment of the moneys so borrowed mortgage or charge the revenues or property of the Trust. Power to borrow on mortgage.

52. It shall not be lawful to exercise the powers of borrowing conferred by this Act otherwise than in compliance with the provisions of any order for the time being in force made under section 1 of the Borrowing (Control and Guarantees) Act 1946. Saving for powers of Treasury.

53.—(1) All moneys borrowed by the Trustees under the powers of this Act shall be applied only for purposes of the Trust for which capital moneys are properly applicable. Application of moneys.

PART V  
—cont.

(2) (a) So long as the Trustees continue to take tolls in respect of traffic using the bridge all money received by them on account of the revenue of the Trust shall be applied in the manner and in the order following (that is to say):—

First. In payment of the working and establishment expenses and the cost of maintenance and repair of the bridge and of the collection recovery and disposal of such tolls;

Secondly. In payment of the interest on money borrowed by the Trustees for the purposes of or connected with the Trust;

Thirdly. In providing the requisite appropriations instalments or sinking fund payments in respect of moneys so borrowed;

Fourthly. In providing a reserve fund by setting aside such money as they think reasonable and investing the same in any securities in which they are authorised to invest until the fund so formed amounts to such amount as the Trustees consider to be sufficient to carry out the purposes for which the fund is authorised to be applied by subsection (3) of this section.

(b) The balance remaining over after retention by the Trustees of such sum as is required for carrying out their duties and exercising their powers under this Act shall be carried to a fund and allowed to accumulate until the fund so formed amounts to such a sum as in the opinion of the Trustees is sufficient and then the fund shall be applied by way of rebate of the tolls to be taken in respect of the use of the bridge.

(3) The reserve fund shall be available to answer any deficiency at any time happening in the income of the Trust or to meet any extraordinary claim or demand at any time arising against the Trustees in respect of the Trust or for payment of the cost of renewing improving or extending the bridge or any part of the works forming part of the bridge or of the cost of providing a new structure in substitution for the bridge or in the purchase of any land required in connection with such renewal improvement extension or new structure.

Powers of  
investment.

54.—(1) Any moneys for the time being in the hands of the Trustees received by them on capital account or forming part of the revenues of the Trust which are not for the time being required for expenditure for purposes to which such moneys are applicable under this Act may be invested by the Trustees in any of the following modes or objects of investment:—

(a) in any manner for the time being prescribed by statute for the investment of trust funds;



- (b) in any investment or security which immediately before the appointed day was held by the existing Trustees;
- (c) in the public stocks or funds or government securities of any part of Her Majesty's dominions or of the territories under Her protection;
- (d) in the debenture or debenture stock or guaranteed or preference or preferred ordinary stock or shares of any company incorporated in Great Britain or in the ordinary stock or shares of any such company which shall have paid dividends upon its ordinary capital at the rate of at least four per centum per annum during each of the five years next before the time of investment.

For the purposes of this paragraph a letter purporting to be signed by the secretary of the company or by a banker or member of a firm of bankers or by the secretary or manager of a joint stock bank or any branch thereof shall be sufficient evidence that the company shall have paid dividends upon its ordinary capital as aforesaid.

(2) Notwithstanding anything contained in the Mortmain and Charitable Uses Act 1891 the Trustees may retain any investment or other property real or personal held by the Trustees or which may from time to time be devised given or bequeathed to the Trustees though not being investments or property authorised to be acquired under this Act or may disclaim any such investment or property and may accept and retain or refuse any new shares stock debentures or debenture stock in any company which may be offered to the Trustees in respect of any investments retained as aforesaid.

55. If any money is payable to the holder of any mortgage created or any debenture issued by the Trustees being a minor the receipt of his guardian shall be a sufficient discharge to the Trustees. Receipts in case of persons not sui juris.

## PART VI

### MISCELLANEOUS

56.—(1) The Trustees may purchase or acquire or take on lease or accept a gift of and may hold without licence in mortmain any land which in the opinion of the Trustees it is desirable that they should acquire or hold. Power to hold and acquire lands. Provided that the Trustees shall not purchase land unless the land is required for actual occupation immediate or future for the purpose of the Trust and not as an investment.

PART VI  
—cont.

(2) Without prejudice to the generality of the foregoing subsection the Trustees may acquire land thereunder for the purpose of erecting houses and other buildings thereon for the use of persons employed by them for the purposes of the Trust.

(3) For the purposes of this section the Lands Clauses Acts except the provisions relating to access to the special Act and except sections 127 to 132 of the Lands Clauses Consolidation Act 1845 shall be incorporated with this Act and in construing those Acts for the purposes of this section this Act shall be deemed to be the special Act and the Trustees to be the promoters of the undertaking.

Compulsory  
purchase of  
land.

**57.**—(1) The Trustees may be authorised by the Minister to purchase land compulsorily for the purpose of carrying out their functions under section 40 (Maintenance of bridge) of this Act.

(2) The Acquisition of Land (Authorisation Procedure) Act 1946 (except section 2 thereof) shall apply as if this section were an enactment contained in a public general Act and in force immediately before the commencement of that Act.

Power to sell  
mortgage etc.  
lands etc.

**58.**—(1) The Trustees may from time to time sell mortgage charge let surrender exchange or otherwise dispose of the land or any personal estate and property (including moneys secured on mortgage of or charge upon any land) or any part thereof by this Act vested in the Trustees or which shall hereafter be vested in the Trustees or any rights or privileges to be exercised in over upon or under the same or any part thereof and may do or execute all such acts deeds matters and things as may be necessary for effectuating and completing any such sale mortgage charge letting surrender exchange or disposition:

Provided that the powers of this section shall not extend to authorising the Trustees to sell the whole of the land personal estate and property comprised in the bridge or to sell lease or mortgage the right to collect the tolls which the Trustees are authorised to charge by or under this Act without the consent of the appointing local authorities (which consent shall not be unreasonably withheld) and any question as to whether any consent has been unreasonably withheld shall be referred to and determined by an arbitrator to be appointed by agreement between the parties or in default of agreement by the President of the Royal Institution of Chartered Surveyors on the application of one of the parties (after notice in writing to the others) and subject as aforesaid the provisions of the Arbitration Act 1950 shall apply to any such question.

(2) Capital money received by the Trustees in respect of a transaction under this section shall be applied only to a purpose for which capital money may properly be applied.

PART VI  
—cont.

59.—(1) The Trustees shall have power to promote or oppose any Bill in Parliament and may apply or oppose the application for any special Provisional or other statutory order.

Power to promote or oppose private Bills etc.

(2) The Trustees may defray the expenses incurred in relation to any such promotion opposition or application out of the funds of the Trust and shall have power to borrow for such purpose under this Act.

60. The Trustees may if they think fit in cases not within the Workmen's Compensation Act 1925 or the National Insurance (Industrial Injuries) Act 1946 grant a gratuity by way either of a lump sum or of periodical payments to the widow or dependants of any employee:

Power to grant allowances or gratuities.

Provided that except with the consent of the Charity Commissioners a gratuity shall not be granted by way of periodical payments in respect of an employee who was in the employment of the Trustees for less than five years.

## PART VII

### GENERAL

61. The Minister may hold such inquiries as he may consider necessary in regard to the exercise of any powers or duties conferred upon him or the giving of any consent or approval under section 17 (Removal of Trustees from office) section 45 (Revision of tolls) or section 46 (Byelaws) of this Act and section 290 (Powers of government departments to direct inquiries) of the Local Government Act 1933 shall apply to any such inquiry as if it were an inquiry held in pursuance of subsection (1) of that section and as if the Trustees were a local authority.

Inquiries by Minister.

62. Proceedings in respect of an offence created by section 19 (Disability of Trustees from voting on account of interest in contracts etc.) section 43 (Power to charge tolls) or section 44 (Exemption from tolls) of this Act or by or under any byelaw made in pursuance of section 46 (Byelaws) of this Act shall not without the written consent of the Attorney-General be taken by any person other than a party aggrieved or the Trustees.

Restriction on right to prosecute.

PART VII  
—cont.Recovery of  
costs.

**63.** Any costs or expenses recoverable under section 44 (Exemption from tolls) of this Act may be recovered summarily as civil debts where the amount recoverable does not exceed twenty pounds.

Several sums  
in one  
summons.

**64.** Where the payment of more than one sum by any person is due under the provisions of any enactment from time to time relating to the Trustees any summons or warrant issued for the purposes of any one or more of such enactments in respect of that person may contain in the body thereof or in a schedule thereto all the sums payable by him.

Application of  
provisions of  
Local  
Government  
Act 1933 and  
Public Health  
Act 1936.

**65.** The following provisions of the Local Government Act 1933 and of the Public Health Act 1936 shall so far as applicable and with all necessary modifications extend to the Trustees as if those provisions were enacted herein and in terms made applicable to the Trustees and to this Act:—

Local Government Act 1933—

Section 278 (Name of local authority need not be proved):

Public Health Act 1936—

Subsection (1) of section 283 (Notices to be in writing: form of notices &amp;c.);

Section 284 (Authentication of documents) (except paragraph (b) of subsection (1) thereof);

Section 285 (Service of notices &amp;c.) (except paragraphs (b) (e) and (f) thereof);

Section 286 (Proof of resolutions &amp;c.).

Crown rights.

**66.** Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Trustees 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 Her Majesty in right of Her Crown and under the management of the Commissioners of Crown Lands without the consent in writing of those Commissioners on behalf of Her Majesty first had and obtained for that purpose.

Saving for  
Bristol  
Corporation.

**67.** Nothing in this Act shall affect any of the rights privileges or powers of the corporation as owners of the port and harbour of Bristol or as conservators of the rivers within the city.

Saving for  
town and  
country  
planning.

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

69. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act or in relation thereto (including the payment of compensation under section 33 (Compensation of officers and servants of the company) of this Act) shall be raised and paid out of the funds of the Trust or out of money borrowed for the purpose under this Act or partly by one of those modes and partly by the other of them.

PART VII  
—cont.

Costs of Act.

## SCHEDULES

### FIRST SCHEDULE

#### NAMES OF THE EXISTING TRUSTEES

ABBOT CHARLES HARDCASTLE  
BAKER DOUGLAS RYAN MIDELTON  
BELOE CECIL WILLOUGHBY  
BUDGETT JOHN HERBERT MICKLETHWAIT  
CLARKE WILLIAM SEFTON  
DAVEY RICHARD EDMUND  
EBERLE ELLISON FULLER  
HARLEY EDWARD MORTIMER  
KING EDMUND POOLE  
WASBROUGH HENRY CHARLES SIDNEY

### SECOND SCHEDULE

#### FIRST REGULATIONS OF THE TRUSTEES

1. A notice of any meeting of the Trustees shall be inclusive of the day on which it is served or deemed to have been served and of the day for which it is given and shall specify the place the day and the hour of the meeting and in case of special business the general nature of that business and shall be given to every Trustee.

2. No business shall be transacted at any meeting of the Trustees unless a quorum is present at the commencement of the business.

3. If within half-an-hour from the time appointed for the meeting a quorum is not present the meeting shall stand adjourned to the same day in the following week at the same time and place and if at such adjourned meeting a quorum is not present those Trustees who are present shall be a quorum and may transact the business for which the meeting was called.

4. The chairman may with the consent of the meeting adjourn the meeting from time to time and from place to place but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which adjournment took place.

THIRD SCHEDULE

TOLLS IN RESPECT OF FOOT-PASSENGERS VEHICLES AND ANIMALS  
MAKING USE OF THE BRIDGE

	Single s. d.	Return s. d.
<b>FOOT-PASSENGERS—</b>		
For every person on foot (except any person or persons in charge of or accompanying any vehicle in respect of which the Trustees may charge tolls under this Act)—		
(i) who shall enter upon but not pass over the bridge ... ..	0 3	— —
(ii) who shall pass over the bridge ... ..	0 2	0 3
<b>VEHICLES—</b>		
For every vehicle (other than a vehicle drawn by a horse or other animal or a mechanically-propelled vehicle (but including a bicycle to which is attached a means of mechanical propulsion)) ... ..	0 2	0 3
For every vehicle drawn by a horse or other animal ...	1 0	1 6
For every motor-cycle ... ..	0 5	0 8
For every motor-cycle to which is attached a side-car or trailer ... ..	0 8	1 0
For every mechanically-propelled invalid chair ...	0 6	0 9
For every mechanically-propelled vehicle being a private motor-car or hackney carriage ... ..	1 0	1 6
For every mechanically-propelled vehicle designed or adapted for commercial use (other than for the carriage of passengers) the weight of which unladen when added to the weight unladen of any trailer attached to such vehicle—		
(i) does not exceed one ton and a half ... ..	1 3	2 0
(ii) exceeds one ton and a half but does not exceed two tons ... ..	2 0	3 0
(iii) exceeds two tons ... ..	5 0	— —
For every mechanically-propelled vehicle designed or adapted for the carriage of passengers (other than a private motor-car or hackney carriage) according to the seating capacity of the vehicle—		
Per seat ... ..	0 3	— —
<b>ANIMALS—</b>		
For every horse mule or ass—		
Per head ... ..	0 4	0 6
For every four or less number of oxen cows bulls or head of neat cattle less than twenty ... ..	0 2	— —
If more than twenty for every score or part of a score	1 0	— —
For every eight or less number of calves pigs goats sheep or lambs less than twenty ... ..	0 2	— —
If more than twenty for every score or part of a score	0 6	— —

*Table of Statutes referred to in this Act*

Short title	Session and chapter
Clifton Suspension Bridge Act 1830 ... ..	11 Geo. 4. c. lxxix.
Lands Clauses Consolidation Act 1845 ... ..	8 & 9 Vict. c. 18.
Clifton Suspension Bridge Act 1861 ... ..	24 & 25 Vict. c. cxii.
Clifton Suspension Bridge Act 1888 ... ..	51 Vict. c. xiv.
Mortmain and Charitable Uses Act 1891 ... ..	54 & 55 Vict. c. 73.
Post Office Act 1908 ... ..	8 Edw. 7. c. 48.
Workmen's Compensation Act 1925 ... ..	15 & 16 Geo. 5. c. 84.
Local Government Act 1933 ... ..	23 & 24 Geo. 5. c. 51.
Public Health Act 1936 ... ..	26 Geo. 5. & 1 Edw. 8. c. 49.
Acquisition of Land (Authorisation Procedure) Act 1946 ... ..	9 & 10 Geo. 6. c. 49.
National Health Service Act 1946 ... ..	9 & 10 Geo. 6. c. 81.
National Insurance (Industrial Injuries) Act 1946	9 & 10 Geo. 6. c. 62.
Fire Services Act 1947 ... ..	10 & 11 Geo. 6. c. 41.
Town and Country Planning Act 1947 ... ..	10 & 11 Geo. 6. c. 51.
Local Government Act 1948 ... ..	11 & 12 Geo. 6. c. 26.
Civil Defence Act 1948 ... ..	12 13 & 14 Geo. 6. c. 5.
Arbitration Act 1950 ... ..	14 Geo. 6. c. 27.

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