



# Shard Bridge Act 1991

## 1991 CHAPTER v

An Act to modify the Transport Charges &c. (Miscellaneous Provisions) Act 1954 in its application to the bridge undertaking of the Shard Bridge Company; to confer other powers on the proprietors and to amend or repeal certain of the local statutory provisions applicable to them; and for other purposes. [9th May 1991]

### WHEREAS—

- (1) By the Shard Bridge Act 1862 (in this Act called “the Act of 1862”) the Shard Bridge Company (in this Act called “the Company”) were incorporated and authorised to construct a bridge (in this Act called “the bridge”) across the river Wyre with approach roads thereto and to levy tolls:
- (2) By the Shard Bridge Act 1975 (in this Act called “the Act of 1975”), the Act of 1862 was amended, certain provisions of that Act were repealed and further powers were conferred upon the Company for the management and regulation of the bridge:
- (3) The bridge continues to serve the needs of substantial volumes of traffic and at the same time the cost of maintaining the bridge continues to increase:
- (4) It is expedient for the authorisation of tolls pursuant to the Transport Charges &c. (Miscellaneous Provisions) Act 1954 sufficient for the purposes of their undertaking that the provisions of that Act in their application to the Company should be modified as by this Act provided:
- (5) It is expedient that new provision be made with respect to failure by persons to pay the tolls levied by the Company:
- (6) It is expedient that further powers be conferred on the Company, that the Companies Clauses Consolidation Acts 1845 and 1888 be amended in their application to the Company, and that other amendments be made to the powers and duties of the Company and to its constitution, including amendments and repeals of provisions of the local Acts affecting the Company:
- (7) The objects of this Act cannot be effected without the authority of Parliament:

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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:—

## **1 Short and collective titles**

- (1) This Act may be cited as the Shard Bridge Act 1991.
- (2) The Shard Bridge Acts 1862 and 1975 and this Act may be cited together as the Shard Bridge Acts 1862 to 1991.

## **2 Interpretation**

In this Act, unless the context otherwise requires—

“the Act of 1862” means the Shard Bridge Act 1862;

“the Act of 1975” means the Shard Bridge Act 1975;

“the bridge” means the Shard Bridge and roads of the Company and all the lands, easements, rights, toll-houses, toll-gates, signals, buildings, offices and other assets of whatever description for the time being held or used by the Company in connection with that bridge;

“the Company” means the body corporate constituted by the Act of 1862 under the name of “The Shard Bridge Company”.

## **3 Modification of Transport Charges &c. (Miscellaneous Provisions) Act 1954**

In its application to the Company, section 6 (3) of the Transport Charges &c. (Miscellaneous Provisions) Act 1954 (revision of charges) shall have effect as if for the words “the paid up share capital of the undertaking” there were substituted the words “the investment of the Shard Bridge Company in the bridge as defined in section 2 of the Shard Bridge Act 1991”.

## **4 Failure to pay tolls**

- (1) If any person refuses or neglects to pay any toll or part thereof lawfully due from him, the persons appointed to receive tolls may refuse to permit the person so in default to pass through or by any toll-gate or other place at which such toll should be paid and may stop and prevent the person so in default from passing through or by the same.
- (2) A person who—
  - (a) passes through or by any toll-gate or other place at which any toll should be paid or otherwise passes over or onto the bridge, in either case with intent to avoid paying any toll lawfully due from him; or
  - (b) operates or attempts to operate a machine provided by the Company for the collection of tolls by the insertion of objects other than current coins of the realm of the appropriate denomination or tokens authorised by the Company to be used for the payment of such tolls; or
  - (c) otherwise interferes with such a machine as is mentioned in paragraph (b) above with the intention of dishonestly obtaining for himself a pecuniary advantage; or

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- (d) intentionally obstructs a person appointed to receive tolls acting in the execution of his duty;
- shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) Where the driver of a vehicle is alleged to be guilty of an offence under subsection (2) above—
- (a) the person keeping the vehicle shall give such information as to the identity of the driver as he may be required in writing to give by or on behalf of a police officer or a person appointed to receive tolls; and
  - (b) any other person shall if so required give any information which it is in his power to give and may lead to the identification of the driver.
- (4) (a)
- A person who without reasonable excuse fails to comply with the requirement of subsection (3)(a) above shall be guilty of an offence unless he shows to the satisfaction of the court that he did not know and could not with reasonable diligence have ascertained who the driver of the vehicle was; and a person who fails to comply with the requirement of subsection (3)(b) above shall be guilty of an offence.
- (b) A person guilty of an offence under this subsection shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

## **5 Meetings of Company**

Notwithstanding anything in the Companies Clauses Consolidation Act 1845 or in any other enactment relating to the Company—

- (a) the ordinary meetings of the Company shall be held once only in each year and the Company shall not be required to balance their accounts half-yearly or to make up a balance sheet half-yearly;
- (b) the Company may by resolution at a general meeting at any time determine that the ordinary meetings of the Company shall be held in such month as the directors may from time to time determine and the Company may from time to time in like manner alter or rescind any such resolutions;
- (c) notice of all general meetings of the Company (whether ordinary or extraordinary) may, if the directors so determine, be given by letter sent by ordinary letter post to each shareholder instead of by public advertisement:

Provided that the letters shall be directed according to the registered or other known address of each shareholder, pre-paid and posted not later than 7 clear days before the date of the meeting;

- (d) the accidental omission to give notice of a general meeting to, or the non-receipt of notice of a general meeting by, any shareholder shall not invalidate the proceedings at that general meeting.

## **6 Register of shareholders and shareholders' address book**

Notwithstanding anything in the Companies Clauses Consolidation Act 1845 it shall not be obligatory upon the Company—

- (a) to keep separately a register of shareholders and a shareholders' address book if in place thereof the Company keep one register only containing such