

**CHAPTER xlviii.**

An Act for confirming the construction of a pier and works known as the Rhôs-on-Sea Pier and authorising the construction of new works and conveniences connected therewith and for other purposes. A.D. 1911.

[29th June 1911.]

WHEREAS by the Colwyn Bay Pier Order 1892 confirmed by the Pier and Harbour Orders Confirmation (No. 1) Act 1892 (which Order is hereinafter referred to as "the Order of 1892") the Colwyn Bay Pier Company Limited (hereinafter referred to as "the old company") were authorised to construct on the lands and in the lines and according to the levels shown on the plan and section deposited for the purposes of the application for the said Order and within the limits of deviation shown on such plan a pier jetty and landing place from the eastern shore opposite Capel St. Trillo commencing at or near to the northern fence of a homestead orchard and farmyard called Rhôs-fynach then belonging or reputed to belong to John Lewis Parry Evans and Herbert Bliss Hill and in the occupation of David Roberts and to the south of the Rhôs Weir and extending thence seaward in a north-easterly direction for a distance of five hundred yards or thereabouts and there terminating (hereinafter referred to as "the authorised pier") such pier and works to be situate in the township and parish of Llandrillo-yn-Rhôs in the county of Denbigh or on the foreshore or in the sea and bed thereof adjacent thereto:

And whereas the authorised pier was not constructed wholly on the lands nor in the lines and according to the levels shown on the said deposited plan and section nor within the limits of deviation shown upon such plan but in purported pursuance of

A.D. 1911. the Order of 1892 the company in or about the year 1896 constructed a pier which while starting at the point of commencement of the authorised pier at its landward end was continued in a line and direction different from the line and direction of the authorised pier and almost wholly outside the limits of deviation shown on the said deposited plan:

And whereas the pier so constructed together with the rights of the old company in a grant from the Board of Trade acting on behalf of the Crown of the portion of the bed of the sea below the foreshore on which part of such pier was authorised to be constructed and in two leases from the Commissioners of Woods of the portion of the foreshore which formed a part of the site of the remainder of the authorised pier became vested in William Horton of Bryn Dinarth Colwyn Bay in the county of Denbigh:

And whereas in or about the year 1900 the said William Horton completed the pier by erecting a landing stage at the seaward end (which pier landing stage and works are hereinafter referred to as "the existing pier"):

And whereas the said William Horton on becoming aware that the pier so constructed as aforesaid was not constructed in accordance with the provisions of the Order of 1892 obtained from the Commissioners of Woods acting on behalf of the Crown and under the powers of the Crown Lands Act 1829 a grant dated the twenty-first day of February one thousand nine hundred and one of a portion of the foreshore and bed of the sea including that part on which the existing pier was constructed and the two above-mentioned leases were thereupon surrendered to the Commissioners of Woods:

And whereas in the year 1907 an action (1907—L—1602) was commenced in the Chancery Division of His Majesty's High Court of Justice by the Liverpool and North Wales Steamship Company Limited as plaintiffs against the Mersey Trading Company Limited and the said William Horton as defendants for an injunction to restrain the defendant company (as lessees from the said William Horton of the existing pier) and the said William Horton from excluding the plaintiff company their servants and passengers by their steamers from the existing pier and from preventing the plaintiff company from landing or embarking passengers at or from such pier and for repayment of all sums alleged to have been unlawfully

claimed by and paid by the plaintiffs to the defendants on the ground that the defendants were not the lawful owners of the existing pier and that the rates had been illegally demanded: A.D. 1911.

And whereas in the month of June 1908 Mr. Justice Neville held in the above action that the existing pier not having been constructed in accordance with the Order of 1892 was an unauthorised structure and that no statutory rights arose in favour of either the defendants or the public and that as the pier was the property of the defendants they could exclude the plaintiffs from it:

And whereas in the month of November 1908 on the hearing of an appeal by the plaintiff company from the said decision of Mr. Justice Neville the Court of Appeal held that the said William Horton was then by virtue of grants from the Crown owner of the soil and the existing pier constructed upon it and was entitled to say that such structure had not been built under the powers conferred by and was not subject to the liabilities imposed by the Order of 1892 that it was the pier of the said William Horton and that he was in a position to exclude the plaintiffs from it:

And whereas it is expedient and the said William Horton is desirous that the existing pier should be sanctioned and confirmed and that the new works in that Act mentioned in that behalf should be authorised:

And whereas an ordnance map showing the line and direction of the authorised pier and of the existing pier respectively and plans and sections of the existing pier by this Act sanctioned and confirmed and of the new works by this Act authorised showing the lines and levels thereof were duly deposited with the clerk of the peace for the county of Denbigh at his office at Ruthin and are hereinafter respectively referred to as "the deposited ordnance map plans and sections":

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

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

1. This Act may be cited for all purposes as the *Rhôs-on-Sea Pier Act 1911.* Short title.

A.D. 1911.
—
Incorporation of
general Act.

2. The Harbours Docks and Piers Clauses Act 1847 (so far as the same is applicable for the purposes of and is not inconsistent with the provisions of the Colwyn Bay Pier Order 1892 as amended by this Act and this Act) except sections 16 to 19 inclusive 26 32 84 and 85 is hereby incorporated with this Act and the following expressions used in the Harbours Docks and Piers Clauses Act 1847 shall have the following respective meanings (that is to say):—

The expressions “packet boat” and “Post Office packet” mean respectively a vessel employed by or under the Post Office or the Admiralty for the conveyance under contract of postal packets as defined by the Post Office Act 1908 and the expression “Post Office bag of letters” means a mail bag as defined by the same Act Provided that nothing in the Harbours Docks and Piers Clauses Act 1847 or in this Act shall extend to exempt from rates or duties any such vessel as aforesaid if she also conveys passengers or goods for hire.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction And in this Act—

“The Harbours Act 1847” means the Harbours Docks and Piers Clauses Act 1847;

“The Order of 1892” means the Colwyn Bay Pier Order 1892;

“The authorised pier” means the pier jetty and landing place and the undertaking authorised by the Colwyn Bay Pier Order 1892;

“The existing pier” means the pier landing-stage and works constructed as aforesaid and hereinafter more particularly described;

“The pier” means the existing pier and the works by this Act authorised;

“The new works” means the works by this Act authorised;

“The undertaking” means the undertaking by this Act sanctioned confirmed and authorised together with all incidental works;

“The old company” means the Colwyn Bay Pier Company Limited in the said Order referred to;

“The said William Horton” means William Horton of Bryn Dinarth Colwyn Bay in the county of Denbigh his heirs assigns and successors; A.D. 1911.

“The council” means the urban district council of Colwyn Bay and Colwyn.

4. The construction of the existing pier next hereinafter described is hereby sanctioned and confirmed and as from the date of the passing of this Act the existing pier shall be deemed to be the pier and works authorised by the Order of 1892 in lieu of the pier jetty and landing-place by the said Order authorised and it shall be deemed to be a pier lawfully constructed and duly certified for all purposes in accordance with the requirements of the Harbours Act 1847 and the Order of 1892. Confirming construction of existing pier.

The existing pier hereinbefore referred to is shown as regards the line and levels thereof on the deposited Ordnance map plans and sections and is--

A pier situate in the parish of Llandrillo-yn-Rhôs in the urban district of Colwyn Bay and Colwyn in the county of Denbigh and on the foreshore and bed of the sea adjoining thereto commencing at a point 83 yards or thereabouts measured in a north-easterly direction from the north-east corner of Rhôs-fynach and extending thence seawards in a north-easterly direction for a distance of 454 yards or thereabouts measured in a north-easterly direction from such point of commencement and there terminating.

5. The vesting of the existing pier in the said William Horton is hereby confirmed and the said William Horton may maintain the same or any part thereof together with the new works by this Act authorised and all incidental or ancillary works and apparatus and may retain hold and use as part of and for the purposes of the undertaking all or any of the lands or any interest in the lands which have been already or may hereafter be acquired by the said William Horton for the purposes of or in connection with the undertaking. Vesting of existing pier in William Horton.

6. All the rights powers and privileges of the old company and their directors officers and servants (other than the provisions contained in sections 1 3 4 6 7 8 9 11 13 15 19 26 29 to 34 inclusive 36 43 and 44 of the Order of 1892 and which are hereby repealed) which by virtue of the Order of 1892 would Powers of old company with respect to authorised pier and works to be exercise-

A.D. 1911. have been exerciseable and enjoyed by them respectively with respect to the authorised pier and works had such pier and works been constructed in accordance with the provisions of the Order of 1892 shall as from the date of the passing of this Act be exerciseable and enjoyed accordingly by the said William Horton and the servants of the said William Horton with respect to the existing pier under and subject to the same regulations restrictions conditions obligations penalties and immunities as provided by the Order of 1892 as amended by this Act as if the said William Horton had been named therein instead of the old company.

able by
William
Horton in
respect of
existing pier.

Power to
erect pav-
ilions and
other
buildings.

7.—(1) The said William Horton may construct and maintain on the existing pier and on any lands for the time being belonging to him and may furnish stock and equip and make such reasonable charges as he thinks fit for the use of and admissions to pavilions saloons assembly concert lecture waiting refreshment reading and other rooms automatic machines bicycle stands band stands shops bazaars kiosks aquaria and other buildings for recreation or entertainment water-closets urinals lavatories baths and other conveniences.

(2) The said William Horton may at any time and as and when he thinks proper close any of the pavilions and other works and things constructed or provided under this section to the general public.

Power to
levy rates.

8.—(1) The said William Horton may subject and according to the provisions of the Order of 1892 as amended by this Act demand receive and recover for the use of the existing pier and other works and in respect of the persons matters and things described in the schedule to the Order of 1892 any sums not exceeding the rates specified in that schedule.

(2) In addition to the rates authorised to be levied by the Order of 1892 the said William Horton may demand recover and receive for the use of the existing pier and other works and conveniences in respect of the persons matters and things described in the schedule to this Act any sums not exceeding the rates specified in that schedule.

(3) Upon completion of the new works the provisions of the Order of 1892 as amended by this Act as regards both the power to levy rates and to make charges shall be deemed to be applicable thereto as though such new works formed part of the pier authorised by the Order of 1892 as amended by this Act.

9.—(1) Notwithstanding anything contained in the Order of 1892 as amended by this Act the said William Horton may charge for every person entering and using the pier between the hours of six o'clock and ten o'clock in the evening on any day on which a concert or other public entertainment (lasting for at least one-and-a-half hours between the said hours of six o'clock and ten o'clock in the evening) is held on the pier or in any pavilion building or room for the time being on the pier any sum not exceeding the sum mentioned in the schedule hereto.

A.D. 1911.
Power to charge higher rates at certain times.

(2) The special rate charged under this section shall be in lieu of and not in addition to the rate specified in the schedule to the Order of 1892 for using the pier and any person paying the said special rate shall be entitled to admission to the pier pavilion building or room where such concert or other entertainment is held but not to admission to any reserved parts thereof without extra charge.

(3) Any person who having already paid the ordinary charge for using the pier remains on the pier after six o'clock in the evening on any such day as in the preceding subsection mentioned shall have credit for the sum already paid by him and shall be liable in addition thereto to pay only the difference between the special charge and the sum already paid by him as aforesaid.

(4) The said William Horton shall notwithstanding the progress of any concert or other public entertainment reserve sufficient passage along the pier from the landing stage to the shore for all persons landing or embarking at the pier in accordance with the Order of 1892 as amended by this Act and such reserved passage shall be open for use by such persons at the ordinary charge and without payment of the special rate by this section authorised so long as they use the pier as a passage only and do not remain upon it.

(5) A copy of this section shall be exhibited in print at the entrance to the pier and in some conspicuous place or places on the pier.

10. The said William Horton may from time to time appropriate such portions of the pier as may be necessary or convenient in connection with the passage of persons landing or embarking at the pier or for persons providing special entertainments and for their apparatus and appliances or for the purpose of fishing Provided that fishing from the pier shall only be permitted to be

Appropriation of portions of pier for special purposes.

A.D. 1911. carried on in such a manner as not to interfere in any way with the ordinary use of the pier or the comfort of persons resorting to or frequenting or using the same.

Power to
construct
works.

11. Subject to the provisions of this Act the said William Horton may make and maintain on the lands and in the lines and according to the levels shown on the deposited plans and sections and within the limits of deviation shown on such plans the works hereinafter described with all necessary or ancillary works accesses and conveniences (that is to say):—

Work No. 1 A widening of the pier on both sides thereof commencing on the north side at a point 83 yards or thereabouts measured in a north-easterly direction from the eastern corner of Rhôs-fynach and commencing on the south side at a point 85 yards or thereabouts measured in a north-easterly direction from such eastern corner and terminating on both sides at a point 193 yards or thereabouts measured in a north-easterly direction from such eastern corner:

Work No. 2 An extension of the pier seawards commencing at the east end of the existing pier-head and terminating at a point 200 yards or thereabouts from such end measured in a north-easterly direction from such end:

Work No. 3 A marine bath commencing at a point 37 yards or thereabouts measured in a north-easterly direction from the north-east corner of the Rhôs Abbey Hotel and terminating at a point 84 yards or thereabouts measured in a north-easterly direction from Rhôs-fynach:

Between the points of commencement and termination and for the whole length thereof the marine bath and works in connection therewith will extend seawards in and upon the foreshore for a distance of 33 yards or thereabouts measured in an easterly direction from the face of the existing sea wall.

Work No. 1 and Work No. 3 and all necessary conveniences connected therewith will be situate in the parish of Llandrillo-yn-Rhôs in the county of Denbigh and Work No. 2 and all necessary conveniences connected therewith will be situate on the bed of the sea adjoining thereto.

Work No. 1 shall be constructed partly as solid work and partly as open work and Work No. 2 as open work throughout:

A.D. 1911.

Provided that in constructing Work No. 2 the stays and supports of the pier shall be arranged so as to afford a clear passage of at least twenty-five feet for pleasure boats at a convenient position under the pier and the position of such passage shall be determined by the engineer of the said William Horton in conference with the surveyor of the council or in the event of their disagreement by arbitration the arbitrator to be appointed in default of agreement by the Board of Trade and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

12. In addition to the lands referred to in the preceding section the said William Horton may purchase by agreement and hold for the purposes of the undertaking any land not exceeding in extent in the whole three acres but nothing in this section shall exempt the said William Horton from any proceedings for nuisance caused by the said William Horton on lands taken by the said William Horton under the power conferred by this section.

Power to take additional lands.

13. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the said William Horton any easement right or privilege (not being an easement right or privilege of water in which other persons than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Persons under disability may grant easements &c.

14. The works authorised by the section of this Act the marginal note whereof is "Power to construct works" and the subsidiary works authorised by the section of this Act the marginal note whereof is "Power to maintain and improve works" shall be deemed to be part of the pier and works authorised by the Order of 1892 as amended by this Act and the expression "this Order" whenever used in the Order of 1892 shall be deemed to include this Act unless there be something in the subject or context repugnant to such construction.

Application of Order of 1892 to new works &c.

15. In constructing the works authorised by the section of this Act the marginal note whereof is "Power to construct works" the said William Horton may with the consent in

Power to deviate.

A.D. 1911. writing of the Board of Trade deviate laterally to any extent not exceeding the limits of deviation shown on the deposited plans and may with the like consent deviate vertically to any extent from the levels shown on the deposited sections.

Works below high-water mark to be subject to approval of Board of Trade.

16. Subject to the provisions of this Act any of the works authorised by this Act to be constructed on over or under tidal lands below high-water mark of ordinary spring tides shall be constructed only in accordance with such plans and sections and subject to such restrictions and regulations as previous to such works being commenced have been approved by the Board of Trade in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade.

Any alteration or extension of any such works shall be subject to the like approval.

If any such work be commenced or completed contrary to the provisions of this section the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost of the said William Horton and the amount of such cost shall be a debt due from the said William Horton to the Crown and shall be recoverable as a Crown debt or summarily.

Power to maintain and improve works.

17.—(1) Subject to the provisions of this Act the said William Horton may from time to time improve alter and extend the existing pier and the works authorised by the section of this Act the marginal note whereof is "Power to construct works" and may in connection with the same respectively construct maintain alter and improve landing-places jetties wharves embankments groynes sea defence works walls locks docks gates sluices piers quays buoys moorings lights beacons roads sewers drains watercourses mains pipes wires engines weighing machines turntables coal tips staiths bridges cranes railways tramways cattle pens warehouses refreshment or other buildings and rooms offices sheds and other works and conveniences which may be found necessary or expedient for carrying on the undertaking and for the accommodation of vessels and traffic and may connect sewers or drains from the pier with the drainage system of the council upon plans being approved by the council or in case of dispute by an arbitrator appointed by the Board of Trade and may provide or take supplies from persons supplying gas water electric light or power and carry out any works which may be necessary or

incidental thereto Provided that the said William Horton shall not under the powers of this Act manufacture supply or distribute electricity except upon or for use upon the existing pier or the new works authorised by this Act. A.D. 1911.

(2) A line of rails or tramway constructed under the powers of this Act shall not be used for the public conveyance of passengers unless and until it has been inspected and certified by the Board of Trade to be fit for that use.

(3) The said William Horton may charge for admission to the marine bath by this Act authorised and for the use thereof for swimming bathing or other healthful or recreative purpose or for any other useful or convenient purpose to which the same may be applied Provided that the said William Horton shall not under the provisions of this subsection create or permit any nuisance to the public or the owners or occupiers of premises adjacent to the said marine bath.

18. In the event of the said William Horton removing for the purposes of the construction of any of the works by this Act authorised the existing private slope from his promenade to the beach and to his ancient fishing weir adjacent to the said pier (which slope was constructed by the said William Horton on his own land and is his sole property) the said William Horton will at his own expense provide a similar slope in a convenient situation on the southerly side of the pier and either on his part of the foreshore opposite the Rhôs Abbey Hotel or on that part of the foreshore belonging to the council immediately adjoining such first mentioned part on the southerly side and in the former event the said William Horton shall retain the ownership of such slope but he will permit the use thereof by the public in like manner as the existing slope has heretofore been used. As to private slope to sea.

19. Any electric lighting electric power or other apparatus or machinery constructed provided or maintained under this Act shall be so constructed used and worked as to prevent any interference with telegraphic communication by means of any telegraphic line belonging to or used by the Postmaster-General. For protection of Postmaster-General.

20. Notwithstanding anything to the contrary in this Act contained the following provisions shall unless otherwise agreed between the said William Horton and the Liverpool and North Wales Steamship Company Limited (hereinafter referred to as "the company") apply and have effect during the unexpired For protection of Liverpool and North Wales Steamship Company Limited.

A.D. 1911. period of seven years from the twenty-fifth day of March one thousand nine hundred and nine (that is to say):—

(A) The said William Horton will permit the company's steamers and passengers to use the said pier at the following rates for each passenger landed or embarked at the pier by or from the company's steamers (namely):—

For each passenger with ordinary steam-ship ticket single or return - - - 3d.

For each contractor or holder of a free pass single or return - - - 2d.

For each passenger with short sea trip ticket single or return - - - 2d.

Proper accounts thereof shall be kept and the rates shall be paid weekly or as may be mutually agreed and the company guarantee that in no year shall the said rates be less than one hundred and thirty-five pounds and undertake that if they should be less they will make up the amount to that sum:

(B) The said rates shall include the use of the said pier the landing-stage thereon and the mooring posts and all fittings and conveniences thereon also access over the land between the pier entrance and the public road and shall be in full discharge of mooring rates and charges for passenger luggage and all rates tolls or charges whatsoever and no rate toll or charge whatsoever other than the rates mentioned in the last clause hereof shall be made in respect of the company's steamers passengers servants or agents or otherwise:

(C) The company will provide their own ropes gangways and other appliances for landing or embarking their passengers or luggage and men to attend to same and the same William Horton shall not be responsible for any injury to passengers or the company's workmen:

(D) The said William Horton will agree to allow the company the use of the store office they now have for storing their sailing bills or for booking passengers or for any other purpose they may desire and also the joint use with him of the small booking office at the entrance gate for booking their passengers and the company will pay the said William Horton for such privileges the

rent of twenty-five pounds per annum The use of such booking office by the said William Horton shall be for the purpose of taking tolls for the use of the pier from other than steamboat passengers: A.D. 1911.

- (E) The company shall be responsible for and will make good all structural damage or injury which their steamers may at any time or from time to time do to the said pier and landing stage and notice of any such damage shall be at once given by the said William Horton as soon as he or his agents know of same:
- (F) The said William Horton will not charge any other steamers or passengers using the said pier any less tolls than those provided for by this section:
- (G) The company shall provide and maintain a reasonably efficient steamboat passenger service as they may determine based upon that provided by them during the seasons 1909 and 1910 to and from the said pier and any other place or places and suitable sea trips to and from the said pier and in working such steamers the company shall give an efficient service during the Whitsuntide holidays in each year and shall commence a regular service in June to and from the said pier in connection with their general service and in particular shall give during the months of July and August and part of September in each season (subject to tide and weather and the acts of God and accident and circumstances beyond the company's immediate control) a daily connecting service from and to Liverpool Provided always and it is agreed that in working the Liverpool connecting service it is understood that such service will be worked viâ Llandudno but when circumstances permit the company shall at their option give a direct sailing to and from Liverpool:
- (H) Nothing in this section contained shall be deemed to vary or affect section 30 of the Harbours Act 1847 in so far as that section provides that the rates be at all times charged equally to all persons in respect of the same description of vessel and the same description of goods.

A.D. 1911.
Power to
borrow.

21. The said William Horton may borrow on mortgage of the undertaking or any part thereof—

(A) Any sum not exceeding in the whole ten thousand pounds; and

(B) A further sum not exceeding one-third part of the amount from time to time actually expended on the new works.

For appoint-
ment of a
receiver.

22.—(1) The holders of any security given in respect of money borrowed under this Act may enforce payment of arrears of interest or principal or principal and interest due on their securities by the appointment of a receiver.

(2) In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than one thousand pounds in the whole.

Period for
completion
of works.

23. If the works authorised by the section of this Act the marginal note whereof is "Power to construct works" be not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the said William Horton for constructing the same or otherwise in relation thereto shall cease except as to so much thereof as is then completed but nothing in this section contained shall restrict the said William Horton from at any time extending enlarging altering renewing or removing the pier and other incidental works or from exercising any of the powers with respect to the construction of such subsidiary works conferred by this Act or any Act or Acts incorporated with the Order of 1892 or this Act from time to time as occasion may require.

Power to
make bye-
laws.

24.—(1) Without prejudice to the power to make byelaws conferred by section 83 of the Harbours Act 1847 the said William Horton may make byelaws—

For the control of vessels animals and vehicles resorting to or frequenting or using the pier;

For the prevention of nuisance or annoyance to persons resorting to or frequenting or using the pier.

(2) The byelaws which may from time to time be made by the said William Horton in exercise of the power in that behalf conferred by section 83 of the Harbours Act 1847 or by

this section may provide for imposing a penalty not exceeding forty shillings for the breach or non-observance of any of the byelaws. A.D. 1911.

(3) No byelaw shall come into operation until it has received the allowance and confirmation of the Board of Trade and that allowance and confirmation shall be sufficient for all purposes.

25. The said William Horton may (so far as the rates specified in the schedule to the Order of 1892 as amended by this Act do not extend) demand and recover such rates or other consideration as he thinks reasonable for the use of any warehouses sheds buildings yards weighing machines mooring posts cranes buoys works and conveniences belonging to or provided by the said William Horton or in respect of any services rendered by the said William Horton in connection with the undertaking. Rates for
warehouses
&c.

26. The said William Horton may from time to time agree with the proprietors or masters of vessels engaged in transporting passengers or with any other persons using or frequenting the pier either for purposes of business or pleasure for the payment of a fixed sum as a composition by the year or other shorter period for the rates payable by or in respect of such passengers or their luggage or by such other persons as aforesaid. Provided always that if the said William Horton at any time make any such agreement by way of composition as aforesaid the proprietors or masters of all other vessels engaged in like manner and all other persons using or frequenting the pier as aforesaid may compound for the rates payable by them respectively upon the like terms as shall be contained in such agreement and the said William Horton shall accept such composition accordingly to the intent that such rates may not be compounded for partially or in favour of any particular person or party whatsoever. Power to
compound
for rates
payable in
respect of
passenger or
pleasure
vessels.

27.—(1) The said William Horton may grant to passengers and promenaders or others for the use of the pier (either exclusively or not of any building or room for the time being thereon) pass tickets or family tickets at such rates on such terms and for such periods not exceeding one year as the said William Horton may think fit and may issue books containing any number of pass tickets at a reduced rate and day tickets available for one day or part of a day only but for any number of admissions on such day or part of a day at a reduced rate but so that no preference be given to any person. Pass and
family
tickets.

A.D. 1911.

(2) The said William Horton shall have power to prescribe the conditions on which pass tickets and family tickets are issued and the persons by whom such tickets may be used.

(3) A pass ticket shall not be transferable and shall not be used by any person except the person to whom it is granted. A pass ticket or family ticket shall not be used otherwise than in accordance with the conditions on which it is issued or after the period limited for its use.

(4) There shall be printed on every pass ticket and family ticket the terms and conditions upon and subject to which the same is issued.

(5) If any person wilfully and with intent to defraud acts in any way in contravention of the provisions of this section or uses or attempts to use any false or counterfeit ticket he shall for each offence be liable to a penalty not exceeding twenty shillings.

Provision for life-saving apparatus.

28.—(1) The said William Horton shall whenever required by the Board of Trade provide at his own expense and to the satisfaction of the Board of Trade a site on or near the pier and erect on that site a house or other proper accommodation for a lifeboat rocket apparatus and other life-saving apparatus.

(2) If the said William Horton fails to comply with this section he shall be liable to a penalty not exceeding ten pounds for every month during which the failure continues.

Life-saving apparatus to be attached to pier.

29. The officers of the coastguard and all other persons for the time being actually employed in connection with the lifeboat or the apparatus for saving life may either permanently or temporarily without payment attach or cause to be attached to any part of the pier spars and other apparatus for saving life and may also either in course of using or of exercising the apparatus for saving life fire rockets over the pier.

Lifebuoys to be kept.

30. The said William Horton shall at all times keep at convenient places on the pier and in obedience to any requirements which may be made by the Board of Trade lifebuoys and lifelines in good order and fit and ready for use.

Application of 10 & 11 Vict. c. 27.

31. For all the purposes of the Harbours Act 1847 the Order of 1892 as amended by this Act shall be deemed the special Act.

32. All penalties under this Act shall be recovered and applied as penalties are recoverable and applicable under the Harbours Act 1847. A.D. 1911.
Recovery of penalties.

33.—(1) At any time after the passing of this Act the said William Horton may with the previous consent in writing and upon such terms conditions and restrictions as may be sanctioned by the Board of Trade sell the undertaking or any part thereof and the purchaser to the extent authorised by the conveyance to such purchaser shall have and may exercise all or any of the powers conferred upon the said William Horton by this Act which the said William Horton has or might exercise under this Act and shall be subject to all the liabilities and obligations to which the said William Horton is subject and shall perform all the duties of the said William Horton under this Act. Power to sell undertaking.

(2) The said William Horton shall within one month after the date of any conveyance made under this section deposit a certified copy thereof respectively with the Board of Trade and shall as from the expiration of that month be liable to a penalty not exceeding twenty pounds for every week or part of a week during which the said William Horton refuses or neglects to comply with this subsection.

34.—(1) The said William Horton may with the previous consent in writing of and upon such terms conditions and restrictions and for such period as may be sanctioned by the Board of Trade lease to any company corporation or person (a) the entire undertaking of the said William Horton or any part thereof or (b) the rates and other charges authorised to be taken by the Order of 1892 as amended by this Act. Power to lease undertaking or rates.

(2) As from the date of any lease made under the last preceding subsection the lessee during the continuance of and to the extent provided in the lease shall have and may exercise all or any of the powers conferred upon the said William Horton by this Act which the said William Horton has or might exercise under this Act and shall be subject to all the liabilities and obligations to which the said William Horton is subject and shall perform all the duties of the said William Horton under this Act.

(3) No lease made under subsection (1) of this section shall be assignable without the previous consent in writing of the Board of Trade.

A.D. 1911.

(4) The said William Horton shall within one month after the date of any lease made under this section deposit a certified copy thereof respectively with the Board of Trade and shall as from the expiration of that month be liable to a penalty not exceeding twenty pounds for every week or part of a week during which the said William Horton refuses or neglects to comply with this subsection.

(5) No lease made under this section shall be made in consideration or part consideration of any fine premium or other capital sum.

(6) Nothing in this section shall exempt the said William Horton from his obligation to keep and render accounts and as from the date of any lease made under this section all the provisions of the Acts incorporated with the Order of 1892 and this Act and of this Act as to the keeping delivery and audit of accounts shall apply to and be binding upon as well the lessees as the said William Horton and all moneys received by the said William Horton under or in respect of any such lease shall be deemed to be moneys levied by virtue of and income received under the Order of 1892 or this Act.

Power to
lease pavilions &c.

35. The said William Horton may let for hire or lease for any term not exceeding seven years any pavilions rooms shops baths sheds warehouses or other buildings separately from any other part of the undertaking to any company corporation or person upon such terms pecuniary or otherwise and under such restrictions and conditions as he may think fit.

Existing
pier and new
works to be
included in
parish of
Llandrillo-
yn-Rhôs.

36. The existing pier and from and after the completion of the whole or any part or parts of the new works by this Act authorised to be constructed in and upon the foreshore and bed of the sea the new works or such part or parts thereof shall be included for all purposes in the parish of Llandrillo-yn-Rhôs and for rating and assessment purposes in the urban district of Colwyn Bay and Colwyn in the county of Denbigh.

Costs of Act.

37. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the said William Horton.

The SCHEDULE referred to in the foregoing Act. A.D. 1911.

RATES FOR USE OF PIER.

	£	s.	d.
For every person using the pier under the section of this Act whereof the marginal note is "Power to charge higher rates at certain times" for each time any sum not exceeding -	0	0	6
For every four-wheeled carriage taken on pier -	0	4	0
For every two-wheeled carriage taken on pier -	0	2	6
For every bicycle or tricycle taken on pier for each and every time -	0	0	3

RATES FOR USE OF TRAMWAY.

For every passenger using the tramway for each time any sum not exceeding -	0	0	3
Light goods per cubic foot -	0	0	1
Heavy goods per ton -	0	2	0
For passengers' luggage rates not exceeding rates on same for use of pier.			

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