



## CHAPTER ix.

An Act to confirm certain Provisional Orders made by the Minister of Transport under the General Pier and Harbour Act 1861 relating to Bridgwater Colwyn Bay and St. Anne's-on-the-Sea. A.D. 1923.  
[31st July 1923.]

WHEREAS a Provisional Order made by the Minister of Transport under the General Pier and Harbour Act 1861 is not of any validity or force whatever until the confirmation thereof by Act of Parliament: 24 & 25 Vict. c. 45.

And whereas it is expedient that the several Provisional Orders made by the Minister of Transport under the said Act and set out in the schedule to this Act be confirmed by Act of Parliament:

Be it therefore 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:—

1. The several Orders as amended and set out in the schedule to this Act shall be and the same are hereby confirmed and all the provisions thereof in manner and form as they are set out in the said schedule shall from and after the passing of this Act have full validity and force. Confirma-  
tion of  
Orders in  
schedule.

2. This Act may be cited as the Pier and Harbour Orders Confirmation (No. 2) Act 1923. Short title.

A.D. 1923.

The SCHEDULE of Orders.

1. BRIDGWATER.—Increase in amount of borough rate leviable for the purposes of the navigation.
2. COLWYN BAY.—Transfer of pier to Urban District Council &c.
3. ST. ANNES-ON-THE-SEA.—Increase of pier toll.

BRIDGWATER PORT AND NAVIGATION. A.D. 1923.

*Provisional Order for amending the Bridgwater Port and Navigation Order 1908.* Bridgwater.

1.—(1) This Order may be cited as the Bridgwater Port and Navigation Order 1923. Short title and commencement of Order.

(2) This Order shall come into force upon the day when the Act confirming this Order is passed.

2. In this Order—

“The Corporation” means the mayor aldermen and burgesses of the borough of Bridgwater acting by the council of the borough;

“The Act of 1845” and “the Order of 1908” mean respectively the local and personal Act 8 and 9 Victoria Chapter lxxxix and the Bridgwater Port and Navigation Order 1908;

“The navigation” means the navigation as defined by the Act of 1845 and includes all quays wharves yards jetties landing-stages channels and places upon in or used in connection with the navigation and the works and appliances connected therewith and the undertaking of the Corporation under the Act of 1845 the Order of 1908 and this Order;

“The harbour revenue” means the revenue received by the Corporation from the navigation and the rates authorised to be taken in connection therewith;

“The borough fund” and “the borough rate” mean respectively the borough fund and the borough rate of the borough of Bridgwater.

3. The Corporation shall be the undertakers for carrying this Order into execution. Undertakers.

4.—(1) Section 11 (Making up deficiency in revenue) of the Order of 1908 is hereby repealed. Making up deficiency in revenue.

(2) In case the harbour revenue shall in any year be insufficient for the purposes of defraying the costs charges and expenses of the Corporation with respect to the navigation (including the interest on borrowed moneys and money required for the repayment of borrowed moneys) the Corporation shall include the amount of deficiency in their estimates for that or the following year and subject to the limit imposed by this section defray the amount out of the borough fund or the borough rate.

[Ch. lx.] *Pier and Harbour* [13. & 14 GEO. 5.]  
*Orders Confirmation (No. 2) Act, 1923.*

A.D. 1923. (3) The Corporation shall not in any year contribute for  
— the purposes of the navigation a sum greater than the amount  
*Bridgwater.* produced by a borough rate of sixpence in the pound.

(4) Unless the Minister of Transport otherwise directs the Corporation shall reduce any deficiency for the time being in the harbour revenue by contributing in each year out of the borough fund or the borough rate a sum equal to the amount produced by a borough rate of sixpence in the pound or such less sum as may be necessary to make good such deficiency.

Byelaws. 5. All byelaws made by the Corporation under the Act of 1845 or the Harbours Docks and Piers Clauses Act 1847 shall be subject to the confirmation of the Ministry of Transport and no other confirmation shall be necessary.

Costs of Order. 6. All costs charges and expenses of and incident to the preparation and obtaining of this Order and otherwise incurred in reference thereto as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of moneys received by them under the Act of 1845 and the Order of 1908 or out of money borrowed for the purpose.

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COLWYN BAY (VICTORIA) PIER.

*Colwyn Bay.* *Provisional Order for the transfer of the undertaking of the Victoria Pier and Pavilion Company (Colwyn Bay) Limited to the Colwyn Bay and Colwyn Urban District Council and for other purposes in connection therewith.*

PRELIMINARY.

Short title and commencement. 1.—(1) This Order may be cited as the Colwyn Bay (Victoria) Pier Order 1923.

(2) This Order shall come into operation upon the day when the Act confirming this Order is passed and that day is in this Order referred to as “the commencement of this Order.”

Definitions. 2.—(1) In this Order unless the context otherwise requires—  
“The Council” means the Colwyn Bay and Colwyn Urban District Council;  
“The district” means the urban district of Colwyn Bay and Colwyn;  
“The clerk” means the clerk of the council;  
“The district fund” and “the general district rate” mean respectively the district fund and the general district rate of the district;

“The company” means the Victoria Pier and Pavilion Company (Colwyn Bay) Limited; A.D. 1923.

“The purchase agreement” means the agreement dated the twenty-eighth day of September nineteen hundred and twenty-two and made between the company of the one part and the Council of the other part a copy of which is set forth in the first schedule to this Order; *Colwyn Bay.*

“The Act of 1897” means the Colwyn Bay and Colwyn Urban District Council Act 1897;

“The Order of 1898” means the Colwyn Bay Victoria Pier Order 1898;

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

“The pier” means the existing pier and works of the company;

“The pier undertaking” means and includes the pier and the assets and undertaking of the company comprised in the purchase agreement including the excise licence to sell intoxicating liquor by retail held by the company and also all the rights to levy rates tolls and other charges and all other rights conferred on or vested in the Council by this Order and the entire undertaking of the Council in connection with the pier;

“The pier revenue” means the pier revenue as defined in the section of this Order of which the marginal note is “Application of pier revenue”;

“The date of transfer” means the date upon which the sale and purchase of the pier undertaking are completed in accordance with the purchase agreement;

“Statutory security” means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Council.

(2) In the application to this Order of the Harbours Clauses Act 1847 the expressions “packet boat or Post Office packet” and “Post Office bag of letters” used in that Act shall mean respectively a vessel employed by or under the Post Office or the

[Ch. ix.] *Pier and Harbour* [13 & 14 GEO. 5.]  
*Orders Confirmation (No. 2) Act, 1923.*

A.D. 1923. Admiralty for the conveyance under contract of postal packets  
— as defined by the Post Office Act 1908 and a mail bag as defined  
*Colwyn Bay.* by the same Act Provided that nothing in the Harbours  
Clauses Act 1847 or in this Order shall extend to exempt from  
rates or duties any such vessel as aforesaid if she also conveys  
passengers or goods for hire.

UNDERTAKERS.

Undertakers. 3. The Council shall be the undertakers for carrying this  
Order into execution.

TRANSFER.

Transfer of pier and undertaking of company. 4.—(1) The purchase agreement is hereby confirmed and  
made binding on the parties thereto respectively and the same  
may and shall be carried into effect accordingly.

(2) Subject to the provisions of this Order and of the  
purchase agreement the pier undertaking shall as from the date  
of transfer be vested in and may be maintained by the Council.

Power to Council to accept leases.

5. Subject to the provisions of this Order the company may  
assign and the Council may accept an assignment of all or any  
leases licences or consents granted to the company by the Commis-  
sioners of Woods the Secretary of State for War the Admiralty  
or the Board of Trade or any other public or other authority  
body or person and the Council may accept and hold renewals  
of any such leases licences or consents and may accept and hold  
new and further leases licences or consents from any such authority  
body or person as aforesaid in respect of any lands or property  
comprised in any existing lease licence or consent or any other  
lands or property or otherwise.

Saving rights of action.

6. Subject to the provisions of this Order nothing in this  
Order contained shall be held to prejudice or affect any right  
or cause of action or suit or any remedy which the company  
have against any person or which any person has against the  
company but all such rights causes and remedies may be enforced  
or prosecuted by or against the company as if this Order had  
not been made.

Documents &c. to be transferred.

7. All documents books maps plans writings papers and  
effects belonging to or vested in the company evidencing the  
title of the company to the pier and the undertaking of the  
company or any part thereof or which may be necessary or  
convenient for the proper carrying on and working of the pier  
and the undertaking of the company by the Council and shall  
not be needed by the company in order to carry on or wind up  
their business shall be transferred to and belong to the Council.

ACQUISITION OF LANDS.

A.D. 1923.

8. The Lands Clauses Acts (except so much of those Acts as relates to the purchase and taking of lands otherwise than by agreement and to the entry upon lands by the promoters of the undertaking) are hereby incorporated with this Order and for the purpose of that incorporation the term "special Act" in those Acts shall mean this Order.

*Colwyn Bay.*  
Incorporation of Lands Clauses Acts.

9. The Council may by agreement purchase or take on lease for the purposes of the pier and of this Order any additional lands to those transferred with the undertaking of the company to the Council which the Council may deem requisite or convenient not exceeding two acres and any easements rights and interests in over or affecting such lands.

Lands may be acquired by agreement.

10. 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 Order grant to the Council any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Order in over or affecting any such lands and the provisions of the said Acts with respect to lands 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.

Power to grant easements &c. by agreement.

11. Notwithstanding anything in the Lands Clauses Acts or in any other Act or Acts to the contrary the Council may retain hold and use for such time as they may think fit or may sell let lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they may think fit and in case of sale either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands and premises or any interest therein vested in them or acquired by them under this Order and may sell exchange or dispose of any rents reserved on the sale exchange lease or other disposition of such lands and premises and may make do and execute any deed act or thing proper for effecting any such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange.

Power to retain and sell lands.

LIMITS.

12. The limits within which the Council shall have authority and within which the powers of the pier master may be exercised shall comprise the pier and the area below high-water mark within a distance of fifty yards from any part of the pierhead which limits are in this Order termed "the limits of this Order."

Limits.

A.D. 1923.

MAINTENANCE OF PIER & C.

*Colwyn Bay.*  
Improve-  
ment and  
maintenance  
of pier.

13—(1) Subject to the provisions of this Order the Council may maintain and improve the pier and in connection therewith may from time to time construct erect maintain alter and improve all necessary jetties landing-places warehouses refreshment or other buildings and rooms roads approaches offices sheds coal-tips staiths bridges cranes weighing machines engines electric and other apparatus and machinery moorings hawsers buoys lights water pipes and other works and conveniences.

(2) Any electric light and power or other apparatus constructed or maintained under this Order shall be so constructed used and maintained as to prevent any interference with telegraphic communication by means of any telegraphic line belonging to or used by the Postmaster-General.

(3) Nothing in this Order shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric (Supply) Acts 1882 to 1922 to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of that section.

Penalty for  
injuring  
works.

14. Every person who wilfully obstructs any person acting under the authority of the Council in setting out the lines of any works by this Order authorised or who pulls up or removes any buoys moorings poles posts lights beacons or other conveniences within the limits of this Order shall for every offence be liable on conviction to a penalty not exceeding five pounds and shall in addition be liable to repay to the Council any expenses incurred by them in making good such damage.

Works below  
high-water  
mark not to  
be com-  
menced  
without  
consent of  
Board of  
Trade.

15. The Council shall not under the powers of this Order construct on the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and re-flows any work without the previous consent of the Board of Trade to be signified in writing under the hand of an assistant secretary of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of in writing under hand as last aforesaid and where any such work may have been constructed the Council shall not at any time alter or extend the same without obtaining previously to making any alteration or extension the like consent or approval. If any work be commenced altered extended 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 costs and charges of the Council and the amount of such costs and charges shall be a debt due from the Council to the Crown and shall be recoverable as a Crown debt or summarily.



[13 & 14 GEO. 5.] *Pier and Harbour* [Ch. lx.]  
*Orders Confirmation (No. 2) Act, 1923.*

16. If at any time the Board of Trade deem it expedient to order a survey and examination of a work constructed by the Council under this Order on in over through or across tidal lands or a tidal water or of the intended site of any such work the Council shall defray the expense of the survey and examination and the amount thereof shall be a debt due from the Council to the Crown and be recoverable as a Crown debt or summarily.

A.D. 1923.  
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*Colwyn Bay.*  
 Survey of works by Board of Trade.

17. If a work constructed by the Council on in over through or across tidal lands or a tidal water is abandoned or suffered to fall into decay the Board of Trade may abate and remove the work or any part of it and restore the site thereof to its former condition at the expense of the Council and the amount of such expense shall be a debt due from the Council to the Crown and be recoverable as a Crown debt or summarily.

Abatement of work abandoned or decayed.

18.—(1) The Council may with the consent of the Board of Trade deepen dredge scour and excavate any portion of the fore-shore and bed of the sea to the extent necessary to secure a sufficient waterway and approach to the pier head for vessels using the same.

Power to dredge.

(2) All sand mud and materials dredged up under the powers contained in subsection (1) of this section shall be the property of the Council who may from time to time sell or otherwise dispose of the same or remove or deposit the same as they may think fit Provided that no sand mud or other material shall be laid down or deposited in any place below high-water mark without the consent in writing of the Board of Trade having been first obtained.

(3) All money arising from any sale or other disposition of sand mud and other material under this section after payment of the expenses connected therewith shall be applied in the same manner as the pier revenue.

19. The Council may provide purchase take on lease hire and use such steam or other dredgers eroders engines lighters or other vessels machinery and apparatus as they may think necessary for effecting the purposes of this Order and may let the same on hire for such sums and upon and subject to such terms and conditions as they may think fit or may sell or dispose of the same All sums received in respect of any such letting on hire shall be deemed to form part of the pier revenue and all moneys realized by any such sale shall be deemed to be money received on capital account within the meaning of the section of this Order of which the marginal note is "Proceeds of sale of surplus lands to be treated as capital" and be dealt with and applied in the manner provided by that section.

Power to purchase dredgers &c.

20. The Council may erect construct and maintain upon the pier and upon any lands acquired by or leased to them under the

Power to provide pavilions &c.

[Ch. 1x.] *Pier and Harbour* [13 & 14 GEO. 5.]  
*Orders Confirmation (No. 2) Act, 1923.*

A.D. 1923. powers of this Order and may furnish stock and equip fishing  
 — platforms pavilions or assembly rooms concert lecture waiting  
*Colwyn Bay.* reading refreshment and other rooms galleries saloons arcades  
 kiosks shops bazaars aquaria shelters seats chairs winter gardens  
 automatic machines bicycle stands band stands lavatories water-  
 closets urinals and other conveniences open or covered sea-water  
 swimming and other bathing places and cabins with all necessary  
 conveniences and appliances and may make such reasonable  
 charges as they may think fit for the use thereof or for admission  
 thereto as the case may be in addition to the authorized charges  
 for passengers and promenaders using the pier.

RATES.

Power to  
levy rates.

21.—(1). Sections 25 and 26 of the Harbours Clauses Act 1847 shall not be incorporated with this Order.

(2) As from the date of transfer the Council may subject and according to the provisions of this Order demand recover and receive for the use of the pier in respect of the vessels persons animals fish goods matters and things mentioned in the Second Schedule to this Order any sums not exceeding the rates specified in that schedule.

Power to  
vary exemp-  
tions and  
compound  
for rates.

22. The Council may confer vary or extinguish exemptions from and compound with any person with respect to the payment of rates or charges authorized by this Order but so that no preference be in any case given to any person over any other person using the pier under the like circumstances and that anything done under this section shall not prejudice the other provisions of this Order.

Rates for  
warehouses  
&c.

23. The Council may (so far as the rates specified in the Second Schedule to this Order do not extend) demand and recover such rates or other consideration as they think 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 Council or in respect of any services rendered by them in connection with the pier or the pier undertaking.

Certain  
fishing  
vessels under  
stress of  
weather  
exempt from  
rates.

24. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges those vessels when forced by stress of weather to seek shelter in the ports or on the coast of the United Kingdom shall when forced by stress of weather to make use of the pier and not breaking bulk while making use thereof be exempt from rates leviable under this Order.

Lifeboat  
crew exempt  
from tolls.

25. All persons going to or returning from any lifeboat or using any apparatus for saving life and being persons either belonging to the crew of the lifeboat or to the coastguard or

[13 & 14 GEO. 5.] *Pier and Harbour* [Ch. ix.]  
*Orders Confirmation (No. 2) Act, 1923.*

being persons for the time being actually employed in saving life or in exercising or using the lifeboat or the apparatus for saving life and also all persons brought ashore from any vessel in distress shall at all times have free ingress passage and egress to or along and from the pier without payment. A.D. 1923.  
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*Colwyn Bay.*

26.—(1) No vessel or boat shall anchor or be moored within the limits of this Order without the consent of the Council or their pier master. Restrictions  
on moorings.

(2) No vessel or boat of any kind shall be moored to or alongside the pier without the consent of the pier master.

27. No merchandise or goods (passengers' personal luggage excepted) shall be landed on or at the pier or on or at any lands acquired by or leased to the Council under the powers of this Order otherwise than with the consent of the Council. Goods not to  
be landed  
without  
consent.

28.—(1) The Council 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 Council may think fit and may issue books containing any number of tickets at a reduced rate but so that no preference be given to any person. Pass tickets  
for use of  
pier.

(2) The Council may prescribe the conditions on which pass tickets or family tickets or books of tickets are issued and the persons by whom those 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 family ticket or book of tickets 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 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.

29.—(1) Notwithstanding anything contained in this Order the Council may charge for every person entering upon and using the pier between the hours of 6 p.m. and 10 p.m. 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 6 p.m. and 10 p.m.) is held on the pier or in any pavilion building or room for the time being on the pier any sum not exceeding sixpence exclusive of and Power to  
charge  
higher rates  
for evening  
entertain-  
ments.

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*Orders Confirmation (No. 2) Act, 1923.*

A.D. 1923. in addition to any charge which may be made for admission to the  
pavilion building or room in which the concert or entertainment  
*Colwyn Bay.* takes place.

(2) Any person who having already paid the ordinary charge for using the pier remains on the pier after 6 p.m. 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.

(3) The Council shall notwithstanding the progress of any concert or other public entertainment reserve a sufficient passage along the pier for all persons landing or embarking at the pier and that reserved passage shall be open for use by such persons at the ordinary charge and without payment of the special rate by this section authorized so long as they use the pier as a passage only and do not remain upon it.

(4) 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.

Power to  
close pier  
on special  
occasions.

30.—(1) The Council may on any special occasion but not exceeding twelve days in any one year or for more than three days consecutively close the pier against the public and may if they think fit on such occasions admit any persons to the pier on payment of such special rates of admission not exceeding one shilling for each person as the Council may think fit.

(2) On all such occasions the Council shall reserve a sufficient passage along the pier from the landing steps to the shore for all persons landing or embarking at the pier the reserved passage to be open for use by such persons at the ordinary charge and without payment of any special rates so long as they use the pier as a passage only and do not remain upon it.

(3) The special rate charged under this section shall be in lieu of and not in addition to the rate specified in the Second Schedule to this Order and any person paying the special rate shall not be liable to pay any further or other rate or sum for admission to the pier on the day for which the special rate is charged.

(4) The Council shall give notice of their intention to close the pier under this section by exhibiting the notice conspicuously at the entrance to the pier during at least two days before the day on which the pier is to be closed.

Payment of  
rates not to  
confer right  
to use build-  
ings.

31. No pass ticket or family ticket or payment of rates payable under this Order for the use of the pier shall entitle the holder of the pass ticket or the person paying to the use of the buildings and erections on the pier or any of them or any part of

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the pier which is set apart for a particular purpose unless the Council otherwise determine. A.D. 1923.

Colwyn Bay.

32. The Council may from time to time out of the revenue derived from any entertainments or performances given by them on the pier and subject to the provisions of the section of this Order of which the marginal note is "Application of pier revenue" provide and pay for or contribute towards the payment of bands of music concerts sports or other entertainments of any kind whatsoever on the pier or in the pavilions or other buildings thereon and subscribe towards the funds of any regatta or fête held in the immediate vicinity of the pier. Power to contribute to entertainments.

33. The Council may from time to time out of the pier revenue pay or contribute towards the cost of advertising by means of handbooks leaflets posters advertisements in newspapers or otherwise the pier and any performances fêtes or other attractions thereon or given in connection therewith. Power to advertise pier.

34. If at any time the clear annual income derived from the pier on the average of the then three last preceding years after payment of all expenses and outgoings in connection with the pier other than payments of interest and of instalments of principal and contributions to sinking funds shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Minister of Transport to have been expended by the Council for the purchase of or on the pier and the reconstruction extension or alteration thereof or of any part thereof the Minister of Transport may if in his discretion he think fit reduce the rates leviable under this Order to such amounts as will be sufficient to provide the interest aforesaid at the rate aforesaid and may again at any time and from time to time raise the rates to sums not exceeding those authorised by this Order. Minister of Transport may reduce rates.

35.—(1) The Council may with the previous consent in writing of and upon such terms conditions and restrictions as may be sanctioned by the Minister of Transport sell the pier undertaking and the purchaser to the extent authorised by his conveyance shall have and may exercise all or any of the powers conferred upon the Council by this Order which the Council have or might exercise under this Order and shall be subject to all the liabilities and obligations to which the Council are subject and shall perform all the duties of the Council under this Order. Power to sell.

(2) The Council shall within one month after the date of any conveyance made under this section deposit a certified copy thereof with the Ministry of Transport 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 they refuse or neglect to comply with this subsection.

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A.D. 1923.

—  
*Colwyn Bay.*

Power to  
lease under-  
taking or  
rates.

36.—(1) The Council 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 Minister of Transport lease to any company corporation or person (a) the pier undertaking or (b) the rates and other charges authorised to be taken by this Order.

(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 his lease shall have and may exercise all or any of the powers conferred upon the Council by this Order which the Council have or might exercise under this Order and shall be subject to all the liabilities and obligations to which the Council are subject and shall perform all the duties of the Council under this Order.

(3) No lease made under this section shall be assignable without the previous consent in writing of the Minister of Transport.

(4) The Council shall within one month after the date of any lease made under this section deposit a certified copy thereof with the Ministry of Transport 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 they refuse or neglect 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 Council from their 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 this Order and of this Order as to the keeping and delivery of accounts shall apply to and be binding upon as well the lessees as the Council and all moneys received by the Council under or in respect of any such lease shall be deemed to be moneys levied by virtue of and income received under this Order.

Power to  
lease pavilions &c.

37. In addition to any general power in this Order contained the Council may let for hire or lease for any term not exceeding seven years any fishing platforms pavilions or assembly rooms concert lecture waiting reading refreshment and other rooms galleries saloons arcades kiosks shops bazaars aquaria shelters seats chairs winter gardens automatic machines bicycle stands band stands baths bathing places and cabins or other buildings conveniences or appliances 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 the Council think fit.

FINANCE.

A.D. 1923.

38.—(1) The Council may independently of any other borrowing power from time to time borrow at a rate of interest not exceeding without the consent of the Minister of Transport seven per centum per annum—

*Colwyn Bay.*  
Power to borrow.

(a) for carrying the purchase agreement into effect five thousand pounds;

(b) for the construction of a pavilion and concert room on the pier twelve thousand pounds;

(c) for the reconstruction of the pier platform and subsidiary works eighteen thousand pounds;

(d) with the consent of the Minister of Transport such further sum or sums as may from time to time be required for any of the purposes of this Order; and

(e) such sum as may be required for the payment of the costs charges and expenses of this Order.

(2) In order to secure the repayment of money borrowed for the purposes mentioned in this section and the payment of interest thereon the Council may mortgage or charge as well the district fund and the general district rate as the pier revenue.

39. The Council shall pay off all moneys borrowed by them under this Order within the respective periods following (in this Order referred to as "the prescribed periods") (that is to say)—

Periods for repayment of money borrowed.

As to the money borrowed for the purpose (a) mentioned in the section of this Order of which the marginal note is "Power to borrow" within twenty-five years from the date of transfer;

As to the money borrowed for the purposes (b) and (c) mentioned in the same section within twenty-five years from the date or dates of borrowing the same;

As to the money borrowed with the consent of the Minister of Transport within such period as that Minister may prescribe;

As to the money borrowed for the purpose (e) mentioned in the last preceding section within five years from the commencement of this Order.

40. The following sections of the Act of 1897 shall with any necessary modifications extend and apply to the exercise of the powers of this Order as if the same were re-enacted in this Order (that is to say)—

Application of provisions of Act of 1897.

Section 42 Certain regulations of Public Health Act as to borrowing not to apply;

[Ch. ix.] *Pier and Harbour* [13 & 14 GEO. 5.]  
*Orders Confirmation (No. 2) Act, 1923.*

A.D. 1923. Section 43 Provisions of Public Health Act as to mortgages  
 ————— to apply ;  
*Colwyn Bay.* Section 50 Protection of lender from inquiry ;  
 Section 51 Council not to regard trusts ;  
 Section 52 Annual return to Local Government Board ;

and in the application of those sections to this Order the words  
 " this Act " shall be read and have effect as if the words " this  
 Order " were substituted for them in every case.

Application  
 of money  
 borrowed.

41. All moneys borrowed by the Council under the powers  
 of this Order shall be applied only to the purposes for which such  
 moneys are authorised to be borrowed and to which capital is  
 properly applicable and not otherwise.

Proceeds of  
 sale of sur-  
 plus lands to  
 be treated as  
 capital.

42. The proceeds of sale of any surplus lands of the Council  
 under the powers of this Order and all other moneys received on  
 capital account not being borrowed moneys shall be distinguished  
 as capital in the accounts of the Council and shall be applied in  
 discharge of moneys borrowed by the Council under this Order  
 Provided that such proceeds when used to pay off borrowed  
 moneys shall not be applicable to the payment of instalments or to  
 payments into the sinking fund except to such extent and upon  
 such terms as may be approved by the Minister of Health.

Mode of  
 raising  
 money.

43. The Council may raise all or any moneys which they are  
 authorised to borrow under this Order by mortgage or by the issue  
 of debentures or annuity certificates under and subject to the  
 provisions of the Local Loans Act 1875 or partly in one way and  
 partly in another or others Provided that the provisions of this  
 Order relating to sinking funds shall apply to sinking funds formed  
 for the repayment of moneys borrowed under the Local Loans  
 Act 1875 instead of the provisions of section 15 (Discharge of  
 loan by sinking fund) of that Act.

Mode of  
 payment off  
 of money  
 borrowed.

44. The Council shall pay off all moneys borrowed by them  
 on mortgage under the powers of this Order either by equal yearly  
 or half-yearly instalments of principal or of principal and interest  
 combined or by means of a sinking fund or partly by one of those  
 methods and partly by another or others of them and the payment  
 of the first instalment or the first payment to the sinking fund shall  
 be made within one year or when the money is repayable by  
 half-yearly instalments within six months from the date of  
 borrowing.

Sinking fund.

45.—(1) If the Council determine to repay by means of a  
 sinking fund any moneys borrowed by virtue of this Order such  
 fund shall be formed and maintained either—

(a) By payment to the fund throughout the prescribed period  
 of such equal annual sums as will together amount to the



moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is hereinafter called a "non-accumulating sinking fund"; or

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(b) By payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds ten shillings per centum per annum (or such higher rate as the Minister of Health may approve) will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is hereinafter called "an accumulating sinking fund."

(2) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in statutory securities the Council being at liberty from time to time to vary and transpose such investments.

(3) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Council towards the equal annual payments to the fund.

(4) The Council may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the Council shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund or part thereof so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(5)—(a) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any deficiency shall be made good by the Council.

(b) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any such excess may be applied towards such annual payments.

(6) Any expenses connected with the formation maintenance investment application or management of or otherwise in relation to any sinking fund under this Order shall be paid by the Council in addition to the payments provided for by this Order.

(7) If it appears to the Council at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Order together with (in the case of an

[Ch. ix.] *Pier and Harbour* [13 & 14 GEO. 5.]  
*Orders Confirmation (No. 2) Act, 1923.*

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accumulating sinking fund) the probable accumulations thereon will not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Council to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose. Provided that if it appears to the Minister of Health that any such increase is necessary the Council shall increase the payments to such extent as the said Minister may direct.

(8) If the Council desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(9) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with (in the case of an accumulating sinking fund) the probable accumulations thereon will in the opinion of the Minister of Health be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Council may reduce the payments to the sinking fund either temporarily or permanently to such extent as that Minister approves.

(10) If the amount in any sinking fund at any time together with (in the case of an accumulating sinking fund) the probable accumulations thereon will in the opinion of the Minister of Health be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Council may with the consent of that Minister discontinue the annual payments to such sinking fund until that Minister shall otherwise direct.

(11) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Council with the consent of the Minister of Health may determine.

Appointment  
of a receiver.

46.—(1) The holders of any security given in respect of money borrowed under this Order 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 or principal and interest 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.

Deficiency of  
revenue to  
be charged  
on district  
fund.

47. All charges on the pier revenue which that revenue may be insufficient to meet shall be charged on and paid out of the district fund and the general district rate and the Council shall include in such rate the amount (if any) which according to their estimate may be required to cover the deficiency accruing during

[13 & 14 GEO. 5.] *Pier and Harbour* [Ch. lx.]  
*Orders Confirmation (No. 2) Act, 1923.*

the currency of the rate and also the amount (if any) which is required to make up any deficiency which has actually occurred during any previous period.

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48.—(1) The Council shall have power—

Power to re-borrow.

(a) To borrow for the purpose of paying off any moneys previously borrowed under this Order which are intended to be forthwith repaid; or

(b) To borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Council in repaying moneys previously borrowed under this Order and which at the time of such repayment it was intended to replace by borrowed moneys.

(2) Any moneys borrowed under this section shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the period prescribed for the repayment of that loan which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section.

(3) The Council shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

(4) The Council shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

(a) By instalments or annual payments; or

(b) By means of a sinking fund; or

(c) Out of moneys derived from the sale of land; or

(d) Out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

49.—(1) The Council shall keep a separate account of all receipts payments credits and liabilities in capital and revenue account respectively in relation to the pier undertaking and shall within one month after sending to the clerk of the peace a copy of such account in abstract (which account shall be made up at the end of the day on the thirty-first day of March in each year) send a copy of the same to the Ministry of Transport and section 16 of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include any and every such account as if the Council were a company.

Annual accounts to be sent to Ministry of Transport.  
25 & 26 Vict. c. 19.

(2) If the Council refuse or neglect to comply with this provision they 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 such refusal or neglect continues.

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*Orders Confirmation (No. 2) Act, 1923.*

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—  
*Colwyn Bay.*  
Contingency  
fund.

50.—(1) Subject to the provisions of this Order with reference to the application of the pier revenue the Council may in any year if they think fit for the purpose of forming and maintaining a contingency fund not exceeding at any one time (inclusive of accumulations of income) two-fifths of the aggregate capital sums for the time being expended by the Council on the pier and in order to meet any deficiency of revenue or any extraordinary claim or demand or any unforeseen accident or extraordinary damage which may happen or be caused to the pier set apart out of the pier revenue such a sum as they may think fit.

(2) Every sum set apart under this section shall be invested in statutory securities and the interest thereon shall be accumulated until the fund reaches two-fifths of the aggregate capital sums for the time being expended by the Council on the pier or is required for any of the purposes mentioned in this section.

Application  
of pier  
revenue.

51. All rates tolls dues rents and receipts or other revenue received by the Council in respect of the pier undertaking under the authority and provisions of this Order including the interest on the contingency fund when that fund amounts to the maximum hereinbefore prescribed (all of which are in this Order referred to as "the pier revenue") shall be applied for the purposes and in the order following and not otherwise (that is to say) :—

- (1) In payment of all expenses connected with the management and maintenance of the pier including the payment of all rent rates and taxes :
- (2) In paying year by year the interest for the time being due in respect of moneys borrowed by the Council under this Order :
- (3) In paying the instalments as they become due of the principal moneys so borrowed and repayable by instalments :
- (4) In providing a sinking fund for the repayment of the moneys so borrowed and not repayable by instalments :
- (5) In payment so far as the Council think fit so to do of any expenses incurred in advertising the pier and any performances fêtes or other attractions thereon or in connection therewith the payment of or contribution towards a band or bands of music playing on the pier and the provision of concerts or entertainments thereupon and subscribing towards the funds of any regatta or fête held in the immediate vicinity of the pier :
- (6) In the general improvement of the pier :
- (7) In creating and maintaining if the Council think fit a contingency fund in manner specified in the section of this Order of which the marginal note is "Contingency fund" :

- (8) In repaying to the district fund all moneys and interest paid thereout for the purposes of the pier whether in respect of money borrowed or otherwise : A.D. 1923.  
—  
*Colwyn Bay.*
- (9) And the balance shall subject to the provisions of this Order be carried to the district fund.

#### BYELAWS.

52.—(1) The byelaws which may from time to time be made by the Council in exercise of the power in that behalf conferred on them by section 83 of the Harbours Clauses Act 1847 may provide for imposing a penalty not exceeding forty shillings for the breach or non-observance of any of the byelaws. Byelaws.

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

(3) Sections 84 and 85 of the Harbours Clauses Act 1847 shall not be incorporated with this Order.

#### LIFE-SAVING APPARATUS.

53.—(1) Sections 16 to 19 inclusive of the Harbours Clauses Act 1847 shall not be incorporated with this Order. Provision for  
life-saving  
apparatus.

(2) The Council shall whenever required by the Board of Trade provide at their own expense and to the satisfaction of that Board a site near the pier and build on that site a house or other proper accommodation for a lifeboat rocket apparatus and other life-saving apparatus.

(3) If the Council fail to comply with this section they shall be liable to a penalty not exceeding ten pounds for every month during which the failure continues.

54. 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 in course either of using or of exercising the apparatus for saving life fire rockets over the pier. Life-saving  
apparatus  
may be  
attached to  
pier.

55. The Council 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. Lifebuoys to  
be kept.

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LIGHTS.

*Colwyn Bay.*  
Lights on  
work during  
construction.

56. The Council shall at or near the pier below high-water mark during the whole time of the constructing altering or extending the same exhibit and keep burning at their own expense every night from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Board of Trade from time to time require or approve.

If the Council fail to comply in any respect with the provisions of this section they shall for each day in which they so fail be liable to a penalty not exceeding twenty pounds.

Permanent  
lights on  
works.

57.—(1) The Council shall at the outer extremity of the pier below high-water mark exhibit and keep burning from sunset to sunrise such lights (if any) and shall take such other steps for the prevention of danger to navigation as shall from time to time be directed by the Corporation of Trinity House Deptford Strond.

(2) If the Council fail to comply in any respect with the provisions of the present section they shall for each day in which they so fail be liable to a penalty not exceeding twenty pounds.

Provision  
against  
danger to  
navigation.

58.—(1) In case of injury to or destruction or decay of the pier or any part thereof below high-water mark the Council shall lay down such buoys exhibit such lights or take such other means for preventing as far as may be danger to navigation as shall from time to time be directed by the Corporation of Trinity House Deptford Strond and shall apply to that Corporation for directions as to the means to be taken.

(2) The Council shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to obey any direction given in reference to the means to be taken.

MISCELLANEOUS.

Meters and  
weighers.

59. The Council shall have the appointment of meters and weighers within the limits of this Order.

Appointment  
of officers to  
enforce bye-  
laws and  
regulations.

60. The Council may appoint officers for securing the observance of the byelaws and regulations made by the Council under this Order in respect of the pier and may from time to time procure such officers to be sworn in as constables for that purpose but no such officers shall act as constables until so sworn in and unless in uniform or provided with a warrant.

Application  
of Act.  
10 & 11 Vict.  
c. 27.

61. For all the purposes of the Harbours Clauses Act 1847 this Order shall be deemed the special Act but sections 12 and 13 of that Act shall not be incorporated with this Order.

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62. Officers of the Ministry of Transport and Board of Trade and police officers acting in the execution of their duty shall at all times have free ingress passage and egress to along and from the pier without payment.

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*Colwyn Bay.*  
 Officers exempt from rates.

63. All penalties recovered under this Order shall except in case of penalties recovered against the Council be paid to the treasurer for the time being of the Council and be by him carried to the credit of the pier revenue.

Recovery of penalties.

64. The Council shall within the limits of this Order be a local lighthouse authority for the purposes of the Merchant Shipping Act 1894.

Council to be a local lighthouse authority.

65. Sections 28 and 99 of the Harbours Clauses Act 1847 shall apply to and for the benefit of any Government department in the same manner as they apply to and for the benefit of the Government departments specially named in those sections.

Extension of 10 & 11 Vict. c. 27 (sections 28 and 99) to all Government departments.

66. Nothing in this Order affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Council 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 lands hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent the said Commissioners and Board are hereby respectively authorised to give).

Crown rights.

67. The pier shall for all purposes be deemed to form part of the parish of Llandrillo-yn-Rhos and of the urban district of Colwyn Bay and Colwyn in the county of Denbigh.

Pier to be within urban district.

68. As from the date of transfer the Order of 1898 shall be repealed.

Repeal.

69. All costs charges and expenses of and incident to the preparation and obtaining of this Order and otherwise incurred in reference thereto as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Council out of the pier revenue or out of the district fund or out of money borrowed for the purposes of the promotion of this Order.

Costs of Order.

A.D. 1923.

The SCHEDULES referred to in the foregoing  
Order.

*Colwyn Bay.*

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FIRST SCHEDULE.

AGREEMENT made the twenty-eighth day of September One thousand nine hundred and twenty-two BETWEEN THE VICTORIA PIER AND PAVILION COMPANY (COLWYN BAY) LIMITED whose registered office is at number forty-four Brown Street in the City of Manchester (in liquidation) by Peter Gregson the Liquidator of the said Company (hereinafter called "the Vendors") of the one part and THE URBAN DISTRICT COUNCIL OF COLWYN BAY AND COLWYN (hereinafter called "the Purchasers") of the other part WITNESSETH as follows:—

1. The Vendors agree to sell and the Purchasers to purchase at the price of Four thousand seven hundred and fifty pounds all the vendors' estate rights and interest in under or by virtue of an agreement made the twelfth day of May one thousand eight hundred and ninety-eight between the Urban District Council of Colwyn Bay and Colwyn of the one part and the Vendors of the other part being an agreement for the granting of a lease of the right to use for the purposes in the manner and subject to the conditions thereafter expressed (First) All that plot of land containing seven hundred and eighty square yards or thereabouts being part of the Promenade situate in the parish of Llandrillo-yn-Rhos in the county of Denbigh coloured green on the plan attached thereto and marked "A" and (Secondly) All that plot of land (being a portion of the foreshore) containing eight thousand seven hundred and seventy-six square yards or thereabouts situate in the parish of Llandrillo-yn-Rhos aforesaid coloured brown on the said plan and marked "B" or a like quantity of land in a similar position but varying slightly from the exact position of the said piece so coloured brown the rights over the said premises first described to be for a term of nine hundred and ninety-nine years from the first day of January one thousand eight hundred and ninety-eight and over the said premises secondly described for the residue of the term of thirty-one years granted by an indenture of lease dated the first of February one thousand eight hundred and ninety-six and made between Edward Stafford Howard of the one part and the said Council of the other part and for any renewed or longer term that the said Council may at any time acquire in the said secondly mentioned premises at the same rent and in all respects subject to the same conditions as are in the said agreement reserved



and contained with respect to the said secondly mentioned premises and also all that substantial erection known as the Victoria Pier with the entrance gates ticket office refreshment buffet concert hall kiosks and all things standing and being thereon.

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—  
*Colwyn Bay.*

2. The property is sold subject “to and with the benefit of the powers and provisions of the Pier and Harbour Orders Confirmation (No. 2) Act 1898 for (inter alia) the construction and maintenance of a pier and works at Colwyn Bay.”

3. The Purchasers will on the signing of this agreement pay to the liquidator a deposit of ten per centum of the said purchase money and pay the balance of the purchase money at the office of the Vendors’ solicitors Messrs. Hall Hawkins Pimblott Brydon and Chapman 56A Mosley Street Manchester as hereinafter mentioned when they shall be entitled to a legal and proper assurance of the property sold.

4. Such assurance shall be prepared by the Purchasers’ solicitors and at their expense and a draft thereof shall be submitted to the Vendors’ solicitors for the Vendors’ approval fourteen days before the day fixed for completion.

5. The purchasers shall accept the title of the Vendors to the property sold and shall not make any requisitions or objections in respect thereof and if any error omission or misdescription shall be found in the foregoing particulars the same shall not annul the sale nor shall any compensation or equivalent be made or allowed in respect thereof.

6. All outgoing and liabilities in respect of the property sold shall as from the completion date hereinafter mentioned be borne paid and discharged by the Purchasers and if from any cause whatsoever other than the wilful default of the Vendors the purchase shall not be completed on that day the Purchasers shall pay to the Vendors interest on the balance of the purchase money at the rate of five pounds per cent. per annum from that day until completion.

7. Any subsisting insurance against fire in respect of the property sold shall from the date hereof be for the benefit of the Purchasers subject to the consent of the office and to the purchase being completed and to the Purchasers paying a proportionate part of the premium for the unexpired term.

8. The property shall as to any damage by fire storm tempest or any inevitable accident sustained after the date of this agreement be at the risk of the Purchasers and no claim shall be made against the Vendors for any deterioration or damage unless occasioned by their wilful neglect or default.

9. Should the Purchasers fail to observe or comply with any of the foregoing stipulations on their part their deposit shall be

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A.D. 1923. forfeited to the Vendors who may rescind the sale and resell the  
— property by public auction or private contract subject to such  
*Colwyn Bay.* stipulations as they may think fit and any deficiency in price on  
such resale and all expenses attending the same or abortive resale  
shall be made good by the Purchasers and be recoverable by the  
Vendors as liquidated damages but any increase in price on a resale  
shall belong to the Vendors.

10. The contract is entered into subject to the consent of the  
Ministry of Transport Board of Trade Ministry of Health or/and  
of any other necessary Government department being obtained  
thereto under the provisions of the Colwyn Bay Victoria Pier  
Order 1898 and the purchase shall be completed within two  
calendar months from the date of such consents being obtained  
The Purchasers hereby undertake to forthwith apply for and to  
use their best endeavours to obtain such consent or consents so as  
to complete the sale at the earliest possible date If such consent  
is refused then the Purchasers shall be at liberty if they so  
determine to declare this contract null and void and the deposit  
shall be refunded to the Purchasers but in that event the Pur-  
chasers shall bear and pay all costs charges and expenses incurred  
by the Vendors preliminary to and of such abortive sale including  
the preparation of the particulars and conditions for the abandoned  
sale by auction.

11. The Purchasers shall be entitled to possession of the  
Victoria Pier the entrance gates ticket office refreshment buffet  
concert hall kiosks and all things standing and being thereon on  
the twenty-ninth day of September one thousand nine hundred  
and twenty-two In the event of the purchase not being com-  
pleted for any cause whatever the Purchasers shall pay to the  
Vendors the sum of thirty pounds for each month or part of a  
month during which the Purchasers are in possession as from  
the twenty-ninth day of September one thousand nine hundred  
and twenty-two until possession thereof is given up In the  
event of the purchase being completed the Vendors shall not be  
entitled to the said sum of thirty pounds or any other sum what-  
soever but shall be paid interest on the balance of purchase money  
at the rate of five pounds per cent. per annum computed from  
the twenty-ninth day of September one thousand nine hundred  
and twenty-two to the day of completion and upon completion  
an account shall be taken between the parties accordingly Until  
completion of the purchase or until this contract is determined in  
accordance with clause 10 the Purchaser will maintain the pier  
and all erections thereon and parts thereof in at least as good and  
substantial condition as the same now are and the terms of this  
contract shall not be affected by any damage that may occur to  
the pier or any part thereof while the same is in the possession of  
the Purchasers.

12. That the Purchasers shall until completion of the purchase or until this contract is determined as hereinbefore mentioned keep the premises open and working as a going concern and insure and keep insured against loss or forfeiture the licence for the time being held in connection with the premises hereby contracted to be sold in the name of the said Peter Gregson in the sum of three thousand pounds and will pay all premiums necessary for that purpose within seven days after the same shall become due and produce to the said Peter Gregson on demand the policy or policies of such insurance and the receipt for each such premium As witness the hands of the said Peter Gregson the day and year first before written.

A.D. 1923.  
 —  
*Colwyn Bay.*

Witness to the signature of the said PETER GREGSON—  
 JNO. LL. JONES  
 Managing clerk with  
 Messrs. Amphlett & Co.  
 Solicitors Colwyn Bay.

(Signed) PETER GREGSON  
 Liquidator—  
 Victoria Pier and Pavilion Co.  
 (Colwyn Bay) Ltd.

Received of MESSRS. AMPHLETT & Co. the sum of four hundred and seventy-five pounds being the above-named deposit.

Stamp  
 2d.

(Signed) PETER GREGSON.  
 28-9-22.

SECOND SCHEDULE.

I.—RATES ON VESSELS USING THE PIER.

	£	s.	d.
For every vessel not exceeding the burden of 15 tons			
per ton	0	0	4
For every vessel exceeding the burden of 15 tons and under 50 tons - - - -			
per ton register	0	0	6
For every vessel of the burden of 50 tons and under 100 tons - - - -			
per ton register	0	0	8
For every vessel of the burden of 100 tons and under 150 tons - - - -			
per ton register	0	0	10
For every vessel of the burden of 150 tons and upwards			
per ton register	0	1	0
All lighters for each trip - - - -	0	0	6
All boats entirely open landing or taking on board goods			
each	0	0	6

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 Colwyn Bay.

II.—RATES FOR GOODS AND ANIMALS SHIPPED OR  
 UNSHIPED AT THE PIER.

	£	s.	d.
Light goods - - - - - per cubic foot	0	0	1
Heavy goods - - - - - per ton	0	2	0
<p>In charging the rates on goods the gross weight or measurement of all goods to be taken and for any less weights measures and quantities than those above specified a portion of the respective rates shall be charged.</p>			
For every four-wheeled carriage - - - - -	0	4	0
For every two-wheeled carriage - - - - -	0	2	6
For every bicycle or tricycle for each and every time -	0	0	3
For every motor car - - - - -	0	5	0
Horses - - - - - each	0	1	6
Asses mules bulls cows and oxen - - - - - each	0	1	0
Calves sheep and pigs - - - - - each	0	0	3
Lambs dogs and other small animals - - - - - each	0	0	2

III.—RATES FOR USE OF PIER.

For every passenger or other person landing on the pier from or embarking from it on board of any ship vessel boat packet or passage-boat for each time any sum not exceeding - - - - -	0	0	4
For every person using the pier for the purpose of walking for exercise pleasure or any other purpose except for bathing embarking or disembarking for each time any sum not exceeding - - - - -	0	0	3
For every bath or sedan-chair including attendant taken on the pier for each time any sum not exceeding	0	0	4
For every perambulator including attendant taken on the pier for each time any sum not exceeding - -	0	0	4
For every person using the pier for the purpose of bathing any sum not exceeding - - - - -	0	0	7
For every master of any vessel boat or wherry using the said pier for the purpose of going to or returning from his own vessel boat or wherry an annual sum not exceeding - - - - -	1	0	0

IV.—RATES ON PASSENGERS' LUGGAGE LANDED OR  
 TRANSHIPPED AT THE PIER.

A.D. 1923.  
 —  
*Colwyn Bay.*

	£	s.	d.
For every trunk portmanteau box parcel or other package within the description of luggage and not borne by the passenger not exceeding 28 lbs. - - -	0	0	2
Over 28 lbs. and not exceeding 84 lbs. - - -	0	0	4
Over 84 lbs. and not exceeding 112 lbs. - - -	0	0	5
Over 112 lbs. and not exceeding 140 lbs. - - -	0	0	6
Over 140 lbs. and not exceeding 196 lbs. - - -	0	0	7
Over 196 lbs. and not exceeding 2 cwt. - - -	0	0	8
If amounting to or exceeding 2 cwt. for every 1 cwt. -	0	0	4
And for every 28 lbs. weight in addition - - -	0	0	1

V.—RATES FOR USE OF WEIGHING MACHINES.

For goods weighed for each ton or part of a ton - - -	0	0	2
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SAINT ANNE'S-ON-THE-SEA PIER.

*Provisional Order for varying certain rates chargeable in respect of the use of Saint Anne's-on-the-Sea Pier and for other purposes.* *St. Anne's on-the-Sea.*

1. This Order may be cited as the Saint Anne's-on-the-Sea Pier Order 1923 and the Saint Anne's-on-the-Sea Pier Orders 1879 and 1902 and this Order may be cited together as the Saint Anne's-on-the-Sea Pier Orders 1879 to 1923. Short title.

2. This Order shall come into operation upon the day when the Act confirming this Order is passed and that day is in this Order referred to as "the commencement of this Order." Commence-  
ment of  
Order.

3. The Saint Anne's-on-the-Sea Land and Building Company Limited shall be the undertakers for carrying this Order into execution and are in this Order referred to as "the Company." Undertakers.

[Ch. ix.] *Pier and Harbour* [13 & 14 GEO. 5.]  
*Orders Confirmation (No. 2) Act, 1923.*

A.D. 1923.

—  
*St. Anne's-  
on-the-Sea.*

Alteration of  
rate for pro-  
menaders.

4. As from the commencement of this Order the provisions of the Saint Anne's-on-the-Sea Pier Orders 1879 and 1902 shall be read and construed as if the following rate had been substituted for the corresponding rate contained in the first part of the schedule to the Saint Anne's-on-the-Sea Pier Order 1879:—

For every person who shall use the pier for the purpose of walking for exercise pleasure or any other purpose except for embarking or disembarking for each time any sum not exceeding threepence.

Costs of  
Order.

5. All costs charges and expenses of and incident to the preparing and obtaining of this Order and otherwise incurred in reference thereto shall be paid by the Company.

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FOR

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