



CHAPTER lxxvii.

An Act for conferring further powers upon the A.D. 1930.
Great Western Railway Company in respect of
their docks at Swansea and Port Talbot respect-
ively and for other purposes. [4th June 1930.]

WHEREAS it is expedient that the Great Western Railway Company (in this Act called "the Company") should be empowered to make and maintain an additional entrance lock to their docks at Swansea and to exercise the powers by this Act authorised :

And whereas a plan and section showing the lines and levels of the entrance lock by this Act authorised and the lands in or through which the same is intended to be made and a book of reference to such plan containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands were duly deposited with the clerk of the peace for the county of Glamorgan and that plan section and book of reference are hereinafter respectively referred to as the deposited plan section and book of reference :

And whereas the powers for the compulsory purchase of lands for and for the construction of the piers or breakwaters authorised by and described in the Port Talbot Railway and Docks Act 1914 have expired and it is expedient that those powers should be revived and continued and further extended as provided by this Act :

A.D. 1930.

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And whereas it is expedient that the Company should be authorised to apply their funds to the purposes of this Act :

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 :—

Short title.

1. This Act may be cited for all purposes as the Great Western Railway (Docks) Act 1930.

Incorporation of general Acts.

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

The Lands Clauses Acts :

Provided that—

(1) any question of disputed compensation under this Act or any Act incorporated therewith (other than a question required to be determined by two justices) shall be determined by a single arbitrator to be agreed upon between the Company and the person claiming the compensation or in default of such agreement appointed by the Board of Trade on the application of either party ;

(2) section 34 of the Lands Clauses Consolidation Act 1845 shall be read and have effect subject to the following proviso in all cases in which notice of the effect of such proviso accompanies any offer of purchase money and compensation made by the promoters :

Provided that in the event of a party to whom a sum shall have been offered by the promoters at least ten days before the commencement of the hearing before the arbitrator failing within ten days of

the making of the offer to notify the promoters in writing that he accepts the same all the costs and expenses of the promoters of and incidental to the arbitration incurred by them after the date of the offer shall in the event of his subsequently accepting such offer be borne by him including any fees and expenses of the arbitrator; and

A.D. 1930.

- (3) the bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be under the common seal of the Company and shall be sufficient without the addition of the sureties mentioned in that section.

The Harbours Docks and Piers Clauses Act 1847 except sections 16 and 19 unless the Company shall be required by the Board of Trade to provide and maintain a life-boat and a tide gauge and a barometer.

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

Interpretation.

4. Subject to the provisions of this Act the Company may make and maintain in the lines and according to the levels shown on the deposited plan and section the entrance lock hereinafter described with all proper works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the deposited plan and described in the deposited book of reference as may be required for those purposes The entrance lock hereinbefore referred to and authorised by this Act is—

Power to Company to make new works.

A new entrance lock from the river Tawe to the Company's King's Dock wholly in the parish and county borough of Swansea in the county of Glamorgan commencing at a point about two chains west of the southern end of the existing entrance lock and terminating at a point about three and a half chains west of the northern end of the said entrance lock.

A.D. 1930.

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Power to
deviate.

5. In making the entrance lock by this Act authorised the Company may deviate laterally to any extent not exceeding the limits of deviation shown on the deposited plan and vertically from the levels shown on the deposited section to any extent not exceeding ten feet upwards and ten feet downwards or to such further extent as they may find necessary or convenient and as may be sanctioned by the Minister of Transport Provided that no deviation either lateral or vertical below high-water mark shall be made without the consent in writing of the Board of Trade.

Dredging
&c.

6. The Company may for the purposes of and in connection with the construction and maintenance of the entrance lock by this Act authorised deepen dredge scour cleanse widen and improve the entrance channel to Swansea Harbour and the river Tawe adjoining the said entrance lock and remove and appropriate any soil or other materials which may interfere with the construction and maintenance of the said entrance lock or the adequate and proper use of the said entrance channel :

Provided that no materials excavated or dredged under the provisions of this section shall be deposited below high-water mark otherwise than in such position and under such restrictions as may be fixed by the Board of Trade.

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

7.—(1) Subject to the provisions of this Act any work authorised by this Act shall only be constructed so far as the same shall be on under or over tidal waters or tidal lands below high-water mark of ordinary spring tides in accordance with plans and sections approved by the Board of Trade under the hand of one of the secretaries or assistant secretaries of the Board of Trade and subject to such restrictions and regulations as the said Board may prescribe before such work is begun.

(2) Any alteration or extension of any such work shall be subject to the like approval.

(3) 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 Company and the amount of such cost shall be a debt

due from the Company to the Crown and shall be recoverable either as a debt due to the Crown or by the Board of Trade summarily as a civil debt. A.D. 1930.
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8. If at any time the Board of Trade deem it expedient for the purposes of this Act to order a survey and examination of any work constructed by the Company under the powers of this Act which shall be on under or over tidal waters or tidal lands below high-water mark of ordinary spring tides or of the site upon which it is proposed to construct any such work the Company shall defray the expense of the survey and examination and the amount thereof shall be a debt due from the Company to the Crown and shall be recoverable either as a debt due to the Crown or by the Board of Trade summarily as a civil debt. Survey of works by Board of Trade.

9.—(1) Where any work constructed by the Company under the powers of this Act and situate wholly or partially on under or over the shore or bed of the sea or of any creek bay arm of the sea or navigable river communicating therewith below high-water mark of ordinary spring tides is abandoned or suffered to fall into decay the Board of Trade may by notice in writing either require the Company at their own expense to repair and restore such part of such work as is situate below high-water mark of ordinary spring tides or any portion thereof or require them to abate or remove the same and restore the site thereof to its former condition to such an extent and within such limits as the Board of Trade may think proper. Abatement of work abandoned or decayed.

(2) Where any part of any such work which has been abandoned or suffered to fall into decay is situate above the high-water mark of ordinary spring tides and is in such condition as to interfere or to cause reasonable apprehension that the same may interfere with the right of navigation or other public rights over the foreshore the Board of Trade may include any such part of such work or any portion thereof in any notice under this section.

(3) If during the period of thirty days from the date when the notice is served upon the Company they have failed to comply with such notice the Board of Trade may execute the works required to be done by the notice at the expense of the Company and the amount of such

A.D. 1930. — expense shall be a debt due from the Company to the Crown and shall be recoverable either as a debt due to the Crown or summarily as a civil debt.

Lights on works during construction.

10.—(1) The Company shall at or near such part of the works by this Act authorised as shall be below high-water mark of ordinary spring tides during the whole time of the construction alteration or extension of the same exhibit and keep burning every night from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Board of Trade shall from time to time require or approve.

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

Permanent lights on works.

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

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

Provision against danger to navigation.

12.—(1) In case of injury to or destruction or decay of the works by this Act authorised or any part thereof so far as the same shall be constructed on under or over any tidal waters or tidal lands below high-water mark of ordinary spring tides the Company shall lay down such buoys exhibit such lights or take such other means for preventing so 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) If the Company fail to comply in any respect with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding ten pounds and in the case of a continuing offence to an additional penalty not exceeding one pound for every day during which they omit after conviction thereof so to apply or neglect to obey any direction given in reference to the means to be taken.

A.D. 1930.
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13. The powers conferred by the Port Talbot Railway and Docks Act 1914 for the compulsory purchase of lands for and for the construction of the piers or breakwaters (Works Nos. 1 and 2) by that Act authorised are hereby revived and extended and may be exercised by the Company for a period of two years from the passing of this Act as regards the purchase of lands and for a period of three years from the passing of this Act as regards the construction of works.

Revival of powers for purchase of lands and construction of works at Port Talbot.

If the said works be not completed within the extended period limited by this Act for their completion then on the expiration of that period the powers for making and completing the same and otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

14. The Company may apply to all or any of the purposes of this Act to which capital is properly applicable any moneys from time to time raised by them and which are not by any of the Acts or any scheme under the Railways Act 1921 or other enactment relating to the Company made applicable to any special purpose or which being so made applicable are not required for the special purpose.

Power to apply funds to purposes of Act.

15. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Company to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Crown Lands or of the Board of Trade respectively without the consent in writing of the Commissioners of Crown Lands

Crown rights.

[Ch. lxxvii.] *Great Western* [20 & 21 GEO. 5.]
Railway (Docks) Act, 1930.

A.D. 1930. — or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose.

Provisions
as to
general
Railway
Acts.

16. Nothing in this Act contained shall exempt the Company or their railways from the provisions of any general Act relating to railways or the better or more impartial audit of the accounts of railway companies passed before or after the commencement of this Act or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels authorised to be taken by the Company.

Costs of
Act.

17. 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 Company.

Printed by EYRE and SPOTTISWOODE, LTD.,
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