



CHAPTER xxi.

An Act to confer powers upon the urban district council of Mablethorpe in the county of Lincoln with respect to certain lands locally known as Sandhills or Dunes and situate within the urban district and for other purposes. A.D. 1914.
[8th July 1914.]

WHEREAS the district of Mablethorpe in the county of Lincoln (in this Act referred to as "the district") is an urban district within the meaning of the Local Government Act 1894 and is under the control and management of the urban district council of Mablethorpe (in this Act referred to as "the Council"):

And whereas the Council hold the foreshore within the district or ex adverso thereof up to high-water mark by virtue of and under an indenture of lease bearing date the 23rd day of March 1900 and made between the Queen's most Excellent Majesty of the first part the Board of Trade of the second part and the Council of the third part:

And whereas lying between the foreshore and the enclosed lands in the district are certain open or waste lands locally known as Sandhills or Dunes (in this Act referred to as "the Sandhills") which have at all times been and still are open to and freely used by the public:

And whereas His Majesty's Commissioners of Sewers for the county of Lincoln acting at Alford for the wapentake of Calceworth and part of the wapentakes of Candleshoe and Louth Eske (in this Act referred to as "the Commissioners") have certain statutory jurisdiction powers and rights over the Sandhills for the purpose of sea defence and land drainage:

And whereas interests or rights (other than those of the Commissioners) are claimed in or over the Sandhills by the

[Ch. xxi.] *Mablethorpe Urban District Council* [4 & 5 GEO. 5.]
Act, 1914.

A.D. 1914. owners of enclosed lands opposite or adjoining thereto subject to such rights of user of the Sandhills as the public shall have acquired:

And whereas it is desirable that the Sandhills (subject to the jurisdiction powers and rights of the Commissioners and to the provisions of this Act) should be vested in the Council freed and discharged from all interests and rights therein other than those of the Commissioners and that so far as such rights or interests exist provision should be made for payment of compensation as in this Act provided:

And whereas it is expedient that the Council should be authorised to borrow money for the purposes of this Act and that further powers should be vested in the Council with respect to finance:

And whereas the objects aforesaid cannot be attained without the authority of Parliament:

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed and the approval of the Local Government Board has been obtained:

And whereas a plan of the Sandhills and a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers or reputed occupiers thereof were duly deposited with the clerk of the peace for the parts of Lindsey in the county of Lincoln and are in this Act respectively referred to as the deposited plan and book of reference:

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):—

PART I.

PRELIMINARY.

Short title.

1. This Act may be cited for all purposes as the Mablethorpe Urban District Council Act 1914.

Incorporation of Acts.

2. The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845) so far as the same are applicable

[Ch. xxi.] *Mablethorpe Urban District Council* [4 & 5 GEO. 5.]
Act, 1914.

A.D. 1914. hereby declared to be and shall accordingly be vested in the Council freed and discharged from all rights and interests therein (if any) other than as aforesaid.

(2) The Sandhills shall within the meaning of section 68 of the Lands Clauses Consolidation Act 1845 and for the purposes of that Act be deemed to be lands taken for the undertaking or works for which the promoters of the undertaking shall not have made satisfaction and such of the provisions of the said Act with respect to the purchase and taking of lands otherwise than by agreement as relate to lands taken as aforesaid shall apply accordingly as fully as if within the meaning of the said Act this Act were the special Act and the Sandhills were lands authorised to be taken for the undertaking or works by the special Act authorised and the Council were the promoters of the undertaking and any person owning the Sandhills or any part thereof or having any interest therein at the passing of this Act shall be entitled to compensation accordingly Provided that within six months after the passing of this Act he shall have given notice in writing to the Council of the nature of the lands and of the interest in respect of which he claims compensation and the amount of compensation so claimed but this proviso shall not operate unless the Council shall within one month of the passing of this Act give public notice of the effect of the provisions contained in this section by advertisement in the Times newspaper and the Louth and North Lincolnshire Advertiser or some other newspaper circulating in the district.

In this section the word "lands" shall have the same meaning as in the Lands Clauses Consolidation Act 1845.

Sandhills to be maintained as open space.

5. The Sandhills (subject to the provisions of this Act) shall be maintained by the Council as an open space for the use and enjoyment of the inhabitants of the district Provided as follows:—

(a) The Council may by resolution dedicate any part or parts of the Sandhills for the purpose of making or widening any public street:

(b) The Council may construct and maintain upon any part of the Sandhills promenades landing-places launching-slips bathing bungalows shelters and other conveniences and may take rents or charges for the use thereof or admission thereto and they may let any part or parts of the Sandhills for such purposes:

[4 & 5 GEO. 5.] *Mablethorpe Urban District Council* [Ch. xxi.]
Act, 1914.

for the purposes and are not inconsistent with the provisions of this Act are hereby incorporated with and form part of this Act. A.D. 1914.

3. In this Act unless the subject or context otherwise requires— Interpretation.

“The district” means the urban district of Mablethorpe;

“The Council” means the urban district council of the district;

“The clerk” means the clerk of the Council for the time being;

“The district fund” and “general district rate” mean respectively the district fund and general district rate of the district;

“The Sandhills” means the lands by this Act vested in the Council;

“The Commissioners” means His Majesty’s Commissioners of Sewers for the county of Lincoln acting at Alford for the wapentake of Calceworth and part of the wapentakes of Candleshoe and Louth Eske;

“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.

PART II.

VESTING AND MANAGEMENT OF THE SANDHILLS.

4.—(1) The lands described in the schedule to this Act and shown on the deposited plans and described in the deposited book of reference and locally known as Sandhills or Dunes (and in this Act referred to as “the Sandhills”) shall be and the same are (subject to the jurisdiction powers and rights of the Commissioners thereover or therein and to the provisions of this Act) Sandhills to vest in Council.

[4 & 5 GEO. 5.] *Mablethorpe Urban District Council* [Ch. xxi.]
Act, 1914.

(c) The Council may erect and maintain upon any part of the Sandhills pavilions booths stalls tents and other erections and conveniences and may take rents or charges for the use thereof or admission thereto and they may let any part or parts of the Sandhills for such purposes :

A.D. 1914

(d) The Council may arrange for the provision or carrying on of suitable concerts entertainments exhibitions performances games and amusements and for the sale of programmes and refreshments upon any part or parts of the Sandhills or in any public building belonging to them thereon and may make charges for admission thereto or for the use thereof and the Council may let any such part or parts of the Sandhills or any such building for the purposes of such concerts entertainments exhibitions performances games or amusements or for the sale of refreshments for such periods or occasions and upon such terms and conditions as the Council may think fit :

(e) The Council may make byelaws for securing good and orderly conduct during any concerts entertainments exhibitions performances games or amusements provided or carried on in pursuance of subsection (d) of this section :

(f) The Council may appropriate and use or let on lease or otherwise to any club company body or person any part or parts of the Sandhills for the purpose of golf links and may upon such part or parts of the Sandhills form alter maintain regulate manage and use a golf course with all proper and convenient houses pavilions works buildings and conveniences and may make such charges for the use thereof or may let the same as they think fit :

(g) The Council may make and enforce byelaws with respect to any golf course belonging to them and for regulating the use thereof respectively.

6. The provisions of the Baths and Washhouses Acts shall not apply to any bathing pools or places or baths provided under the provisions of this Act.

Baths and Washhouses Acts not to apply.

[Ch. xxi.] *Mablethorpe Urban District Council* [4 & 5 GEO. 5.]
Act, 1914.

A.D. 1914.
For protec-
tion of Com-
missioners of
Sewers.

7.—(1) If in the exercise of the powers conferred upon them by the provisions of this Act the Council find it necessary or expedient to construct or carry out any works or erections over under or in any way affecting the sea defences or any work subject to the jurisdiction or control of the Commissioners such intended works or erections shall be constructed and carried out only in accordance with plans sections and specifications to be previously submitted to and reasonably approved by the surveyor of the Commissioners in order that any such intended works or erections shall not interfere with or prejudicially affect any sea defence or work under the jurisdiction or control of the Commissioners and all such intended works and erections shall be executed and maintained under the superintendence (if such superintendence be given) and to the reasonable satisfaction of such surveyor by and at the expense of the Council.

(2) If the Commissioners at any time or times hereafter in the exercise of their powers shall deem it necessary to construct any additional or other works or to alter enlarge or repair any works subject to their jurisdiction and control over under or by the side of any works or erections of the Council the Commissioners may by notice in writing require the Council to alter the situation of such works or erections in such manner and within such reasonable time as shall be specified in such notice and if such notice is not complied with (or in case of emergency on giving as long a notice as practicable) the Commissioners themselves may in order to ensure the safety of the said works or erections of the Council raise sink or otherwise deal with the same in as convenient a manner as the circumstances will admit and doing as little damage as may be but without being liable to pay compensation Provided that such work if executed by the Commissioners shall be carried out to the reasonable satisfaction of the surveyor of the Council and that no such alterations shall be required or made which will permanently injure or unduly interfere with any works or erections of the Council.

(3) Nothing in this Act contained shall be deemed or construed to extend to prejudice diminish alter abridge or take away any of the jurisdictions rights powers or authorities vested in the Commissioners and except as in this section is otherwise provided all such jurisdictions rights powers and authorities

[Ch. xxi.] *Mablethorpe Urban District Council* [4 & 5 GEO. 5.]
Act, 1914.

A.D. 1914. — to be made to the sinking fund either temporarily or permanently to such amounts as will in the opinion of the Local Government Board be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed.

(10) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be sufficient to repay the loan in respect of which it is formed within the prescribed period the Council may with the consent of that Board discontinue the annual payments to such sinking fund until the Local Government Board 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 as the Council with the consent of the Local Government Board may determine.

Power to
re-borrow.

19.—(1) The Council shall have power—

(A) to borrow for the purpose of paying off any moneys previously borrowed under this Act 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 Act 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 prescribed period 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 the power to borrow in order to replace any moneys previously borrowed which have been repaid—

[4 & 5 GEO. 5.] *Mablethorpe Urban District Council* [Ch. xxi.]
Act, 1914.

would have been produced by such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based. A.D. 1914.

(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 management or otherwise of any sinking fund under this Act shall be paid by the Council in addition to the payments provided for by this Act.

(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 Act together with the accumulations thereon (in the case of an accumulating sinking fund) will probably 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 Local Government Board that any such increase is necessary the Council shall increase the payments to such extent as that Board 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 Act together with the accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board 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

[Ch. xxi.] *Mablethorpe Urban District Council* [4 & 5 GEO. 5.]
Act, 1914.

A.D. 1914.

Mode of
payment off
of money
borrowed.

17. The Council shall pay off all moneys borrowed by them on mortgage under the powers of this Act 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 twelve months if by yearly repayments or within six months if by half-yearly repayments from the time of borrowing the sum in respect of which the payment is made.

Sinking
fund:

18.—(1) If the Council determine to repay by means of a sinking fund any moneys borrowed by virtue of this Act such sinking fund shall be formed or 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

(B) by payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three per centum per annum 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 any statutory security 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

A.D. 1914.

this Act and any such moneys shall be paid off within such period as shall be prescribed by the said Board.

Local Government Board.

12. In calculating the amount which the Council may borrow under the provisions of the Public Health Acts any sums which the Council may borrow under or for the purposes of this Act shall not be reckoned and the power of the Council of borrowing and re-borrowing for the purposes of this Act shall not be in any way restricted by any of the provisions or regulations of the Public Health Acts.

Certain provisions of Public Health Acts not to apply.

13. The Council may raise all or any moneys which they are authorised to borrow under this Act 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 contained in the section of this Act whereof the marginal note is "Sinking fund" 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 of that Act.

Mode of raising money.

14. The provisions of sections 236 237 and 238 of the Public Health Act 1875 with respect to mortgages to be executed by a local authority shall apply in the case of all mortgages granted by the Council under this Act as if they were with necessary modifications re-enacted in this Act.

Provisions as to mortgages.

15.—(1) Any mortgagee of the Council by virtue of this Act may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver.

Appointment of receiver.

The amount of arrears of principal due to such mortgagee or in the case of a joint application by two or more mortgagees to such mortgagees collectively to authorise the appointment of a receiver shall not be less than one thousand pounds in the whole.

(2) The application for the appointment of a receiver shall be made to the High Court.

16. A person lending money to the Council shall not be bound to inquire as to the observance by them of any provisions of this Act or be bound to see to the application or be answerable for any loss misapplication or non-application of the money lent or any part thereof.

Protection of lenders from inquiry.

- (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.

A.D. 1914.

20. The Council shall not be bound to see to the execution of any trust whether express or implied or constructive to which any loan or security for loan borrowed given or issued by them may be subject but the receipt of the person in whose name any loan or security for loan stands in the register of mortgages shall from time to time be a sufficient discharge to the Council in respect thereof notwithstanding any trusts to which such loan or security may be subject and whether or not the Council have had express or implied notice of any such trust or of any charge or incumbrance upon or transfer of such loan or security or any part thereof or interest thereon not entered on their register and the Council shall not be bound to see to the application of the money paid on any such receipt or be answerable or accountable for any loss misapplication or non-application of any such money.

Council not to regard trusts or bound to see to application of moneys.

21.—(1) The clerk shall within twenty-one days after the thirty-first day of March in each year if during the twelve months next preceding the said thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of this Act or in respect of any money raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may be prescribed by that Board and if required by that Board verified by statutory declaration of the clerk showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been

Return respecting sinking fund to Local Government Board.

[Ch. xxi.] *Mablethorpe Urban District Council* [4 & 5 GEO. 5.]
Act, 1914.

A.D. 1914. made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest have been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of his failing to make such return the clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court.

(2) If it appears to the Local Government Board by that return or otherwise that the Council have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Act or by the Local Government Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purposes other than those authorised the Local Government Board may by order direct that the sum in such order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such order mentioned and any such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court.

Receipts and
expenses
under this
Act.

22. All moneys received and all expenses incurred by the Council in carrying into execution the provisions of this Act (except such of those expenses as are to be paid out of borrowed moneys or are otherwise provided for) shall respectively be paid into or out of the district fund or general district rate.

Application
of money
borrowed.

23. All money borrowed under the provisions of this Act shall be appropriated to purposes for which it is authorised to be borrowed and shall be expended exclusively on works or objects on which capital may properly be expended Provided that moneys which may have been borrowed in excess of the amount required shall be paid into the sinking fund or shall be applied in such manner as the Council with the consent of the Local Government Board determine.

PART IV.

A.D 1914.

MISCELLANEOUS.

24. Whenever the Council under any enactment or byelaw for the time being in force within the district execute re-execute or alter any work act or thing in default of the owner or occupier and in the absence of misconduct or negligence on the part of the Council or any contractor or person employed by them are required to pay any damages penalties costs charges and expenses for or in respect of or consequent upon the executing re-executing or altering such work act or thing the amount thereof when paid shall be deemed to be part of the expenses payable by such owner or occupier and shall be recoverable accordingly.

In execut-
ing works
for owner
Council not
liable for
damages
save in
case of negli-
gence.

25. All the provisions with respect to byelaws contained in sections 182 to 186 of the Public Health Act 1875 (except so much thereof as relates exclusively to byelaws of a rural sanitary authority) shall apply to all byelaws from time to time made by the Council under the powers of this Act.

Confirma-
tion of
byelaws.

26.—(1) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary in regard to the exercise of any powers conferred on them or the giving of any consents under this Act and their inspectors shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

Inquiries by
Local
Government
Board.

(2) The Council shall pay to the Local Government Board any expenses incurred by that Board in relation to any inquiries referred to in this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

27. Where in any legal proceedings taken by or on behalf of the Council under this Act or under any general or local Act for the time being in force in the district it becomes necessary to prove the appointment or authority of any officer servant solicitor or agent of the Council or of any committee of the Council or to prove any resolution of the Council or of any committee of the Council a certificate of such appointment authority or resolution purporting to be authenticated by the signature of the chairman of the Council or the clerk shall be

Evidence of
appoint-
ments and
authority.

[Ch. xxi.] *Mablethorpe Urban District Council* [4 & 5 GEO. 5.]
Act, 1914.

A.D. 1914. — primâ facie evidence of such appointment authority or resolution without further proof of the holding of any meeting or the production of any minute book or other record or document.

Authenti-
cation and
service of
notices &c.

28. In the case of any notice or demand under this Act requiring authentication by the Council the signature of the clerk or other duly authorised officer of the Council shall be sufficient authentication. Notices orders and any other documents required or authorised to be served under this Act may be served in the same manner as notices under the Public Health Act 1875 are by section 267 of that Act authorised to be served. Provided always that in the case of any company any such notice or document shall be delivered or sent by post addressed to the secretary of the company at their principal office or place of business.

Persons
acting in
execution of
Act not to
be person-
ally liable.

29. No matter or thing done or contract entered into by the Council nor any matter or thing done by the clerk or by any member or officer of the Council or any person whomsoever acting under the direction of the Council shall if the matter or thing be done or the contract be entered into bonâ fide for the purpose of executing this Act subject them or any of them personally to any action liability claim or demand whatsoever and any expense incurred by the Council or clerk member officer or person acting as last aforesaid shall be borne and repaid out of any of the funds at the disposal of the Council.

Crown
rights.

30. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown.

Costs of
Act.

31. The costs charges and expenses preliminary to and of and incidental to preparing and obtaining this Act including the costs charges and expenses preliminary to and of and connected with the compliance with the requirements of the Borough Funds Acts 1872 and 1903 shall after taxation by the taxing officer of the House of Lords or of the House of Commons be paid by the Council out of the district fund and general district rate or out of moneys to be borrowed by the Council under this Act.

The SCHEDULE referred to in the foregoing Act. A.D. 1914.

LANDS VESTED IN COUNCIL.

Certain lands (except such portion as is in the occupation of the trustees of the Convalescent Home) situate in the parish and urban district of Mablethorpe immediately above and bounded on the east by high-water mark of ordinary tides and bounded on the north and south by the boundary of the said parish and urban district and on the west between the said north and south boundaries by lands belonging or reputed to belong respectively to Thomas Fowler the trustees of the late Elizabeth Walmsley the trustees of the late Reverend James Wood H.M. Board of Admiralty the said trustees of the late Reverend James Wood the trustees of the late Christopher Robinson Thomas Ernest Enderby Henry Humberstone Gray the trustees of the late C. M. Nesbitt Annie Horton William Horton George Sadler thence by the cut or drain known as His Majesty's Commissioners' Cut and thence by lands belonging or reputed to belong respectively to Mrs M. A. Comins the said trustees of the late C. M. Nesbitt the Conservative Club Company Samuel Stubbs Hurd Hickling the trustees of the late Mrs. C. M. Benson Miss M. E. Rhodes John Pycroft Mrs. Holt the Reverend Robert Baker the said George Sadler Edward Dabbs Charles Francis Johnson Walter East the Reverend Gilbert Vincent Bull the Reverend G. E. Belcher George Graves Charles Walker John Thomas Simons the said George Graves and the said Charles Walker.

Printed by EYRE and SPOTTISWOODE, Ltd.,

FOR

FREDERICK ATTERBURY, Esq., C.B., the King's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
WYMAN AND SONS, LTD., 29, BREAMS BUILDINGS, FETTER LANE, E.C., and
28, ABINGDON STREET, S.W., and 54, ST. MARY STREET, CARDIFF; or
H.M. STATIONERY OFFICE (SCOTTISH BRANCH), 23, FORTH STREET, EDINBURGH; or
E PONSONBY, LTD., 116, GRAFTON STREET, DUBLIN;
or from the Agencies in the British Colonies and Dependencies,
the United States of America, the Continent of Europe and Abroad of
T. FISHER UNWIN, LONDON, W.C.

[Ch. xxi.] *Mablethorpe Urban District Council* [4 & 5 GEO. 5.]
Act, 1914.

A.D. 1914.

church make or allow any erections of a character likely to cause disturbance or annoyance to the incumbent or the persons worshipping in the said church :

- (3) If any difference shall arise between the Council and the incumbent arising out of the provisions of this section such difference shall be referred to and settled by an arbitrator to be appointed failing agreement between the parties by the Local Government Board on the application of either party and the provisions of the Arbitration Act 1889 shall apply to any such reference.

PART III.

FINANCIAL PROVISIONS.

Power to borrow.

10. The Council may in addition to any moneys they are now authorised to borrow or which they may be authorised to borrow under the provisions of the Public Health Acts or any public general Act borrow at interest for the purposes set forth in the first column of the following table on the security of the district fund and general district rate any sums not exceeding the respective sums set forth in the second column thereof and all moneys borrowed under the powers of this section shall be paid off within the respective periods set forth in the third column of the said table (that is to say):—

Purpose.	Amount.	Period for Repayment.
For any moneys payable under the provisions of the section of this Act of which the marginal note is "Sandhills to vest in Council" and for any costs and expenses payable or incurred in connection therewith.	The sum requisite therefor.	Sixty years from the date or dates of borrowing.
For paying the costs charges and expenses of this Act as hereinafter provided.	The sum requisite therefor.	Five years from the passing of this Act.

Power to borrow additional moneys with consent of

11. The Council may also from time to time with the sanction of the Local Government Board borrow at interest on the security of the district fund and general district rate such further moneys as may be required for any of the purposes of

[4 & 5 GEO. 5.] *Mablethorpe Urban District Council* [Ch. xxi.]
Act, 1914.

shall be as good valid and effectual to all intents and purposes as if this Act had not been passed. A.D. 1914.

(4) If any question or dispute arises under this section between the Commissioners or their surveyor on the one hand and the Council or their surveyor on the other hand the same shall be referred to an engineer to be appointed failing agreement by the President of the Institution of Civil Engineers on the application of either party and the provisions of the Arbitration Act 1889 shall apply to any such reference.

8. Subject to the provisions of this Act any of the works authorised by this Act to be constructed on in 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.

Works below high-water mark to be subject to approval of 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 Council and the amount of such cost shall be a debt due from the Council to the Crown and shall be recoverable as a Crown debt or summarily.

9. The following provisions shall have effect for the protection of the Reverend Gilbert Vincent Bull or other the incumbent for the time being of the Roman Catholic Church Gibraltar Road within the district (hereinafter called "the incumbent") unless otherwise agreed in writing between the Council and the incumbent:—

For protection of Reverend Gilbert Vincent Bull.

(1) The incumbent shall at all times be entitled to and the Council shall provide (subject to the rights of the Commissioners) reasonable means of access for the incumbent and his congregation to and from the said church from and to the sea front opposite to the site of the said church over the sandhills at the rear of the said church:

(2) The Council shall not upon the part of the sandhills adjacent to and co-extensive with the site of the said