



CHAPTER lii.

An Act to alter the boundaries of the borough of Blackpool to empower the mayor aldermen and burgesses of that borough to construct additional promenades street improvements tramways and other works and for other purposes. A.D. 1917.
[[21st August 1917.]

WHEREAS the borough of Blackpool in the county palatine of Lancaster is a county borough under the government of the mayor aldermen and burgesses of the borough:

And whereas the unrepealed provisions of the local Acts specified in Part I. of the First Schedule and of the Orders specified in Part II. of that schedule are in force in the borough:

And whereas the urban district of Bispham-with-Norbreck and the township of Carleton in the Fylde Rural District immediately adjoin the borough:

And whereas it is expedient to alter and extend the boundaries of the borough so as to include within the borough the urban district of Bispham-with-Norbreck and the part of the said township of Carleton referred to in this Act:

And whereas the borough is co-extensive with the township of Blackpool and the urban district of Bispham-with-Norbreck is co-extensive with the township of Bispham-with-Norbreck and it is expedient to alter and extend the boundaries of the township of Blackpool so as to include within that township the township of Bispham-with-Norbreck and the said part of the township of Carleton:

And whereas it is expedient to extend the limits of the Corporation for the supply of gas and electricity to include the borough:

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And whereas it is expedient to empower the Corporation to construct additional promenades street improvements tramways and other works and to confer upon them the other powers mentioned in this Act:

And whereas it is expedient that the other provisions contained in this Act be enacted:

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

And whereas estimates have been prepared by the Corporation for the purposes hereinafter mentioned and such estimates are as follows:—

(A) For and in connexion with the purchase of lands for and the construction of Works Nos. 1 2 8 and 9 authorised by this Act and the purchase of lands under the section of this Act whereof the marginal note is "Power to acquire further lands" -	£ 186,843
(B) For and in connexion with the purchase of lands for and the construction of Works Nos. 4 5 6 and 7 authorised by this Act - - - - -	26,657
(C) For and in connexion with the purchase of lands for and the construction of Works Nos. 3 and 10 authorised by this Act -	32,000
(D) For and in connexion with the construction of the tramways authorised by this Act -	35,382
(E) For and in connexion with the electrical equipment of those tramways - - -	6,954

And whereas the several works included in such estimates are permanent works and it is expedient that the cost thereof should be spread over a term of years:

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 plans and sections showing the lines and levels of the works authorised by this Act and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers

of this Act were duly deposited with the clerk of the peace for the county palatine of Lancaster which plans sections and book of reference are in this Act respectively referred to as the deposited plans sections and book of reference : A.D. 1917.

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:—

PART I.

PRELIMINARY.

1.—(1) This Act may be cited as the Blackpool Improvement Act 1917. Short and collective titles.

(2) The local Acts specified in Part I. of the First Schedule and the Orders specified in Part II. of that schedule and so much of the confirmation Acts specified in that part as relates to those Orders together with this Act may be cited as the Blackpool Improvement Acts 1853 to 1917.

2. This Act is divided into Parts as follows (that is to say):— Division of Act into Parts.

Part I.—Preliminary.

Part II.—Extension.

Part III.—Works and Lands.

Part IV.—Financial and Miscellaneous Provisions.

3. The following Acts and parts of Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act (namely):— Incorporation of Acts.

(1) The Lands Clauses Acts with the following exceptions and modifications:—

(A) Section 127 of the Lands Clauses Consolidation Act 1845 (relating to the sale of superfluous lands) is not incorporated with this Act;

(B) The bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be under the corporate seal of the Corporation and shall be sufficient without the addition of the sureties mentioned in that section;

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(c) All claims for compensation made upon the Corporation under this Act or any Act incorporated herewith shall if the person claiming has no greater interest in the land in respect of which compensation is claimed than as tenant from year to year or as a leaseholder for any term of which not more than eighteen months remain unexpired at the time at which the claim is made be determined in manner provided by section 121 of the Lands Clauses Consolidation Act 1845;

(d) Any question of disputed compensation under this Act or any Act incorporated herewith (other than a question required to be determined by two justices) shall be determined by a single arbitrator to be agreed upon between the Corporation 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 19 (Local authority may lease or take tolls) and Parts II. and III. of the Tramways Act 1870:

Provided that the said section 19 shall be read and have effect as if the words "but nothing in this Act
" contained shall authorise any local authority to place
" or run carriages upon such tramway and to demand
" and take tolls and charges in respect of the use of
" such carriages" were omitted from that section.

Interpreta-
tion.

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

(2) In this Act unless the subject or context otherwise requires—

- (A) "The borough" means the borough of Blackpool;
- (B) "The existing borough" means the borough as it exists immediately before the first day of April nineteen hundred and eighteen;
- (C) "The Corporation" means the mayor aldermen and burgesses of the borough of Blackpool;
- (D) "The council" means the council of the borough;

- (E) "The town clerk" and "the treasurer" mean respectively the town clerk and the treasurer of the borough and respectively include any person duly authorised to discharge temporarily the duties of those offices;
- (F) "The borough fund" "the borough rate" "the district fund" and "the general district rate" mean respectively the borough fund the borough rate the district fund and the general district rate of the borough;
- (G) "The county council" means the county council of the administrative county of Lancaster;
- (H) "The county" means the administrative county of Lancaster;
- (I) "The Bispham District" and "the Bispham Council" mean respectively the urban district of Bispham-with-Norbreck and the urban district council of that district;
- (J) "The Fylde District" and "the Fylde Council" mean respectively the Fylde Rural District and the Fylde Rural District Council;
- (K) "The district councils" means the Bispham Council and the Fylde Council;
- (L) "The added part of Carleton" and "the excluded part of Carleton" mean respectively the part of the township of Carleton which is coloured blue on the borough map and the remaining part of that township;
- (M) "The added areas" means the area of the Bispham District and the added part of Carleton;
- (N) "The borough map" means the map signed in triplicate by the Right Honourable John Henry Whitley the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred one of which has been deposited in the Parliament Office of the House of Lords one in the Private Bill Office of the House of Commons and one with the town clerk at his office;
- (O) "The Act of 1888" and "the Act of 1894" mean respectively the Local Government Act 1888 and the Local Government Act 1894;
- (P) "The Municipal Corporations Acts" means the Municipal Corporations Act 1882 and the Acts amending

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and extending the same and "the Public Health Acts" means the Public Health Act 1875 and the Acts amending and extending the same;

- (Q) "The local Acts" means the local Acts specified in Part I. of the First Schedule the Orders specified in Part II. of that schedule and so much of the confirmation Acts specified in that part as relates to those Orders and each of the Acts specified in Part I. of the said schedule is referred to as the Act of the year in which it was passed;
- (R) "The appointed day" means the first day of April nineteen hundred and eighteen;
- (S) "The First Schedule" "the Second Schedule" and "the Third Schedule" mean respectively the First Schedule the Second Schedule and the Third Schedule to this Act;
- (T) "The tribunal" means the arbitrator or other authority to whom any question of disputed purchase money or compensation under this Act is referred.

PART II.

EXTENSION.

Commence-
ment of
Part II.

5.—(1) This Part of this Act shall except so far as is otherwise herein expressly provided and so far as there may be anything in the subject-matter or context inconsistent therewith come into operation on the appointed day.

(2) Provided that for the purposes of—

- (A) The parish burgess lists and burgess roll and other lists to be made for the borough under the Municipal Corporations Acts;
- (B) The lists of county electors and the county registers to be made for the county in pursuance of the County Electors Act 1888 or any Act amending that Act;
- (C) The lists and registers of parochial electors and any other lists or registers to be made in pursuance of the Act of 1894;
- (D) All proceedings preliminary or relating to any municipal election to be held on the ordinary day of

election in the year nineteen hundred and seventeen; A.D. 1917.
and

(E) The revision of the basis or standard of the county rate of the county;

this Part of this Act shall operate from the date of the passing of this Act.

6.—(1) The boundary of the existing borough shall be altered so as to include in addition to the area of the existing borough the added areas. Extension of borough.

(2) The boundary of the borough shall be that shown by the red line on the borough map and the whole of the area within that boundary shall for the purposes of the Municipal Corporations Acts and for all other purposes be the borough and shall be the county borough of Blackpool for the purposes of the Act of 1888.

7.—(1) Copies of the borough map deposited with the town clerk certified by him to be true shall be sent as soon as may be to the clerk of the county council to the clerk to the Fylde Council to the Commissioners of Customs and Excise to the Board of Inland Revenue to the Registrar-General to the Postmaster-General to the Board of Trade to the Local Government Board and to the Board of Agriculture and Fisheries. Borough map.

(2) Copies of or extracts from the borough map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as *primâ facie* evidence of the contents of the map so far as it relates to the boundaries of the borough and the map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the borough and any such person shall be entitled to a copy of or extract from the map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation. All fees so received shall be carried to the credit of the borough fund.

8.—(1) The powers and duties of the justices of the peace appointed for the existing borough of the clerk to those justices and of the police constables and other peace officers of the existing borough shall extend to and apply throughout the borough. Powers and duties of justices &c. extended.

(2) Every person committing an offence in any part of the added areas prior to the appointed day shall be tried adjudicated on and dealt with as if this Act had not been passed.

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(3) Every proceeding which prior to the appointed day has been begun by or before any justice or justices in relation to any matter arising in or concerning any part of the added areas may be carried on continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this Act had not been passed.

Parish bur-
gess lists &c.

9.—(1) For the purposes of the parish burgess lists and burgess roll and the other lists to be made under the Municipal Corporations Acts and of all matters connected with incidental to or consequent upon those purposes the added areas shall be deemed to have always been part of the borough and anything required to be done in connexion with the purposes aforesaid before the date of the passing of this Act may in so far as the same relates to the added areas be done as soon as practicable after such date and if so shall have full force and effect.

(2) In making out revising or otherwise dealing with the said lists and roll or the lists of county electors and the county register to be made for the county in pursuance of the County Electors Act 1888 or any Act amending that Act or the lists and registers of parochial electors effect shall be given so far as the circumstances require or allow to the provisions of this Part of this Act.

(3) Where any difficulty in giving effect to the provisions of this Part of this Act can be obviated or removed by any alteration in or rearrangement of or any other action affecting the said lists roll and registers that alteration rearrangement or action so far as the same may be necessary for giving effect to the said provisions shall be made or taken by the town clerk or the clerk of the county council as the case may require and the overseers of the poor shall render such assistance as may be requisite for the purpose of the said alteration rearrangement or action by the town clerk or clerk of the county council as the case may be and that alteration rearrangement or action shall be deemed to be authorised by the provisions in force with respect to the said lists roll and registers.

(4) Where in the opinion of the Local Government Board the circumstances so require the Local Government Board may make such order as appears to them to be necessary to give effect to the provisions of this Part of this Act and may vary so far as is requisite the provisions in force with regard to the said lists roll and registers.

10. The number of councillors of the borough shall be increased from thirty-six to thirty-nine and the number of aldermen of the borough shall be increased from twelve to thirteen.

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Number of
councillors
and alder-
men.

11. Subject to the provisions of the Municipal Corporations Acts with respect to the alteration of wards the following provisions shall have effect:—

Division into
wards.

- (1) For the purposes of the election of councillors the borough shall be divided into thirteen wards:
- (2) The twelve existing wards and the number of councillors respectively apportioned thereto shall remain unaltered:
- (3) The area of the Bispham District together with the added part of Carleton shall form a new ward named the Bispham Ward and three councillors shall be assigned to that ward.

12.—(1) The first election of councillors for the Bispham Ward constituted by this Act shall be held on the twenty-fifth day of March nineteen hundred and eighteen and the mayor of the existing borough shall be the returning officer at the election for that ward. Provided that the mayor of the existing borough may appoint some other person to act as returning officer at that election.

First elec-
tion of addi-
tional coun-
cillors and
alderman.

(2) The first election of the additional alderman of the borough shall take place on the second day of April nineteen hundred and eighteen.

13.—(1) The councillors elected for the borough in the year nineteen hundred and eighteen for the Bispham Ward shall retire as follows:—

Retirement
of additional
councillors
and alder-
man.

- (A) The councillor who is elected by the smallest number of votes on the first day of November nineteen hundred and eighteen:
- (B) The councillor who is elected by the largest number of votes on the first day of November nineteen hundred and twenty:
- (C) The other councillor on the first day of November nineteen hundred and nineteen.

(2) Provided that if for any reason it is doubtful which of the councillors ought to retire on the dates above specified the council of the borough shall at the first meeting of the council

A.D1917. held on or after the appointed day or at the next following quarterly meeting and not later by a majority of votes or in case of an equality of votes by the casting vote of the chairman determine which of the councillors shall go out of office on the dates above specified respectively.

(3) The additional alderman elected for the borough in the year nineteen hundred and eighteen shall retire on the ninth day of November nineteen hundred and twenty-one.

Town clerk and other officers continued.

14.—(1) The town clerk and all other officers and servants of the Corporation of the existing borough who hold office at the appointed day shall continue to be the town clerk and officers and servants of the Corporation of the borough and shall hold their offices by the same tenure as immediately before that day.

(2) The auditors of the existing borough who are in office at the appointed day shall continue in office and shall for the purposes of the Municipal Corporations Acts be the borough auditors until the next ordinary day of election of borough auditors.

Local Acts.

15. The unrepealed provisions of the local Acts and of any other local Act (including this Act) or of any other Provisional Order duly confirmed by Parliament and affecting the existing borough or the Corporation as the same respectively are in force within the existing borough at the appointed day shall extend and apply to the borough and any reference therein to the existing borough and the Corporation shall be deemed to refer to the borough and the Corporation thereof.

Extension of gas limits.

16.—(1) As from the appointed day the limits of the Corporation for the supply of gas shall extend to and include the borough.

(2) The Corporation shall have and may exercise within their limits for the supply of gas as extended by this Act all and the like powers privileges and authorities for and in relation to the supply of gas and shall be subject to all and the like duties liabilities and obligations in respect thereof as they now have may exercise and are subject to within their limits for the supply of gas as existing immediately before the appointed day.

Extension of electricity limits.

17.—(1) On the appointed day the undertaking authorised by the Bispham-with-Norbreck Electric Lighting Order 1908 confirmed by the Electric Lighting Orders Confirmation (No. 1)

Act 1908 together with the lands buildings works materials plant rights powers and privileges held or enjoyed by the Bispham Council for the purposes of or in connexion with that undertaking shall by virtue of this Act be transferred to and vest in the Corporation and shall become part of their undertaking authorised by the Blackpool Electric Lighting Order 1890 confirmed by the Electric Lighting Orders Confirmation (No. 4) Act 1890 and the Bispham-with-Norbreck Electric Lighting Order 1908 shall be repealed.

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(2) The area of supply under the Blackpool Electric Lighting Order 1890 shall as from the appointed day include the borough.

18. In the Fylde Waterworks (Transfer) Act 1897 and the Acts amending the same any reference to the existing borough shall as from the appointed day be deemed to refer to the borough.

Application
of Fylde
Water Acts.

19. Subject to the provisions of this Act—

Byelaws &c.

(1) All byelaws and regulations and every list of tolls and table of fees and payments and scale of charges made by the Corporation which at the appointed day are in force in the existing borough shall thenceforth apply uniformly to the borough until or except in so far as any such byelaws regulations list of tolls table of fees and payments or scale of charges may be altered or repealed :

(2) All byelaws and regulations made by the county council or by either of the district councils or their predecessors and in force immediately before the appointed day in any part of the added areas shall on that day cease to be in force except as regards any work which has been begun before that day or as regards any work which has not been so begun but for which plans have been approved by the council of the district in which the part is situated before that day or have been sent to the surveyor or clerk to that council one month at least before that day and shall not have been disapproved by that council As regards any such work as aforesaid the byelaws in force immediately before the appointed day shall continue to apply

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until the completion of the work in like manner and with the like effect as if those byelaws had been made by the Corporation and as if the Corporation and the borough were referred to therein instead of the council of the district in which the part is situated and that district:

- (3) Any regulations as to street collections made under section 5 of the Police Factories &c. (Miscellaneous Provisions) Act 1916 and in force within the existing borough immediately before the appointed day shall be in force in and apply to the borough and any such regulations in force in any part of the added areas immediately before the appointed day shall cease to be in force in or to apply to any part of those areas:
- (4) Any order made under the Shop Hours Act 1904 or under the Shops Act 1912 and in force immediately before the appointed day in any area affected by this Act shall subject to the provisions of the Shops Act 1912 remain in force and apply to the area to which it applies immediately before the appointed day:
- (5) Provided that any proceedings which if this Act had not been passed might have been taken by the county council or by either of the district councils for any offence committed before the appointed day against any byelaws and regulations which by virtue of this section cease to be in force may be taken by the Corporation as if those byelaws and regulations had remained in force and as if the Corporation had been substituted therein for that council.

Adoptive
Acts.

20.—(1) The provisions of the following Acts (namely):—

The Public Health Acts Amendment Act 1890;

The Infectious Disease (Prevention) Act 1890;

The Public Libraries Acts 1892 to 1901; and

The Museums and Gymnasiums Act 1891;

shall be in force in and apply to the borough as if the same had been adopted in respect of every part thereof.

(2)—(A) The provisions of the Private Street Works Act 1892 and subject to any order which a Secretary of State or the Local Government Board may hereafter make the provisions of any order made by a Secretary of State or by the said Board declaring to be in force in the area of the Bispham District any parts or sections of the Public Health Acts Amendment Act 1907 shall cease to be in force in or to apply to any part of that area.

(B) Provided that nothing in this subsection shall—

(i) Affect the operation prior to the appointed day of any such provisions or anything duly done or suffered thereunder; or

(ii) Affect any right privilege obligation or liability acquired accrued or incurred under any such provisions; or

(iii) Affect any penalty forfeiture or punishment incurred in respect of any offence committed against any such provisions; or

(iv) Affect any investigation legal proceeding or remedy in respect of any such right privilege obligation liability penalty forfeiture or punishment as aforesaid.

(c) Provided also that as regards any street or part of a street with respect to which the Bispham Council have before the appointed day resolved to do any private street works under the Private Street Works Act 1892 the provisions of that Act with any necessary modifications and with the substitution of the Corporation for the Bispham Council shall continue to apply to that street or part of a street and to the premises liable to be charged with the expenses of executing the works and to the owners of those premises and the Corporation shall have the same rights in regard thereto as the Bispham Council would have had if this Act had not been passed.

(3) The provisions of any order made by the Local Government Board or by the Secretary of State and declaring to be in force in the existing borough any parts or sections of the Public Health Acts Amendment Act 1907 shall have and shall be deemed always to have had effect as if any reference in those provisions to the existing borough extended and applied to the borough and as if the said parts and sections were accordingly declared to be in force in the borough.

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Powers
under sec-
tion 33 of
Act of 1894.

21. Subject to the provisions of any order which the Local Government Board may hereafter make—

(1) The provisions of any order heretofore made by the Local Government Board and conferring upon the council of the existing borough any of the matters mentioned in section 33 of the Act of 1894 shall be deemed to have effect as if any reference therein to the existing township of Blackpool extended and applied to the township of Blackpool:

(2) Any powers duties or liabilities vested in or attaching to the Bispham Council by any such order as aforesaid shall by virtue of this Act vest in and attach to the Corporation in respect of the township of Blackpool in like manner and with the like effect in all respects as if the Corporation had been referred to in the order instead of the Bispham Council.

Corporation
to be burial
board for
borough.

22.—(1) The Corporation shall be the burial board for the borough and shall have within the borough to the exclusion of any other burial authority all the powers duties and liabilities of a burial board under the Burial Acts 1852 to 1906.

(2) Provided that no approval sanction or authorisation of the vestry of the township of Blackpool shall be required in respect of any act of the Corporation as the burial board as aforesaid.

Corporation
property &c.

23. All property vested in the Corporation at the appointed day for the benefit of the existing borough shall by virtue of this Act be held by the Corporation for the benefit of the borough and the Corporation shall hold enjoy and exercise for the benefit of the borough all the powers which at the date aforesaid are exercisable by or vested in the Corporation for the benefit of the existing borough and all liabilities which on the date aforesaid attach to the Corporation in respect of the existing borough shall from and after that date attach to them in respect of the borough.

Liquidation
of current
debts in
Bispham.

24. The Bispham Council shall prior to the appointed day make and levy such rate or rates as may be necessary for raising sufficient funds to defray all current debts and liabilities and the current expenditure to be incurred up to the appointed day and in default of such rate or rates being made and levied the Corporation may at any time within a year after the appointed day make and levy in the area of the Bispham

District such a rate in the nature of a general district rate as will be sufficient to defray such current debts liabilities and expenditure and any such rate shall be in addition to any rate to which the section of this Act whereof the marginal note is "Differential rating in Bispham" applies.

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Section 32.

25.—(1) As from the appointed day the Bispham Council shall be abolished and cease to exist.

Abolition of Bispham Council and exclusion of rural and parish councils.

(2) As from the appointed day the Fylde Council and the parish council for the township of Carleton shall cease to exercise any powers or have any duties within the added part of Carleton.

26.—(1) The provisions of subsection (13) of section 118 and of section 119 of the Act of 1888 shall apply to all persons who at the appointed day hold office as officers or servants of the Bispham Council with such modifications as are necessary to make those provisions applicable to the said officers and servants and to the Corporation.

Compensation to existing officers.

(2) Every clerk to justices and every officer or servant of or paid by the county council or of or paid by the standing joint committee of the county and every other officer or servant who by virtue of this Part of this Act or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary and for whose compensation no other provision is made by any enactment for the time being in force and applicable to his case shall be entitled to have compensation paid to him by the Corporation for that pecuniary loss.

(3) In determining the compensation payable to any person who becomes entitled to compensation in pursuance of the foregoing provisions of this section regard shall be had to the conditions and other circumstances required by subsection (1) of section 120 of the Act of 1888 to be had in regard in cases of compensation under that section and the compensation shall not exceed the limit therein mentioned and shall be paid in the case of any such officer or servant whose office or employment relates wholly or partly to sanitary purposes as defined by the Public Health Act 1875 out of the district fund and general district rate in the case of teachers out of the funds of or under the control of the Corporation acting by the council as the education authority and in every other case out of the borough

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(4) For the purposes of subsection (2) of this section any officer or servant to whom that subsection applies and whose services are dispensed with or whose salary is reduced by the county council or the standing joint committee or any other authority including the Corporation within five years from the appointed day because his services are not required or his duties are diminished in consequence of this Part of this Act and not on the ground of misconduct shall be deemed to have suffered a direct pecuniary loss in consequence of this Part of this Act.

(5) In the application for the purposes of this section of the provisions of the Act of 1888 therein referred to those provisions shall have effect as if the Superannuation Act 1909 had not been passed.

(6) The provisions of this section shall apply to teachers employed in any public elementary school on the appointed day within the added areas as if he were an officer employed by the county council Provided that in the case of a teacher employed in a non-provided school the provisions hereinbefore contained shall only apply if such teacher be discharged by the Corporation or by the direction or with the consent of the Corporation otherwise than for misconduct within five years from the appointed day.

(7) No person shall be entitled to claim or receive both compensation for any direct pecuniary loss by abolition of office or diminution or loss of fees or salary and a superannuation or retiring allowance in respect of the same period of service and the same pecuniary loss.

Actions &c.
not to abate.

27. Any action or proceeding or any cause of action or proceeding which at the appointed day is pending or existing by or against the Bispham Council or by or against the Fylde Council in relation exclusively to the added part of Carleton shall not be in anywise prejudicially affected by reason of the passing of this Act but may be continued prosecuted and enforced by or against the Corporation.

28. Anything duly done or suffered and all contracts deeds bonds agreements and other instruments (subsisting at the appointed day) entered into or made by the Fylde Council or their predecessors in relation exclusively to any part of the added areas or by the Bispham Council or their predecessors shall be of as full force and effect against or in favour of the Corporation and may be continued and enforced as fully and effectually as if instead of the council or their predecessors the Corporation had done or suffered the same or been a party thereto.

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Saving for
contracts &c.

29.—(1) The accounts of the Bispham Council and of the committees and officers of that council shall be made up to the appointed day and shall be audited in like manner and subject to the like incidents and consequences as if this Act had not been passed.

Audit of
accounts of
Bispham
Council.

(2) Provided that—

(A) The audit may be held as soon as practicable after the appointed day any statutory provision or regulation as to the time of holding the audit to the contrary notwithstanding :

(B) Any sum certified by the district auditor to be due from any person shall be paid to the treasurer.

30. The liability for repayment of any sums borrowed by the Bispham Council or of so much of any of those sums as shall be owing at the appointed day and for the payment of the interest thereon shall by virtue of this Act be transferred and attach to the Corporation and so much as shall at the appointed day be outstanding in respect of any sums borrowed as aforesaid and so much of any sums borrowed by the Corporation as shall at the appointed day be owing and charged upon the district fund and general district rate of the existing borough shall be charged upon the district fund and general district rate of the borough and so much of any sums borrowed by the Corporation as shall at the appointed day be owing and charged upon the borough fund and borough rate of the existing borough shall by virtue of this Act be charged upon the borough fund and borough rate of the borough and all those sums shall together with the interest to accrue due thereon be repaid by the Corporation within the respective periods for which the loans in respect of which the said sums are owing were originally

Mortgage
debts of
Bispham
Council and
Corporation.

A.D. 1917. — sanctioned or within which the same are otherwise required to be repaid or are made repayable.

Education. **31.** For the purposes and subject to the provisions of the Education Acts 1870 to 1911—

(1) All public elementary schools (including the sites and schoolhouses) provided by the local education authority and situate within any part of the added areas with the furniture and fittings of the schoolhouses shall by virtue of this Act be transferred to and vested in the Corporation as the local education authority for all the estate and interest therein of the county council as the local education authority and all contracts debts and liabilities which at the appointed day are existing or are owing by or attach to the county council in respect exclusively of the said public elementary schools furniture or fittings or of any other public elementary school situate in any part of the added areas or with respect to the officers teachers and servants of any of the said public elementary schools shall by virtue of this Act enure to and be carried into effect by and be discharged and satisfied by the Corporation as the local education authority :

Provided that section 68 of the Act of 1894 shall apply with respect to any adjustment required for the purposes of this subsection :

(2) The liability for repayment of so much of any loan raised exclusively in respect of any public elementary school (including the site and schoolhouse) and any furniture or fittings transferred to and vested in the Corporation by virtue of this Act as will be owing at the appointed day and the liability for the payment of interest on that part of the said loan shall by virtue of this Act be transferred and attach to the Corporation as the local education authority and so much of any such loan as will be owing at the appointed day shall be charged on the borough fund and the borough rate and shall be repaid by the Corporation within the period (if any) for which that part of the loan was originally sanctioned or within which the said part of the loan is otherwise required to be repaid or is made repayable :

(3) Any byelaws in force in the existing borough immediately before the appointed day shall from and after that day apply to the borough until revoked or altered and from and after that day any byelaws then in force in any part of the added areas shall cease to be in force: A.D. 1917.

(4) Any managers of public elementary schools in the added areas who were appointed by the parish council of the parish or council of the district in which the school is situate or by the county council shall vacate office on the appointed day.

32.—(1) During a period of twelve years from the appointed day the amount in the pound of the general district rate to be levied in each year by the Corporation in respect of any hereditament in the area of the Bispham District shall exceed by one shilling the amount in the pound of the general district rate levied by the Corporation in the same year in respect of any hereditament of the like kind situate within the remaining portion of the borough and the Corporation shall and may levy such increased rate accordingly. Differential rating in Bispham.

(2) Provided that during the said period of twelve years the amount in the pound of the general district rate to be levied in any one year in respect of any hereditament in the area of the Bispham District when added to the amount in the pound of the poor rate and the borough rate levied in respect of that hereditament shall not exceed six shillings and sixpence.

33.—(1) On the appointed day such members (if any) of the police force of the county as shall be determined by agreement to be made as soon as practicable after the passing of this Act between the standing joint committee of the county and the watch committee of the existing borough or in default of any such agreement as shall be determined by a Secretary of State shall be transferred to and become part of the police force of the borough and any member of the police force so transferred from the county shall hold office upon the same tenure and upon the same terms and conditions as if this Act had not been passed and while he performs the same or similar duties his remuneration emoluments and allowances and the pension (if any) to which he is entitled shall not be less than they would have been if this Act had not been passed. County police.

A.D. 1917.

(2) The provisions of section 15 (2) of the Police Act 1890 as amended by the Police (Superannuation) Act 1906 shall extend and apply to and in relation to any member of the police force of the county transferred under the powers of this section as if that member had removed with the written sanction of the chief constable of the county.

(3) All the county police stations situate in any part of the added areas with the residences for constables and cells connected therewith and the fittings and furniture thereof respectively shall by virtue of this Act be transferred to and vest in the Corporation on the appointed day for all the estate and interest therein of the county council and there shall be paid by the Corporation to that council out of the borough fund or borough rate in consideration of such transfer such sums as shall be agreed upon or as in default of agreement shall be settled by arbitration in manner provided by the Act of 1888.

(4) Where the amount of the consideration for any property transferred to and vested in the Corporation under the provisions of this section is not ascertained before the appointed day the date of the final ascertainment of that amount shall for the purposes of section 12 of the Finance Act 1895 (which relates to stamp duty on property vested by Act of Parliament) be treated as the date of vesting. But nothing herein contained shall prejudice any question as to whether stamp duty is payable under the provisions of that section in respect of such transfer and vesting.

Adjustment
of financial
relations
between
county and
borough.

34.—(1) (A) In any case where the extension of the existing borough by this Act affects the distribution of the proceeds of the local taxation licences or of the estate duty grant or of the local taxation (customs and excise) duties between the county and the borough an equitable adjustment may be made between the county and the borough.

(B) For the purposes of this subsection or of anything done or to be done in pursuance of this subsection any reference in the said subsection to the proceeds of licences or duties shall include a reference to the sums which in pursuance of subsection (4) of section 17 of the Finance Act 1907 as amended by section 6 of the Finance Act 1908 and section 88 of the Finance (1909-10) Act 1910 and the Revenue Act 1911 have been paid or will be payable in lieu of those proceeds.

(2) Any such adjustment as is authorised by subsection (1) of this section may be made by agreement between the county council and the Corporation and shall be made as early as practicable after the thirty-first day of March nineteen hundred and eighteen and shall be based on an average of five years' income and expenditure for the period ending on the thirty-first day of March nineteen hundred and eighteen. A.D. 1917.

(3) For the purpose of the said adjustment the provisions of the Act of 1888 relating to adjustments between administrative counties and county boroughs shall apply with the necessary modifications and the Local Government Board or an arbitrator appointed by them (as the case may be) shall be substituted in those provisions for the Commissioners appointed under the Act of 1888 and notwithstanding anything in the provisions of this Act or of the Act of 1888 any such adjustment and the determination of any matter incidental or in relation thereto or consequent thereon shall when made by the Local Government Board be deemed to be made by them otherwise than as arbitrators and any arbitrator appointed by them shall be deemed to be an arbitrator within the meaning of section 62 of the Act of 1888 and the provisions of the Act of 1888 shall apply accordingly:

Provided that—

(A) In lieu of subsection (6) of section 61 of the Act of 1888 subsections (1) and (5) of section 87 of the Act of 1888 shall apply to any inquiries which may be directed by the Local Government Board under this section and to the costs of those inquiries; and

(B) Subsection (6) of section 32 of the Act of 1888 shall apply to any agreement or award made under this section.

(4) The Corporation shall pay to the county council the sum of fifteen thousand pounds as a net amount in settlement of all claims of either of them against the other of them in respect of financial adjustments and claims consequent on the extension of the borough by this Act except claims under subsection (1) of this section and also excluding the payment of the items in this section hereinafter referred to.

(5) The county council shall produce to the Commissioners of Inland Revenue a King's printer's copy of this Act stamped with duty at the rate of two shillings and sixpence for every

A.D. 1917. one hundred pounds of the fifteen thousand pounds payable to the county council under this section and in default of such production within six months after the passing of the Act the duty with interest thereon at the rate of five per centum per annum shall become a debt from the county council to His Majesty.

(6) The said sum of fifteen thousand pounds shall be paid to the county council by twenty equal annual instalments of principal and interest combined such interest being calculated at the rate of five pounds per centum per annum the first instalment of principal and interest to be paid on the twenty-fifth day of March nineteen hundred and nineteen and subsequent instalments on the twenty-fifth day of March in each year with power for the Corporation to repay the amount of the capital sum outstanding with all interest due thereon at any time upon giving three months' previous notice in writing to the clerk of the county council of their intention in that behalf.

(7) The Corporation shall continue to pay to the county the amounts due from them in respect of—

(A) The burial pursuant to the Burial of Drowned Persons Act 1808 and the Burial of Drowned Persons Act 1886 of dead bodies cast up by the sea in the added areas ;

(B) All appeals arising in the added areas to the general quarter sessions of the peace for the county palatine of Lancaster ;

(C) The maintenance of pauper lunatics whose settlement cannot be ascertained and who were chargeable to the county prior to the first day of April eighteen hundred and eighty-nine until such lunatics shall die or be discharged ; and

(D) The share or proportion of the borough of the payment of pensions to officers and servants in the county prisons and gaols until such pensions shall cease.

Adjustment
purposes of
Licensing
(Consolidation)
Act
1910.

35.—(1) An equitable adjustment shall be made between the county and the borough respecting the interest of the added areas in any compensation fund constituted under section 21 of the Licensing (Consolidation) Act 1910 or under any enactment repealed by that Act.

(2) Such adjustment shall be made by agreement between the compensation authority (as defined by the Licensing (Consolidation) Act 1910) for the county and for the borough within twelve months from the appointed day or in default of agreement by an arbitrator appointed by the Secretary of State. A.D. 1917.

(3) For the purpose of such adjustment an arbitrator appointed by the Secretary of State shall be deemed to be an arbitrator within the meaning of section 62 of the Act of 1888 and the provisions of that Act shall apply accordingly.

36.—(1) Subject to the provisions of section 54 of the Act of 1888 the area of the Fylde (North) Electoral Division of the county shall on the appointed day be diminished by the exclusion of the added areas therefrom. Electoral divisions and county councillors.

(2) Provided that no county alderman or county councillor in office immediately before the appointed day shall be deemed to lose his qualification by reason of the alterations effected by this Act.

37.—(1) The added part of Carleton shall be separated from the existing township of Carleton. Alteration of townships.

(2) The township of Bispham-with-Norbreck and the added part of Carleton shall be amalgamated with the existing township of Blackpool and shall form the township of Blackpool.

38.—(1) All property and liabilities which immediately before the appointed day are vested in or attach to the Bispham Council and all property and liabilities which immediately before the appointed day are vested in or attach to the Fylde Council in relation exclusively to the added part of Carleton shall by virtue of this Act be transferred to and vest in and attach to the Corporation as urban sanitary authority and any property and liabilities vested in or attached to the Fylde Council in relation to the added part of Carleton conjointly with any other area shall be a matter for adjustment under section 62 of the Act of 1888. Property &c. of district councils and arrears of rates.

(2)—(A) All arrears of rates made by the Bispham Council and all other payments which at the appointed day are due or owing to the Bispham Council may be collected and recovered by the Corporation.

(B) All arrears of rates made by any overseers of the poor for the purposes of the Public Health Acts or for highway

A.D. 1917. expenses or for the purposes of the Lighting and Watching Act 1833 which at the appointed day are due or owing in respect of hereditaments in the added part of Carleton may be collected and recovered as if this Act had not been passed except that they may be so collected and recovered by the overseers of the township of Blackpool and when collected and recovered they shall be applied towards the discharge of any precept of the Fylde Council which at that date shall be in force and not satisfied or in the case of rates made for the purposes of the Lighting and Watching Act 1833 towards defraying any expenses incurred by the parish council of the township of Carleton under the last-mentioned Act and the balances if any shall be paid to the Corporation.

(c) Subject to the foregoing provisions of this subsection all arrears of rates made by the overseers of the poor and due or owing at the appointed day in respect of hereditaments in the added areas shall be collected and recovered by the overseers of the township of Blackpool.

(3) Any balance in the hands of the overseers of the township of Bispham at the appointed day shall be transferred to the overseers of the township of Blackpool and any balance which at that day is in the hands of the overseers of the township of Carleton shall be a matter for adjustment under section 62 of the Act of 1888.

(4) For the purposes of the application of section 62 of the Act of 1888 to any adjustment which may become necessary in consequence of this Act that section shall have effect as if in subsections (5) (6) and (7) thereof the expression "council" included any authority affected by this Part of this Act or by anything done in pursuance thereof and as if in the case of any such authority not otherwise empowered to borrow under any Act or on any security or in any manner mentioned in the said subsection (6) that subsection empowered the authority to borrow under any Act relating to and conferring on the authority a power to borrow on the security of all or any of the funds rates and revenues of the authority and in the manner provided by the said Act but without the consent of any other authority and subject to the requirement that all money so borrowed shall be repaid within such period as the Local Government Board may sanction.

(5) For the purposes of the application of section 62 of the Act of 1888 to any adjustment which may become necessary

in consequence of this Act so far as it relates to the amalgamation of the added part of Carleton with the existing township of Blackpool that section shall have effect— A.D. 1917.

- (A) as if the overseers of the townships of Blackpool and Carleton were within the meaning of the said section as applied by this section authorities affected by this Part of this Act;
- (B) as if the poor rate or any other rate leviable in pursuance of the said section as applied by this section were substituted for any fund mentioned in the section; and
- (C) as if for subsections (6) and (7) of the said section there were substituted the subsections hereunto appended (that is to say):—

“(6) If it is necessary for the purpose of giving effect to any agreement or award for an adjustment that a separate rate shall be levied in part of a parish only the agreement or award may authorise the making of such a separate rate as if it were a poor rate and as if the part of the parish on which it is to be levied were a whole parish.

“(7) Any sum paid for the purposes of any adjustment or in pursuance of any order or award of an arbitrator shall be applied by such person in such manner and for such purpose as the Local Government Board may authorise or direct.”

39.—(1) As from the appointed day the added areas shall cease to form part of the Fylde Joint Hospital District and shall cease to be represented on the Fylde Hospital Committee and the number of members to be appointed on that committee shall be reduced by one. Fylde Joint
Hospital
District.

(2) The Fylde Hospital Committee shall be deemed to be an authority affected by this Part of this Act within the meaning of the last preceding section of this Act.

40.—(1) As from the appointed day the orders relating to the Fylde Preston and Garstang Joint Hospital District shall be amended by increasing the number of members of the Fylde Preston and Garstang Hospital Committee to be appointed by the Corporation by one. Fylde Pres-
ton and
Garstang
Joint Hospi-
tal District.

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(2) Provided that the person who immediately before the appointed day holds office as member of the said committee representing the Bispham Council shall be deemed to have been elected by and shall act as a representative of the Corporation upon the committee until the date upon which he would have retired if this Act had not been passed.

Rural district
councillors
and guardians.

41. Subject to the provisions of section 60 of the Act of 1894 the following provisions shall have effect:—

(1) The area of the Bispham District and the added part of Carleton shall form a new ward of the township of Blackpool and the persons who at the appointed day are holding the office of guardians of the poor for the township of Bispham-with-Norbreck shall be deemed to have been duly elected for and shall represent the Bispham Ward as if they had been originally elected to represent that ward:

(2) The persons who at the appointed day are holding the offices of rural district councillor and guardian of the poor for the existing township of Carleton shall be deemed to have been elected for and shall represent that township as altered by this Act as if they had been originally elected to represent the altered township.

Parish
council.

42.—(1) Any powers and duties transferred by the Act of 1894 to the parish council of the existing township of Carleton shall so far as regards the added part of Carleton be vested in exercisable by and imposed on the persons and authorities in whom they would be vested or by whom they would be exercisable or on whom they would be imposed if the added part of Carleton had been included in a parish in the existing borough on the appointed day within the meaning of the Act of 1894 and all property and liabilities held or incurred so far as regards the added part of Carleton for the purpose or by virtue of the said powers and duties shall by virtue of this Act be transferred to and vest in and attach to the persons and authorities aforesaid Any property or liabilities of the said parish council held or incurred otherwise than by virtue or for the purposes of the powers or duties aforesaid shall so far as regards the added part of Carleton by virtue of this Act be transferred to and vest in and attach to the Corporation.

(2) The parish council of the existing township of Carleton shall be deemed to have been elected and shall be the parish council for the township of Carleton. A.D. 1917.

43. Nothing in this Act shall affect the ecclesiastical divisions of any parish or shall prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment except that any money arising from an endowment which in consequence of the passing of this Act shall be paid to the Corporation for the purposes of education shall be credited by the Corporation in aid of the rate levied in the borough for the purposes of education. Ecclesiastical divisions and charities.

44. Until new valuation lists are in force— Valuation lists.

(1) The valuation list of the township of Bispham and the portion of the valuation list of the existing township of Carleton which relates to hereditaments in the added part of Carleton shall be deemed to form part of the valuation list of the township of Blackpool:

(2) The remaining portion of the valuation list of the existing township of Carleton shall be deemed to be the valuation list of the township of Carleton:

Provided that in the case of any hereditament situate partly in the added part and partly in the excluded part of Carleton the values to be included in the valuation list of the township of Blackpool and in the valuation list of the township of Carleton respectively shall be determined by the assessment committee of the Fylde Union.

45. Subject to any future revision— County rate basis.

(1) The basis or standard of the county rate for the county shall be altered by the deduction from the amount appearing therein as the total annual value of the property in the existing township of Carleton of such a sum as will represent the annual value of the property in the part of the township which is included by this Act in the township of Blackpool:

(2) For the purposes of this section the sum which will represent the annual value of the property in the part of the township of Carleton which is included by this Act in the township of Blackpool shall

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be the amount which in relation to the amount appearing in the basis or standard of the county rate as the total annual value of the existing township is in the proportion which the assessable value of the property in the said part of the existing township bears to the total assessable value of the property in the existing township:

- (3) For the purposes of this section "assessable value" means one half of the rateable value according to the valuation list for the time being in force of the agricultural land together with the rateable value according to that list of the buildings and other hereditaments not being agricultural land in the existing township or in the affected part as the case may require.

Saving for existing lists of parliamentary voters &c.

46.—(1) For the purposes of the registers of persons entitled to vote at an election of Members of Parliament of the registers of parochial electors and of jury lists the parishes affected by this Act shall be deemed to continue unaltered until the new registers and lists come into operation.

(2) Provided that for the purposes of any election under the Act of 1894 to be held for any area affected by this Act and of the holding of any parish meeting the town clerk or the clerk of the county council as the case may require shall if and when necessary cause the register of parochial electors to be altered in such manner as may be requisite to give effect to the provisions of this Act and the overseers of the poor of the townships of Blackpool and Carleton respectively shall render all such assistance as may be required for the purpose.

Settlement and removal of poor.

47. For any purposes connected with the settlement and removal of the poor in relation to cases affected by this Act the following provisions shall have effect (that is to say):—

- (1) Every person who at the appointed day has acquired or is in the course of acquiring a settlement in any of the existing townships of Blackpool Bispham-with-Norbreck or Carleton by reason of any residence completed or in the course of completion of any act or thing done or in the course of being done or of any status condition right or privilege acquired or created or in the course of acquisition or creation—

(A) in the existing township of Blackpool; or

(B) in either of the added areas; or

(C) in the excluded part of Carleton;

shall be deemed to have acquired or to be in the course of acquiring in the first and second cases a settlement in the township of Blackpool and in the third case a settlement in the township of Carleton and in each case as if the existing township or the specified part or the added part of the existing township were and had always been the township or a part of the township in which by virtue of this section the person shall be deemed to have acquired or to be in the course of acquiring a settlement:

(2) Every person who at the appointed day has acquired or is in the course of acquiring a status of irremovability from the Fylde Union by reason of residence—

(A) in the existing township of Blackpool; or

(B) in either of the added areas; or

(C) in the excluded part of Carleton;

shall be deemed to have acquired or to be in the course of acquiring the like status by reason of residence in the first and second cases in the township of Blackpool and in the third case in the township of Carleton.

48. Notwithstanding the alteration in the areas of the parishes effected by this Act all contribution orders made by the guardians of the poor of the Fylde Union and all precepts made by the Fylde Council before the appointed day shall be as valid in law as if this Act had not been passed. Saving for contribution orders and precepts.

49. Except so far as may be otherwise agreed in writing between the Corporation and the Fylde Council the following provisions shall apply and have effect (that is to say):— Sewerage of parts of excluded areas.

(1) Upon receiving from the Fylde Council not less than six months' notice requiring them to extend a sewer to the boundary between the borough and the excluded part of Carleton the Corporation shall extend a sewer accordingly to such place on the boundary as may be agreed between the Corporation and the

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Fylde Council or as in default of agreement shall be determined by arbitration :

- (2) When a sewer has been extended in pursuance of this section the Fylde Council shall on demand pay to the Corporation the cost of such extension and thereupon shall be entitled to make a communication between that sewer and any sewer belonging to them and used exclusively for the reception of sewage from the houses and other buildings situate in that part of the excluded part of Carleton which is hatched in red on the map signed by John Shanks Brodie on behalf of the Corporation and by Thomas Homer Maxwell on behalf of the Fylde Council but except such sewage as aforesaid no sewage shall be allowed to enter any sewer of the Fylde Council communicating with a sewer of the Corporation :
- (3) For a period of twenty years after any communication has been made between a sewer of the Corporation and a sewer of the Fylde Council in pursuance of this section that council shall pay to the Corporation on the thirty-first day of March in every year an amount equal to the sum of sixpence in the pound on the assessable value of all premises the sewage from which then passes directly or indirectly into a sewer of the Fylde Council with which the communication has been made other than premises from which sewage passes by gravitation only through the sewers of the Corporation :
- (4) After the expiration of the said period of twenty years the Fylde Council shall pay to the Corporation in respect of the reception and treatment of sewage from premises other than premises from which sewage passes by gravitation only through the sewers of the Corporation such sums as shall be agreed or as failing agreement shall be determined by arbitration :
- (5) Any question which under this section is to be referred to arbitration and any other question which may arise between the Corporation and the Fylde Council under this section shall be referred to an arbitrator agreed between the parties or in default of agreement appointed by the Local Government Board on the application of either party and the provisions of the

Arbitration Act 1889 shall apply to any such arbitration : A.D. 1917.

(6) For the purpose of this section "assessable value" has the same meaning as in the section of this Act whereof the marginal note is "County rate basis." Section 45.

50. If in the opinion of the Local Government Board the circumstances so require in consequence of any Act of Parliament that may be passed before the appointed day to amend the law with respect to the registration of local government electors or for any other reason that Board may make such order as they deem necessary or expedient to remove any difficulty in regard to the first election of councillors for the Bispham Ward and the first election of the additional alderman of the borough and otherwise to adapt the provisions of this Act to the provisions of the Act above mentioned or to provide for the choice of such councillors and alderman by the council and for the retirement of such councillors and alderman Any such order may vary or supersede the provisions of this Act and shall have effect as if enacted in this Act. Removal of difficulties by Local Government Board.

PART III.

WORKS AND LANDS.

51.—(1) Subject to the provisions of this Act the Corporation may make and maintain in the lines and according to the levels shown on the deposited plans and sections the works hereinafter described together with all necessary or proper works improvements junctions connexions approaches embankments retaining walls sewers drains and conveniences connected therewith or incident thereto and may enter on take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as they may require for the construction of such works or for the purpose of providing space for the erection of buildings adjoining or near to such works. Power to construct promenades street improvements and other works.

(2) The works hereinbefore referred to and authorised by this section will be situate in the borough as extended by this Act and are—

Work No. 1 A promenade on or adjoining the foreshore and comprising a carriage drive footways promenade sea wall and embankment commencing at the southerly termination of the existing promenade and terminating at the southerly boundary of the borough :

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Work No. 2 A road upon which Tramway No. 1 is authorised by this Act to be constructed to be situate between the carriage drive and the promenade comprised in Work No. 1:

Work No. 3 A sea water swimming bath situate on the foreshore on the westerly side of the existing promenade and adjacent thereto:

Work No. 4 A street or road 1 mile 1 furlong 1·85 chains or thereabout in length commencing at the southerly end of Church Street (South Shore) and terminating at the southerly boundary of the borough:

Work No. 5 A widening and improvement of Watson Road on both sides thereof commencing at the westerly end of the bridge carrying the said road over the Lancashire and Yorkshire and London and North Western Joint Railway and terminating at its junction with Work No. 1:

Work No. 6 A street or road in continuation of Burlington Road commencing at the westerly side of the level crossing over the said railway and terminating by a junction with Work No. 1:

Work No. 7 A widening and improvement of Harrow Side Lane commencing at the westerly side of the bridge carrying the said railway over the said lane and terminating at the junction of that lane with Work No. 1:

Work No. 8 A promenade or parade on the foreshore with a sea wall or embankment on the westerly side thereof commencing at the northern boundary of the existing borough extending in a northerly direction for a distance of 1 mile 1 furlong or thereabout and terminating at a point opposite to Arundel Avenue:

Work No. 9 A public walk or promenade between the Blackpool and Fleetwood Tramroad and the foreshore commencing at the northern boundary of the existing borough and terminating at a point opposite to the southerly boundary wall of the Norbreck Hydro:

Work No. 10 A sea water swimming bath situate on the foreshore on the westerly side of and adjacent to Work No. 8 authorised by this Act.

52.—(1) Subject to the provisions of this Act the Corporation may make form lay down work use and maintain the tramways hereinafter described in the lines and according to the levels shown on the deposited plans and sections with all proper rails plates junctions turn-outs crossings cross-overs passing-places posts poles brackets wires works and conveniences connected therewith.

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Power to
make tram-
ways.

(2) The tramways hereinbefore referred to and authorised by this Act will be situate in the borough and are—

Tramway No. 1 (double line 1 mile 1 furlong 2·17 chains in length) to be laid upon Work No. 2 authorised by this Act commencing by a junction with Tramway No. 1 constructed under the powers of the Act of 1899 and terminating at the southerly boundary of the borough:

Tramway No. 2 (single line 1 furlong 0·70 chain in length) a circular loop commencing and terminating by junctions with Tramway No. 1 authorised by this Act at its commencement:

Tramway No. 3 (single line 1 chain in length) on the east side of Tramway No. 1 commencing by a junction with Tramway No. 2 authorised by this Act at a point 3·65 chains south of the commencement of Tramway No. 1 and terminating by a junction with Tramway No. 1 at a point 4·05 chains from the commencement of that tramway:

Tramway No. 4 (single line 1 chain in length) on the west side of Tramway No. 1 commencing by a junction with that tramway at a point 4·05 chains from its commencement and terminating by a junction with Tramway No. 2 at a point 3·65 chains from the termination of that tramway:

Tramway No. 5 (double line 4·65 chains in length) a double line (in lieu of the existing single line) in New Road commencing by a junction with the existing tramway at a point 1·12 chains south-west of Gorton Street and terminating by a junction with the existing tramway at a point ·86 chain south-west of Hardman Street:

Tramway No. 6 (double line 8·50 chains in length) a double line (in lieu of the existing single line) in New Road commencing by a junction with the existing tramway at a point ·05 chain west of the east gable wall of the

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Queen's Hotel and terminating by a junction with the existing tramway at a point .05 chain west of the easterly gable wall of the Layton Public Reading Room:

Tramway No. 7 (double line 2 furlongs 7.41 chains in length) commencing in Westcliffe Drive by a junction with the existing tramway at a point opposite to Grange Road and terminating in Bispham Road at its junction with Poulton Road.

Limits of deviation.

53.—(1) In the construction of the works authorised by this Act the Corporation may deviate from the lines thereof as shown on the deposited plans to any extent not exceeding the limits of deviation shown on those plans and from the levels thereof as shown on the deposited sections to any extent not exceeding three feet either upwards or downwards.

(2) Provided that no deviation either lateral or vertical shall be made below high-water mark without the consent in writing of the Board of Trade.

Period for completion of works.

54. The tramways authorised by this Act shall be completed within five years from the termination of the present war and the other works authorised by this Act shall be completed within seven years from the termination of the present war and on the expiration of those periods respectively the powers granted by this Act to the Corporation for executing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Subsidiary works.

55. Subject to the provisions of this Act and within the limits of deviation shown on the deposited plans the Corporation may in connexion with any work authorised by this Act and for the purposes thereof make junctions and communications with any existing streets which may be intersected or interfered with by or be contiguous to such work and may make diversions widenings or alterations of the lines or levels of any existing streets for the purpose of connecting the same with such work or of crossing under or over the same or otherwise and may alter divert or stop up all or any part of any drain sewer channel or gas or water main or pipe wire or apparatus within the said limits the Corporation providing a proper substitute before interrupting the flow of sewage in any drain or sewer or of any gas or water in any main or pipe or of electricity or telephonic communication in any wire or apparatus and making

compensation for any damage done by them in the execution of the powers of this section. A.D. 1917.

56. Within the limits of deviation shown on the deposited plans the Corporation may raise sink or otherwise alter the position of any of the steps areas cellars windows and pipes or spouts belonging to any house or building and also the drains and the pipes or wires for the purpose of conveying water electricity or gas to any house or other place and may remove all other obstructions so that the same be done with as little delay and inconvenience to the inhabitants as the circumstances of the case will admit and the provisions of section 308 (Compensation in case of damage by local authority) of the Public Health Act 1875 shall apply as if the acts done under the authority of this section were done in exercise of the powers of that Act. Power to alter steps areas pipes &c.

57. The Corporation shall not raise sink alter divert or otherwise interfere with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General except under and subject to the provisions of the said Act. For protection of telegraphic lines of Postmaster-General.

58.—(1) The sections of the Act of 1893 hereinafter mentioned and any byelaws made thereunder and in force immediately before the passing of this Act shall extend and apply with any necessary alterations to and in relation to Works Nos. 1 2 8 and 9 authorised by this Act and also to the lands which are situate between the Blackpool and Fleetwood Tramroad and low-water mark and which extend from the northern boundary of the existing borough to the southerly boundary wall of the Norbreck Hydro when those lands have been acquired by and so long as they belong to the Corporation. Application of sections of Act of 1893 to certain works and lands.

(2) The sections hereinbefore referred to are—

Section 19 (Power to erect shelters &c. on the said road or carriage drive);

Section 20 (The north shore works to be deemed street for police purposes);

Section 21 (Prohibiting public speeches &c. on the north shore works);

Section 22 (Prohibiting sale on north shore works);

Section 24 (Power to make byelaws as to north shore works); and

Section 155 (General provision as to byelaws).

A.D. 1917. (3) The Secretary of State shall be substituted for the Local Government Board as the authority for the confirmation of any byelaws that may be made hereafter under the provisions of the said section 24 of the Act of 1893.

Works to form part of tramway undertaking of Corporation.

Section 52.

59.—(1) The tramways and works authorised by the section of this Act whereof the marginal note is “Power to make tramways” shall for all purposes form part of the tramway undertaking of the Corporation and the provisions of the sections of the Act of 1901 hereinafter mentioned and of the enactments incorporated with that Act and any byelaws and regulations made in pursuance thereof and for the time being in force shall with the necessary modifications extend and apply to all the said tramways and works as if they had been authorised by Part II. of the Act of 1901.

(2) The sections hereinbefore referred to are—

Section 9 (Tramways and tramroads to form part of tramway undertaking);

Section 10 (Incorporating sections of Act of 1898 and Act of 1899); and

Section 13 (Cheap fares for labouring classes).

(3) Provided that the provisions of section 27 (For protection of Postmaster-General) of the Act of 1905 shall extend and apply to all the said tramways and works in lieu of the provisions of section 26 (For protection of Postmaster-General) of the Act of 1898.

Use of tramway posts by Postmaster-General.

60.—(1) It shall be lawful for the Postmaster-General in any street or public road or part of a street or public road in which he is authorised to place a telegraph to use for the support of such telegraph any posts and standards (with the brackets connected therewith) erected in any such street or public road by the Corporation in connexion with the tramways authorised by this Act and to lengthen adapt alter and replace such posts standards and brackets for the purpose of supporting any telegraph and from time to time to alter any telegraph so supported subject to the following conditions:—

(A) In placing maintaining or altering such telegraph no obstruction shall be caused to the traffic along or the working or user of the tramways:

- (B) The Postmaster-General shall give to the Corporation A.D. 1917.
not less than twenty-eight days' notice in writing of his intention to exercise any of the powers of this section and shall in such notice specify the streets or public roads or parts of streets or public roads along which it is proposed to exercise such powers and the manner in which it is proposed to use the posts standards and brackets and also the maximum strain and the nature and direction of such strain Any difference as to any matter referred to in such notice shall be determined as hereinafter provided :
- (c) Unless otherwise agreed between the Postmaster-General and the Corporation the Postmaster-General shall pay the expense of lengthening adapting altering or replacing under the provisions of this section any post standard or bracket and the expenses of providing and maintaining any appliances or making any alteration rendered necessary in consequence of the exercise of the powers of this section for the protection of the public or the unobstructed working or user of the tramways or to prevent injurious affection of the Postmaster-General's telegraphs or any telegraphic or telephonic line or electrical apparatus of the Corporation or by any regulations which may from time to time be made by the Board of Trade arising through the exercise by the Postmaster-General of the powers conferred by this section :
- (D) Unless otherwise agreed or in case of difference determined as hereinafter provided all telegraphs shall be attached to the posts standards or brackets below the level of the trolley wires and on the side of such posts or standards farthest from the trolley wires Any difference as to the conditions of attachment shall be determined as hereinafter provided :
- (E) Unless otherwise agreed no telegraph shall be attached to any post or standard placed in or near the centre of any street or public road :
- (F) The Postmaster-General shall cause all attachments to posts standards or brackets used by him under the powers of this section to be from time to time inspected so as to satisfy himself that the said attachments are in a proper condition and state of repair :

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- (G) The Postmaster-General shall make good to the Corporation and shall indemnify them against any loss damage or expense which may be incurred by them through or in consequence of the exercise by the Postmaster-General of the powers conferred upon him by this section unless such loss damage or expense be caused by or arise from gross negligence on the part of the Corporation their officers or servants:
- (H) The Postmaster-General shall make such reasonable contribution to the original cost of providing and placing any post standard or bracket used by him and also to the annual cost of the maintenance and renewal of any such post standard or bracket as having regard to the respective interests of the Corporation and the Postmaster-General in the use of the post standard or bracket and to all the circumstances of each case may be agreed upon between the Postmaster-General and the Corporation or failing agreement determined as hereinafter provided:
- (I) The Corporation shall not be liable for any interference with or damage or injury to the telegraphs of the Postmaster-General arising through the exercise by the Postmaster-General of the powers conferred by this section and caused by the maintaining and working of the tramways or by any accident arising thereon or by the authorised use by the Corporation of electrical energy unless such interference damage or injury be caused by gross negligence on the part of the Corporation their officers or servants:
- (J) If it shall become necessary or expedient to alter the position of or remove any post standard or bracket the Postmaster-General shall upon receiving twenty-eight days' notice thereof at his own expense alter or remove the telegraph supported thereby or at his option retain the post standard or bracket and pay the Corporation the value of the same Provided that if the Corporation or the body having the control of the street or public road object to the retention of the post standard or bracket by the Postmaster-General a difference shall be deemed to have arisen and shall be determined as hereinafter provided.

(2) Nothing in this section contained shall prevent the Corporation from using their posts standards or brackets for the support of any of their electric wires and apparatus whether in connexion with their tramways or other municipal undertakings or shall take away any existing right of the Corporation of permitting the use by any company or person of their posts standards or brackets in connexion with the lighting of the streets or otherwise Provided that any difference between the Postmaster-General and such company or person in relation to the use of the posts standards or brackets by the Postmaster-General and such company or person respectively shall be determined as hereinafter provided. A.D. 1917.

(3) All differences arising under this section shall be determined in manner provided by sections 4 and 5 of the Telegraph Act 1878 for the settlement of differences relating to a street or public road.

(4) In this section—

The expression “the Corporation” includes their lessees;

The expression “telegraph” has the same meaning as in the Telegraph Act 1869;

Other expressions have the same meaning as in the Telegraph Act 1878.

61.—(1) The Corporation during the execution of the powers of this Act may break up and also temporarily stop up divert and interfere with any street for the purpose of executing such powers and may for any reasonable time prevent all persons other than those bonâ fide going to or returning from any house in the street from passing along and using the same. Temporary stoppage of streets.

(2) The Corporation shall provide reasonable access for foot passengers bonâ fide going to or returning from any such house.

(3) Provided that at all times during the execution of the powers of this Act the Corporation shall maintain a proper and sufficient access both for vehicular and pedestrian traffic to the passenger and goods stations of the Lancashire and Yorkshire and London and North Western Railway Companies near to which any work is being executed.

62. The Corporation may enter upon take and use all or any part of the following lands delineated on the deposited plans and described in the deposited book of reference (namely):— Power to acquire further lands.

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- (1) The lands bounded on the north by the northern boundary of land and premises of the Blackpool Pleasure Beach Limited on the east by the Lancashire and Yorkshire and London and North Western Joint Railway on the south by the southerly boundary of the borough and on the west by low-water mark:
- (2) The lands situate between the Blackpool and Fleetwood Tramroad on the east and the limits of lands to be acquired shown on the deposited plans on the west and extending from the northern boundary of the existing borough to the southerly boundary wall of the Norbreck Hydro.

Compensation in case of recently acquired interest.

63. For the purposes of determining any question of disputed compensation payable in respect of lands taken for or in connexion with any works authorised by this Act the tribunal shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the land created after the twentieth day of November nineteen hundred and sixteen if in the opinion of the tribunal the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act.

Costs of arbitration &c. in certain cases.

64.—(1) The tribunal shall if so required by the Corporation award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Corporation by the claimant giving sufficient particulars and in sufficient time to enable the Corporation to make a proper offer and if the tribunal shall be of opinion that no such statement giving sufficient particulars and in sufficient time has been delivered and that the Corporation have been prejudiced thereby the tribunal shall have power to decide whether the claimant's costs or any part thereof shall be borne by the claimant.

(2) Provided that it shall be lawful for any judge of the High Court to permit any claimant after seven days' notice to the Corporation to amend the statement in writing of the claim delivered by him to the Corporation in case of discovery of any error or mistake therein or for any other reasonable cause such error mistake or cause to be established to the satisfaction of the judge after hearing the Corporation if they object to the amendment and such amendment shall be subject to such terms

enabling the Corporation to investigate the amended claim and to make an offer de novo and as to postponing the hearing of the claim and as to costs of the inquiry and otherwise as to such judge may seem just and proper under all the circumstances of the case. A.D. 1917.

(3) Provided also that this section shall be applicable only in cases where the notice to treat under the Lands Clauses Consolidation Act 1845 either contained or was endorsed with a notice to the effect of this section.

65. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of five years from the passing of this Act. Period for compulsory purchase of lands.

66. The Corporation in addition to any other lands acquired by them in pursuance of this Act may by agreement purchase take on lease acquire and hold further lands for the purposes of this Act but the quantity of lands held by the Corporation in pursuance of this section shall not at any time exceed fifty acres Provided that the Corporation shall not create or permit the creation or continuance of any nuisance on any such lands. Power to purchase additional lands by agreement.

67. Notwithstanding anything in the Lands Clauses Acts or in any other Act or Acts to the contrary the Corporation may retain hold and use for such time as they may think fit or may sell 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 or any interest therein acquired by them under this Act and may sell exchange or dispose of any rents reserved on the sale lease exchange or disposition of such lands or interests therein and may make do and execute any deed act or thing proper for effectuating 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 sell &c. lands.

68. In working Tramway No. 5 by this Act authorised no tramcar or other vehicle used thereon shall without the consent in writing of the Lancashire and Yorkshire and London and North Western Railway Companies be stopped or permitted to be stopped for the distance thereon extending in front of the entrances to the property of the said companies or within a distance of ten yards at each end of such distance. For protection of Lancashire and Yorkshire and London and North Western Railway Companies.

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Confirmation
of agreement
with Black-
pool Pleasure
Beach
Limited.

69.—(1) The agreement dated the twenty-third day of February nineteen hundred and seventeen and made between Blackpool Pleasure Beach Limited of the one part and the Corporation of the other part of which a copy is set forth in the Third Schedule is hereby confirmed and made binding upon the parties thereto and effect shall be given thereto accordingly.

(2) Any sums payable under the said agreement by the company to the Corporation shall be recoverable and may be collected in the manner and subject to the provisions therein mentioned.

For protec-
tion of Starr
Estate Com-
pany Limited.

70. The following provisions shall unless otherwise agreed in writing between the Starr Estate Company (hereinafter called "the owners" which expression shall where the context so admits include their successors and assigns) and the Corporation apply and have effect for the benefit and protection of the owners and their estate (that is to say):—

(1) The owners shall sell and the Corporation shall purchase the whole of the lands and premises delineated on the deposited plans which belong to the owners with the easements and appurtenances appertaining thereto or connected therewith and which are situate at South Shore in the borough and are bounded on the north by the southern boundary of lands and premises belonging or reputed to belong to the Blackpool Pleasure Beach Limited on the east by the Lancashire and Yorkshire and London and North Western Joint Railway (in this section referred to as "the said railway") on the south by lands and premises belonging or reputed to belong to the trustees of Thomas Shutt deceased and on the west by high-water mark of ordinary tides (in this section referred to as "the said lands"):

(2) The price to be paid by the Corporation to the owners for the said lands shall in default of agreement be determined by arbitration in the manner provided by the Lands Clauses Acts as modified or altered by this Act:

(3) The Corporation shall serve upon the owners notice to treat under the Lands Clauses Acts as soon as possible after the termination of the present war and at the most within a period of three years after

such termination and in the event of the award of the arbitrator not being made before the expiration of the said period of three years the Corporation shall pay to the owners interest at the rate of five and a quarter per centum per annum on the amount of the purchase money which the arbitrator shall by his award find to be payable to the owners by the Corporation for the said lands such interest to be paid half-yearly from the expiration of the aforesaid period at the end of every six months therefrom until actual completion of the purchase by the Corporation of the said lands :

- (4) The Corporation shall not use or permit suffer or allow the lands or any part thereof acquired or purchased by them under this Act from the owners to be used for the purposes of an infectious disease hospital or infirmary or for the purposes of a fairground pleasure beach or for other similar purposes or so as to be a nuisance or annoyance to the owners or their past or future assigns lessees or tenants in the enjoyment of the lands now or formerly belonging to the owners situate on the east side of the said railway Nor shall they place erect or build or permit to be placed erected or built on the said lands or any part thereof any erection or building which shall at any time hereafter be used for any noisome or objectionable purpose nor (except as hereinafter provided) for the sale of ale beer wine or spirituous liquors to be consumed on or off the premises nor for any trade manufactory or business which may cause excessive smoke or noxious vapour noise vibration or disagreeable smell Nor shall there be placed or erected on the said lands or any part thereof any hoarding boards or erection for advertising purposes nor shall any building or erection gable end or boundary wall be used for bill-posting or advertising in such a position or manner that the advertising matter shall be visible from the owners' estate on the east side of the said railway Provided always that nothing herein contained shall restrict or prohibit the erection on the said lands of a first-class residential hotel hydro or private hotel or theatre to be used conducted and carried on subject to the aforesaid restrictions :

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- (5) For the purpose of securing access from the level crossing at the westerly end of Burlington Road to the promenade (Work No. 1) authorised by this Act the Corporation shall form make complete and maintain with footpaths and sewers the street or road (Work No. 6) authorised by this Act and such street or road shall be of a width not less than the present width of Burlington Road and shall be a highway for all purposes :
- (6) The Corporation shall keep open a space of land extending from the said railway to the proposed new street (Work No. 4) in a direct line west from the westerly end of Rosebery Avenue such space to be of a width of not less than that of Rosebery Avenue aforesaid :
- (7) The owners shall have rights of way for all purposes over all or any streets or roads to be formed or made by the Corporation on the said lands and of connecting into all sewers and drains to be laid in through or under the said lands or any part thereof :
- (8) Notwithstanding anything contained in section 19 (Power to erect shelters &c. on the said road or carriage drive) of the Act of 1893 or in this Act the Corporation shall not in upon or under the proposed new promenade (Work No. 1) so far as the same is co-extensive with the said lands provide place erect or maintain any lavatory or urinals unless the same shall be placed underground or if placed above ground the same shall not be visible from the owners' estate on the east side of the said railway :
- (9) As between the Corporation and the owners the section of this Act whereof the marginal note is "Compensation in case of recently acquired interest" shall read as if the words "after the twentieth day of November nineteen hundred and sixteen" had been deleted therefrom and the words "before the twentieth day of November nineteen hundred and nineteen" inserted in lieu thereof :
- (10) The conveyance of the said lands to the Corporation shall notwithstanding the provisions of section 81

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of the Lands Clauses Consolidation Act 1845 be in such a form as shall be mutually agreed upon between the parties or in the case of dispute as to the form thereof determined in the manner hereinafter mentioned: A.D. 1917.

- (11) If any question or dispute shall arise between the Corporation and the owners as to the true intent and meaning of any of the provisions of this section or as to anything to be done or not to be done thereunder the same shall be referred to a single arbitrator to be agreed upon between the parties or failing agreement to an arbitrator to be appointed by the Local Government Board and the provisions of the Arbitration Act 1889 or any statutory modification thereof shall apply to such reference and arbitration but without prejudice to all compensation to be payable to the owners for land acquired or for injury sustained in consequence of the exercise of the powers of this Act being ascertained in case of dispute in accordance with the provisions of the Lands Clauses Acts.

71. The following provisions shall unless otherwise agreed in writing between the trustees of Thomas Shutt deceased (hereinafter called "the owners" which expression shall where the context so admits include their successors and assigns) and the Corporation apply and have effect for the benefit and protection of the owners and their estate (that is to say):—

For protection of trustees of Thomas Shutt.

- (1) The owners shall sell and the Corporation shall purchase the whole of the lands and premises belonging to the owners with the easements and appurtenances appertaining thereto or connected therewith and which are situate at South Shore in the borough and are bounded on the north by the southern boundary of lands and premises delineated on the deposited plans which belong or are reputed to belong to the Starr Estate Company Limited on the east by the Lancashire and Yorkshire and London and North Western Joint Railway (in this section referred to as "the said railway") on the south by Harrow Side Lane and on the west by high-water mark of ordinary tides (in this section referred to as "the said lands"):

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- (2) The price to be paid by the Corporation to the owners for the said lands shall in default of agreement be determined by arbitration in the manner provided by the Lands Clauses Acts as modified or altered by this Act:
- (3) The Corporation shall serve upon the owners notice to treat under the Lands Clauses Acts as soon as possible after the termination of the present war and at the most within a period of three years after such termination and in the event of the award of the arbitrator not being made before the expiration of the said period of three years the Corporation shall pay to the owners interest at the rate of five and a quarter pounds per centum per annum on the amount of the purchase money which the arbitrator shall by his award find to be payable to the owners by the Corporation for the said lands such interest to be paid half-yearly from the expiration of the afore-said period at the end of every six months therefrom until actual completion of the purchase by the Corporation of the said lands:
- (4) The Corporation shall not use or permit suffer or allow the lands or any part thereof acquired or purchased by them under this Act from the owners to be used for the purposes of an infectious disease hospital or infirmary or for the purposes of a fairground pleasure beach or for other similar purposes or so as to be a nuisance or annoyance to the owners or their past or future assigns lessees or tenants in the enjoyment of the lands now or formerly belonging to the owners situate on the east side of the said railway Nor shall they place erect or build or permit to be placed erected or built on the said lands or any part thereof any erection or building which shall at any time hereafter be used for any noisome or objectionable purpose nor (except as hereinafter provided) for the sale of ale beer wine or spirituous liquors to be consumed either on or off the premises nor for any trade manufactory or business which may cause excessive smoke or noxious vapour noise vibration or disagreeable smell Nor shall there be placed or erected on the said land or any part thereof any hoarding boards or erections

for advertising purposes nor shall any building or erection gable end or boundary wall be used for bill-posting or advertising in such a position or manner that the advertising matter shall be visible from the owners' estate on the east side of the said railway Provided always that nothing herein contained shall restrict or prohibit the erection on the said land of a first-class residential hotel hydro or private hotel or theatre to be used conducted and carried on subject to the aforesaid restrictions :

- (5) The Corporation shall form make complete and maintain with footpaths and sewers the widening and improvement of Harrow Side Lane (Work No. 7) authorised by this Act and such lane shall be of a width not less than the present width of the part of Harrow Side Lane on the easterly side of the said railway and shall be a highway for all purposes :
- (6) The Corporation shall keep open spaces of land extending from the westerly side of the said railway to the said proposed new street (Work No. 4) in direct lines west from the westerly ends of Bournemouth Road Boscombe Road and Horncliffe Road respectively such spaces to be of widths respectively not less than those of Bournemouth Road Boscombe Road and Horncliffe Road aforesaid :
- (7) The owners shall have rights of way for all purposes over all or any streets or roads to be formed or made by the Corporation on the said lands and of connecting into all sewers and drains to be laid in through or under the said lands or any part thereof and the Corporation shall lay sewers or drains in Harrow Side Lane at such a depth and in such a position that the owners can readily and efficiently sewer and drain into the same such portion of their estate at present not sewered or drained as is situate on the east side of the said railway Provided always that the Corporation shall not be obliged to lay down and construct such sewers at such depths as will take the drainage of cellars or basements of premises erected on such estate And the extension and improvement of Harrow Side Lane aforesaid (Work No. 7) with a sewer and drains commencing at the

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westerly boundary of the owners' estate at the easterly side of the bridge carrying the said railway over the said lane shall be commenced proceeded with and completed by the Corporation as soon as possible after they shall acquire the said lands:

- (8) Notwithstanding anything contained in section 19 (Power to erect shelters &c. on the said road or carriage drive) of the Act of 1893 or in this Act the Corporation shall not in upon or under the proposed new promenade (Work No. 1) so far as the same is co-extensive with the said lands provide place erect or maintain any lavatory or urinals unless the same shall be placed underground or if placed above ground the same shall not be visible from the owners' estate on the east side of the said railway:
- (9) As between the Corporation and the owners the section of this Act whereof the marginal note is "Compensation in case of recently acquired interest" shall read as if the words "after the twentieth day of November nineteen hundred and sixteen" had been deleted therefrom and the words "before the twentieth day of November nineteen hundred and nineteen" inserted in lieu thereof:
- (10) The conveyance of the said lands to the Corporation shall notwithstanding the provisions of section 81 of the Lands Clauses Consolidation Act 1845 be in such a form as shall be mutually agreed upon between the parties or in the case of dispute as to the form thereof determined in the manner hereinafter mentioned:
- (11) If any question difference or dispute shall arise between the Corporation and the owners as to the true intent and meaning of any of the provisions of this section or as to anything to be done or not to be done thereunder the same shall be referred to a single arbitrator to be agreed upon between the parties or failing agreement to an arbitrator to be appointed by the Local Government Board and the provisions of the Arbitration Act 1889 or any statutory modification thereof shall apply to such reference and arbitration but without prejudice to all compensation to be payable to the owners for land acquired

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or for injury sustained in consequence of the exercise of the powers of this Act being ascertained in case of dispute in accordance with the provisions of the Lands Clauses Acts. A.D. 1917.

72. The following provisions for the protection of Maria Mildred Ramsbottom (in this section called "the owner" which expression shall where the context so admits extend to and include her heirs executors administrators and assigns of land belonging to the owner situate between Lytham Road in the borough of Blackpool and the Lancashire and Yorkshire and London and North Western Joint Railway (hereinafter referred to as "the said railway")) shall except so far as may be otherwise agreed in writing between the owner and the Corporation apply and have effect (that is to say):—

For protection of Maria Mildred Ramsbottom.

- (1) The Corporation shall compulsorily acquire under the provisions of the Lands Clauses Acts as modified by this Act the whole of the lands and premises belonging to the owner which are situate at South Shore in the said borough on the west side of the said railway:
- (2) The Corporation shall serve upon the owner notice to treat under the Lands Clauses Acts within a period of three years after the termination of the present war and in the event of the award of the arbitrator not being made before the expiration of that period the Corporation shall pay to the owner interest at the rate of five pounds per centum per annum on the amount of the purchase money as from the expiration of that period until actual completion of the purchase:
- (3) The Corporation shall not use or permit suffer or allow to be used the lands or any part thereof acquired by them from the owner under this Act for the purposes of a fairground or pleasure beach or other similar purposes and shall not use or permit suffer or allow to be used the said lands or any part thereof or any building to be erected thereon for the purposes of an infectious disease hospital or infirmary or except as hereinafter provided for the sale of ale beer wine or spirituous liquors for consumption either on or off the premises or so as to be a nuisance or annoyance to the owner her lessees and occupiers in

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the enjoyment of the lands belonging to the owner situate on the east side of the said railway and no dwelling-house shall be erected on the said land of less annual value than thirty pounds except on the east side of the proposed continuation of Church Street (Work No. 4) authorised by this Act where the minimum annual value of any dwelling-house shall be twenty-five pounds:

Provided that nothing contained in this section shall prevent any building of the minimum value as aforesaid to be erected on the said land being used for the purpose of first-class residential hotels or hydros which may be licensed for the sale of beer ale wine or spirituous liquors to be consumed either on or off the premises:

- (4) The Corporation in developing the land of the owner to be acquired under this Act shall construct a main sewer of such levels as the Corporation may fix as to drain by gravitation only the owner's estate on the east of the said railway not at present served by a main sewer and shall afford the owner access to and the owner shall have a right of user of such main sewer when constructed:
- (5) The Corporation shall when called upon by the owner pay one half of the owner's proportion of the cost of the construction of a bridge over the said railway to be erected by the Lancashire and Yorkshire and London and North Western Railway Companies in pursuance of a covenant contained in an indenture dated the twenty-third day of December nineteen hundred and two and made between Thomas Openshaw Ramsbottom of the one part and the said railway companies of the other part and the Corporation shall provide such land on the west side of the said railway as may be necessary for the approaches to such bridge the width and gradient of which shall be agreed between the owner and the Corporation. And the owner on her part shall provide such land on the east side of the said railway as may be necessary for the approaches to the said bridge from the east side of the railway:

The Corporation shall on or before the completion of the said bridge construct and fully complete in a proper and workmanlike manner a road of the minimum width of such bridge leading directly therefrom to the promenade and when such road shall have been constructed the owner shall have a right of way over the same for all purposes to and from her said land on the east side of the said railway :

The position and width of the said bridge shall be agreed between the Corporation and the owner :

- (6) If any difference shall arise between the Corporation and the owner as to the true intent and meaning of this section or as to anything to be done thereunder the same shall be referred to arbitration and the provisions of the Arbitration Act 1889 or any statutory modification or amendment thereof shall apply to such reference.

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

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

(2) Any alteration or extension of any such works 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 Corporation and the amount of such cost shall be a debt due from the Corporation to the Crown and shall be recoverable as a Crown debt or summarily.

PART IV.

FINANCIAL AND MISCELLANEOUS PROVISIONS.

74.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and they shall repay all money so borrowed within the respective

Power to borrow.

A.D. 1917. periods mentioned in the third column of the said table (namely):—

1.	2.	3.
Purpose.	Amount.	Period for Repayment.
(A) For and in connexion with the purchase of lands for and the construction of Works Nos. 1 2 8 and 9 authorised by this Act and the purchase of lands under the section of this Act whereof the marginal note is "Power to acquire further lands."	£ 186,843	60 years from the date or dates of borrowing.
(B) For and in connexion with the purchase of lands for and the construction of Works Nos. 4 5 6 and 7 authorised by this Act.	26,657	50 years from the date or dates of borrowing.
(C) For and in connexion with the purchase of lands for and the construction of Works Nos. 3 and 10 authorised by this Act.	32,000	40 years from the date or dates of borrowing.
(D) For and in connexion with the construction of the tramways authorised by this Act.	35,382	30 years from the date or dates of borrowing.
(E) For and in connexion with the electrical equipment of those tramways.	6,954	20 years from the date or dates of borrowing.
(F) For paying the costs charges and expenses of this Act as hereinafter defined.	The sum requisite.	Five years from the passing of this Act.

(2) The Corporation may also with the consent of the Board of Trade borrow such further money as may be necessary for any of the purposes of the tramway undertaking of the Corporation and may with the consent of the Local Government Board borrow such further money as may be necessary for any purposes of this Act other than the purposes of that undertaking.

Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Board with whose consent it is borrowed.

(3) In order to provide for the repayment of moneys borrowed under this section and the payment of interest thereon the several revenues of the Corporation are hereby made specially liable and such moneys are hereby primarily chargeable accordingly (that is to say):—

As regards purposes (A) (C) and (F) the borough fund and borough rate:

As regards purpose (B) the district fund and general district rate:

As regards purposes (D) and (E) the revenue of the tramway undertaking and the borough fund and borough rate:

As regards money borrowed with the consent of the Board of Trade or of the Local Government Board such rate or revenue as may be prescribed by the Board with whose consent the money is borrowed. A.D. 1917.

(4) Notwithstanding anything contained in this or any other Act it shall not be obligatory upon the Corporation to make the first payment to the sinking fund or to pay the first instalment of principal for the repayment of money borrowed for the purpose (A) hereinbefore mentioned until the expiration of five years after the completion of the works therein referred to.

75. Notwithstanding anything in this Act the Corporation shall not under the powers of this Act borrow any money (other than money required to pay the costs charges and expenses of this Act as hereinafter defined) during the continuance of the present war and twelve months thereafter unless the consent of the Treasury has been previously obtained. Restriction on borrowing money.

76.—(1) Nothing in the Act of 1901 shall affect any power or duty of the Corporation to sell lease or otherwise dispose of any land or property of the Corporation or to apply any purchase money or other money arising thereby in discharge of any charge on that land or property or the revenues thereof or affect any claim of any person under such charge. Saving for power to sell lands &c.

(2) That land or property shall in the hands of the purchaser or other person taking the same under the sale lease or other disposition be by virtue of this Act absolutely freed from the charge created by or in pursuance of the Act of 1901 and he shall not be concerned to see to the application of the purchase money or other money or be answerable for any loss or misapplication thereof.

77. Notwithstanding anything to the contrary in any Act contained the Corporation may appoint such number of overseers not exceeding six for the township of Blackpool as they think fit. Number of overseers.

78. Notwithstanding anything contained in the Harbours Act 1814 or in any order made thereunder the Corporation may but only with the consent of the Board of Trade take and remove such shingle and ballast from the shores or banks of the sea in or adjoining the Bispham District between the northern boundary of the existing borough and a point opposite to the southerly boundary wall of the Norbreck Hydro as they may require for the purposes of the Works Nos. 8 and 10 authorised by this Act. Removal of shingle from sea shore.

A.D. 1917.
Recovery of
demands.

79. Proceedings for the recovery of any demand made under the authority of this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Judges not
disqualified.

80. A judge of any court or a justice shall not be disqualified from acting in the execution of this Act by reason of his being liable to any rate.

Incorporation of sections from existing Acts.

81. The following sections of the local Acts shall so far as they are applicable for the purpose extend and apply with the necessary modifications to and in relation to this Act and be incorporated with and form part of this Act (that is to say):—

The Act of 1893—

Section 114 (Correction of errors omissions &c.);

Section 117 (Power to take easements &c. by agreement);

The Act of 1899—

Section 60 (Audit of accounts);

The Act of 1901—

Section 26 (Owners may be required to sell parts only of certain lands and buildings);

Section 79 (Recovery of penalties &c.);

Section 80 (Inquiries by Local Government Board);

The Act of 1905—

Section 54 (Expenses of execution of Act); and

The Act of 1910—

Section 20 (Application of section 265 of Public Health Act 1875):

Provided that the said section 26 of the Act of 1901 shall for the purposes of such incorporation apply in respect of the premises described in the Second Schedule to this Act.

Costs of Act.

82. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act 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 the borough fund or out of money to be borrowed for that purpose.

SCHEDULES.

A.D. 1917.

THE FIRST SCHEDULE.

Referred to in Section 4.

PART I.—LOCAL ACTS.

Session and Chapter.	Short Title.
16 Vict. c. xxix. - - - -	The Blackpool Improvement Act 1853.
28 & 29 Vict. c. cxxiv. - - - -	The Blackpool Improvement Act 1865.
36 Vict. c. xxvii. - - - -	The Blackpool Sea Water Act 1873.
42 & 43 Vict. c. cxcix. - - - -	The Blackpool Improvement Act 1879.
56 & 57 Vict. c. lxxxvi. - - - -	The Blackpool Improvement Act 1893.
59 & 60 Vict. c. cxxx. - - - -	The Blackpool Improvement Act 1896.
61 & 62 Vict. c. cvi. - - - -	The Blackpool Improvement Act 1898.
62 & 63 Vict. c. clxxxiv. - - - -	The Blackpool Improvement Act 1899.
1 Edw. 7. c. cxxviii. - - - -	The Blackpool Improvement Act 1901.
5 Edw. 7. c. clxxiii. - - - -	The Blackpool Improvement Act 1905.
10 Edw. 7. and 1 Geo. 5. c. xlviii. - - - -	The Blackpool Improvement Act 1910.

PART II.—CONFIRMATION ACTS.

Session and Chapter.	Short Title.	Order thereby confirmed.
30 & 31 Vict. c. lxvii.	The Local Government Supplemental Act 1867 (No. 4).	Order relating to Layton-with-Warbrick (Blackpool) dated 13th May 1867.
31 & 32 Vict. c. cliii.	The Local Government Act 1868 (No. 6).	Order relating to Layton-with-Warbrick dated 4th June 1868.
33 & 34 Vict. c. cxiv.	The Local Government Supplemental Act 1870.	Order relating to Blackpool dated 9th May 1870.
47 & 48 Vict. c. cxii.	The Tramways Orders Confirmation (No. 1) Act 1884.	The Blackpool Corporation Tramways Order 1884.
50 & 51 Vict. c. clxxx.	The Local Government Board's Provisional Orders Confirmation (No. 7) Act 1887.	Order relating to Blackpool dated 6th June 1887.
51 & 52 Vict. c. cxxi.	The Local Government Board's Provisional Orders Confirmation (No. 7) Act 1888.	Order relating to Blackpool dated 12th May 1888.
53 & 54 Vict. c. lxxxv.	The Local Government Board's Provisional Orders Confirmation (No. 7) Act 1890.	Order relating to Blackpool dated 20th May 1890.
53 & 54 Vict. c. clxxxix.	The Electric Lighting Orders Confirmation (No. 4) Act 1890.	The Blackpool Electric Lighting Order 1890.
54 & 55 Vict. c. clvi.	The Local Government Board's Provisional Orders Confirmation (No. 7) Act 1891.	Order relating to Blackpool dated 6th May 1891.

A.D. 1917.

Session and Chapter.	Short Title.	Order thereby confirmed.
54 & 55 Vict. c. cexi.	The Local Government Board's Provisional Orders Confirmation (No. 14) Act 1891.	Order relating to Blackpool dated 29th May 1891.
56 & 57 Vict. c. exciii.	The Tramways Orders Confirmation Act 1893.	The Blackpool Corporation Tramways Order 1893.
57 & 58 Vict. c. cxxix.	The Local Government Board's Provisional Orders Confirmation (No. 14) Act 1894.	The Blackpool Order 1894. The Blackpool Order (No. 2) 1894.
59 & 60 Vict. c. cxx.	The Tramways Orders Confirmation (No. 1) Act 1896.	The Blackpool Corporation Tramways Order 1896.
59 & 60 Vict. c. clxviii.	The Local Government Board's Provisional Orders Confirmation (No. 16) Act 1896.	The Blackpool Order 1896.
60 & 61 Vict. c. cli.	The Tramways Orders Confirmation (No. 1) Act 1897.	The Blackpool Corporation Tramways Order 1897.
61 & 62 Vict. c. lxxxii.	The Local Government Board's Provisional Orders Confirmation (No. 8) Act 1898.	The Blackpool Order 1898.
62 & 63 Vict. c. cclxxiv.	The Tramways Orders Confirmation (No. 3) Act 1899.	The Blackpool Corporation Tramways Order 1899.
2 Edw. 7. c. lxxxiv.	The Local Government Board's Provisional Orders Confirmation (No. 11) Act 1902.	The Blackpool Order (No. 1) 1902. The Blackpool Order (No. 2) 1902.
3 Edw. 7. c. lxxix.	The Local Government Board's Provisional Orders Confirmation (No. 12) Act 1903.	The Blackpool Order 1903.
4 Edw. 7. c. clxii.	The Local Government Board's Provisional Orders Confirmation (No. 13) Act 1904.	The County Borough of Blackpool Order 1904.
5 Edw. 7. c. cix.	The Local Government Board's Provisional Orders Confirmation (No. 14) Act 1905.	The Fylde Preston and Garstang Joint Small-Pox Hospital Order 1905.
3 & 4 Geo. 5. c. cxxviii.	The Local Government Board's Provisional Orders Confirmation (No. 4) Act 1913.	The Blackpool Order 1913.

THE SECOND SCHEDULE.

Referred to in Section 81.

DESCRIPTION OF PROPERTIES OF WHICH PORTIONS ONLY MAY BE
REQUIRED BY THE CORPORATION.

PROPERTIES WITHIN THE BOROUGH.

Numbers on deposited Plans.

1 2 3 4 5 6 7 8 9 10 11 12 13

THE THIRD SCHEDULE.

A.D. 1917.

Referred to in Section 69.

AN AGREEMENT dated the 23rd day of February 1917 between BLACKPOOL PLEASURE BEACH LIMITED whose registered office is situate at the Guildhall Annexe in the City of London (hereinafter called "the Company") of the one part and the MAYOR ALDERMEN AND BURGESSES OF THE BOROUGH OF BLACKPOOL (hereinafter called "the Corporation") of the other part.

WHEREAS the Corporation are promoting in the ensuing session of Parliament a Bill for the carrying out of certain public improvements including the construction of promenade works and tramway extending from the terminus of the existing promenade at South Shore to the southern boundary of the borough and the construction of certain new streets or roads or the continuation of existing streets or roads on lands adjoining to or abutting on the said promenade works :

And whereas the Company are the owners in fee simple of certain lands and premises the whole or certain parts of which are intended to be acquired by the Corporation under the provisions of the said Bill for the purposes of the aforesaid works or some of them :

And whereas negotiations have taken place between the parties hereto for the acquisition by the Corporation of such lands or premises of the Company as may be required for the purposes aforesaid and terms have been arranged as hereinafter set forth :

Now it is hereby agreed as follows :—

1. In consideration of the works to be carried out by the Corporation and the concessions granted to the Company as hereinafter described the Company will (subject to the provisions of clause 21 hereof) convey to the Corporation within three months after the receipt by the Company of a certificate of the town clerk for the time being of the borough of Blackpool that the Corporation are in a position to proceed with the construction of the extension of Church Street South Shore and propose to do so the several plots of land coloured green and yellow respectively and shown on the plan annexed hereto containing 8,333 square yards and 31,006 square yards or thereabouts respectively for an estate in fee simple free from encumbrances but subject to any then existing leases or tenancies and for this purpose the Company shall obtain the consent or concurrence of all other parties (if any) interested in the said lands whose consent or concurrence may be

A.D. 1917. — necessary for more effectually conveying and assuring the said lands to the Corporation.

2. In consideration of the conveyance hereinbefore mentioned the Corporation shall at the time and manner hereinafter mentioned construct carry out and complete the works numbered 1 and 2 particularly specified in clause 51 of the said Bill and shown (amongst other works) on the said plan.

3. The Company's share or proportion of the costs of the said works is hereby agreed at the sum of £10,000 which shall be paid by the Company to the Corporation within the period allowed by Parliament or the Local Government Board for the repayment of the moneys to be borrowed by the Corporation for the said works. The Corporation shall use their best endeavours to obtain as long a term of years as possible for the repayment of the moneys to be borrowed by them for the construction of the said works.

4. The Company shall until the said sum of £10,000 shall have been paid by them pay to the Corporation on the 25th March in every year from and after the expiration of 12 months from the commencement of the said works a sum equal to the annual interest payable by the Corporation on the said sum of £10,000 (or such part of it as shall remain owing and shall not have been redeemed under the next succeeding clause) and the annual instalment necessary to redeem the said sum of £10,000 during the period allowed by Parliament or the Local Government Board for the repayment of the moneys to be borrowed by the Corporation for the said works. The said annual payment to be made by the Company shall be a charge on all the lands and premises of the Company shown on the said plan and shall be recoverable in the same manner and with the same incidence as private improvement expenses and private improvement rates are charged and recoverable under the provisions of the Blackpool Improvement Act 1879 and the Public Health Acts respectively or may at the option of the Corporation be collected and recovered in the same manner as poor rates are collected and recovered. Failing agreement between the parties as to the amount of the said annual payment the matter shall be referred to arbitration under clause 24 hereof. In the event of the owners of the lands south of the Company's lands or any of them declining or refusing to pay their proportion of the cost of the said works then the Corporation shall be at liberty to make and levy a rate or improvement rate (if so authorised by Parliament) on the lands and premises (or parts thereof) belonging to such owners in exoneration of the Company's land and premises. If on the other hand the Corporation shall acquire under the provisions of the said Bill or otherwise the whole of the lands and premises of the said owners or any of them the Corporation shall be liable for

the proportion of the capital moneys and interest payable by such owners or any of them and subject to that liability they may hold or dispose of the said lands and premises so acquired by them free from any parade or improvement rate if they so desire. A.D. 1917.

5. The Company may at any time redeem their liability to the Corporation for the amount payable under this agreement and the interest thereon by paying to the Corporation such capital sum and the interest thereon as shall then be owing. Failing agreement between the parties as to the amount owing the amount shall be ascertained by arbitration under the provisions of clause 24 hereof. On the payment by the Company to the Corporation of the amount payable under this agreement the Company shall be released from any further obligation (except as ratepayers) notwithstanding the failure of any other owner or owners to pay his or their share or shares or any legal decision or opinion to the contrary.

6. No buildings of any kind shall be erected by the Company nearer the northern boundary of the Company's land on the west side of the continuation of Church Street than seventy feet but a zone seventy feet wide measured from such northern boundary which zone is coloured red on the said plan shall be laid out by the Company as an open space or recreation ground or landscape garden to harmonise with the method in which the land coloured purple (hereinafter referred to) between the points marked Q R S T on the plan shall be laid out by the Corporation and shall be maintained by the Company during the time they are in possession of their Pleasure Beach Estate or any part thereof and using such estate or part thereof as a pleasure ground as at present the public to have an adequate means of access thereto at the point indicated on the plan and a free right thereover or in default of the Company laying out the land as aforesaid the Corporation may themselves lay it out and charge the Company with the cost thereof but in the event of the Company ceasing to carry on their present business on such estate or such estate being converted into building land or in any other like contingency then the Company shall be released from this covenant and regain their free and unrestricted rights over the particular portion of land referred to.

7. As regards the land coloured blue on the said plan and bounded by the blue verge the Company shall be at liberty to use such land for purposes of their undertaking without as heretofore making application to the Corporation for permission to erect or submitting plans of any temporary or movable buildings or structures to the Corporation for their approval or otherwise but all buildings erections or structures thereon shall be subject to statutory provisions relating to sanitation.

A.D. 1917.

8. As regards the two plots of land coloured brown on the said plan the Company shall not be entitled to place thereon stalls or any temporary or movable buildings whatsoever or any building or structure of an unsightly character but any buildings or structures which it may be proposed to erect thereon shall be of a permanent character plans sections and elevations of which shall be submitted to the Corporation for their approval or otherwise and shall be subject to statutory provisions relating to buildings and sanitation but the Corporation shall be under an obligation when and so soon as the promenade works are completed to level make and leave same in a presentable condition the Company afterwards to maintain same In the event of the Company ceasing to carry on their present business on such estate or such estate being converted into building land or in any other like contingency then the Company shall be released from this covenant and regain their free and unrestricted rights over the particular portion of land referred to.

9. Subject to existing rights (if any) of adjoining land owners and of the public a fence not less than eight feet in height shall be erected and maintained by the Company along the Company's southerly boundary and a strip of land five yards wide alongside such southerly boundary fence shall be left open and not used for purposes of the Company's undertaking but the proviso at the end of clause 8 hereof as to restoration of rights in certain events shall apply thereto A fence of the same height shall be erected and maintained by the Company on the west side of the proposed new street in continuation of Church Street so far as the Company's estate extends in which fence there shall not without the consent of the Corporation be more than three openings to the Company's land none of such openings to exceed thirty feet in width and the Corporation shall if in their opinion it is necessary construct and maintain on the west side of the Company's estate in the situation indicated on the plan an ornamental panelled brick wall five feet six inches in height above the level of the new promenade but in the event of permanent buildings of brick or of stone (or of other materials approved by the Corporation) being erected by the Company on the said land edged with a brown verge on the said plan between the points A B C D E F and G marked thereon such permanent buildings shall have open and unrestricted access to the new promenade and if the ornamental wall or any part thereof shall have been constructed previously to a permanent building or buildings being erected on the said land so much of the said wall as is co-extensive with such permanent building or buildings and so much of the said wall as is required to provide a side entrance or entrances to such permanent building or buildings may be removed by and at the expense of the Company and such permanent building or buildings so erected and the said side entrance

or entrances shall be deemed to be in lieu of such wall or part thereof as the case may be. The cost of the said ornamental and panelled brick wall shall be included in the total cost of the scheme to be defrayed as before mentioned by the respective owners and the Corporation. A length of eighty yards measured southwards from the Company's casino at the north-west corner of the Pleasure Beach shall be left open to the extended promenade as a means of ingress and egress by the public to the Company's land and no other openings to the Company's land shall be provided on the west side thereof except Watson Road. A.D. 1917.

10. On the expiration of the present leases granted by the Company of land over which it is proposed to construct part of the extension of Church Street South Shore the Company shall if the Corporation are then in a position to proceed with the construction of the extension of Church Street South Shore and propose to do so give the Corporation possession of the land required for the scheme and in the meantime the Company shall give permission so far as they are able and also use their best endeavours to obtain the permission of their lessees to enable the Corporation to continue Church Street under any existing structures as may be required. The Company shall not grant any new leases or agreements or extensions of any existing leases or agreements of the said land or any interest therein after the date of these presents which will prejudice the provisions of this clause. The Company shall be entitled to re-erect any structures required to be removed for the purposes of this clause as structures coming within the meaning of those referred to in clause 7 hereof.

11. The land within the points marked Q R S T on the said plan belonging to the Corporation shall be laid out by the Corporation as an open space or recreation ground or landscape garden and maintained as such by the Corporation during the time the Company are in possession of their Pleasure Beach Estate and using such estate as a pleasure ground as at present but in the event of the Company ceasing to carry on their present business on such estate or such estate being converted into building land or in any other like contingency then the Corporation shall be released from this covenant and shall regain their free and unrestricted rights over the land referred to.

12. The Corporation shall maintain the roadway from the existing promenade to the northern boundary of the Company's land as a permanent means of access thereto.

13. The Company shall be allowed if they think fit to use for the purpose of their undertaking a space of land on the easterly side of and immediately adjoining their casino sixty feet long measured from the southerly main wall of the building in a northerly direction and twenty-five feet deep and also if they think fit the Company shall be allowed the use of fifteen feet of land on the north side of and

A.D. 1917. immediately adjoining such casino over which to construct a verandah provided that such fifteen feet of land and any verandah thereover shall not be used for business purposes and also in order that there may not be any interference with the means of access at this point to the open space recreation ground or landscape garden mentioned in clause 11 that any such verandah shall not project beyond the easterly main wall of the casino.

14. The work of continuing Church Street in a southerly direction shall be carried out simultaneously with the extension of the promenade so far as existing leases or tenancy agreements granted by the Company will permit.

15. The terminus of the existing promenade at South Shore shall constitute the commencement or termination of a separate fare stage for all tramcars using the route and all such tramcars shall be required to pull up at such terminus the intention of the parties hereto being that such terminus shall be what is commonly known as a "compulsory stop" without prejudice to the powers of the Corporation from time to time to make overlapping stages and to revise the fares for the whole of the tramways between the northern and southern boundaries of the borough.

16. A destination indicator bearing the words "Pleasure Beach" shall be exhibited on the outside of all tramcars completing their southerly journey at the present tramways terminus at South Shore for a period of 15 years from the date when the trams shall commence to run on the new promenade. In the event however of the Company ceasing to carry on their present business of a pleasure beach before the expiration of the said period this privilege shall thereupon cease.

17. In the event of the Corporation acquiring all or any of the lands south of the Company's land between the railway and the fore-shore and extending to the borough boundary at Squire's Gate Lane the Corporation shall not use or permit suffer or allow any portion of the lands acquired by them to be used for fair ground pleasure beach or similar purposes.

18. The Company shall be entitled to construct and maintain under Watson Road where it crosses the Company's land two subways not exceeding 18 feet in width under the said road so as to obtain access to and from their said land and premises north and south of Watson Road aforesaid such subways to be constructed under the supervision and to the satisfaction of the borough surveyor for the time being of the Corporation and in such positions as may be mutually agreed upon between the parties. Failing agreement between the parties as to the positions of the said subways the matter shall be referred to arbitration under clause 24 hereof. In the said subways the Company shall have power to lay mains or pipes for any purposes connected with their undertaking

and until such power is exercised the Company shall be at liberty to lay mains or pipes across Watson Road under the supervision of the borough surveyor for the time being as heretofore. The Company shall be responsible for all damage loss or injury to person or property caused by through or in consequence of the construction and maintenance of the said subways and the laying and maintenance of the said mains and pipes and shall indemnify and keep harmless the Corporation from and against all actions and proceedings costs damages expenses claims and demands for or in respect of the same. Watson Road shall so far as it is affected by this agreement be maintained to a width of 30 feet and not less and the present levels shall be adhered to with a slope if necessary at either end. No structures to be hereafter erected by the Company on their said premises shall encroach upon or overhang the said road.

A.D. 1917.

19. So much of the proposed new street or road in continuation southwards of Church Street (South Shore) as will be situate south of Watson Road and co-extensive with the Company's lands shall be constructed in such a position not exceeding 30 feet east of the line shown on the deposited plans in connexion with the said Bill as the Company shall decide provided that such construction shall be within the limits of deviation shown on the said deposited plans.

20. The said works shall be constructed as expeditiously as possible after statutory powers for that purpose have been obtained and after the Corporation have purchased by agreement or otherwise all the lands and premises south of the Company's land which said lands are bounded on the north by the Company's said land on the east by the Lancashire and Yorkshire and London and North Western Joint Railway on the south by the southerly boundary of the borough and on the west by low-water mark and shall be completed within the period limited by Parliament or Government department and in accordance with the deposited plans and sections for the Bill or as amended by the Act for the said Bill.

21. This agreement shall be conditional upon the Corporation obtaining in the present or any subsequent session of Parliament within three years after the termination of the war the necessary powers for carrying out the objects herein provided for and shall be scheduled to and form part of the said Bill and a clause shall be inserted in the Bill making this agreement binding upon the Corporation. The Company shall not offer any opposition to the said Bill or to the execution of the several works therein described.

22. The heads of agreement dated the 27th July 1913 and made between the parties hereto so far as the same are binding upon the parties are hereby revoked and determined.

23. The Corporation shall pay to the Company the sum of £105 towards their costs charges and expenses of and incidental to the

A.D. 1917 — negotiation for and completion of this agreement and of the carrying of the same into effect as provided for by clause 1 hereof and of obtaining the consent or concurrence of all other parties (if any) interested in the said lands.

24. In case any difference shall arise between the parties hereto with respect to any of the provisions of this agreement such difference shall be referred to two arbitrators one to be appointed by each party or their umpire pursuant to and so as with regard to the mode and consequence of the reference and in all other respects to conform to the provisions in that behalf of the Arbitration Act 1889 or any then subsisting statutory modification thereof.

In witness whereof the parties hereto have hereunto affixed their respective common seals the day and year first before written.

The common seal of Blackpool Pleasure Beach Limited }
was hereunto affixed in the presence of }

L.S.

GEO. PALMER }
WM. OUTHWAITE } Directors.
O. HAWORTH Secretary.

The common seal of the mayor aldermen and burgesses }
of the borough of Blackpool was hereunto affixed by }
authority of the council of the said borough in the }
presence of . }

L.S.

A. LINDSAY PARKINSON Mayor.
By
D. L. HARBOTTLE Town Clerk.

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FOR
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