Milford Docks Act, 1957

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CHAPTER xxxix

An Act to abandon the docks and other works authorised by the Milford Docks Act 1955 and to empower the Milford Docks Company to construct new docks and other works in substitution therefor to extend and redefine the limits of the docks to authorise the raising of additional capital by the Company to confer further powers on the Company and for other purposes.

[31st July 1957.]

WHEREAS the Milford Docks Company (hereinafter referred to as " the Company ") were incorporated by the Milford Docks Act 1874 and have constructed docks and works at Milford in the county of Pembroke (hereinafter referred to as " the docks ") :

And whereas by the Milford Docks Act 1955 (hereinafter referred to as " the Act of 1955 ") the Company were empowered to construct a second dry dock two tidal basins and other works connected therewith :

And whereas it is more economic to transport crude oil by sea in vessels of substantially greater tonnage than heretofore and such vessels are being constructed in increasing numbers :

And whereas Milford Haven is almost the only natural harbour in the United Kingdom where such vessels can be accommodated and there is no other harbour in the United Kingdom more favourably situated for that purpose :

And whereas the facilities to be afforded by the works authorised by the Act of 1955 will not be sufficient to provide either for the docking and repair of the size and type of vessel that will in future be engaged in the transport of crude oil or for the handling of their cargoes and accordingly it would be in the public and local interest to construct the works authorised by this Act (hereinafter

referred to as " the new works ") in lieu of those authorised by the Act of 1955 :

And whereas the new works when constructed will extend beyond the existing limits of the docks and it is expedient to extend those limits so as to include the new works :

And whereas it is expedient to authorise the Company to raise additional capital for the purpose of financing the construction of the new works and for the future development of the docks :

And whereas it is expedient that the other powers contained in this Act should be conferred on the Company :

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

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

And whereas plans and sections showing the lines and levels of Works Nos. 1 2 4 5 and 6 by this Act authorised such plans showing also the lands which may be acquired or used compulsorily under the powers of this Act for or in connection with the said works and the other purposes mentioned in this Act together with a book of reference to the said plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of all such lands and describing the same were in the month of November deposited with the clerk of the county council of the administrative county of Pembroke :

And whereas plans and sections showing the lines and levels of Works Nos. 3A 6A and 6B by this Act authorised such plans showing also the lands which may be acquired or used compulsorily for or in connection with the said works and the other purposes mentioned in this Act together with a book of reference to the said plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of all such lands and describing the same were in the month of February deposited with the clerk of the county council of the administrative county of Pembroke :

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

Short and collective titles.

1.—(1) This Act may be cited as the Milford Docks Act 1957.

(2) The Milford Docks Acts 1874 to 1955 and this Act may be cited together as the Milford Docks Acts 1874 to 1957.

Incorporation of Acts.

2.—(1) The following enactments so far as the same are applicable to the purposes and are not inconsistent with the provisions of this Act are hereby incorporated with this Act (namely) :—

(*a*) the Companies Clauses Consolidation Act 1845 (except the provisions thereof with respect to the conversion of borrowed money into capital) :

Provided that—

(i) section 11 of the said Act of 1845 shall have effect as if the words " Except as otherwise provided by the conditions of issue thereof " were inserted at the beginning of that section ; and

(ii) section 15 of the said Act of 1845 shall have effect as if for the words " on demand " there were substituted the words " within two months after delivery thereof ".

(*b*) the Companies Clauses Act 1863 (except sections 17 to 21 and the provisions thereof which limit the rate of dividend on preference capital and Part IV thereof) :

Provided that—

(i) section 14 of the said Act of 1863 shall have effect as if the words " but if in any year " to the end of the section were omitted ;

(ii) section 22 of the said Act of 1863 shall have effect as if the words " and to the same amount as " were omitted therefrom ;

(iii) section 25 of the said Act of 1863 shall have effect as if the words " or the sum of ten thousand pounds whichever of the two last-mentioned sums is the smaller sum " were omitted therefrom ; and

(iv) section 31 of the said Act of 1863 shall have effect as if after the words " other than " there were inserted the words " in the case of holders of perpetual debenture stock " ;

(*c*) the Lands Clauses Acts except section 92 of the Lands Clauses Consolidation Act 1845 and section 5 of the Lands Clauses Consolidation Acts Amendment Act 1860 :

Provided that the Company being a railway company within the meaning of the Railway Companies Act 1867 section 36 of that Act shall apply with reference to section 85 of the Lands Clauses Consolidation Act 1845 ;

(*d*) the provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof :

Provided that for the purposes of the incorporated provisions of the Railways Clauses Consolidation Act 1845 the works authorised by this Act shall be deemed to be the railway and the centre lines on those works as shown on the deposited plans shall be deemed to be the centre of the railway ;

(*e*) The provisions of the Harbours Docks and Piers Clauses Act 1847 (except sections 6 to 13 16 to 19 and 84 to 87) :

Provided that—

(i) in the application of the said Act of 1847 to this Act the said Act of 1847 shall have effect as if the meaning assigned to the word " vessel " in section 4 (Interpretation) of the Act of 1953 were substituted for the meaning assigned to that word by section 3 of the said Act of 1847 ; and

(ii) nothing in the said Act of 1847 shall require or authorise the dock master (as defined in section 4 (Interpretation) of the Act of 1953) to require the dismantling of a seaplane or any part thereof or the making of any alteration whatever to the structure or equipment of a seaplane.

(2) In the construction of the enactments so incorporated with this Act the expression " special Act " shall be read as a reference to this Act and the expression " company " shall mean the Company.

(3) The provisions of the Companies Clauses Acts and of the Harbours Docks and Piers Clauses Act 1847 as incorporated with this Act by the foregoing provisions of this section shall be deemed to be incorporated with each of the enactments comprising the Milford Docks Acts 1874 to 1955.

Interpretation.

3.—(1) In this Act the following words and expressions have the several meanings hereby assigned to them respectively unless there be something in the subject or context repugnant to such construction (that is to say) :—

" the Act of 1953 " means the Milford Docks Act 1953 ;

" the Act of 1955 " means the Milford Docks Act 1955 ;

" the Company " means the Milford Docks Company;

" the council " means the urban district council of Milford Haven;

" the deposited plans " " the deposited sections " and " the deposited book of reference " mean in connection with Works Nos. 1 2 4 5 and 6 authorised by this Act and the lands which may be acquired or used compulsorily for or in connection with the said works and the other purposes mentioned in this Act the November deposited plans the November deposited sections and the November deposited book of reference respectively and in connection with Works Nos. 3A 6A and 6B and the lands which may be acquired or used compulsorily for or in connection with the said works and the other purposes mentioned in this Act the February deposited plans the February deposited sections and the February deposited book of reference respectively;

" the directors " means the directors for the time being of the Company ;

" the docks " means the Milford Docks as for the time being existing and the land buildings works plant property and conveniences connected therewith ;

" enactment " means any provision of a public general Act of a local private or personal Act of a Provisional Order confirmed by an Act or of any regulation or order made under an Act ;

" the existing outfall sewer " means so much of the outfall sewer of the council as is situate to the south-west of the manhole near the northern end of the jetty being the enclosure numbered 4 on the November deposited plans and includes the manholes and covers over the sewer and the penstock chamber situate near Hakin Point;

" the February deposited plans " " the February deposited sections " and " the February deposited book of reference " mean respectively the plans the sections and the book of reference deposited in connection with the Bill for this Act in the month of February nineteen hundred and fifty-seven ;

" the highway authority " means in the case of a highway maintainable at the public expense the authority in whom that highway is vested ;

" land " includes land covered with water and any interest in land and any easement or right in to or over land ;

" the Minister " means the Minister of Transport and Civil Aviation ;

" the new outfall sewer " means the extension or diversion of the existing outfall sewer as carried out in accordance with the provisions of section 14 (For mutual protection of the Company and the Milford Haven Urban District Council) of this Act.

" the new works " means the works authorised by section 6 (Power to make works) of this Act and any works (other than the new outfall sewer and any protective works constructed by the Company pursuant to section 14 (For mutual protection of the Company and the Milford Haven Urban District Council) of this Act) constructed by the Company for the purposes of or in connection therewith and includes those works as extended enlarged altered replaced or relaid under the said section and " new work " shall be construed accordingly ;

" the November deposited plans " " the November deposited sections " and " the November deposited book of reference " mean respectively the plans the sections and

the book of reference deposited in connection with the Bill for this Act in the month of November nineteen hundred and fifty-six.

" share " means share in the share capital of the Company and includes stock except where a distinction between stock and shares is expressed or implied and " share capital " and " shareholder " shall be construed accordingly ;

" telegraphic line " has the same meaning as in the Telegraph Act 1878 ;

" the tribunal " means the arbitrator or other person to whom any question of disputed purchase money or compensation under this Act is referred ;

" the undertaking " means the undertaking of the Company as for the time being existing including the docks.

(2) Any reference in this Act to any enactment shall be construed as a reference to that enactment as applied extended amended or varied by or by virtue of any subsequent enactment including this Act.

As to limits of the docks.

4.—(1) The limits of the docks shall include the works of the Company authorised by the Milford Docks Acts 1874 to 1957 and by any subsequent enactment and that portion of Milford Haven and the shore thereof below high-water mark which is comprised within a line commencing at the point of intersection of longitude 5° 03′ west with the high water mark of mean spring tides on the north shore of Milford Haven and drawn due south for a distance of two thousand seven hundred feet and thence eastwards in a straight line to a point two thousand feet due south of the most southerly projection of the shore at such high water on the west side of the entrance to Castle Pill and thence due north to the said projection and thence along the line of shore at such high water including the shores of Hubberston and Priory Pills Havens Head and Hakin to and terminating at the point of commencement.

(2) All byelaws made by the Company and in force immediately before the passing of this Act shall extend and apply to the limits of the docks as extended by this section.

(3) The words " the limits of the docks (as defined in section 4 (As to limits of the docks) of the Milford Docks Act 1957) " shall be substituted for the words " the limits of this Act " in the Milford Docks Act 1874 in every place where those words occur.

Abandonment of works.

5. The Company shall abandon the construction of the works authorised by section 4 (Power to make works) of the Act of 1955.

Power to make works.

6.—(1) Subject to the provisions of this Act the Company may make and maintain in the lines and situations and upon the lands delineated on the deposited plans and described in the deposited

book of reference and according to the levels shown on the deposited sections the works hereinafter described (that is to say) :—

Works shown on the November deposited plans—

Work No. 1 An extension to the existing dry dock belonging to the Company comprising an area of two thousand seven hundred square yards or thereabouts;

Work No. 2 A quay commencing by a junction with the existing sea wall at a point fifty feet or thereabouts south-west of the south-western corner of the existing entrance lock and terminating at a point one thousand six hundred feet or thereabouts seawards from the point of commencement;

Work No. 4 A pier or jetty partly of solid and partly of open construction commencing by a junction with the said Work No. 3 at a point distant eight hundred feet or thereabouts from its point of commencement and terminating at a point one thousand eight hundred feet or thereabouts seawards from the point of commencement;

Work No. 5 A dry dock comprising an area of twenty-eight thousand square yards or thereabouts north-east of the said Work No. 4;

Work No. 6 A dry dock comprising an area of twenty-eight thousand square yards or thereabouts south-west of the said Work No. 4:

Works shown on the February deposited plans—

Work No. 3A A sea wall or quay commencing at a point one hundred and fifty feet or thereabouts south of the south-western corner of the existing entrance lock and terminating at a point two thousand one hundred and fifty feet or thereabouts measured in a south-westerly direction from the point of commencement;

Work No. 6A A pier or jetty partly of solid and partly of open construction commencing by a junction with the said Work No. 3A at a point distant one thousand five hundred feet or thereabouts from its point of commencement and terminating at a point one thousand six hundred feet or thereabouts seaward from the point of commencement;

Work No. 6B A pier or jetty commencing at a point on the high-water mark one thousand six hundred feet or thereabouts west of the south-western corner of the existing entrance lock and terminating two thousand four hundred and fifty feet or thereabouts seaward from the point of commencement.

(2) The Company may by means of the new works enclose and reclaim from the foreshore and bed of the sea and may hold and use as part of the undertaking so much of the foreshore and bed of the sea as is situate within the limits of deviation and is required for or in connection with those works.

(3) The Company may within the limits of the docks extend enlarge alter replace or relay the said works or any of them.

Works to form part of undertaking.

7. The new works shall for all purposes form part of the undertaking.

Power to deviate.

8. In the construction of the new works the Company may deviate from the lines or situations thereof shown on the deposited plans to any extent not exceeding —

(*a*) in the case of Works Nos. 1 2 4 5 and 6 so much of the limits of deviation shown on the November deposited plans as lies to the east of longitude 5° 03′ ; and

(*b*) in the case of Works Nos. 3A 6A and 6B the limits of deviation shown on the February deposited plans;

and may deviate vertically from the levels of the new works shown on the deposited sections to any extent upwards or downwards.

Power to dredge.

9.—(1) Subject to the provisions of this Act the Company may from time to time deepen dredge scour and improve the bed and foreshore of the sea and blast any rock within the limits of the docks or any part or parts thereof and so much of the channels and approaches thereto as is not comprised within the limits of deviation for Works Nos. 1 and 2 authorised by the B P Trading Act 1957 and any chalk gravel rock or other materials taken up or collected by means of such deepening dredging scouring or blasting shall be the property of the Company and they may use sell or otherwise dispose of or remove or deposit the same as they think fit:

Provided that no such materials shall be laid down or deposited in any place below high-water mark of ordinary spring tides other than within the limits of deviation shown on the deposited plans except after consultation with the Nature Conservancy and the local planning authority and in such a position and under such restrictions and regulations as may be fixed by the Minister.

(2) The powers of the Company under this section shall be exercisable subject to the provisions of section 30 (Saving fo Crown rights) of this Act and in particular and without prejudic to that general limitation any consent given to the exercise o such powers by the Crown Estate Commissioners on behalf o Her Majesty may be given subject to such restrictions and con ditions including the payment by the Company to the Crow Estate Commissioners of royalties rents or sums of money

respect of materials raised from any place below high-water mark and sold by the Company under this section or in respect of any place below high-water mark upon which materials may be deposited as may be fixed by the Crown Estate Commissioners.

(3) (*a*) In the exercise of the powers conferred by this section the Company shall not interfere with damage or injuriously affect any submarine cable placed or maintained by the Postmaster-General in or across the bed or foreshore of the sea within the limits of the docks or the channels or approaches thereto.

(*b*) Before commencing to deepen dredge scour or improve the bed or foreshore of the sea or blast any rock under the powers of this section within a distance of one hundred and fifty yards of any such submarine cable in any case where blasting operations are involved or in any other case within a distance of fifty yards of any such cable the Company shall give in writing to the Postmaster-General as long notice as possible and in any case not less than twenty-eight days' notice of their intention so to do.

(*c*) Any chalk gravel rock sand mud shingle or other material dredged up or removed shall not be laid down or deposited in such a place or manner as to cover any such submarine cable or in any way obstruct or impede any work of or connected with the inspection or repair of such a cable.

Alteration of outfall sewer.

10.—(1) Subject as hereinafter provided the Company may divert alter remove or extend the existing outfall sewer.

(2) Nothing in this Act shall be construed as imposing on the Company any liability to maintain the said sewer as diverted altered or extended under the powers conferred by this section.

Power to stop up highways and footpath.

11.—(1) Subject as hereinafter in this section provided the Company may stop up and discontinue so much of the public highways and footpath specified in the First Schedule to this Act (each of which is hereinafter in this section referred to as a " scheduled highway ") as is shown on the November deposited plans as to be stopped up:

Provided that the Company shall not stop up or discontinue any of the scheduled highways until—

(i) the scheduled highway or in any case where a scheduled highway to be stopped up provides the sole means of access for vehicular traffic to another scheduled highway each such highway is bounded on both sides by land belonging to the Company or the Company have obtained the consent of the owners lessees and occupiers on both sides thereof; and

(ii) in the case of Chapel Street or the said footpath the Company shall have constructed a footpath of a width of not less than nine feet throughout its length between

the points X and Y on a plan signed by John Scott Askwith on behalf of the Company which has been deposited with the clerk of the council of the administrative county of Pembroke and the new footpath has been completed to the satisfaction of the Council and is open for public use or in case of difference between the Company and the council until the Minister shall have certified that the new footpath has been completed to his satisfaction and is open for public use.

(2) On such stopping up and discontinuance all public rights of way over the portions of the scheduled highways shall be extinguished and the sites of the scheduled highways shall vest by virtue of this Act in the Company.

(3) Where any part of a scheduled highway is stopped up in pursuance of the power conferred by this section the following provisions shall unless otherwise agreed in writing between the Company and the Postmaster-General have effect in relation to any telegraphic line belonging to or used by the Postmaster-General which is under in upon over along or across such part of the scheduled highway at the time of such stopping up:—

(*a*) The power of the Postmaster-General to remove the line shall be exercisable notwithstanding the stopping up of such part of the scheduled highway so however that the said power shall not be exercisable as respects the whole or any part of the line after the expiration of a period of three months from the date mentioned in subsection (4) of this section unless before the expiration of that period the Postmaster-General has given notice to the Company of his intention to remove the line or that part thereof as the case may be ;

(*b*) The Postmaster-General may by notice to the Company in that behalf abandon the said line or any part thereof and shall be deemed as respects the line or any part thereof to have abandoned it at the expiration of the said period of three months unless before the expiration of that period he has removed or given notice of his intention to remove it ;

(*c*) The Postmaster-General shall be entitled to recover from the Company the expense of providing in substitution for the line and any telegraphic line connected therewith which is rendered useless in consequence of the removal or abandonment of the line a telegraphic line in such other place as the Postmaster-General may require ;

(*d*) Where under paragraph (*b*) of this subsection the Postmaster-General abandons the whole or any part of a telegraphic line it shall vest in the Company and the provisions of the Telegraph Acts 1863 to 1954

shall not apply in relation to the line or part in question as respects anything done or omitted after the abandonment thereof.

(4) As soon as any part of any scheduled highway has been stopped up under the powers of this section the Company shall send by post to the Postmaster-General a notice informing him of such stopping up and the period of three months mentioned in subsection (3) of this section shall commence to run from the date on which such notice is sent.

Agreements as to construction of new works and transfer of undertaking.

12.—(1) Subject to the provisions of subsections (2) and (3) of this section the Company may with the consent of the Minister and upon such terms conditions and restrictions as he may approve enter into and carry out agreements with any other company body or person as to—

(*a*) the construction by either party to the agreement of the whole or any part of the new works ;

(*b*) the transfer by the Company (whether by sale or lease) to such other company body or person of the whole or any part of the undertaking ;

and subject as aforesaid the Company may by any such agreement confer upon such other company body or person all or any of the powers of the Company in connection with the construction of the new works or otherwise in connection with the undertaking.

(2) In any case where under the foregoing subsection any such powers as aforesaid are conferred upon any other company body or person the exercise of those powers by such other company body or person shall be subject to the like restrictions and provisions as would have applied in relation to the exercise of such powers by the Company.

(3) (*a*) Any agreement made under this section shall provide (in the case of a sale) for a lease and (in the case of a lease) for an underlease to the Company of the whole or part of the new works constructed thereunder or of the whole or part of the undertaking transferred or leased thereunder as the case may be on such terms and conditions (including (in the case of a sale) a term of not less than nine hundred years and (in the case of a lease) a term less than the term of the lease by not more than three days) as may be agreed between the parties or in default of agreement settled by the Minister.

(*b*) The Company may in respect of each of the first two years during which they are required to pay rent under such lease or underlease (as the case may be) charge to capital account an amount not exceeding the amount of the rent payable in respect of that year.

(4) Any provision of the Milford Docks Acts 1874 to 1955 conferring on the Company powers to sell or lease any part of the undertaking shall be in addition to the powers conferred on

the Company by this section and shall not be prejudiced or affected thereby.

Period for completion of works.

13. Subject to the provisions of this Act if the works authorised by subsection (1) of section 6 (Power to make works) of this Act are not completed within ten years from the first day of October one thousand nine hundred and fifty-seven then on the expiration of that period the powers by this Act granted to the Company for making and completing the said works or otherwise in relation thereto shall cease except as to so much thereof as is then completed :

Provided that nothing in this section shall prejudice or affect the powers of the Company to maintain use extend enlarge alter replace or relay the new works at any time and from time to time as occasion may require.

For mutual protection of the Company and the Milford Haven Urban District Council.

14. For the mutual protection of the Company and the council the following provisions shall unless otherwise agreed in writing between the Company and the council apply and have effect:—

(1) In this section unless the context or subject otherwise requires—

" existing sewers " means—

(*a*) such of the sewers vested in the council at the passing of this Act as are situate within the limits of the docks to the north of the existing outfall sewer and to the north-west of the penstock chamber forming part of the outfall sewer;

(*b*) the sewers in the public roads known as Chapel Street and Hakin Point;

and includes the manholes and covers over any of such sewers;

" the operating authority " means the authority (whether it be the Company or the council) who is carrying out or is intending to carry out any prescribed works;

" the owning authority " means the authority (whether it be the Company or the council) whose property is or will be affected by the carrying out of any prescribed works;

" prescribed works " means—

(*a*) in any case where the Company are the operating authority the new outfall sewer or any part of the new works which may adversely affect the discharge out to sea of sewage from the existing outfall sewer or be situate over or will affect any of the existing sewers or any building or other work which will be so situate or so affect; and

(*b*) in any case where the council are the operating authority any works for the purpose of maintaining repairing or renewing or of altering the size or course of the new outfall sewer which may affect any part of the new works;

" plans " includes section and specifications;

" protective works " means—

(*a*) in any case where the council are the owning authority such of the following works in connection with any of the existing sewers as may be reasonably required by the council in anticipation of the effect of the carrying out by the Company of the new works that is to say—

(i) the diversion raising sinking or alteration of the position of that sewer;

(ii) the support of that sewer;

(iii) the substitution of temporary works;

(iv) the raising of manholes;

(v) the construction over any section of that sewer over which railway lines permanent buildings or plant or apparatus are to be constructed of such works as may be necessary to prevent the transmission to that sewer of any load which can reasonably be expected to be in excess of the load which that sewer as constructed immediately before the passing of this Act can safely bear; and

(vi) the execution of all such other works to protect that sewer as may be reasonably required as a result of the carrying out of the new works; and

(*b*) in any case where the Company are the owning authority such works as are reasonably necessary to safeguard the new works :

(2 Notwithstanding anything in this Act or shown on the deposited plans the Company shall not except with the consent of the council which is not to be unreasonably withheld acquire remove or interfere with—

(*a*) any of the existing sewers;

(*b*) the watermains and pipes in and under any of the public highways or the portions thereof being those firstly secondly and thirdly described in the First Schedule to this Act or the sewer and drains in and under the public highway thirdly described in the said First Schedule until all premises which are connected to the watermains or sewer respectively in that highway or portion thereof shall have been acquired by the Company and possession of such

premises shall have been taken by the Company; and

until all the said premises have been acquired by the Company the council shall continue to have and to exercise the same rights of inspection repair renewal maintenance and user of the existing sewers and the said mains and pipes as they had before the passing of this Act:

(3) (*a*) If so far as can be reasonably foreseen it would appear that the construction of any part of the new works will adversely affect the discharge out to sea of sewage from the existing outfall sewer the Company shall pending the construction of the new outfall sewer in accordance with the following provisions of this section provide for maintaining an adequate discharge out to sea from the existing outfall sewer by such means as may be reasonably approved by the council and subject as aforesaid until the new outfall sewer shall have been so constructed no part of the new works shall be constructed and no power conferred on the Company by this Act shall be exercised so as (so far as can be reasonably foreseen at the time of such construction or exercise (as the case may be)) adversely to affect such discharge;

(*b*) If it is agreed between the Company and the council or in default of agreement determined by arbitration that to maintain an adequate flow of sewage out to sea from the existing outfall sewer it is reasonably necessary to extend or divert that sewer it shall be extended or diverted by the Company but no such extension or diversion shall be carried out except in accordance with the following provisions of this section;

(*c*) The new outfall sewer shall so far as practicable be so sited and constructed that any works carried out by the council in connection with the maintenance repair or renewal thereof shall cause a minimum of interference with the new works and the activities of the Company in connection therewith:

(4) (*a*) Before commencing to construct a prescribed work the operating authority shall except in the case of emergency deliver to the owning authority for their reasonable approval sufficient plans of such work;

(*b*) At any time within twenty-eight days after the receipt of any such plans—

(i) in the case of any part of the new works which may adversely affect the discharge out to sea of sewage from the existing outfall sewer the council

may require the construction of the new outfall sewer; and

(ii) in any other case the owning authority by notice in writing to the operating authority may intimate their disapproval of the plans and require the construction of such protective works (whether new or additional works or works different from those proposed by the said plans) as may be reasonably necessary;

(*c*) In any case where it is agreed or determined by arbitration that the construction of protective works is required the operating authority shall except in a case of emergency before commencing to construct such work deliver to the owning authority for their reasonable approval sufficient plans of such work and at any time within twenty-eight days after the receipt of such plans the owning authority may by notice in writing intimate their disapproval of such plans;

(*d*) If the owning authority shall not within the said period of twenty-eight days give any such notice to the operating authority as is mentioned in this subsection they shall be deemed to have approved the plans as submitted to them:

(5) Except in the case of emergency—

(*a*) the operating authority shall not construct any prescribed work or any protective works except in accordance with the plans as submitted to the owning authority and approved or deemed to have been approved by the owning authority or settled by arbitration in accordance with the provisions of this section; and

(*b*) in the case of any prescribed work in respect of which it is agreed or determined by arbitration that the construction of protective works is required the operating authority shall not construct such prescribed work until such protective works have been completed to the reasonable satisfaction of the owning authority:

(6) All prescribed works and protective works shall be constructed by and at the expense of the operating authority and to the reasonable satisfaction of the owning authority:

(7) The construction of a prescribed work or of a protective work when commenced shall so far as is reasonably practicable be continued without interruption until completed and be carried out in such a manner as to cause as little inconvenience as possible to the owning authority:

(8) The owning authority may if they think fit employ such inspectors as may be reasonably necessary to watch and inspect the construction of any prescribed work or any protective work:

(9) During the construction and at any time within twelve months after the completion thereof the Company shall be responsible for the repair and renewal of the new outfall sewer and the operating authority shall be responsible for the repair and renewal of any protective works which may be required by the owning authority:

(10) The operating authority shall pay to the owning authority the reasonable cost of the employment of inspectors under subsection (8) of this section:

(11) The new outfall sewer shall when completed vest in the council and shall for all purposes be deemed to have been constructed by them in pursuance of the powers conferred by section 15 of the Public Health Act 1936:

(12) (*a*) As from the expiration of a period of twelve months from the completion of the new outfall sewer it shall be inspected by the Company and the council jointly when required by either party and if as a result of any such inspection it is agreed or in default of agreement determined by arbitration that there is a leakage from the new outfall sewer or it is otherwise defective and in consequence of such leakage or defect damage is being caused to any part of the new works or will be so caused unless the new outfall sewer is repaired the council shall take such measures as are necessary to prevent such leakage or remedy such defect (as the case may be);

(*b*) Any measures taken by the council under this subsection shall for the purposes of this section be deemed to be prescribed works:

(13) When for the purpose of any works of maintenance repair or renewal or of altering the size or course of the new outfall sewer the council interfere with or remove any part of the new works they shall with all convenient speed and to the reasonable satisfaction of the Company complete the works and reinstate and make good the part of the new works which the council shall have interfered with or removed:

(14) Any work to which this section applies carried out or to be carried out by the owning authority and which apart from this section would be subject to provisions contained in Part XII of the Public Health Act 1936 shall be carried out in accordance with the provisions of this section and the provisions of the said Part XII shall not apply to such work:

(15) If in the exercise by the Company of any of the powers of this Act any damage to any of the existing sewers or any watermain or pipes or any property of the council or without the written authority of the council any interruption in the discharge of sewage out to sea or in the supply of water by the council shall be caused the Company shall bear and pay to the council the cost reasonably incurred in making good such damage or interruption and shall make full compensation to the council for any loss sustained by reason of any such damage or interruption and shall indemnify the council against all penalties claims demands proceedings costs damages and expenses which may be made or taken against the council or recovered from or incurred by the council by reason or in consequence of any such damage or interruption:

(16) Notwithstanding anything contained in section 9 (Power to dredge) of this Act no chalk gravel rock or other materials dredged or removed by the Company may be laid down or deposited below high-water mark of ordinary spring tides so as to interfere with the discharge of sewage from the seawards end of the existing outfall sewer or the new outfall sewer or the flow of such sewage out to sea and the Company shall on receipt of notice in writing by the council dredge or remove any such chalk gravel rock or other materials which causes or cause such interference as aforesaid:

(17) Any difference which may arise between the operating authority and the owning authority under this section (other than a difference as to the construction thereof) shall be referred to arbitration.

For protection of certain electricity undertakers.

15. For the protection of the board the following provisions shall unless otherwise agreed in writing between the Company and the Board apply and have effect :—

(1) Notwithstanding anything in this Act or shown on the deposited plans the Company shall not acquire otherwise than by agreement any apparatus :

(2) If the Company in the exercise of the powers of this Act acquire any interest in any lands in under over or across which any apparatus is placed they shall not seek to remove that apparatus or to extinguish any right of the Board to maintain repair renew or inspect that apparatus in under over or across those lands until adequate alternative apparatus shall have been constructed and be in operation to the reasonable satisfaction of the Board :

(3) If the Company for the purpose of exercising the powers of this Act require the removal of any apparatus and

give to the board written notice of such requirement or if in consequence of the exercise of the powers of this Act the Board shall require to remove any apparatus the Company shall afford to the board the necessary facilities and rights for the construction of adequate alternative apparatus in on or over other land of the Company and thereafter for the maintenance repair renewal and inspection of such apparatus :

Provided that if the Company are unable to afford facilities and rights as aforesaid the board shall on receipt of a written notice to that effect from the Company forthwith use their best endeavours to obtain the necessary facilities and rights over other land :

(4) Where in consequence of this Act any part of any street road or footpath in which any apparatus is situate ceases to be part of a street road or footpath the board may exercise the same rights of access to such apparatus as they enjoyed immediately before the passing of this Act but nothing in this subsection shall prejudice or affect any right of the Company or of the board to require removal of such apparatus under this section :

(5) The Company shall pay to the board the amount by which the costs charges and expenses reasonably incurred by the board in connection with any removal or alteration of any apparatus or the construction of any new apparatus that may be required in consequence of the exercise of the powers of this Act shall exceed the value of any apparatus removed in consequence of alternative apparatus being provided and shall also make compensation to the board for any damage caused to any apparatus in consequence of the exercise of the said powers :

(6) The Company shall not carry out any work authorised by this Act near to which any apparatus has been lawfully placed except in accordance with and subject to the provisions of section 18 of the schedule to the Electric Lighting (Clauses) Act 1899 :

Provided that for the purposes of this subsection the said section 18 shall have effect as if the Company were a gas or water company and as if the words " fourteen days " were substituted for the words " three days " in subsection (1) thereof :

(7) Any difference which may arise between the Company and the board under this section or under section 18 of the said schedule shall be referred to and determined by arbitration :

(8) In this section—

" apparatus " means any electric lines or works (as respectively defined in the Electric Lighting Act 1882)

belonging to the board including any works constructed for the lodging therein of apparatus but not apparatus in respect of which the relations between the Company and the board are regulated by the provisions of section 26 of the Public Utilities Street Works Act 1950 and the expression "adequate alternative apparatus" means alternative apparatus adequate to enable the board to fulfil their statutory functions in a manner not less efficient than previously ;

"the board" means the Central Electricity Authority and the South Wales Electricity Board or either of them.

Power to acquire lands.

16.—(1) Subject to the provisions of this Act the Company may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as may be required for the purposes of the new works or for the purpose of constructing access roads or otherwise obtaining access thereto :

Provided that nothing in this Act shall authorise the Company to enter upon take or use—

(*a*) the whole or any part of any property situate to the west of longitude 5° 03′; or

(*b*) except by agreement any of the lands numbered 48 49 50 51 and 52 on the November deposited plans.

(2) The power of the Company for the compulsory purchase of land under this section shall cease after the expiration of three years from the first day of October one thousand nine hundred and fifty-seven.

Acquisition of part only of certain properties.

17.—(1) Whereas in the construction of the new works or otherwise in the exercise by the Company of the powers of this Act it may happen that portions only of the properties whereof the whole or part is described in the Second Schedule to this Act will be sufficient for the purposes of the Company and that such portions or some other portions less than the whole can be severed from the remainder of the said properties respectively without material detriment thereto :

Therefore the following provisions shall have effect :—

(*a*) The owner of and persons interested in any of the said properties whereof a portion only is required for the purposes of the Company or each or any of them are or is hereinafter in this section included in the term "the owner" ;

(*b*) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the said properties the owner fails to notify the Company in writing that he alleges that such portion cannot be severed from the remainder of the property without material detriment

thereto he may be required to sell and convey to the Company such portion only without the Company being obliged or compellable to purchase the whole the Company paying for the portion so taken and making compensation for any loss sustained by the owner by severance or otherwise ;

(*c*) If within such twenty-one days the owner alleges by notice in writing to the Company that such portion cannot be so severed the tribunal shall in addition to the other questions required to be determined by it determine whether the portion of the property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion that may be acquired compulsorily under this Act) can be so severed ;

(*d*) If the tribunal determines that the portion of the property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Company the portion which the tribunal shall have determined to be so severable without the Company being obliged or compellable to purchase the whole the Company paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal ;

(*e*) If the tribunal determines that the portion of the property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section or such part (if any) of the said costs charges and expenses as it thinks fit shall be borne and paid by the owner ;

(*f*) If the tribunal determines that the portion of the property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not it determines that any other portion can be so severed) the Company may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice ;

(*g*) If the tribunal determines that the portion of the property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Company in case they shall not withdraw

the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal thinks fit having regard to the circumstances of the case and its final determination.

(2) The provisions of this section shall be in force notwithstanding anything contained in the Lands Clauses Consolidation Act 1845 and nothing contained in or done under this section shall be held as determining or as being or implying an admission that the said properties or any of them or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845.

(3) The provisions of this section shall be stated in or endorsed on every notice to treat served under this Act in respect of any portion of the said properties.

Arbitration under Lands Clauses Acts.

18. In all cases of disputed compensation arising under this Act in respect of land to be taken compulsorily or otherwise or of injurious affection of land which fall to be determined under the provisions of the Lands Clauses Acts it shall unless the Company and the other party or parties to the dispute concur in the appointment of a single arbitrator pursuant to the said Acts be referred to and determined by the Lands Tribunal and it shall not be competent thereafter to have the compensation determined by arbitrators umpires justices or jury acting under the Lands Clauses Acts The said arbitrator upon appointment shall be deemed to be a single arbitrator within the meaning of the Lands Clauses Acts and the provisions of those Acts with regard to arbitration shall apply accordingly.

Additional capital.

19.—(1) The Company may from time to time raise additional capital not exceeding in the whole thirteen million pounds (in this section referred to as "the maximum amount") such additional capital being raised by the creation and issue of share capital or by borrowing on mortgage of the undertaking or by the creation and issue of debenture stock or wholly or partly by one or more of those modes in accordance with the following provisions of this section.

(2) (*a*) The Company may from time to time raise additional share capital not exceeding in the whole the prescribed amount by the creation and issue of ordinary shares or stock or preference shares or stock or wholly or partly by one or more of those modes.

(*b*) It shall not be lawful for the Company to create and issue under the powers of this subsection any greater nominal amount of share capital than shall be sufficient to produce (including any premiums and allowing for any discounts which may be obtained or allowed on the issue thereof) the prescribed amount.

(*c*) Notwithstanding anything in the Companies Clauses Acts the Company may create and issue under the powers of this

subsection ordinary shares or stock to which no voting rights are attached.

(3) (*a*) The Company may without obtaining a certificate of a justice under section 40 of the Companies Clauses Consolidation Act 1845 raise for the purposes of the undertaking either by borrowing on mortgage of the undertaking or by the creation and issue of debenture stock or by both of those modes or partly by one and partly by the other any additional sum or sums of money not exceeding in the whole the prescribed amount.

(*b*) The powers conferred by this subsection shall be without prejudice to the right of the Company to reborrow from time to time any amounts which having been raised by borrowing on mortgage or by the creation and issue of redeemable debenture stock are thereafter paid off.

(4) In this section " the prescribed amount " means—

(*a*) in relation to the amount of share capital which the Company are by subsection (2) of this section authorised to raise the maximum amount less the amount which at the time of the calculation the Company have raised by borrowing on mortgage or by the creation and issue of debenture stock under subsection (3) of this section;

(*b*) in relation to the amount which the Company are authorised to raise under the said subsection (3) the maximum amount less the amount (including premiums and allowing for discounts) which at the time of the calculation has been raised by the Company by the creation and issue of share capital under subsection (2) of this section.

Additional share capital to be part of general capital.

20. The additional share capital authorised by subsection (2) of section 19 (Additional capital) of this Act shall form part of the general share capital of the Company and save as is otherwise expressly provided by the terms of issue thereof the holders thereof respectively in proportion to the amount of their shares or stock shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents in all respects as holders of share capital of the Company of the same class or description.

Dividends.

21.—(1) Notwithstanding anything in section 120 of the Companies Clauses Consolidation Act 1845—

(*a*) the directors shall not be required to cause a scheme to be prepared as provided for in that section and at an ordinary general meeting held in pursuance of that section (as modified in its application to the Company by section 37 (Annual general meetings and yearly accounts) of the Act of 1953) a dividend may be declared by the shareholders but no such dividend shall exceed the amount recommended by the directors;

(*b*) if any shares have been issued by the Company on terms which provide that they shall rank for dividend as

if issued and paid up as from a particular date they shall rank for dividend accordingly.

(2) In apportioning under the said section 120 a dividend on any shares of the Company which have been issued on terms that provide that they are to be credited with an amount paid up thereon that amount shall in addition to the amount (if any) actually paid be treated as having been paid on the shares.

(3) If and so far as in the opinion of the directors the profits of the Company justify such payments the directors may pay without the sanction or direction of a general meeting—

(*a*) the fixed preferential dividends on any class of shares carrying such a dividend on the dates on which such dividends are required to be paid by the terms of issue of the shares ; and

(*b*) interim dividends on any class of ordinary share capital of such amounts and at such dates as they think fit.

Representation of corporations at meetings of Company.

22. Any corporation being a member of the Company may by resolution of its directors or other governing body authorise such person as it thinks fit to act as its representative at any meeting of the Company or of any class of members of the Company and the person so authorised shall be entitled to exercise the same powers on behalf of the corporation which he represents as that corporation could exercise if it were an individual member of the Company.

Affixing of directors' signatures to forms of certificates by mechanical means.

23. The directors may either generally or in any particular case determine that the signature of a director may be affixed by some mechanical device to be specified by the directors to any form of certificates for shares or debenture stock or for any other security which is required to be issued under the common seal and to bear the autographic signature of one or more directors :

Provided that any form of such certificate to which it is proposed to affix the signature of a director under the provisions of this section must have previously been approved for sealing by the auditors registrars or bankers of the Company in writing.

As to redemption of redeemable preference shares and stock and debenture stock for cash.

24.—(1) For the removal of doubt it is hereby declared that notwithstanding that as part of the arrangements for the redemption of any redeemable stock issued under section 35 (Redeemable preference shares and stock and debenture stock) of the Act of 1955 the whole or any part of any cash payable in respect thereof is to be applied in subscribing for ordinary shares of the Company such redemption shall be deemed for the purposes of subsection (3) of the said section 35 to be payment off of the said stock.

(2) In this section " stock " and " redeemable stock " have respectively the same meanings as in the said section 35.

Redemption of existing debenture stock.

25.—(1) Notwithstanding anything in the Companies Clauses Consolidation Act 1845 or in any other enactment relating to the Company the Company may redeem the whole or any part of the existing debenture stock on such terms and conditions as may be agreed with the holders.

(2) (*a*) The terms of redemption shall be deemed to be agreed by the holders if they are consented to in writing by the holders of three-fourths of the nominal value of the debenture stock proposed to be redeemed or sanctioned at a separate general meeting of the holders of the debenture stock proposed to be redeemed by a resolution passed by a majority of not less than three-fourths of the holders of such debenture stock as vote upon a show of hands or if a poll is demanded by a majority of not less than three-fourths of the votes given on such poll.

(*b*) The provisions of the Companies Clauses Consolidation Act 1845 and the Milford Docks Acts 1874 to 1957 relating to the holding of general meetings of the Company shall apply mutatis mutandis to a meeting of the holders of the existing debenture stock or any part thereof to be held under the provisions of this section as if it were a general meeting of the Company but—

(i) the necessary quorum shall be not less than two persons holding or representing by proxy one-third of the nominal amount of the debenture stock proposed to be redeemed and any holder of such debenture stock may demand a poll If within a quarter of an hour from the time appointed for any meeting a quorum is not present the meeting shall stand adjourned to such day (not being less than fourteen or more than twenty-eight days after the date of the meeting from which such adjournment takes place) and time and place as the chairman of the meeting may determine and at the adjourned meeting the debenture stockholders present shall form a quorum Notice of an adjourned meeting shall be given in like manner as for the original meeting and such notice shall state that the debenture stockholders present at such meeting whatever their number or the amount of the existing debenture stock held or represented by them will constitute a quorum for all purposes ;

(ii) every holder of the existing debenture stock proposed to be redeemed shall be entitled on a show of hands to one vote and on a poll to one vote for each complete one pound of the nominal value of such stock held by him.

(*c*) All proceedings (including voting) at any such meeting shall be conducted in all respects as nearly as possible in the same way as those of general meetings of the Company but no member of the Company (other than a director) shall be entitled

to a notice of the meeting or to attend unless he is a holder of the debenture stock proposed to be redeemed.

(3) For the purpose of redeeming the existing debenture stock under the provisions of this section the Company may either in addition to or in lieu of making payments in cash to the holders convert such stock into redeemable debenture stock or issue redeemable debenture stock in lieu thereof and any such redeemable debenture stock shall be deemed to have been issued under section 35 (Redeemable preference shares and stock and debenture stock) of the Act of 1955.

(4) In this section " the existing debenture stock " means the perpetual debenture stock of the Company issued before the passing of this Act.

Power to revise rate not affected by transfers.

26.—(1) Notwithstanding that the power to take and levy rates in respect of the user of any part of the undertaking is transferred by the Company to some other person under either section 11 (Power to lease graving dock) of the Act of 1953 or section 12 (Agreements as to construction of new works and transfer of undertaking) of this Act the rates in respect of which the power to take and levy is so transferred shall for the purposes of section 6 of the Transport Charges &c. (Miscellaneous Provisions) Act 1954 be deemed to be charges (within the meaning of the said Act of 1954) which the Company are for the time being authorised to demand and take in pursuance of a statutory provision and in connection with any application for the revision of such rates the provisions of the said section 6 shall apply as if the power to take and levy had not been transferred.

(2) In this section " rates " includes rents charges and sums of money.

Incorporation of provisions of Act of 1955.

27. The following provisions of the Act of 1955 so far as they are applicable to the purposes and are not inconsistent with the provisions of this Act are incorporated with and form part of this Act and shall extend and apply to and for the purposes of this Act as fully and effectually as if such provisions had been re-enacted with any necessary modifications in this Act (that is to say) :—

Section 5 (Subsidiary works) ;
Section 8 (New works to be within petty sessional division and the urban district of Milford Haven) ;
Section 13 (Works below high-water mark to be subject to approval of Minister) ;
Section 14 (Lights on works during construction) ;
Section 15 (Abatement of work abandoned or decayed) ;
Section 16 (Survey of works by Minister) ;
Section 18 (For protection of Wales Gas Board) ;
Section 20 (Correction of errors in deposited plans and book of reference) ;
Section 21 (Power to expedite entry) ;

Section 22 (Power to enter for survey or valuation) ;
Section 23 (Disregard of recent improvements and interests) ;
Section 24 (Extinction of private rights of way) ;
Section 28 (Debenture stock) ;
Section 30 (Priority of mortgages and debenture stock over other debts) ;
Section 31 (Appointment of receiver) ;
Section 32 (Application of money) ;
Section 33 (Payment of interest out of capital) ;
Section 45 (Arbitration) ;

and in particular (without prejudice to the generality of the foregoing provisions of this section) for the purposes of such extension and application—

(*a*) references in any of the said provisions of the Act of 1955 to the works authorised by section 4 (Power to make works) of that Act or to the new works (as defined in the Act of 1955) shall be construed as references to the new works (as defined in this Act) ;

(*b*) references in any of the said provisions of the Act of 1955 to the deposited plans the deposited sections or the deposited book of reference (as defined in the Act of 1955) shall be construed as references to the deposited plans the deposited sections and the deposited book of reference (as defined in this Act) ;

(*c*) in paragraph (*a*) of section 23 " the fifth day of December one thousand nine hundred and fifty-six " shall be substituted for " the fifth day of December one thousand nine hundred and fifty-four ";

(*d*) in subsection (1) of section 33 " the Milford Docks Acts 1874 to 1957 " shall be substituted for " the Milford Docks Acts 1874 to 1955 "; and

(*e*) in section 45 after the word " dispute " in the first place where that word occurs shall be inserted the words " (other than a dispute to which the provisions of the Lands Clauses Acts apply) ".

Amendment and repeal of Acts of 1953 and 1955.

28.—(1) The amendments specified in the second column of Part I of the Third Schedule to this Act shall be made in the provisions of the Milford Docks Acts 1874 to 1955 specified in the first column of the said Part.

(2) The provisions of the Acts of 1953 and 1955 specified in the first column of Part II of the said schedule are hereby repealed to the extent specified in the second column of the said Part.

For protection of Esso Petroleum Company Limited.

29. Notwithstanding anything contained in this Act or shown on the deposited plans the following provisions for the protection of the Esso Petroleum Company Limited shall unless otherwise agreed in writing between the Company and the Esso Petroleum Company Limited apply and have effect:—

The Company shall not exercise any of the powers or rights conferred by this Act or by any enactment incorporated therewith anywhere to the west of the line longitude 5° 3.58′ west.

Saving for Crown rights.

30. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular and without prejudice to the generality of the foregoing nothing herein contained authorises the Company to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to Her Majesty in right of Her Crown and under the management of the Crown Estate Commissioners without the consent in writing of those Commissioners on behalf of Her Majesty first had and obtained for that purpose.

Saving for town and country planning.

31. This Act shall be deemed to be an enactment passed before and in force at the passing of the Town and Country Planning Act 1947 for the purposes of subsection (4) of section 13 and subsection (1) of section 118 of that Act.

Saving for powers of Treasury.

32. It shall not be lawful to exercise the powers of borrowing or raising capital conferred by this Act otherwise than in compliance with the provisions of any order for the time being in force made under section 1 of the Borrowing (Control and Guarantees) Act 1946.

Costs of Act.

33. The costs charges and expenses preliminary to and of and incidental to the applying for and the preparing obtaining and passing of this Act shall be paid by the Company.

SCHEDULES

FIRST SCHEDULE

HIGHWAYS AND FOOTPATH TO BE STOPPED UP

The public highway known as Chapel Street leading from Wellington Road to Hakin Point between the points marked A and B on the deposited plans.

The public highway known as Hakin Point between the points marked A and C on the deposited plans.

The public highway leading from the junction of Chapel Street and Hakin Point to the penstock chamber at Hakin Point (hereinafter in this schedule referred to as " the principal road ") between the points marked A and E on the deposited plans.

The public highway leading from the principal road to the foreshore between the points marked F and G on the deposited plans.

The public highway leading from the principal road to the foreshore between the points marked H and G on the deposited plans.

The public footpath known as Point Fields Footpath leading from the junction of Chapel Street and Hakin Point to Point Fields between the points marked A and D on the deposited plans.

SECOND SCHEDULE

DESCRIPTION OF PROPERTIES WITHIN THE URBAN DISTRICT OF MILFORD HAVEN WHEREOF PORTIONS ONLY MAY BE TAKEN COMPULSORILY

No. on deposited plans—
37 38 39 46 47 48 51.

THIRD SCHEDULE

PART I

AMENDMENTS OF THE MILFORD DOCKS ACTS 1874 TO 1955

Provision amended	Amendment
Milford Docks Act 1919 Third Schedule Part I	After " Pepper .. .. .. ton 3 0" there shall be inserted the words— " Petroleum— Crude or heavy oils (including diesel or oil for bunkers) ton 2 6 Spirit .. .. ton 3 6 Not otherwise rated .. .. ton 3 6."
Milford Docks Act 1953 Section 4 (Interpretation)	For the words " ' the limits of the docks' means the limits as defined in section 5 (as to limits of the docks) of this Act " there shall be substituted the words " ' the limits of the docks' means the limits as defined in section 4 (As to limits of the docks) of the Milford docks Act 1957".
Section 8 (Company to exhibit lights)	After the words " for the purposes of the undertaking " there shall be inserted the words " (including any works constructed under the Milford Docks Act 1957)".

3RD SCH. *cont.*—

Provision amended	Amendment
Section 14 (Removal of sunk stranded or abandoned vessels)	For the words " and purchase tax payable to Her Majesty " in the proviso to subsection (2) there shall be substituted the words " purchase tax and surcharge in respect of sugar and molasses " for the words " and purchase tax " in the said proviso there shall be substituted the words " purchase tax and surcharge in respect of sugar and molasses " and for the words " and purchase tax " in subsection (3) there shall be substituted the words " purchase tax and surcharge in respect of sugar and molasses ".
Section 19 (Byelaws) ..	For the words " the Milford Docks Acts 1874 to 1953 " there shall be substituted the words " the Milford Docks Acts 1874 to 1957 ".
Section 33 (Company may incur temporary loans)	For the words " fifty thousand " there shall be substituted the words " one million".
Section 45 (Directors) ..	For the words " not less than four nor more than eight " there shall be substituted the words " not less than four nor more than twelve".
Section 59 (Inquiries by Minister)	For the words " under this Act " there shall be substituted the words " under the Milford Docks Acts 1874 to 1957 ".
Milford Docks Act 1955 Section 38 (Modification of shareholders' rights)	After subsection (1) there shall be inserted the following paragraph :— " In computing the majority on a poll demanded on the question that any such resolution be passed reference shall be had to the number of votes cast for and against the resolution " and in subsection (2) for the words " two persons holding either in person or " there shall be substituted the words " not less than two persons holding or representing " and at the end of that subsection there shall be inserted the following words :— " If within a quarter of an hour from the time appointed for any meeting held under this section a quorum is not present the meeting shall stand adjourned to such day (not being less than fourteen or more than twenty-eight days after the date of the meeting from which such adjournment takes place) and time and place as the chairman of the meeting may determine and at the adjourned meeting the shareholders present shall form a quorum Notice of an adjourned meeting shall be given in like manner as for the original meeting and such notice shall state that the shareholders present at such meeting whatever their number or the amount of the shares held or represented by them will constitute a quorum for all purposes".

PART II

PROVISIONS OF THE ACTS OF 1953 AND 1955 REPEALED

3RD SCH. *cont.*—

Acts	Extent of repeal
Milford Docks Act 1953—	
Section 5 (As to limits of the docks) ..	The whole section.
Section 23 (Revision of rates)	The whole section.
Milford Docks Act 1955—	
Section 4 (Power to make works)	The whole section.
Section 7 (Works Nos. 1 to 5 to form part of the undertaking and Work No. 6 to vest in local authority)	The whole section.
Section 9 (Power to dredge)	The whole section.
Section 12 (Period for completion of works)	The whole section.
Section 17 (For protection of the council) ..	Subsections (1) to (10) subsection (12) paragraphs (*a*) and (*b*) of subsection (13) in subsection (14) the words "the existing sewer or" and the words "in the discharge of sewage out to sea or" and subsections (15) and (16).
Section 19 (Power to acquire lands)	The whole section.
Section 25 (Additional capital)	The whole section.
Section 26 (Additional share capital to be part of general capital)	The whole section.
Section 29 (Increase of temporary borrowing powers)	The whole section.
The schedule	So much of Part I as amends sections 4 8 19 33 and 59 of the Act of 1953.

Table of Statutes referred to in this Act

Short title	Session and chapter
Companies Clauses Consolidation Act 1845 ..	8 & 9 Vict. c. 16.
Lands Clauses Consolidation Act 1845	8 & 9 Vict. c. 18.
Railways Clauses Consolidation Act 1845 ..	8 & 9 Vict. c. 20.
Harbours Docks and Piers Clauses Act 1847 ..	10 & 11 Vict. c. 27.
Lands Clauses Consolidation Acts Amendment Act 1860	23 & 24 Vict. c. 106.
Telegraph Act 1863	26 & 27 Vict. c. 112.
Companies Clauses Act 1863	26 & 27 Vict. c. 118.
Railway Companies Act 1867	30 & 31 Vict. c. 127.
Milford Docks Act 1874	37 & 38 Vict. c. lxvii.
Telegraph Act 1878	41 & 42 Vict. c. 76.
Borrowing (Control and Guarantees) Act 1946	9 & 10 Geo. 6 c. 58.
Town and Country Planning Act 1947	10 & 11 Geo. 6 c. 51.
Milford Docks Act 1953	1 & 2 Eliz. 2 c. x.
Transport Charges &c. (Miscellaneous Provisions) Act 1954	2 & 3 Eliz. 2 c. 64.
Milford Docks Act 1955	4 Eliz. 2 c. xxiv.

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