# ELIZABETH II




## 1966 CHAPTER xxxiv

An Act to confirm certain Provisional Orders made by the Minister of Transport under the General Pier and Harbour Act 1861 relating to Blackpool Pier and Great Yarmouth New Britannia Pier. [12th August 1966]

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

And whereas it is expedient that the Provisional Orders made by the Minister of Transport under the said Act which as amended are set out in the Schedule to this Act be confirmed by Act of Parliament:

Be it therefore 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:—

**1.** The Orders as set out in the Schedule to this Act shall be and the same are hereby confirmed and all the provisions thereof in manner and form as they are set out in the said Schedule shall from and after the passing of this Act have full validity and force. Confirmation of Orders in Schedule.

**2.** This Act may be cited as the Pier and Harbour Orders (Blackpool Pier and Great Yarmouth New Britannia Pier) Confirmation Act 1966. Short title

Section 1.

# SCHEDULE

*Blackpool Pier.*

## BLACKPOOL PIER

*Provisional Order to provide for the vesting in the Blackpool Pier Company Limited of the undertaking of the Blackpool Pier Company; to confer further powers on the first-named Company with reference to Blackpool North Pier; to repeal and amend certain enactments relating thereto; and for other purposes.*

Short and collective titles.

1.—(1) This Order may be cited as the Blackpool Pier Order, 1966.

(2) The Blackpool Pier Act and Orders 1863 to 1920, and this Order may be cited together as the Blackpool Pier Act and Orders, 1863 to 1966.

Commencement.

2.—(1) Sections 1 (Short and collective titles), 2 (Commencement), 3 (Interpretation), 4 (Undertakers), 6 (Power to acquire pier) and 24 (Costs of Order) of this Order shall come into operation upon the day when the Act confirming this Order is passed.

(2) Save as provided in subsection (1) of this section, this Order shall come into operation on the day of transfer.

Interpretation.

3. In this Order unless the context otherwise requires—

1847 c. 27.

"the Act of 1847" means the Harbours, Docks and Piers Clauses Act, 1847;

"the Company" means the Blackpool Pier Company Limited;

1878 c. lxxxii.

"the Statutory Company" means the Blackpool Pier Company incorporated by the Blackpool Pier Act, 1878;

"the day of transfer" means such date as may be agreed between the Company and the Statutory Company;

"the Minister" means the Minister of Transport;

1899 c. cxxviii.

"the Order of 1899" means the Blackpool Pier Order, 1899;

"the pier" means the Blackpool North Pier as constructed pursuant to the Blackpool Pier Act and Orders, 1863 to 1920, and the land, buildings, works, plant, property and conveniences connected therewith as for the time being existing;

"the undertaking" means, as the case may require, the pier, or the entire undertaking of the Company in connection with the pier.

Undertakers.

4. The Company shall be the undertakers for carrying this Order into execution.

Application of Act of 1847.

5.—(1) In the application to this Order of the Act of 1847, the expression "special Act" shall mean this Order.

(2) Sections 6 to 13, 16 to 19, 24, 25, 49, 50 and 84 to 87 of the Act of 1847 shall not be incorporated with this Order.

*Blackpool Pier.*

Power to acquire pier.

6.—(1) The Statutory Company are hereby authorised and empowered to transfer to the Company and the Company are hereby authorised and empowered to accept from the Statutory Company a transfer of the whole of the property, rights and interests of the Statutory Company in the pier and all their powers, liabilities and obligations in relation thereto, upon such terms and conditions as may be agreed between the Statutory Company and the Company.

(2) When the day on which such transfer shall be made has been agreed between the Statutory Company and the Company the Company shall not less than fourteen days before the day of transfer give notice of such day by advertisement in a local newspaper circulating in the administrative county of Lancaster and in the London Gazette.

Vesting of pier in Company.

7. On and from the day of transfer the pier may be maintained and carried on by the Company.

Evidence of transfer.

8. The production of a copy of the confirming Act for this Order printed by the Queen's Printer together with a receipt for the purchase consideration purporting to be signed by a director and the secretary of the Statutory Company shall (unless it be proved that the purchase consideration has not been delivered by the Company to the Statutory Company) be conclusive evidence in all courts and proceedings of the transfer of the pier of the Statutory Company to the Company and its vesting in them.

Repeal of certain enactments relating to pier, etc.

9.—(1) The provisions of the Blackpool Pier Act and Orders, 1863 to 1920, set out in the Schedule to this Order shall be repealed as from the day of transfer.

(2) As from the day of transfer the powers, rights, duties, liabilities and obligations of the Statutory Company in relation to the pier under or by virtue of any enactment, shall be transferred to and vested in the Company subject to the rights, duties, contracts, liabilities and obligations affecting the same (including all rights of access to landing-places, piers, quays and jetties existing immediately before the day of transfer) and for that purpose references in the Blackpool Pier Act and Orders, 1863 to 1920, to the Statutory Company shall (unless the context otherwise requires) be construed as references to the Company.

Winding up of Statutory Company.

10.—(1) From and after the day of transfer, the Statutory Company shall subsist only for the purpose of winding up their affairs and carrying into effect the purposes of this Order so far as they relate to the Statutory Company, and the directors of the Statutory Company who are in office on the day of transfer, or the survivors of them, shall continue in office without re-election, and they, or a majority of them, or (if a liquidator of the Statutory Company be duly appointed) the liquidator, shall have full power and authority to take all necessary proceedings for carrying into effect the purposes of this section.

(2) If the number of directors of the Statutory Company be reduced below two before the completion of the winding up of

*Blackpool Pier.*

the Statutory Company, or the appointment of a liquidator thereof, the continuing director of the Statutory Company shall appoint a person who immediately before the day of transfer was a holder of ordinary shares or stock of the Statutory Company to fill the vacancy so caused.

(3) As soon as practicable after the day of transfer, the directors of the Statutory Company or (if a liquidator has been duly appointed) the liquidator, shall proceed to wind up the affairs of the Statutory Company.

(4) Upon the purposes specified in this section being fulfilled and the affairs of the Statutory Company being by a resolution of the directors of the Statutory Company declared to be wound up, the Statutory Company shall by virtue of this Order be dissolved.

Saving of agreements.

11.—(1) All conveyances, grants, leases, assurances, deeds and agreements (other than any agreement made under section 6 (Power to acquire pier) of this Order) affecting the undertaking and in force immediately before the day of transfer shall on and from that day be as binding and of as full force and effect in every respect and may be enforced as fully and effectually against or in favour of the Company as if instead of the Statutory Company the Company had been a party thereto or bound thereby or entitled to the benefits thereof, but nothing in this Order or done thereunder shall prejudice or affect the right of the Company to terminate any such conveyance, grant, lease, assurance, deed or agreement at such time and in such manner as it might have been terminated if this Order had not been made.

(2) If on the day of transfer any action, arbitration or proceeding or any cause of action, arbitration or proceeding shall be pending or existing against or in favour of the Statutory Company, the same shall not abate or be discontinued or in anywise prejudicially affected by this Order but may be continued, prosecuted and enforced by or against or in favour of the Company as and when it might have been continued, prosecuted and enforced by or against or in favour of the Statutory Company if this Order had not been made.

(3) Every officer and servant of the Statutory Company appointed or continued in his employment by virtue of or acting under any of the provisions of the Blackpool Pier Act and Orders, 1863 to 1920, shall enjoy and hold his office and employment with the salary and emoluments thereunto annexed and be deemed an officer or servant of the Company as the case may be until he shall vacate or be removed from such office or employment and he shall have the same rights and privileges and be subject to the same conditions of service, powers of removal, rules, regulations, pains and penalties as he would have had or been subject to if this Order had not been made, subject nevertheless and without prejudice to any powers, authorities, obligations, pains or penalties vested in him or to which he may be subject under any provisions of this Order.

(4) The Company shall for the purposes of this Order be and continue seised and possessed of and entitled to all things in action, claims and demands whatsoever of or to which the Statutory Company

were seised, possessed or entitled immediately before the day of transfer. *Blackpool Pier.*

(5) All books and documents which if this Order had not been made would have been receivable in evidence in respect of any matter for or against the Statutory Company shall be receivable in evidence in respect of the same or the like matter for or against the Company.

(6) Everything done, suffered and confirmed respectively before the day of transfer shall be as valid as if this Order had not been made.

Byelaws to remain in force.

12. All byelaws, rules and regulations and all orders made by the Statutory Company under any enactment relating to the pier or any part thereof and in force at the commencement of this Order shall remain in force unless revoked by the Company, and all penalties incurred thereunder and all forfeitures which have ensued by reason thereof may be enforced and recovered by the Company in like manner as the same respectively might have been enforced and recovered by the Statutory Company in case this Order had not been made.

Amendment of section 13 of Order of 1899.

13. Section 13 (Improvement of pier and accommodation works) of the Order of 1899 shall have effect as if for the words "and with the consent of the Board of Trade may" there were substituted the words "remove, replace or renew" and as if after the words "the expression 'the pier')" there were inserted the words "or any part thereof".

Power to erect or reconstruct pavilions and other buildings.

14. The Company may maintain, remove, replace or renew the existing buildings and facilities on the pier and may also erect, reconstruct, extend or improve and maintain thereon and may furnish and equip fishing-platforms, pavilions, saloons, bars, restaurants, amusement arcades, rides, conference halls, workshops, theatres, cinemas, assembly, concert, lecture, waiting, refreshment, reading and other rooms, automatic machines, bicycle-stands, band-stands, shops, bazaars, kiosks, aquaria, lavatories, baths, sanitary conveniences and other such buildings and facilities and may make such reasonable charges as they may determine for the use of such facilities and for admission to such buildings or places as aforesaid.

Provisions with respect to last two foregoing sections.

15. Any development carried out after the making of this Order and authorised by section 13 (Improvement of pier and accommodation works) of the Order of 1899 as amended by section 13 (Amendment of section 13 of Order of 1899) of this Order, or authorised by the last foregoing section of this Order, shall not be deemed for the purposes of the Town and Country Planning General Development Orders, 1963 to 1965, and any enactment amending or replacing those Orders, to be development authorised by any Act or order which designates specifically both the nature of the development and the land upon which it may be carried out.

Amendment of section 23 of Order of 1899.

16. Section 23 (Annual accounts to be made up on 31st October) of the Order of 1899 shall have effect as if for the words "the thirty-first day of October" there were substituted the words "the nearest Sunday to 31st January".

*Blackpool Pier.*
Power to sell undertaking.

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

(2) The Company shall within one month after the date of any conveyance made under this section deposit a certified copy thereof at the Ministry of Transport and shall upon failure to do so be liable to a penalty not exceeding twenty pounds.

Power to lease undertaking.

18.—(1) The Company may with the previous consent in writing of and upon such terms, conditions and restrictions and for such period as may be approved by the Minister lease the undertaking to any company, corporation or person.

(2) As from the commencement of any lease made under the last preceding subsection the lessee during the continuance of and to the extent provided in his lease shall have and may exercise all or any of the powers conferred upon the Company by this Order or which the Company have or might exercise under this Order and shall be subject to all the liabilities and obligations in respect of the undertaking to which the Company are subject and shall perform all the duties of the Company under this Order.

(3) No lease made under subsection (1) of this section shall be assignable without the previous consent in writing of the Minister and the provisions of this Order with respect to such lease or to the lessee shall apply to any such assignment or to the assignee respectively.

(4) The Company shall within one month after the date of any lease made under this section or of any assignment of the said lease deposit a certified copy thereof at the Ministry of Transport and shall upon failure to do so be liable to a penalty not exceeding twenty pounds.

Compounding arrangements and rebates, 1964 c. 40.

19. Nothing in section 30 of the Harbours Act, 1964, shall require the Company to include in the list of ship, passenger and goods dues to be kept, as required by subsection (1) of that section, charges reduced by virtue of a compounding arrangement in respect of, or rebate allowed on, a due included in the said list.

Byelaws.

20.—(1) The Company may from time to time make such byelaws as to them seem meet for the purpose of securing the good and orderly conduct of persons in or upon the pier.

(2) The byelaws which may from time to time be made by the Company in exercise of the powers in that behalf conferred on them by section 83 of the Act of 1847, and by subsection (1) of this

section may provide for the imposition of a fine not exceeding twenty pounds for the breach or non-observance of any of the byelaws. *Blackpool Pier.*

(3) The provisions of subsections (2) to (7) of section 250 and section 252 of the Local Government Act, 1933, shall apply to all byelaws to be made by the Company in respect of the undertaking and all fines or penalties imposed for the breach of any such byelaws shall be recoverable in manner provided by that Act for the recovery of penalties and the said sections 250 and 252 shall for the purposes of this subsection be construed as if the Company were a local authority within the meaning of those sections and the secretary of the Company were the clerk of the local authority. 1933 c. 51.

(4) In the application of such last-mentioned provisions the Minister shall be the confirming authority.

Pier to be within county borough of Blackpool.

21. So much of the pier as is not within the county borough of Blackpool shall be deemed for all purposes to be within the said county borough.

Officers exempt from rates.

22. British Sea Fishery Officers, Police Officers and Fishery Officers of the Local Fisheries Committee for the Lancashire and Western Sea Fisheries District acting in the execution of their duty shall at all times have free ingress, passage and egress to, along and from the pier without payment.

For protection of Board of Trade. 1949 c. 74.

23. Nothing in this Order shall affect the application to any operation of sections 34 to 36 of the Coast Protection Act, 1949 (which require the consent of the Board of Trade to certain operations and contain other provisions for the safety of navigation).

Costs of Order.

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

## SCHEDULE to which the foregoing Order refers.

PROVISIONS OF THE BLACKPOOL PIER ACT AND ORDERS, 1863 TO 1920, REPEALED AS FROM THE DAY OF TRANSFER

Blackpool Pier Order, 1863—

Section 2 (Power to take specified lands by agreement);
Section 3 (Lands Clauses Acts incorporated);
Section 4 (Lands for extraordinary purposes).

Blackpool Pier Act, 1878— 1878 c. lxxxii.

Section 4 (Company incorporated);
Section 5 (Present property of Limited Company vested in Company incorporated by this Act);
Section 6 (Memorandum and Articles of Association of Limited Company to be void without prejudice);
Section 7 (Nothing to affect previous rights and liabilities);

*Blackpool Pier.* SCH.—*cont.*

Section 8 (Contracts prior to Act to be binding) ;
Section 9 (Actions, &c. not to abate) ;
Section 10 (Trustees of Limited Company to be indemnified) ;
Section 11 (Company to satisfy liabilities of Limited Company) ;
Section 12 (As to payment of debts owing before passing of Act) ;
Section 13 (Certificates, &c. to remain in force) ;
Section 14 (Books, &c. continued evidence) ;
Section 15 (Officers to continue until removed) ;
Section 16 (Present registers of members to be continued) ;
Section 17 (Capital of the Company, and vesting of same in present shareholders) ;
Section 18 (Company shall call in and cancel existing share certificates and issue new certificates of stock in lieu thereof) ;
Section 19 (Receipt in case of persons not sui juris) ;
Section 20 (Power to borrow in respect of capital stock) ;
Section 21 (Company to grant mortgages to holders of debentures of Limited Company) ;
Section 22 (As to appointment of a receiver) ;
Section 23 (As to conversion of borrowed money into capital) ;
Section 24 (Debenture Stock) ;
Section 25 (General meetings) ;
Section 26 (Number of directors) ;
Section 27 (Qualification of directors) ;
Section 28 (Quorum of directors) ;
Section 29 (First Directors, Election of Directors) ;
Section 36 (Separate accounts to be kept) ;
Section 45 (Expenses of Act).

Blackpool Pier Order, 1899—

Section 4 (Power to take lands by agreement) ;
Section 9 (Power to deviate) ;
Section 10 (Penalty for obstructing or injuring property) ;
Section 11 (Consent to works below high-water mark) ;
Section 12 (Powers to cease in certain events) ;
Section 17 (Power to levy rates) ;
Section 21 (Power to raise additional capital) ;
Section 22 (Power to borrow) ;
Section 27 (As to temporary lights on works) ;
Section 36 (Costs of Order).

Blackpool Pier Order, 1920—

Section 4 (Alteration of rate for promenaders) ;
Section 6 (Costs of Order).

## GREAT YARMOUTH NEW BRITANNIA PIER

*Great Yarmouth New Britannia Pier.*

*Provisional Order to provide for the vesting in the Great Yarmouth New Britannia Pier Company Limited of the undertaking of the Great Yarmouth New Britannia Pier Company; to confer further powers on the first-named Company with reference to the Great Yarmouth New Britannia Pier; to repeal and amend certain enactments relating thereto; and for other purposes.*

Short and collective titles.

1.—(1) This Order may be cited as the Great Yarmouth New Britannia Pier Order, 1966.

(2) The Great Yarmouth New Britannia Pier Act and Orders, 1899 to 1962, and this Order may be cited together as the Great Yarmouth New Britannia Pier Act and Orders, 1899 to 1966.

Commencement.

2.—(1) Sections 1 (Short and collective titles), 2 (Commencement), 3 (Interpretation), 4 (Undertakers), 6 (Power to acquire pier) and 22 (Costs of Order) of this Order shall come into operation upon the day when the Act confirming this Order is passed.

(2) Save as provided in subsection (1) of this section, this Order shall come into operation on the day of transfer.

Interpretation.

3. In this Order unless the context otherwise requires—

"the Act of 1847" means the Harbours, Docks and Piers Clauses Act, 1847; 1847 c. 27.

"the Act of 1899" means the Great Yarmouth New Britannia Pier Act, 1899; 1899 c. civ.

"the Company" means the Great Yarmouth New Britannia Pier Company Limited;

"the day of transfer" means such date as may be agreed between the Company and the Statutory Company;

"the Minister" means the Minister of Transport;

"the pier" means the Great Yarmouth New Britannia Pier as constructed pursuant to the Great Yarmouth New Britannia Pier Act and Orders, 1899 to 1962, and the land, buildings, works, plant, property and conveniences connected therewith as for the time being existing;

"the Statutory Company" means the Great Yarmouth New Britannia Pier Company incorporated by the Great Yarmouth New Britannia Pier Act, 1899;

"the undertaking" means, as the case may require, the pier, or the entire undertaking of the Company in connection with the pier.

Undertakers.

4. The Company shall be the undertakers for carrying this Order into execution.

Application of Act of 1847.

5.—(1) In the application to this Order of the Act of 1847, the expression "special Act" shall mean this Order.

(2) Sections 6 to 13, 16 to 19, 24, 25, 49, 50 and 84 to 87 of the Act of 1847 shall not be incorporated with this Order.

*Great Yarmouth New Britannia Pier.*

Power to acquire pier.

6.—(1) The Statutory Company are hereby authorised and empowered to transfer to the Company and the Company are hereby authorised and empowered to accept from the Statutory Company a transfer of the whole of the property, rights and interests of the Statutory Company in the pier and all their powers, liabilities and obligations in relation thereto, upon such terms and conditions as may be agreed between the Statutory Company and the Company.

(2) When the day on which such transfer shall be made has been agreed between the Statutory Company and the Company the Company shall not less than fourteen days before the day of transfer give notice of such day by advertisement in a local newspaper circulating in the administrative county of Norfolk and in the London Gazette.

Vesting of pier in Company.

7. On and from the day of transfer the pier may be maintained and carried on by the Company.

Evidence of transfer.

8. The production of a copy of the confirming Act for this Order printed by the Queen's Printer together with a receipt for the purchase consideration purporting to be signed by a director and the secretary of the Statutory Company shall (unless it be proved that the purchase consideration has not been delivered by the Company to the Statutory Company) be conclusive evidence in all courts and proceedings of the transfer of the pier of the Statutory Company to the Company and its vesting in them.

Repeal of certain enactments relating to pier, etc.

9.—(1) The provisions of the Great Yarmouth New Britannia Pier Act and Orders, 1899 to 1962, set out in the Schedule to this Order shall be repealed as from the day of transfer.

(2) As from the day of transfer the powers, rights, duties, liabilities and obligations of the Statutory Company in relation to the pier under or by virtue of any enactment shall be transferred to and vested in the Company subject to the rights, duties, contracts, liabilities and obligations affecting the same (including all rights of access to landing-places, piers, quays and jetties existing immediately before the day of transfer) and for that purpose references in the Great Yarmouth New Britannia Pier Act and Orders, 1899 to 1962, to the Statutory Company shall (unless the context otherwise requires) be construed as references to the Company.

Winding up of Statutory Company.

10.—(1) From and after the day of transfer, the Statutory Company shall subsist only for the purpose of winding up their affairs and carrying into effect the purposes of this Order so far as they relate to the Statutory Company, and the directors of the Statutory Company who are in office on the day of transfer, or the survivors of them, shall continue in office without re-election, and they, or a majority of them, or (if a liquidator of the Statutory Company be duly appointed) the liquidator, shall have full power and authority to take all necessary proceedings for carrying into effect the purposes of this section.

(2) If the number of directors of the Statutory Company be reduced below two before the completion of the winding up of the

Statutory Company or the appointment of a liquidator thereof, the continuing director of the Statutory Company shall appoint a person who immediately before the day of transfer was a holder of ordinary shares or stock of the Statutory Company to fill the vacancy so caused. *Great Yarmouth New Britannia Pier.*

(3) As soon as practicable after the day of transfer, the directors of the Statutory Company or (if a liquidator has been duly appointed) the liquidator, shall proceed to wind up the affairs of the Statutory Company.

(4) Upon the purposes specified in this section being fulfilled and the affairs of the Statutory Company being by a resolution of the directors of the Statutory Company declared to be wound up, the Statutory Company shall by virtue of this Order be dissolved.

11.—(1) All conveyances, grants, leases, assurances, deeds and agreements (other than any agreement made under section 6 (Power to acquire pier) of this Order) affecting the undertaking and in force immediately before the day of transfer shall on and from that day be as binding and of as full force and effect in every respect and may be enforced as fully and effectually against or in favour of the Company as if instead of the Statutory Company the Company had been a party thereto or bound thereby or entitled to the benefits thereof, but nothing in this Order or done thereunder shall prejudice or affect the right of the Company to terminate any such conveyance, grant, lease, assurance, deed or agreement at such time and in such manner as it might have been terminated if this Order had not been made. Saving of agreements.

(2) If on the day of transfer any action, arbitration or proceeding or any cause of action, arbitration or proceeding shall be pending or existing against or in favour of the Statutory Company, the same shall not abate or be discontinued or in anywise prejudicially affected by this Order but may be continued, prosecuted and enforced by or against or in favour of the Company as and when it might have been continued, prosecuted and enforced by or against or in favour of the Statutory Company if this Order had not been made.

(3) Every officer and servant of the Statutory Company appointed or continued in his employment by virtue of or acting under any of the provisions of the Great Yarmouth New Britannia Pier Act and Orders, 1899 to 1962, shall enjoy and hold his office and employment with the salary and emoluments thereunto annexed and be deemed an officer or servant of the Company, as the case may be, until he shall vacate or be removed from such office or employment and he shall have the same rights and privileges and be subject to the same conditions of service, powers of removal, rules, regulations, pains and penalties as he would have had or been subject to if this Order had not been made, subject nevertheless and without prejudice to any powers, authorities, obligations, pains or penalties vested in him or to which he may be subject under any provisions of this Order.

(4) The Company shall for the purposes of this Order be and continue seised and possessed of and entitled to all things in action,

*Great Yarmouth New Britannia Pier.*

claims and demands whatsoever of or to which the Statutory Company were seised, possessed or entitled immediately before the day of transfer.

(5) All books and documents which if this Order had not been made would have been receivable in evidence in respect of any matter for or against the Statutory Company shall be receivable in evidence in respect of the same or the like matter for or against the Company.

(6) Everything done, suffered and confirmed respectively before the day of transfer shall be as valid as if this Order had not been made.

Byelaws to remain in force.

12. All byelaws, rules and regulations and all orders made by the Statutory Company under any enactment relating to the pier or any part thereof and in force at the commencement of this Order shall remain in force unless revoked by the Company, and all penalties incurred thereunder and all forfeitures which have ensued by reason thereof may be enforced and recovered by the Company in like manner as the same respectively might have been enforced and recovered by the Statutory Company in case this Order had not been made.

Amendment of section 52 of Act of 1899.

13. Section 52 (Purchase of undertaking by Corporation after thirty years) of the Act of 1899 shall have effect as if after the words "ten years" in subsection (1) thereof there were inserted the words "other than any such period expiring in the years 1969, 1979, 1989, 1999, 2009 or 2019".

Amendment of certain enactments relating to pier and works thereon.

14.—(1) Section 21 (Power to make pier and to take lands) of the Act of 1899 shall have effect as if for the words "the pier hereinafter described" there were substituted the words "and may within the limits of deviation shown on the deposited plans from time to time alter, extend, remove, renew, replace and thereafter maintain the pier hereinafter described or any part thereof".

(2) Section 28 (Power to provide landing stages, &c.) of the Act of 1899 shall have effect as if after the word "manage" there were inserted the words "and from time to time alter, remove, renew, replace and thereafter maintain".

(3) Section 29 (Power to erect pavilions &c.) of the Act of 1899 shall have effect as if for the words "erect and construct" there were substituted the words "erect, construct and from time to time reconstruct, extend or improve and maintain".

(4) Any development carried out after the making of this Order and authorised by the provisions of the Act of 1899 as amended by this section shall not be deemed for the purposes of the Town and Country Planning General Development Orders, 1963 to 1965, and any enactment amending or replacing those Orders, to be development authorised by any Act or order which designates specifically both the nature of the development and the land upon which it may be carried out.

*Great Yarmouth New Britannia Pier.*

Amendment of section 19 of Great Yarmouth New Britannia Pier Order, 1952.

1952 c. xxv.

15. Section 19 (Annual account to be sent to Minister) of the Great Yarmouth New Britannia Pier Order, 1952, shall have effect as if for the words " the twenty-ninth day of September " in subsection (3) of that section there were substituted the words " the nearest Sunday to 31st January ".

Power to sell undertaking.

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

(2) The Company shall within one month after the date of any conveyance made under this section deposit a certified copy thereof at the Ministry of Transport and shall upon failure to do so be liable to a penalty not exceeding twenty pounds.

Power to lease undertaking.

17.—(1) The Company may with the previous consent in writing of and upon such terms, conditions and restrictions and for such period as may be approved by the Minister lease the undertaking to any company, corporation or person.

(2) As from the commencement of any lease made under the last preceding subsection the lessee during the continuance of and to the extent provided in his lease shall have and may exercise all or any of the powers conferred upon the Company by this Order or which the Company have or might exercise under this Order and shall be subject to all the liabilities and obligations in respect of the undertaking to which the Company are subject and shall perform all the duties of the Company under this Order.

(3) No lease made under subsection (1) of this section shall be assignable without the previous consent in writing of the Minister and the provisions of this Order with respect to such lease or to the lessee shall apply to any such assignment or to the assignee respectively.

(4) The Company shall within one month after the date of any lease made under this section or of any assignment of the said lease deposit a certified copy thereof at the Ministry of Transport and shall upon failure to do so be liable to a penalty not exceeding twenty pounds.

Compounding arrangements and rebates.

1964 c. 40.

18. Nothing in section 30 of the Harbours Act, 1964, shall require the Company to include in the list of ship, passenger and goods dues to be kept, as required by subsection (1) of that section, charges reduced by virtue of a compounding arrangement in respect of, or rebate allowed on, a due included in the said list.

*Great Yarmouth New Britannia Pier.*

Byelaws.

19.—(1) The Company may from time to time make such byelaws as to them seem meet for the purpose of securing the good and orderly conduct of persons in or upon the pier.

(2) The byelaws which may from time to time be made by the Company in exercise of the powers in that behalf conferred on them by section 83 of the Act of 1847, and by subsection (1) of this section may provide for the imposition of a fine not exceeding twenty pounds for the breach or non-observance of any of the byelaws.

1933 c. 51.

(3) The provisions of subsections (2) to (7) of section 250 and section 252 of the Local Government Act, 1933, shall apply to all byelaws to be made by the Company in respect of the undertaking and all fines or penalties imposed for the breach of any such byelaws shall be recoverable in manner provided by that Act for the recovery of penalties and the said sections 250 and 252 shall for the purposes of this subsection be construed as if the Company were a local authority within the meaning of those sections and the secretary of the Company were the clerk of the local authority.

(4) In the application of such last-mentioned provisions the Minister shall be the confirming authority.

Pier to be within county borough and petty sessional area of Great Yarmouth.

20. So much of the pier as is not within the county borough of Great Yarmouth shall be deemed for all purposes to be within the said county borough and the petty sessional area of Great Yarmouth.

For protection of Board of Trade. 1949 c. 74.

21. Nothing in this Order shall affect the application to any operation of sections 34 to 36 of the Coast Protection Act, 1949 (which require the consent of the Board of Trade to certain operations and contain other provisions for the safety of navigation).

Costs of Order.

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

## SCHEDULE to which the foregoing Order refers.

PROVISIONS OF THE GREAT YARMOUTH NEW BRITANNIA PIER ACT AND ORDERS, 1899 TO 1962, REPEALED AS FROM THE DAY OF TRANSFER

1899 c. civ.

Great Yarmouth New Britannia Pier Act, 1899—

Section 2 (Incorporation of Acts);
Section 4 (Company incorporated);
Section 5 (Capital);
Section 6 (Shares not to be issued until one-fourth paid);
Section 7 (Calls);
Section 8 (Receipt in case of persons not sui juris);
Section 11 (Debenture stock);
Section 12 (Application of moneys);
Section 13 (First and subsequent ordinary meetings);
Section 14 (Number of directors);

*Great Yarmouth New Britannia Pier.*

Section 15 (Qualification of directors);
Section 17 (First directors);
Section 18 (Confirmation of scheduled agreement);
Section 19 (Dissolution of old company and repeal of Act of 1857);
Section 49 (Company may lease undertaking);
First Schedule.

Great Yarmouth New Britannia Pier Order, 1952—

Section 5 (Incorporation of Acts);
Section 7 (Power to borrow);
Section 8 (Company may incur temporary loans);
Section 9 (Saving for powers of Treasury);
Section 10 (Debenture stock);
Section 11 (Priority of mortgages and debenture stock over other debts);
Section 12 (Appointment of a receiver);
Section 13 (Protection of lenders);
Section 14 (Application of money borrowed);
Section 17 (Meetings of Company);
Section 18 (Annual accounts);
Section 20 (Notices of meetings);
Section 21 (Register of shareholders and shareholders' address book);
Section 22 (Quorum of directors).

Great Yarmouth New Britannia Pier Order, 1958—

Section 4 (Amendment of section 52 of Great Yarmouth New Britannia Pier Act, 1899);
Section 6 (Costs of Order).

Great Yarmouth New Britannia Pier Order, 1962—

Section 4 (Amendment of section 52 of Great Yarmouth New Britannia Pier Act, 1899).

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# Pier and Harbour Orders (Blackpool Pier and Great Yarmouth New Britannia Pier) Confirmation Act 1966

CHAPTER xxxiv

## ARRANGEMENT OF SECTIONS


Section

1. Confirmation of Orders in Schedule.
2. Short title.

SCHEDULE

BLACKPOOL PIER

1. Short and collective titles.
2. Commencement.
3. Interpretation.
4. Undertakers.
5. Application of Act of 1847.
6. Power to acquire pier.
7. Vesting of pier in Company.
8. Evidence of transfer.
9. Repeal of certain enactments relating to pier, etc.
10. Winding up of Statutory Company.
11. Saving of agreements.
12. Byelaws to remain in force.
13. Amendment of section 13 of Order of 1899.
14. Power to erect or reconstruct pavilions and other buildings.
15. Provisions with respect to last two foregoing sections.
16. Amendment of section 23 of Order of 1899.

Section
17. Power to sell undertaking.
18. Power to lease undertaking.
19. Compounding arrangements and rebates.
20. Byelaws.
21. Pier to be within county borough of Blackpool.
22. Officers exempt from rates.
23. For protection of Board of Trade.
24. Costs of Order.

SCHEDULE—Provisions of the Blackpool Pier Act and Orders, 1863 to 1920, repealed as from the day of transfer.

GREAT YARMOUTH NEW BRITANNIA PIER

1. Short and collective titles.
2. Commencement.
3. Interpretation.
4. Undertakers.
5. Application of Act of 1847.
6. Power to acquire pier.
7. Vesting of pier in Company.
8. Evidence of transfer.
9. Repeal of certain enactments relating to pier, etc.
10. Winding up of Statutory Company.
11. Saving of agreements.
12. Byelaws to remain in force.
13. Amendment of section 52 of Act of 1899.
14. Amendment of certain enactments relating to pier and works thereon.
15. Amendment of section 19 of Great Yarmouth New Britannia Pier Order, 1952.
16. Power to sell undertaking.
17. Power to lease undertaking.
18. Compounding arrangements and rebates.
19. Byelaws.
20. Pier to be within county borough and petty sessional area of Great Yarmouth.
21. For protection of Board of Trade.
22. Costs of Order.

SCHEDULE—Provisions of the Great Yarmouth New Britannia Pier Act and Orders, 1899 to 1962, repealed as from the day of transfer.