CHAPTER xvi.

An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act, 1861, relating to Bangor, Dartmouth, Littlehampton, and Seaford. [18th June 1894.]

A.D. 1894.

WHEREAS a Provisional Order made by the Board of Trade under the General Pier and Harbour Act, 1861, is not of any validity or force whatever until the confirmation thereof by Act of Parliament: 24 & 25 Vict. c. 45.

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the said Act, and 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:—

Confirmation of Orders in schedule.

1. The several Orders as amended and 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.

Special provisions as to houses of labouring class.

2. The undertakers mentioned in the said Orders shall not, under the powers of this Act or of the said Orders, purchase or acquire in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district in England, ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

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For the purposes of this section the expression "labouring class" includes mechanics, artizans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons, other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them.

Short title.

3. This Act may be cited as the Pier and Harbour Orders Confirmation (No. 1) Act, 1894.

THE SCHEDULE OF ORDERS.

1. Bangor.—Extension of time for construction of works under Order of 1891.
2. Dartmouth.—Additional borrowing powers for harbour purposes, and regulation of steam whistles.
3. Littlehampton.—Construction of pier.
4. Seaford.—Construction of pier.

BANGOR.

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Bangor.

Order for reviving the Powers and extending the Time for the Construction of the Pier and Works at Bangor, in the County of Down, authorised by the Bangor Harbour Order, 1891.

Short title.

1. The Bangor Harbour Order, 1863, confirmed by the Pier and Harbour Orders Confirmation Act, 1863 (in this Order called "the Order of 1863"), as amended by the Bangor Harbour Order, 1891, confirmed by the Pier and Harbour Orders Confirmation (No. 2) Act, 1891 (in this Order called "the Order of 1891"), and the Order of 1891, as amended by this Order, and this Order shall be read and construed together as one Order, and this Order may be cited as the Bangor Harbour Order, 1894, and the Order of 1863, the Order of 1891, and this Order may be cited as the Bangor Harbour Orders, 1863 to 1894.

Undertakers.

2. Robert Edward Ward, and his heirs and assigns and successors in title, owners of the harbour of Bangor for the time being, shall be the Undertakers for carrying this Order into execution, and shall have and may exercise the powers and privileges conferred by the Orders of 1863 and 1891 and by this Order.

Powers revived and time for exercise of powers extended.

3. The powers by the Order of 1891 given for commencing and executing the pier and works authorised by that Order, or otherwise in relation thereto, are by this Order revived, and the time for completion of the pier and works is, by this Order, extended for a period of five years from the date of the passing of the Act confirming this Order, and as if the pier and works had been authorised by this Order; and the period of two years mentioned in Section 41 of the Order of 1891 (Cessor of powers to construct works in case of default) is, by this Order, extended for a period of two years from the date of the passing of the Act confirming this Order, and the Order of 1891 and this Order shall be read and have effect accordingly.

As to Harbours, Docks, &c., Act, 1847.

4. The Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, except so far as the same Act is incorporated with and varied by the Orders of 1863 and 1891.

Costs of Order.

5. All costs, charges, and expenses of or incident to preparing and obtaining this Order, or otherwise incurred in relation thereto, shall be paid by the Undertakers.

DARTMOUTH.

Dartmouth.

Order for authorising the Dartmouth Harbour Commissioners to borrow further Moneys; and for other purposes.

Short title.

1. This Order may be cited as the Dartmouth Harbour Order, 1894, and this Order and the Dartmouth Harbour Orders, 1863 and 1870 (in this Order called the said Orders), as amended by the Dartmouth Harbour Improvement Act,

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Dartmouth.

1882 (in this Order called the Improvement Act), and the Improvement Act shall be read and construed together as one Act or Order.

Undertakers.

2. The Dartmouth Harbour Commissioners (in this Order called the Commissioners) shall be the Undertakers for carrying this Order into execution.

Power to borrow.

3. The Commissioners, for the purpose of satisfying and paying their debts, and consolidating the bonds, mortgages, and other securities charged upon their Undertaking, or the revenues thereof, may from time to time, as in this Order provided, borrow at interest on bond, or on mortgage of the rates, dues, tolls, and charges by the said Orders and the Improvement Act authorised to be levied, and of the other revenues of their undertaking, but subject to the rights of all holders of bonds, mortgages, or other securities issued by the Commissioners before the passing of the Act confirming this Order, under the provisions of the said Orders and the Improvement Act, or under the Harbours and Passing Tolls, &c. Act, 1861, a sum or sums not exceeding in the whole thirty-five thousand pounds, and Sections 42 to 47 of the Improvement Act shall apply to the bonds or mortgages issued under this Order and to the moneys so borrowed as if the same had been moneys authorised to be borrowed under that Act: Provided always that the power of borrowing hereby granted shall not be deemed to be in addition to the existing powers of the Commissioners under the said Orders and the Improvement Act, but in substitution for and extinguishment of the said powers (whether exercised or unexercised), except as to the moneys borrowed by the Commissioners from the Public Works Loan Commissioners; and from and after the passing of the Act confirming this Order the amount of money which the Commissioners shall be from time to time entitled to borrow under the said Orders and the Improvement Act and this Order shall not exceed thirty-five thousand pounds in addition to the moneys for the time being owing in respect of the loans from the Public Works Loan Commissioners: Provided also that the extinguishment of the said powers shall not, nor shall anything in this Order contained be deemed to, affect any existing bonds, mortgages, or other securities issued by the Commissioners under such powers or any of the rights of the holders thereof respectively.

Application of borrowed moneys.

4. All mortgages or bonds issued or moneys borrowed by the Commissioners under the powers of this Order shall be applied in the manner and order following, and not otherwise (that is to say):—

(1.) In payment of the costs, charges, and expenses of or incidental to preparing, applying for, obtaining and confirming this Order;

(2.) In satisfying, discharging, and paying, in accordance with the priorities defined by the certificate of the chief clerk of Mr. Justice Kay, dated the Twenty-second day of July, One thousand eight hundred and eighty-nine, in the action between Batten, Proffitt, and Scott, plaintiffs, and the Dartmouth Harbour Commissioners, defendants, all moneys due for unpaid principal and interest upon bonds, mortgages, or other securities (including any moneys which, under the bonds securing the same, are payable on demand) issued by the Commissioners under the powers of the said Orders and the Improvement Act, and all other judgment debts and liabilities of the Commissioners;

(3.) In redeeming and consolidating subject to the rights of their respective holders all or any of the existing bonds, mortgages, or other securities charged upon the undertaking of the Commissioners or the revenues thereof;

(4.) And the balance (if any) shall be applied in carrying on the general purposes of the undertaking to which capital is properly applicable:

Provided always that the holder of any bond, mortgage, or other security, or any other creditor of the Commissioners shall not be compellable to accept bonds or mortgages issued under the powers of this Order instead of payment in money.

Priorities.

5. Notwithstanding anything contained in this Order or the said Orders or the Improvement Act, the Commissioners may create and issue the bonds or mortgages under this Order in two or more series, and the holders of the bonds or mortgages of each series shall rank equally and without priority as between themselves, but shall have or be subject to such preference or priority as between each series as may be determined upon by the Commissioners at the date of the issue of the first security of each series, but without prejudice to the rights existing in respect of any series previously issued wholly or partly, and in particular the Commissioners may undertake to pay off instalments on account of principal or to create a sinking fund for the repayment thereof in respect of any one or more series of bonds or mortgages before applying their revenue in payment of interest due on bonds or mortgages of another series.

User of steam whistles.

6. No steam vessel whilst within the jurisdiction of the Commissioners shall sound or use any steam whistle or siren except for such purposes as are defined by the regulations for preventing collisions at sea for the time being in force, or so far if at all as the Commissioners from time to time may authorise the use thereof as a means of communication with local agents, pilots, or crew. The master and managing owner of any such vessel shall be liable to a penalty not exceeding five pounds for the acts and defaults of any person on any such vessel so offending, and the penalty may be recovered from and enforced against the master or managing owner in the same manner and by the same authority or authorities as provided for by section fifty-six of the Improvement Act: Provided that this section of this Order is not to apply to steam vessels belonging to or worked by the Great Western Railway Company running backwards or forwards between Dartmouth and Kingswear.

Costs of Order.

7. All the costs charges and expenses of or incidental to preparing and obtaining this Order or otherwise incurred in reference thereto shall be paid by the Commissioners.

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Littlehampton.

LITTLEHAMPTON.

Order for the Construction, Maintenance, and Regulation of a Promenade Pier in extension of the Eastern Arm or Jetty of the Harbour at Littlehampton, in the County of Sussex.

Undertakers.

1. The Littlehampton Pier Company (Limited) shall be the Undertakers for carrying this Order into execution, and are in this Order referred to as the Company.

Local board defined.

2. In this Order the expression "the Local Board" means the Local Board of Health for the district of Littlehampton.

Incorporation of Lands Clauses Acts.

3. The Lands Clauses Acts, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and to the entry upon lands by the Promoters of the undertaking, shall be incorporated with this Order.

Power to acquire lands by agreement.

4. For the purposes of the works authorised by this Order, the Company may from time to time by agreement enter upon, take, and use all or such part of the lands shown on the plans deposited for the purposes of this Order as they think requisite for the purposes of the pier and the works and conveniences connected therewith.

Lands for extraordinary purposes.

5. The Company may purchase and hold for extraordinary purposes any land not exceeding in the whole one acre, but this section shall not exempt the Company from any proceedings for any nuisance caused or permitted by them upon any land acquired by them under this section.

Limits of Order.

6. The limits within which the Company shall have authority, and which shall be deemed the limits to which this Order and the power to levy rates extend, shall comprise the pier and works authorised by this Order.

Power to make works.

7. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans as the Board of Trade require from time to time before the completion of the works in order to prevent injury to navigation, the Company may on the lands acquired by them under this Order, and in the lines and according to the levels shown on the deposited plans and sections (so far as the same are shown thereon), and within the limits of deviation shown on those plans, make and maintain the pier and works authorised by this Order.

Description of works authorised.

8. The pier and works authorised by this Order include:—

A promenade pier by way of extension of the eastern arm or jetty of the present harbour at Littlehampton, in the parish of Littlehampton, in the county of Sussex, commencing at the seaward end of such existing arm or jetty, and proceeding in a southerly direction into the sea for a distance of 650 feet or thereabouts.

The pier is to be constructed of open iron pile work.

Subsidiary works.

9. The Company may make, provide, and maintain in connection with the pier all proper landing stages, landing places, groynes, terraces, approaches, toll-houses, toll-gates, turnstiles, cranes, buoys, moorings, mooring-posts, and other buildings, erections, works, conveniences, and appliances.

Power to erect rooms, &c. on pier.

10. The Company may from time to time erect and construct upon the pier pavilions, concert rooms, saloons, assembly or music rooms, with reading, refreshment, and other rooms, shops, bazaars, and other conveniences, and may furnish, stock, and equip the same, and may make such reasonable charges for the use thereof or admission thereto respectively, as the Company think proper.

Power to levy tolls and rates.

11. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order or otherwise necessary to the due construction of the works authorised by this Order have been given, the Company may, subject and according to the provisions of this Order, for the use of the pier and works, demand, recover, and receive, in respect of the persons, vessels, matters, and things in the schedule to this Order specified, any sums not exceeding the sums in such schedule specified or referred to.

Power to lease tolls and rates.

12. The Company may from time to time lease the tolls and rates authorised by this Order for any period not exceeding seven years, for such rent or consideration and on such terms and conditions as they may think fit, and the lessee shall have and may exercise during the continuance of his lease the same powers of demanding and recovering tolls and rates as the Company have or might exercise under the Harbours, Docks, and Piers Clauses Act, 1847, and this Order, and shall be subject to all the provisions as to accounts or otherwise to which the Company are subject under this Order.

Agreements with the harbour authority as to rates.

13. The Company and the Harbour Authority may, with the consent of the Board of Trade in writing, from time to time enter into and carry into effect agreements with respect to the leasing by the Harbour Authority to the Company, for such period as may be agreed upon, of the rates, dues, and charges now leviable by the Harbour Authority on ships and goods at Littlehampton Harbour, and with respect to the use of the pier by vessels and boats and the landing and shipping of goods and other things thereon and therefrom, and the charges to be made therefor.

Agreements with the harbour authority as to jetty.

14. The Company may, with the consent of the Board of Trade in writing, from time to time enter into and carry into effect agreements with the Commissioners of the port of Arundel and the harbour of Littlehampton for the transfer of the existing jetty forming the eastern arm of the harbour, and such Commissioners may transfer the same to the Company on such terms as may be agreed upon, or, failing agreement, as may be settled by an arbitrator to be appointed by the Board of Trade on the application of either party.

Rates may be levied though works not completed.

15. When and so soon as it shall be at any time or from time to time certified in writing under the hand of an officer to be appointed for the purpose by the Board of Trade, and paid by the Company, that the works authorised by this Order have been so far completed as to afford accommodation for the landing and embarking or shipping of passengers and goods by means of such works, the Company may, notwithstanding the twenty-fifth section of the Harbours, Docks, and Piers Clauses Act, 1847, and although the whole of the works authorised by this Order shall not then have been completed, demand, receive, and recover such of the rates or such proportion of all or any of the rates specified in the schedule to this Order as shall, in the opinion of the Board of Trade, be commensurate to the accommodation afforded.

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Undertakers may contract with persons for the use of the pier.

16. The Company may grant to passengers and promenaders or others, pass tickets for the use of the pier on such terms and for such period not exceeding one year as may be agreed on, but so that no preference shall be given to any person. A pass ticket shall not be transferable, and shall not be used by any person except the person to whom it is granted, or by any person after the period limited for its use. If any person act in any way in contravention of this provision, or use or attempt to use any false or counterfeit ticket, he shall for every such offence be liable to a penalty not exceeding twenty shillings to be recovered and applied as penalties are recoverable and applicable under the Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed the special Act.

Agreements with ship owners.

17. The Company and the owners of any steam vessel, or other vessel, may enter into and give effect to any agreement with respect to the dues or charges on ships and goods, and with respect to the use of the pier by vessels and boats, and the landing and shipping of goods and other things on and from the pier, and the charges to be made for landing and shipping, but so that no preference be given to any person, company, or vessel.

Board of Trade may reduce pier rates.

18. If at any time and from time to time the clear annual income derived from the pier and works authorised by this Order, on the average of the then three last preceding years, after payment of all expenses and outgoings other than payments of principal or interest in respect of money borrowed, shall exceed interest at the rate of ten pounds per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Company in executing the works authorised by this Order, and in providing the conveniences and appliances connected therewith, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten pounds per centum per annum, with power to the Board of Trade at any time and from time to time to raise them again to not exceeding the amounts specified in the schedule to this Order.

Annual account to be sent to Board of Trade.

19. The Company, within one month after sending to the clerk of the peace a copy of their annual account in abstract (which account shall be made up at the end of the day on the twenty-fifth day of March in each year), shall send a copy of the same to the Board of Trade and the Local Board, and the sixteenth section of the General Pier and Harbour Act, 1861, Amendment Act shall apply to and include any and every such account. If the Company refuse or neglect to comply with this provision they shall, for every such refusal or neglect, be liable to a penalty not exceeding ten pounds.

Certain fishing vessels under stress of weather exempt from rates.

20. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the pier or works authorised by this Order and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Board of Trade officers exempt from rates.

21. Officers of the Board of Trade being in the execution of their duty shall at all times have free ingress, passage, and egress to, on, along, and from the pier and works by land and with their vessels and otherwise without payment.

Lifeboat crew exempt from tolls.

22. All persons going to or returning from any lifeboat, or using any apparatus for saving life, and being persons either belonging to the crew of the lifeboat or to the coastguard, or being persons for the time being actually employed in saving life, or in exercising or using the lifeboat or apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to or along and on and from the pier and works without payment.

Life-saving apparatus may be attached to the pier.

23. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the lifeboat or the apparatus for saving life, may either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the pier or works, spars and other apparatus for saving life, and may also, either in course of using or of exercising the apparatus for saving life, fire rockets over the pier.

Power to make byelaws.

24. The Company may make byelaws for the regulation and control of vessels and boats to take effect below high-water mark and seaward within twenty-five yards of any part of the pier or works, and also for the regulation and control of persons embarking, disembarking, frequenting, or resorting to or employed at the pier, approaches, and other works authorised by this Order, and may impose and recover a penalty not exceeding forty shillings in any case for the breach or non-observance of any byelaws; but byelaws made under this Order shall not come into operation until the same have been submitted to and received the confirmation of the Board of Trade, which shall be sufficient for all purposes.

Parts of Harbours, &c. Act, 1847, excepted.

25. The following sections of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections 16 to 19 and 21 to 23, but the Company shall at their own expense, when directed by the Board of Trade, provide to the satisfaction of the Board of Trade a site near the pier, and build on such site a house and other proper accommodation for a lifeboat, rocket apparatus, and other life-saving apparatus, and shall be liable to a penalty not exceeding ten pounds for every month during which they omit to provide such accommodation after having been required to do so by the Board of Trade.

Part V. of 24 & 25 Vict. c. 47 to apply.

26. Part V. of the Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorised by this Order.

Life buoys to be kept.

27. The Company shall at all times keep at the outer extremity of the pier sufficient life buoys and lines in good order and fit and ready for use.

Pier to be deemed within district of local board.

28. The whole of the pier and works shall in respect of all matters, crimes, or offences arising or committed thereon requiring the cognisance of any justices of the peace be deemed and taken to be within and as forming part of the district of the Littlehampton Local Board, in the county of Sussex, and within the jurisdiction of any justices acting within and for the said county and district.

As to lights during construction of works.

29. Before commencing the works authorised by this Order the Company shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any directions given upon such application, or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with the directions so given shall

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satisfy and be in place of every other statutory requirement as to lights during the construction of the works, and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply, or refuse or neglect to observe any direction so given.

As to lights after completion of works.

30. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Company shall, at the outer extremity of the pier and works or the completed portion thereof, exhibit during all or any part of the time from sunset to sunrise, and according to the season of the year and the requirements of the traffic, such light or lights (if any) as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that Corporation for directions as to lighting, and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply, or refuse or neglect to observe any such directions.

Provision against danger to navigation.

31. In case of injury to or destruction or decay of the pier or works, or any part thereof, the Company shall lay down such buoys, exhibit such lights, or take such other means for preventing, so far as may be, danger to navigation as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that Corporation for directions as to the means to be taken, and the Company shall be liable to a penalty not exceeding ten pounds for every month during which they omit so to apply, or refuse or neglect to observe any such direction.

Powers to cease in certain events.

32.—(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced, the powers by this Order given for executing such works or otherwise in relation thereto shall cease, unless the time for commencement be extended by the special direction of the Board of Trade.

(2.) If the works authorised by this Order, after having been substantially commenced, should be virtually suspended for twelve consecutive calendar months, the powers by this Order given for executing such works or otherwise in relation thereto shall cease, except as to so much of such works as shall be then completed, unless such powers shall by the special direction of the Board of Trade be continued and directed to remain in force for any period not exceeding five years from the date of the Act confirming this Order.

(3.) In either of the above cases a certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall, for the purposes of this Order, be conclusive evidence of the facts stated in such certificate.

Saving rights under the Crown Lands Act, 1866.

33. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by the Crown Lands Act, 1866, nor shall any works under this

Order be commenced within limits affected by any such rights, interests, powers, authorities, or privileges without the assent of the Board of Trade having been first obtained.

Saving rights of the Crown.

34. This Order shall not be taken as a consent to the surrender of, nor shall anything in this Order prejudice or affect, any property, interests, rights, powers, authorities, or privileges of Her Majesty in right of Her Crown, which are under the management of the Commissioners of Her Majesty's Woods, or either of them.

Costs of Order.

35. All the costs, charges, and expenses of or incidental to preparing and obtaining this Order, or otherwise incurred in reference thereto, shall be paid by the Company.

Short title.

36. This Order may be cited as the Littlehampton Promenade Pier Order, 1894.

The SCHEDULE to which the foregoing Order refers.

I.—Tolls or Rates on Passengers and Promenaders using the Pier.

	s.	*d.*
For every passenger or other person who shall land on the pier from or embark from it on board of any ship, vessel, packet, or passage boat, for each and every time, any sum not exceeding - - -	0	2
For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose, except for embarking or disembarking, for each and every time, any sum not exceeding - -	0	2
For every bath or sedan chair, including the person drawing or propelling the same, taken on the pier, for each and every time, any sum not exceeding - - - - - - - -	0	4
For every perambulator, including the person drawing or propelling the same, taken on the pier, for each and every time, any sum not exceeding - - - - - - -	0	2
For every master of any vessel, boat, or wherry using the pier for the purpose of going to or returning from his own vessel, boat, or wherry, for each and every time - - - - -	0	1
Or an annual sum not exceeding - - - - -	10	0

II.—Rates on Passengers' Luggage.

For every trunk, portmanteau, box, parcel, or package, not exceeding 28 lbs., and not carried by hand - - - -	0	2
Over 28 lbs., and not exceeding 56 lbs. - - - -	0	4
Over 56 lbs., and not exceeding 112 lbs. - - - -	0	6
Over 112 lbs., and not exceeding 168 lbs. - - - -	0	7
Over 168 lbs., and not exceeding 196 lbs. - - - -	0	8
Over 196 lbs., and not exceeding 2 cwt. - - - -	0	9
And for every additional 28 lbs. weight up to the limit of 5 cwt. -	0	1
For every bicycle and tricycle, including the person in charge thereof, every time - - - - - - - -	0	3

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III.—Rates for Supplying Water.

	s.	d.
Fresh water on pier, per 100 gallons - - - - -	1	6
Sea water, per 3 gallons - - - - - -	0	1

IV.—Rates and Dues on Vessels and Goods.

The rates and dues leviable by the Company on vessels using the pier, and on goods (other than as before mentioned) landed thereon or shipped therefrom shall not exceed the rates and dues authorised to be levied for the time being in respect of vessels and goods at Littlehampton Harbour.

Seaford.

SEAFORD.

Order for the Construction, Maintenance, and Regulation of a Pier at Seaford, in the County of Sussex.

Undertakers.

1. James Lee, of No. 12, Compton Avenue, Brighton, Managing Director of the Brighton, Worthing, and South Coast Steamboat Company, Limited, his heirs and assigns, shall be the Undertakers for carrying into execution the works authorised by this Order, and are in this Order referred to as the Undertakers.

Incorporation of Lands Clauses Acts.

2. The Lands Clauses Acts, except so much thereof as relates to the purchase and taking of lands otherwise than by agreement, and to the entry upon lands by the promoters of the undertaking, shall be incorporated with this Order.

Power to acquire lands by agreement.

3. For the purposes of the works authorised by this Order, the Undertakers may from time to time, by agreement, enter upon, take, and use all or such part of the lands shown on the plans deposited for the purposes of this Order as they think requisite for the purposes of the pier, and the works and conveniences connected therewith.

Lands for extraordinary purposes.

4. The Undertakers may purchase and hold for extraordinary purposes any additional land not exceeding in the whole one acre, but this section shall not exempt the Undertakers from any proceedings for nuisance caused or permitted by them upon any land acquired by them under this section.

Power to make works.

5. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans as the Board of Trade require from time to time before the completion of the works, in order to prevent injury to navigation, the Undertakers may on the lands acquired by them under this Order, and in the lines and according to the levels shown on the deposited plans and sections (so far as the same are shown thereon), and within the limits of deviation shown on those plans, make and maintain the pier and works authorised by this Order.

Description of works authorised.

6. The works authorised by this Order include:—

A pier, jetty, and landing place in the parish of Seaford, in the county of Sussex, and on the beach, foreshore, and bed of the sea adjoining such parish, commencing at the seaward side of the esplanade at Seaford at a

point opposite the southern end of Causeway Road, thence extending in a south-westerly direction across the beach and foreshore and into the sea, and terminating in the sea at a distance of two hundred yards or thereabouts from the said point of commencement at the esplanade.

The pier is to be constructed of open ironwork.

Power to construct conveniences.

7. The Undertakers may make, provide, and maintain in connexion with the pier and jetty, groynes, approaches, proper landing places, toll-houses, toll-gates, turnstiles, lifts, cranes, buoys, moorings, mooring-posts, and other buildings, erections, works, conveniences, and appliances.

Power to erect rooms, &c.

8. The Undertakers may from time to time erect and construct upon the pier, pavilions, concert rooms, saloons, assembly or music rooms, with reading, refreshment, and other rooms, shops, bazaars, baths, and other conveniences, and may make such reasonable charges for the use thereof, or for admission thereto as they think proper. Provided that works authorised by this section shall not be constructed on land at the entrance of the pier which, at the time of the passing of the Act confirming this Order, belongs to the Seaford Bay Estate Company (Limited), except with the consent in writing first obtained of that Company or their successors in title.

Power to levy tolls and rates.

9. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary to the due construction of the works authorised by this Order, have been given, the Undertakers may, subject and according to the provisions of this Order, for the use of the Pier and works, demand, recover and receive, in respect of the persons, matters, and things in the schedule to this Order specified, any sums not exceeding the sums in such schedule specified or referred to.

Power to lease tolls and rates.

10. The Undertakers may from time to time lease the tolls and rates authorised by this Order for any period not exceeding seven years, for such rent or consideration and on such terms and conditions as they may think fit, and the lessee shall have and may exercise during the continuance of his lease the same powers of demanding and recovering tolls and rates as the Undertakers have or might exercise under the Harbours, Docks, and Piers Clauses Act, 1847, and this Order, and shall be subject to all the provisions as to accounts or otherwise to which the Undertakers are subject under this Order.

Agreements as to dues, &c.

11. The Undertakers may, with the consent in writing of the Board of Trade, enter into and carry into effect agreements with respect to the dues and charges on ships and goods, and with respect to the use of the pier by vessels and boats, and the landing and shipping of goods and other things thereon and therefrom, and the charges to be made therefor, but so that no preference be given to any person, company, or vessel.

Rates may be levied though works not completed.

12. When and so soon as it shall be at any time, or from time to time, certified in writing under the hand of an officer to be appointed for the purpose by the Board of Trade, and paid by the Undertakers, that the works authorised by this Order have been so far completed as to afford accommodation either for persons walking on the pier or for the landing and embarking or shipping of passengers and goods by means of such works, the Undertakers may, notwithstanding the twenty-fifth section of the Harbours, Docks, and Piers Clauses Act, 1847, and although the whole of the works authorised by this Order shall not then have

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been completed, demand, receive, and recover such of the tolls and rates or such proportion of all or any of the tolls and rates specified in the schedule to this Order as shall, in the opinion of the Board of Trade, be commensurate to the accommodation afforded.

Undertakers may contract with persons for the use of the pier.

13. The Undertakers may grant to passengers and promenaders or others, pass tickets for the use of the pier on such terms and for such period not exceeding one year as may be agreed on, but so that no preference shall be given to any person. A pass ticket shall not be transferable, and shall not be used by any person except the person to whom it is granted, or by any person after the period limited for its use. If any person act in any way in contravention of this provision, or use or attempt to use any false or counterfeit ticket, he shall, for every such offence, be liable to a penalty not exceeding twenty shillings, to be recovered and applied as penalties are recoverable and applicable under the Harbours, Docks, and Piers Clauses Act, 1847, for all the purposes of which Act this Order shall be deemed the special Act.

Board of Trade may reduce pier rates.

14. If at any time and from time to time the clear annual income derived from the pier and works authorised by this Order, on the average of the then three last preceding years, after payment of all expenses and outgoings other than payments of principal or interest in respect of money borrowed, shall exceed interest at the rate of ten pounds per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Undertakers in executing the works authorised by this Order, the Board of Trade may, if in their discretion they think fit, reduce the rates leviable under this Order to such amount as will be sufficient to provide the aforesaid interest at the rate of ten pounds per centum per annum, with power to the Board of Trade at any time and from time to time to raise them again to not exceeding the amounts specified in the schedule to this Order.

Annual account to be sent to Board of Trade.

15. The Undertakers, within one month after sending to the clerk of the peace a copy of their annual account in abstract (which account shall be made up at the end of the day on the twenty-fifth day of March in each year), shall send a copy of the same to the Board of Trade, and the sixteenth section of the General Pier and Harbour Act, 1861, Amendment Act shall apply to and include any and every such account. If the Undertakers refuse or neglect to comply with this provision they shall for every such refusal or neglect be liable to a penalty not exceeding ten pounds.

Certain fishing vessels under stress of weather exempt from rates.

16. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall, when forced by stress of weather to make use of the pier or works authorised by this Order, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Board of Trade officers exempt from rates.

17. Officers of the Board of Trade being in the execution of their duty shall at all times have free ingress, passage, and egress to, on, along, and from the pier and works by land, and with their vessels and otherwise, without payment.

Lifeboat crew exempt from tolls.

18. All persons going to or returning from any lifeboat, or using any apparatus for saving life, and being persons either belonging to the crew of the lifeboat or to the coastguard, or being persons for the time being actually employed in saving life or in exercising or using the lifeboat or apparatus for saving life,

and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to or along and on and from the pier and works without payment.

Life-saving apparatus may be attached to the pier.

19. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the lifeboat or the apparatus for saving life, may either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the pier or works, spars, and other apparatus for saving life, and may also, either in course of using or of exercising the apparatus for saving life, fire rockets over the pier.

Power to make byelaws.

20. The Undertakers may make byelaws for the regulation and control of vessels and boats, to take effect below high-water mark and seaward within twenty-five yards of any part of the pier or works, and also for the regulation and control of persons embarking, disembarking, frequenting, or resorting to or employed at the pier approaches and other works authorised by this Order, and may impose and recover a penalty not exceeding forty shillings in any case for the breach or non-observance of any byelaws, but byelaws made under this Order shall not come into operation until the same have been submitted to and received the confirmation of the Board of Trade, which shall be sufficient for all purposes.

Parts of Harbours, &c. Act, 1847, excepted.

21. The following sections of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, namely, sections sixteen to nineteen, and twenty-one to twenty-three, but the Undertakers shall, at their own expense, when directed by the Board of Trade, provide, to the satisfaction of the Board of Trade, a site near the pier, and build on such site a house and other proper accommodation for a lifeboat, rocket apparatus, and other life-saving apparatus, and shall be liable to a penalty not exceeding ten pounds for every month during which they omit to provide such accommodation after having been required to do so by the Board of Trade.

Part V. of 24 & 25 Vict. c. 47 to apply.

22. Part V. of the Harbours and Passing Tolls, &c. Act, 1861, shall apply to the works authorised by this Order.

Life buoys to be kept.

23. The Undertakers shall at all times keep at the outer extremity of the pier sufficient life buoys and lines in good order and fit and ready for use.

Pier to be deemed within district of local board.

24. The whole of the pier and works shall, in respect of all matters, crimes, or offences arising or committed thereon requiring the cognizance of any justices of the peace, be deemed and taken to be within and as forming part of the district of the Seaford Local Board, in the county of Sussex, and within the jurisdiction of any justices acting within the said district.

As to lights during construction of works.

25. Before commencing the works authorised by this Order the Undertakers shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any directions given upon such application or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with the directions so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works, and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply, or refuse or neglect to observe any direction so given.

As to lights after completion of works.

26. After completion or permanent discontinuance or abandonment of the works authorised by this Order the Undertakers shall, at the outer extremity of the pier and works, or the completed portion thereof, exhibit during all or any part of

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the time from sunset to sunrise, and according to the season of the year and the requirements of the traffic, such light or lights (if any) as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that Corporation for directions as to lighting, and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply, or refuse or neglect to observe any direction so given.

Provision against danger to navigation.

27. In case of injury to or destruction or decay of the pier or works, or any part thereof, the Undertakers shall lay down such buoys, exhibit such lights, or take such other means for preventing, so far as may be, danger to navigation as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that Corporation for directions as to the means to be taken, and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply, or refuse or neglect to obey any directions given in reference to the means to be taken.

Power to cease in certain events.

28.—(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced, the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease, unless the time for commencement be extended by the special direction of the Board of Trade.

(2.) If the works authorised by this Order, after having been substantially commenced, should be virtually suspended for twelve consecutive calendar months, the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease, except as to so much of such works as shall be then completed, unless such powers shall, by the special direction of the Board of Trade, be continued and directed to remain in force for any period not exceeding five years from the date of the Act confirming this Order.

(3.) In either of the above cases a certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall, for the purposes of this Order, be conclusive evidence of the facts stated in such certificate.

Saving rights under Crown Lands Act, 1866.

29. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by the Crown Lands Act, 1866, nor shall any works under this Order be commenced within limits affected by any such rights, interests, powers, authorities, or privileges without the assent of the Board of Trade having been first obtained.

Saving rights of Crown.

30. This Order shall not be taken as a consent to the surrender of, nor shall anything in this Order prejudice or affect, any property, interests, rights, powers, authorities, or privileges of Her Majesty in right of Her Crown, which are under the management of the Commissioners of Woods, or either of them.

Costs of Order.

31. All the costs, charges, and expenses of or incidental to obtaining this Order, and otherwise incurred in relation thereto, shall be paid by the Undertakers.

Short title.

32. This Order may be cited as the Seaford Promenade Pier Order, 1894.

The SCHEDULE to which the foregoing Order refers.

I.—Tolls or Rates on Passengers and Promenaders using the Pier.

	s.	d.
For every passenger or other person who shall land on the pier from or embark from it on board of any ship, vessel, packet, or passage boat, for each and every time, any sum not exceeding - -	0	4
For every person who shall use the pier for the purpose of walking for exercise, pleasure, or any other purpose except for embarking or disembarking, for each and every time, any sum not exceeding -	0	2
For every bath or sedan chair, including the person drawing or propelling the same, taken on the pier, for each and every time, any sum not exceeding - - - - - -	0	4
For every perambulator, including the person drawing or propelling the same, taken on the pier, for each and every time, any sum not exceeding - - - - - - - -	0	3
For every master of any vessel, boat, or wherry using the landing stage or pier for the purpose of going to or returning from his own vessel, boat, or wherry, for each and every time - - - -	0	1
Or an annual sum not exceeding - - - -	10	0

II.—Rates on Passengers' Luggage.

For every trunk, portmanteau, box, parcel, or package, not exceeding 28 lbs. and not carried by hand - - - -	0	2
Over 28 lbs. and not exceeding 56 lbs. - - - -	0	4
Over 56 lbs. and not exceeding 112 lbs. - - -	0	6
Over 112 lbs. and not exceeding 168 lbs. - - -	0	7
Over 168 lbs. and not exceeding 196 lbs. - - - -	0	8
Over 196 lbs. and not exceeding 2 cwt. - - - -	0	9
And for every additional 28 lbs. weight up to the limit of 5 cwt. -	0	1
For every bicycle and tricycle, including the person in charge thereof, every time - - - - - - - -	0	4

III.—Rates for Supplying Water.

Fresh water on pier, per 100 gallons - - - -	1	6
Sea water, per 3 gallons - - - - -	0	1

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