CHAPTER xcvi.

An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Rothesay Weymouth and Wooda Bay. A.D. 1898.

[25th July 1898.]

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. 60 & 61 Vict. c. 38.

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 district or in any parish or part of a parish not being within an urban district in England or in any district in Scotland within the meaning of the Public Health (Scotland) Act 1897 as the case may be 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 1898.

THE SCHEDULE OF ORDERS.

1. ROTHESAY.—Extension and improvement of harbour.
2. WEYMOUTH.—Extension of existing borrowing powers.
3 WOODA BAY.—Extension of existing pier.

ROTHESAY HARBOUR.

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Provisional Order for the extension and improvement of the North Pier and the construction of other Works in the Harbour of Rothesay for amending the Act and Orders relating to the Harbour and for conferring further powers on the Rothesay Harbour Trustees.

Construction and Interpretation.

Order to be read with Act of 1831 and Orders of 1867 and 1882.

1.—(1.) This Order may be cited as the Rothesay Harbour Order 1898 and shall be construed as one with the local Act 1 and 2 William 4 chapter 34 (in this Order called "the local Act") the Rothesay Harbour Order 1867 (in this Order called "the Order of 1867") and the Rothesay Harbour Order 1882 (in this Order called "the Order of 1882").

(2.) The local Act and the Orders of 1867 and 1882 and this Order may be cited together as the Rothesay Harbour Act and Orders 1831 to 1898.

Interpretation.

2. In this Order the expression "the Trustees" means the Rothesay Harbour Trustees incorporated by the Order of 1882 and the expression "the harbour" means the harbour of Rothesay as defined by section 7 of the Order of 1867 including therein the works authorised by this Order.

Amendments of local Act and former Orders.

Amendment of local Act and Order of 1882.

3. So much of the second section of the local Act and of the third section of the Order of 1882 (which relate to the qualification of owners of ships or vessels electing or to be elected Trustees) as makes it necessary that those owners should reside in Rothesay is hereby repealed.

Differences to be determined by arbitration.

4. If any difference arises with reference to any matter at any meeting of the Trustees between the Trustees representing the magistrates and town council of the burgh of Rothesay and the four Trustees elected by and representing shipowners and these last-mentioned Trustees are unanimous as to the matter with reference to which the difference arises that difference shall notwithstanding anything in the local Act the Order of 1867 or the Order of 1882 be referred to the determination of an arbiter to be appointed by the Board of Trade whose decision shall be final.

Harbours Docks and Piers Clauses Act.

5. Section nine of the Order of 1867 (which excludes the incorporation of the Harbours Docks and Piers Clauses Act 1847) is hereby repealed but sections 16 17 18 19 25 and 26 of that Act are not incorporated with this Order.

Lands.

Incorporation of Lands Clauses Acts.

6. The Lands Clauses Acts (except so much thereof as relates to the purchase or taking of lands otherwise than by agreement and to the entry upon lands by the promoters of the undertaking) are incorporated with this Order.

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Power to take lands by agreement and lands for extraordinary purposes.

7. (1. For the purposes of the works authorised by this Order the Trustees may by agreement enter on take and use all or such part of the lands shown on the plans deposited with reference to this Order as they may think requisite for the purposes thereof.

(2.) The Trustees may purchase and hold for extraordinary purposes any lands not exceeding in the whole two acres.

(3.) This Order or anything contained therein shall not exempt the Trustees from any proceeding on account of any nuisance caused or permitted by them on any land acquired by them under this Order.

Works.

Power to construct works.

8. Subject to the provisions of this Order and subject also to such alterations (if any) in the plans and sections deposited with reference to this Order as the Board of Trade may require before the completion of the works in order to prevent injury to navigation the Trustees may in the lines and situations and according to the levels and within the limits of deviation shown on the said plans and sections make and maintain the works authorised by this Order.

Works authorised.

9. The works authorised by this Order comprise the following :—

First.—A wharf or pier to be of open piling throughout extending from the north-west extremity of the front or North Pier of the harbour two hundred and fifty feet or thereby in a westerly direction to a point opposite to and at a distance of one hundred and eighty-two feet or thereby from the north-west corner of the ground formerly the shipbuilding yard the property of the Trustees such intended wharf or pier being of a width throughout of fifty feet or thereby ;

Second.—The building up of the small-boat slip at or near the north-west extremity of the said front or North Pier and the construction of a new small-boat slip or landing stair at or near the eastern extremity of the said intended wharf or pier and on the south or inner side thereof ;

Third.—An enlargement of the said front or North Pier by increasing its breadth to a maximum extent of thirty-five feet or thereby additional on the north side thereof and extending throughout its entire length from east to west a distance of five hundred and seventy feet or thereby ;

Fourth.—The filling up piling and embanking of a space of one hundred and forty-five feet or thereby in length and of a width of thirty feet or thereby along the western side of the West Pier and extending between the said intended wharf or pier and the said ground formerly the shipbuilding yard ;

Fifth.—The deepening cleansing and scouring of the harbour and of the approaches thereto :

All which works will be situated at and in the royal burgh and parish of Rothesay and in the Bay of Rothesay adjoining thereto all in the county of Bute.

Power to construct and maintain accommodation works.

10.—(1.) The Trustees may within the harbour limits construct and maintain in connexion with the proposed works all necessary embankments walls locks docks gates sluices piers quays wharves jetties landing places railways tramways cattle pens warehouses refreshment or other buildings and rooms roads

approaches offices sheds coal tips staiths bridges cranes weighing machines mooring buoys lights water pipes and other works and conveniences.

(2.) No line of tramway constructed under the powers of this Order shall be used for the public conveyance of passengers unless it has been inspected by the Board of Trade and certified by them to be fit for that use.

Power to deviate.

11. In constructing the works authorised by this Order the Trustees may with the consent in writing of the Board of Trade deviate laterally from the lines of those works to any extent not exceeding the limits of deviation marked on the deposited plans and may deviate vertically from the levels shown on the deposited sections to any extent not exceeding five feet.

Penalty for obstructing works.

12. If any person wilfully obstructs any person acting under the authority of the Trustees in setting out the lines of the works authorised by this Order or pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of those works or defaces or destroys those works or any part thereof that person shall be guilty of an offence and shall for every such offence be liable to a penalty not exceeding five pounds.

Works authorised to form part of harbour.

13. The works authorised by this Order shall for all purposes including the levying of rates be deemed to be part of the harbour as if those works had been authorised by and had been constructed under the authority of the local Act and the Orders of 1867 and 1882 and subject to the provisions of this Order all the powers and provisions of the said local Act and Orders so far as they remain in force and are applicable shall extend and be applicable to the harbour and to the works authorised by this Order.

Powers to cease in certain events.

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

(2.) If the works authorised by this Order after having been substantially commenced are virtually suspended for twelve consecutive months the powers given by this Order for executing those works or otherwise in relation thereto shall cease except as to so much of those works as is then completed unless those powers are continued and directed to remain in force by the special direction of the Board of Trade for any period not exceeding five years from the date of the passing 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 authorised works have not been substantially commenced or that they have been virtually suspended for twelve consecutive months shall be conclusive evidence for the purposes of this Order of the facts stated in that certificate.

Rates.

Limit of rates

15.—(1.) So long as the annual revenue derived from the rates leviable at the harbour on steam vessels or steamboats of twenty tons or upwards is not less than the sum of two thousand nine hundred and fifty-three pounds being the amount derived from those rates for the year ending on the Thirtieth day of September one thousand eight hundred and ninety-seven the Trustees shall not

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levy any higher rates on those steam vessels or steamboats than those which were levied by them during that period.

(2.) If the said annual revenue is less in any year than the said sum the Trustees shall only levy such increased rates on steam vessels or steamboats of twenty tons and upwards as will be sufficient to meet the deficiency.

Discretion as to rates on goods &c.

16. Notwithstanding anything contained in the local Act or the Orders of 1867 or 1882 or this Order it shall not be obligatory upon the Trustees to demand and receive in respect of goods fish persons animals and things the rates specified in the schedule to the Order of 1882 but the Trustees may or may not exercise their powers of demanding and receiving those rates or any of them or any portion thereof as they in their discretion and in the interests of the harbour think fit but any exemption from or remission of these rates shall be made equally to all persons in the like circumstances.

Rates for use of warehouses &c.

17. The Trustees may demand levy and receive such rents rates or other consideration as they may think reasonable for any special services rendered by them and for the use of any offices warehouses sheds buildings weighing machines cranes gridirons yards works and conveniences belonging to them in respect of which rates are not otherwise specified or authorised in the Orders of 1867 and 1882 or this Order.

Exemption of certain officers from rates.

18. The Secretary for Scotland or any person or persons deputed by him and officers of the Board of Trade and of the Fishery Board for Scotland being in the execution of their duty shall at all times have free ingress passage and egress to in through and out of the harbour and works by land and with their vessels and otherwise without payment.

Supplemental Powers and Provisions.

Charge for use of dredgers &c.

19. The Trustees may for the purposes of the harbour provide purchase lease or hire such steam or other dredgers engines tugs lighters or other vessels diving bells ballast lighters rubbish lighters tools plant or other materials and machinery as they think fit and may demand and receive such sums for the use of them as they think fit or may sell or dispose of them and the money realised by the sums so received or by any such sale or disposal shall be applied towards carrying into effect all or any of the purposes of the local Act and the Orders of 1867 and 1882 and this Order.

Trustees may provide for lighting harbour.

20.—(1.) The Trustees may provide for lighting the harbour and the works and buildings connected therewith by gas or electricity or other illuminating power and for that purpose may enter into agreements for that lighting.

(2.) All works provided by the Trustees for lighting the harbour and the works and buildings connected therewith by electricity shall be so constructed and used as to prevent any interference with telegraphic communication by means of any telegraphs for the time being used or intended to be used by the Postmaster-General.

Trustees may provide for a supply of water to vessels in the harbour.

21. The Trustees may contract for a supply of fresh water to vessels in the harbour or may themselves provide that supply and may demand take and receive therefor such rates or charges as they may consider reasonable not exceeding in any case a penny halfpenny per twenty-five gallons.

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22.—(1.) A vessel or boat shall not anchor or moor within the limits of the harbour without the consent of the Trustees or their harbour master.

Vessels not to anchor or moor within harbour limits without consent.

(2.) If a vessel or boat is so anchored or moored without that consent the master or other person in charge of that vessel or boat shall be liable to a penalty not exceeding five pounds.

Finance.

23. The Trustees may apply for the purposes of this Order any money now under their control or which they are authorised to raise for the purposes of their undertaking and they may also borrow on the security of the rates and dues authorised by the Orders of 1867 and 1882 and this Order any sum or sums of money not exceeding twenty thousand pounds and if after having borrowed the money authorised to be borrowed by this Order or any part thereof the Trustees pay off that money or any part thereof they may again borrow the amount so paid off and so from time to time.

Power to apply money and borrow additional money.

24. The Trustees may accept and take from any bank or banking company credit on a cash account to be opened and kept with that bank or banking company in the name of the Trustees according to the usage of bankers in Scotland to the extent of the sum which the Trustees are by the local Act the Orders of 1867 and 1882 and this Order authorised to borrow and may assign the rates authorised by the Orders of 1867 and 1882 and this Order in security of the payment of the amount of that credit or of the sums advanced on that cash account with interest thereon:

Power to borrow on cash account.

Provided that the whole principal sums due and owing by the Trustees on that cash account and for money otherwise borrowed by them on the security of those rates and dues shall not when taken together exceed the sums authorised to be borrowed by the local Act the Orders of 1867 and 1882 and this Order.

25. The power to borrow given by this Order shall be in addition to any other power conferred on the Trustees for that purpose by the local Act or the Orders of 1867 or 1882 but all mortgages and securities granted by the Trustees for the purposes of the harbour and works and which shall be subsisting at the time of the passing of the Act confirming this Order shall during the continuance of those mortgages and securities constitute a charge on the rates leviable under the Orders of 1867 and 1882 and this Order and shall have priority over all mortgages or securities to be granted or created by the Trustees under the authority of this Order.

Existing mortgages to have priority.

26. Every part of the money borrowed under this Order shall be applied only for the purposes authorised by the local Act the Orders of 1867 and 1882 and this Order for which capital may properly be applied and for the payment of the expenses of this Order as provided in this Order.

Application of money borrowed.

27. The Trustees shall yearly for the purpose of forming and maintaining a contingency fund not exceeding the sum of five thousand pounds to meet any extraordinary claim or demand or any unforeseen accident or extraordinary damage which may happen or be caused to the harbour and works set apart an amount not exceeding five hundred pounds in any one year of the surplus

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revenue of the harbour (if any) after meeting the ordinary expenditure and interest and instalments of money borrowed maintenance and other charges and shall deposit the sum set apart in some joint stock bank of issue in Scotland to be increased by accumulation in the way of compound interest or otherwise or invested in securities in which trustees are authorised to invest money other than securities of the Trustees until required for any of the aforesaid purposes and the Trustees may after providing for such contingency fund as aforesaid expend the remainder of the surplus revenue or any part thereof as it accrues only in the improvement of the harbour and towards the reduction of the harbour debt.

Audit by Board of Trade auditor.

28.—(1.) The Board of Trade may appoint such person as they think fit to audit and examine as auditor of the harbour accounts the accounts of the Trustees with reference to the harbour.

(2.) The Board of Trade shall fix the amount to be paid in respect of the remuneration of the auditor and his expenses and the amount so fixed shall be paid by the Trustees out of the income of the harbour.

(3.) The Trustees shall on being required by the auditor produce to him all accounts books or other documents relating to the harbour as are in their possession and shall give him such information as they are able with reference to the affairs of the harbour and shall afford him all reasonable facilities for conducting his audit.

(4.) If the Trustees fail to comply with the provisions of this section they shall be liable to a penalty not exceeding twenty pounds for each month during which the failure continues.

Life-saving Apparatus.

Provision of lifeboat house &c.

29.—(1.) The Trustees shall whenever required by the Board of Trade provide at their own expense and to the satisfaction of the Board of Trade a site near the works authorised by this Act and build on that site a house and other proper accommodation for a lifeboat rocket apparatus and other life-saving apparatus.

(2.) If the Trustees fail to comply with this section they shall be liable to a penalty not exceeding ten pounds for every month during which the failure continues.

Life-buoy to be kept.

30. The Trustees shall at all times keep at the outer extremity of any pier in their harbour a life-buoy and a line in good order and ready for use.

As to lights during construction of works.

31.—(1.) Before commencing the works authorised by this Order the Trustees shall apply to the Board of Trade for directions as to the lights to be exhibited and shall in all respects obey any direction given upon that application or afterwards 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 the place of every other statutory requirement as to lights during the construction of the works.

(2.) The Trustees 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 obey any such direction.

As to lights after completion of works.

32.—(1.) After completion or permanent discontinuance or abandonment of the works authorised by this Order the Trustees shall at the outer extremity of the pier and works or the completed portions thereof or in such other places as may be required exhibit for all or any part of the time from sunset to sunrise and according to the requirements of the traffic and the season of the year such lights (if any) as are directed by the Commissioners of Northern Lighthouses and shall apply to those Commissioners for directions as to lighting.

(2.) The Trustees 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 obey any such directions.

Provision against danger to navigation.

33.—(1.) In case of injury to or destruction or decay of the existing piers or of the authorised works or any part thereof the Trustees shall lay down such buoys exhibit such lights or take such other means for preventing as far as may be danger to navigation as are directed by the Commissioners of Northern Lighthouses and shall apply to those Commissioners for directions as to the means to be taken.

(2.) The Trustees 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 directions.

General.

Saving rights under Crown Lands Act 1866.

34. 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 the 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 under Crown Lands Act.

35. Nothing contained in this Order or to be done under the authority thereof shall in any manner affect the title to any of the subjects or any rights or authorities mentioned in or reserved by sections twenty-one and twenty-two of the Crown Lands Act 1866 and belonging to or exercisable on behalf of Her Majesty Her heirs or successors.

Costs of Order

36. All costs charges and expenses of and incident to preparing and obtaining this Order or otherwise incurred in relation thereto shall be paid by the Trustees out of their harbour revenues or out of moneys borrowed by them.

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WEYMOUTH HARBOUR.

Weymouth. *Order for amending the Weymouth and Melcombe Regis Corporation Act* 1887 *and the Weymouth Harbour Order* 1893.

Act and Order to be read together.

1. The Weymouth and Melcombe Regis Corporation Act 1887 (in this Order called "the Act of 1887") as amended and extended by the Weymouth Harbour Order 1893 (in this Order called "the Order of 1893") and that Act and Order as amended and extended by this Order shall be read and construed together as one Act or Order.

Amendment of s. 93 of Act of 1887 and s. 2 of Order of 1893.

2. In addition to the sum of forty-five thousand pounds which by Section 93 of the Act of 1887 and Section 2 of the Order of 1893 the Mayor Aldermen and Burgesses of the Borough of Weymouth and Melcombe Regis (herein-after called "the Corporation") are authorised to borrow on the security of the harbour revenue and borough fund and borough rate for harbour purposes the Corporation may borrow on the same security and for the same purposes and in like manner any further sum or sums not exceeding in the whole the sum of eleven thousand pounds provided that no money shall under this Order be borrowed upon the security of the borough fund or borough rate without the consent in writing of the Local Government Board having been first obtained and any sum borrowed on such security shall be repaid within such period as the said Board may approve.

Costs of Order.

3. All such costs charges and expenses of or incidental to preparing and obtaining this Order or otherwise incurred in relation thereto as shall be allowed on taxation shall be paid by the Corporation.

Short title.

4. This Order may be cited as the Weymouth Harbour Order 1898.

WOODA BAY.

Wooda Bay. *Order for the construction maintenance and regulation of an extension of or additions to the pier and works at Wooda Bay in the parish of Martinhoe and county of Devon.*

Construction.

Construction and short title.

1. This Order shall be construed as one with the Woody Bay Pier Order 1895 (in this Order called "the Order of 1895") and may be cited as the Wooda Bay Pier Order 1898.

Undertakers and Limits.

Undertakers.

2. The Wooda Bay Pier Company (Limited) shall be the undertakers for carrying this Order into execution.

Limits of Order.

3. The limits of the Order of 1895 as defined by section three of that Order shall comprise and extend to the works authorised by this Order and the Order of 1895 shall subject to the provisions of this Order apply within the limits so extended as it applies within the limits so defined and as if the works authorised by this Order were part of the pier and works authorised by that Order.

Works.

Power to construct works.

4. Subject to the provisions of this Order and subject also to such alterations (if any) in the plans and sections deposited with reference to this Order as the Board of Trade require before the completion of the works in order to prevent injury to navigation the Undertakers may in the lines and situation and according to the levels shown on the deposited plan and sections so far as the same are shown thereon and within the limits of deviation shown on the plan make and maintain the works authorised by this Order with all necessary works accesses and conveniences.

Description of works.

5. The works authorised by this Order include:—

An open pier causeway or jetty to be constructed of piles or cylinders strongly braced and supported and with iron stairways commencing at or near the northern side of the eastern end of the pier already constructed under the authority of the Order of 1895 and extending thence seaward in a north-easterly direction in a straight line for a distance of fifty yards or thereabouts thence extending seaward in a north north-westerly direction in a straight line for a distance of thirty-two yards or thereabouts and terminating there all in the parish of Martinhoe in the county of Devon or in the bed of the sea or of the Bristol Channel adjacent thereto.

Power to alter and deviate works.

6. The Undertakers in constructing the works authorised by this Order may (with the consent in writing of the Board of Trade) alter and deviate the works vertically or laterally to any extent within the limits of deviation marked on the deposited plan.

Penalty for obstructing works.

7. If any person wilfully obstructs any person acting under the authority of the Undertakers in setting out the lines of the works authorised by this Order or pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of those works or defaces or destroys those works or any part thereof that person shall for each offence be liable to a penalty not exceeding five pounds.

Powers to cease in certain events.

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

(2) If the works authorised by this Order after having been substantially commenced are virtually suspended for twelve consecutive months the powers given by this Order for executing those works or otherwise in relation thereto shall cease except as to so much of those works as are then completed unless

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those powers are by the special direction of the Board of Trade 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 months shall be conclusive evidence for the purposes of this Order of the facts stated in that certificate.

Rates.

Power to levy rates.

9. The power of the Undertakers to levy rates under section eight of the Order of 1895 shall not come into operation as respects the works authorised by this Order until in addition to the certificate required for the purposes of sections twenty-five and twenty-six of the Harbours Docks and Piers Clauses Act 1847 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 for the due construction of those works have been given :

10 & 11 Vict. c. 27.

Provided that if it is at any time certified in writing under the hand of an officer to be appointed for the purpose by the Board of Trade but to be paid by the Undertakers that the works authorised by this Order have been so far completed as to afford increased accommodation for the landing and embarking of passengers by means of those 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 have not then been completed demand receive and recover such of the rates or such proportion of all or any of the rates authorised by the Order of 1895 as are in the opinion of the Board of Trade commensurate to the increased accommodation afforded.

Lights.

As to lights during the construction of works.

10.—(1) Before commencing the works authorised by this Order the Undertakers shall apply to the Board of Trade for directions as to the lights (if any) to be exhibited and shall in all respects obey any direction given upon that application or afterwards given as to lights by the Board of Trade during the construction of the works and compliance with the direction so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works.

(2) The Undertakers 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.

As to lights after completion of works.

11.—(1) 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 or in such other places as may be required exhibit from sunset to sunrise such lights (if any) as are directed by the Corporation of Trinity House of Deptford Strond and shall apply to that Corporation for directions as to lighting.

(2) The Undertakers 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 obey any such directions.

Wooda Bay.

Provisions against danger to navigation.

12.—(1) In case of injury to or destruction or decay of the pier or works of the Undertakers or any part thereof the Undertakers shall lay down such buoys exhibit such lights or take such other means for preventing as far as may be danger to navigation as are directed by the Corporation of Trinity House of Deptford Strond and shall apply to that Corporation for directions as to the means to be taken.

(2) 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 such directions.

Miscellaneous.

Saving rights under Crown Lands Act 1866.

13. 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 consent of the Board of Trade having been first obtained.

Saving rights of the Crown.

14. 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.

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

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