

ELIZABETH II



1987 CHAPTER xii

An Act to confer further powers on the Pontypridd Markets Fairs and Town Hall Company Limited; and for other purposes. [15th May 1987]

WHEREAS by the Pontypridd Markets, Fairs, and Town Hall Act 1877 the Pontypridd Markets Fairs and Town Hall Company (hereinafter referred to as "the Company") were incorporated for the purposes of that Act: 1877 c. lxix.

And whereas under the said Act of 1877 the Company have provided in the community of Pontypridd in the district of Taff-Ely a market for the sale of cheese, corn, butter and fruit, vegetables, fish, meat, hay and other marketable commodities, as well as a market for the sale of cattle and horses and other livestock:

And whereas on 4th October 1985 the Company, having duly complied with the requirements of Chapter II of Part XXII of the Companies Act 1985 with respect to registration under the said chapter, were incorporated as a company limited by shares under the name of the Pontypridd Markets Fairs and Town Hall Company Limited: 1985 c. 6.

And whereas it is expedient, in order to enable the Company to carry on the said markets to the best advantage and in accordance with present-day requirements, that particular restrictions and limitations imposed on the Company by the said Act of 1877 should be modified or removed:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

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

- Citation. **1.—**(1) This Act may be cited as the Pontypridd Markets Fairs and Town Hall Act 1987.
- 1877 c. lxxix. (2) The Pontypridd Markets, Fairs, and Town Hall Act 1877 and this Act may be cited as the Pontypridd Markets Fairs and Town Hall Acts 1877 and 1987.
- Interpretation. **2.** In this Act, unless the subject or context otherwise requires—
 “the Act of 1877” means the Pontypridd Markets, Fairs, and Town Hall Act 1877;
 “the Company” means the Pontypridd Markets Fairs and Town Hall Company Limited.
- Amendment of **3.** The provisions of the Act of 1877 specified in Schedule 1 Act of 1877. to this Act shall have effect subject to the amendments set out in the said Schedule.
- Repeal. **4.—**(1) Upon the adoption of Table A in accordance with section 16A of the Act of 1877 the provisions of the Act of 1877 specified in Part I of Schedule 2 to this Act shall cease to have effect.
 (2) The provisions of the Act of 1877 specified in Part II of Schedule 2 to this Act are hereby repealed.
- Costs of Act. **5.** The costs, charges and expenses preliminary to and of and incidental to the preparing, applying for, obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company and may in whole or in part be defrayed out of revenue.

SCHEDULES

Section 3.

SCHEDULE 1

AMENDMENTS OF ACT OF 1877

1. For section 4 (Limits of Act) there shall be substituted the following section:—

“Limits of Act. 4. The expression “the limits of this Act” means the area for the time being of the Pontypridd Town Council.”.

2. After section 6 (Power for Company to establish Markets and Fairs) there shall be inserted the following section:—

“Access for foot passengers and emergency services. 6A.—(1) The Company shall ensure that—

(a) for the accommodation of foot passengers, there is not less than—

(i) 1.5 metres, in the case of a stand or stall placed in Market Street; and

(ii) 1 metre, in the case of a stand or stall placed in Church Street;

between any part of a stand or stall so placed and any shop premises fronting that street;

(b) for the accommodation of emergency services, unless otherwise agreed in writing between the Company, the fire authority and the highway authority—

(i) no part of any stand or stall is placed or allowed to remain on any part of Market Street shown coloured yellow on the signed plan; and

(ii) stands or stalls in Church Street and in so much of Market Street as is shown coloured pink on the signed plan are capable of being dismantled or moved in case of emergency within a period of five minutes.

(2) In this section “the signed plan” means the plan signed in quadruplicate by the Right Honourable the Lord Alport the Chairman of the Committee of the House of Lords to whom the Bill for the Pontypridd Markets Fairs and Town Hall Act 1987 was referred, one copy of which has been deposited at each of the following offices:—

- (a) the office of the Clerk of the Parliaments, House of Lords;
- (b) the Private Bill Office, House of Commons;
- (c) the office of the county clerk and co-ordinator of the Mid Glamorgan County Council; and
- (d) the principal office of the Company.”.

SCH. 1
—cont.

3. For section 12 (Power to borrow money on mortgage) there shall be substituted the following sections:—

“Power to borrow. 12. The Company may borrow or raise or secure the payment of money for the purposes of or in connection with the undertaking not exceeding in the whole the sum of one million five hundred thousand pounds.

Exercise of borrowing powers by directors. 12A. Notwithstanding anything in any enactment, the directors may by virtue of this section and without further or other sanction or authority exercise any powers of borrowing for the time being vested in the Company.”

4. In section 13 (For appointment of a receiver) for the words “three hundred and seventy-five pounds in the whole” there shall be substituted the words “one-tenth of the amount for the time being borrowed by the Company”.

5. After section 16 (Priority of mortgages over other debts) there shall be inserted the following sections:—

“Adoption of Table A. 16A. Notwithstanding anything contained in any other provision of this Act the Company may exercise the powers of paragraph 6 (2) of Schedule 21 to the Companies Act 1985 (effect of registration under section 689 of the said Act of 1985) and adopt Table A with such modifications as appear to them to be appropriate.

1985 c. 6.

Power to hold, lease and sell lands. 16B.—(1) Notwithstanding anything contained in any other provision of this Act the Company may acquire by purchase or otherwise, retain, hold or use any land and may from time to time, for such considerations or such rents and upon such terms (pecuniary or otherwise) and conditions as they may from time to time think fit, sell, exchange, lease or otherwise dispose of any land from time to time belonging to them and which in the opinion of the Company either may be disposed of for the better advantage of the undertaking or may not be for the time being required for the purposes of the undertaking and (for such term or period as they may think proper) may lease or grant the use or occupation of or easements or rights over or affecting any shop, building, work, approach or convenience for the time being belonging to or provided by them.

(2) The Company—

(a) may, for the purposes of the undertaking, manage, use or develop land belonging to or held by them as they think fit; and

(b) in addition may, with a view to selling or otherwise disposing of any right or interest in the land after the development is carried out—

(i) retain any land belonging to them which is not required for the purposes of the undertaking and develop it or procure its development for use by other persons; and

(ii) where the use of land belonging to them for the purposes of the undertaking can be combined with its use for other purposes, develop the land or procure its development for use wholly or partly by other persons.

SCH. 1
—cont.

(3) The Company may acquire other land by agreement, whether by purchase, exchange, lease, licence or otherwise, for the purpose of developing it or of procuring its development together with the land already belonging to them.

Powers of investment. 16C. The directors may invest and deal with the moneys of the Company not immediately required for the purposes of the undertaking and may deal with the securities and other investments of the Company in such manner as they may from time to time determine.”

6. In section 24 (Newspaper for advertisements) for the reference to the county of Glamorgan there shall be substituted a reference to the county of Mid Glamorgan.

7. In the Schedule, for the powers to demand and take specified stallages, rents, tolls or charges there shall be substituted powers to demand and take such charges as the Company may determine.

SCHEDULE 2

Section 4.

PART I

PROVISIONS OF THE ACT OF 1877 CEASING TO HAVE EFFECT UPON THE ADOPTION OF TABLE A

So much of section 2 (Incorporation of general Acts) as incorporates the Companies Clauses Consolidation Act 1845, Parts I and III of the Companies Clauses Act 1863 and the Companies Clauses Act 1869; 1845 c. 16.
1863 c. 118.
1869 c. 48.

- Section 8 (Capital);
- Section 9 (Shares not to be issued until one-fifth paid);
- Section 10 (Calls);
- Section 14 (Debenture stock);
- Section 18 (Number of directors);
- Section 19 (Qualification of directors);
- Section 20 (Quorum);
- Section 21 (Quorum of general meetings);
- Section 22 (First directors. Election of directors);
- Section 24 (Newspapers for advertisements).

PART II

PROVISIONS OF THE ACT OF 1877 REPEALED

- Section 7 (Description of lands for Market);
- Section 17 (First ordinary meeting);
- Section 25 (Lands for extraordinary purposes);
- Section 26 (Period for compulsory purchase of lands);
- Section 27 (Power to take easements &c. by agreement);
- Section 28 (Power to purchase existing Market and other rights);
- Section 39 (Expenses of Act).

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Pontypridd Markets Fairs and Town Hall Act 1987

CHAPTER xii

ARRANGEMENT OF SECTIONS

Section

1. Citation.
2. Interpretation.
3. Amendment of Act of 1877.
4. Repeal.
5. Costs of Act.

SCHEDULES—

Schedule 1—Amendments of Act of 1877.

Schedule 2—Part I—Provisions of the Act of 1877
ceasing to have effect upon the
adoption of Table A.

Part II—Provisions of the Act of 1877
repealed.