



## CHAPTER cxv.

An Act to confirm a Provisional Order made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Burnham in the county of Somerset. A.D. 1906.

[20th July 1906.]

**W**HEREAS 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 Provisional Order 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 King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

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

2. This Act may be cited as the Pier and Harbour Order Confirmation (No. 3) Act 1906. Short title.

A.D. 1906.

SCHEDULE.

## BURNHAM (SOMERSET) PIER.

*Burnham. Provisional Order for the construction maintenance and regulation  
of a Pier at Burnham in the County of Somerset.*

*Preliminary.*Short title and  
commence-  
ment.

1.—(1) This Order may be cited as the Burnham (Somerset) Pier Order 1906.

(2) This Order shall come into force upon the day when the Act confirming this Order is passed and that day is in this Order referred to as “the commencement of this Order.”

Interpretation.

2. In this Order unless the context otherwise requires the following words and expressions shall have the meanings herein-after assigned to them namely:—

“The council” means the urban district council of Burnham;

“The Bridgwater Corporation” means the mayor aldermen and burgesses of the borough of Bridgwater;

“The Bridgwater harbour master” means the harbour master for the time being appointed and employed by the Bridgwater Corporation;

“The Act of 1845” means the Act passed in the 8th and 9th years of the reign of Her late Majesty Queen Victoria cap. lxxxix. intituled “An Act for improving the navigation of the river and bay leading to the borough of Bridgwater for maintaining the present bridge and extending the quays within the borough and for forming a communication by road and by railway between the quays and the Bristol and Exeter Railway”;

“The Act of 1855” means the Somerset Central Railway Act 1855;

“The existing structure” means the pier jetty and paved way authorised by the Act of 1855 and the works connected therewith;

“The pier” means the pier and works authorised by this Order and includes the existing structure.

*Undertakers &c.*

Undertakers.

3. The Burnham Investment Syndicate Limited (herein-after called “the Undertakers”) shall be the Undertakers for carrying this Order into execution.

4. From and after the commencement of this Order the existing structure shall be by virtue of this Order transferred to and vested in the Undertakers and thereupon all documents books maps plans writings and effects relating exclusively to the existing structure or the title of the council thereto or the management and user thereof which are the property of the council shall be handed over by the council to and become the property of the Undertakers.

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Transfer of existing structure.

5.—(1) The powers given by this Order shall not be exercised unless within six months or such extended period not exceeding in the whole twelve months as the Board of Trade allow after the commencement of this Order the Undertakers transfer the existing structure to a company to be incorporated under the Companies Acts 1862 to 1900 for the purpose of carrying into effect the powers of this Order.

Powers not to be exercised unless existing structure transferred to a company.

(2) Within that period the Undertakers may transfer and the said company may take a transfer of the undertaking with the consent of and on such terms and conditions as may be approved by the Board of Trade.

(3) On any such transfer the rights powers authorities obligations and liabilities of the Undertakers in respect to the undertaking shall be transferred to and may be exercised by and shall attach to the said company and the said company shall subject to the provisions of this Order become the Undertakers for the purposes of this Order.

6. If within the period in the preceding section mentioned the existing structure is not transferred to such company as therein mentioned the existing structure shall at the expiration of the said period of six months or such extended period as aforesaid be by virtue of this Order transferred to and re-vested in the council with all the powers and liabilities which immediately before the commencement of this Order were vested in or belonged to the council and thereupon all documents books maps plans writings and effects which shall under this Order have been handed over to the Undertakers by the council shall be delivered by the Undertakers to and shall become the absolute property of the council.

Re-transfer of existing structure if same is not transferred to a company.

*Limits.*

7.—(1) The limits within which the Undertakers shall have authority and within which the powers of the piermaster may be exercised shall comprise—

Limits of Order.

- (i) the existing structure ;
- (ii) the pier and an area below high-water mark lying within one hundred and fifty yards from the north and south sides respectively of the pier ; and
- (iii) any land acquired under this Order which limits are in this Order termed " the limits of this Order."

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(2) The Undertakers shall erect and maintain on the shore at a distance of one hundred and fifty yards from each side of the pier a conspicuous post or other mark and shall affix thereto a notice stating that it marks the distance of one hundred and fifty yards from the pier.

Saving rights  
of council.

8. Nothing in the preceding section contained shall prejudicially affect any rights and privileges vested in or exerciseable by the council over and along the foreshore within the limits of this Order Provided always that such rights and privileges shall not be exercised so as to prejudice or interfere with the proper user and management by the Undertakers of the pier.

Saving of juris-  
diction of  
Bridgwater  
harbour-mas-  
ter.

9.—(1) The Undertakers shall not without the consent of the Bridgwater harbour-master or his deputy moor or permit to be moored any vessel alongside (that is to say abreast) of any other vessel pontoon or other structure which is moored at the western end of the pier and shall not except in cases of emergency permit any vessel to continue to be moored at the western end of the pier for more than one hour at a time.

(2) If at any time the Bridgwater harbour-master or his deputy shall require any vessel moored at the western end of the pier to be moved on the ground that the vessel so moored constitutes a danger to navigation the Undertakers shall (whether the vessel is so moored on account of emergency or otherwise) forthwith cause that vessel to be unmoored and moved.

*Acquisition of Lands.*Incorporation  
of Lands  
Clauses Acts.

10. 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) are incorporated with and form part of this Order.

Power to ac-  
quire lands by  
agreement and  
lands for ex-  
traordinary  
purposes.

11.—(1) For the purposes of the works authorised by this Order the Undertakers may by agreement enter upon take and use such of the lands shown on the plan deposited for the purposes of this Order as they may think requisite for the purposes of those works.

(2) The Undertakers may purchase and hold for extraordinary purposes any lands not exceeding in the whole five acres but nothing in this section shall exempt the Undertakers from any proceedings for nuisance caused or permitted by them on land taken by them under the powers conferred by this section.

Power to take  
easements &c.  
by agreement.

12. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Order grant to the Undertakers any easement right or privilege (not being an easement right or privilege of water in which other persons than the grantors have an interest) required for the purposes of this Order in over or affecting any such lands and the provisions of the said Acts with respect to lands so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

*Works.*

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13.—(1) Subject to the provisions of this Order and subject also to such alterations (if any) in the plan and sections deposited with reference to this Order as the Board of Trade may require before the completion of the pier the Undertakers may in the lines 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 those plans alter and maintain the existing structure and make and maintain the works authorised by this Order.

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 Power to execute and maintain works.

(2) Nothing in this Order contained shall authorise the Undertakers to construct any part of the works authorised by this Order or any conveniences connected therewith seaward of the western top of the stone portion of the existing structure.

14.—(1) The works authorised by this Order are as follows:—

Description of works.

- (i) A pier commencing at a point three hundred feet or thereabouts south of the south end of the south shelter on the Esplanade and extending seawards in a westerly direction to and terminating at a point represented by the western top of the stone portion of the existing structure which is one thousand two hundred and twenty feet from the west end of the Somerset and Dorset Railway Station:

The pier may be constructed as a solid pier or as an open pier or partly in one way and partly in the other:

- (ii) The removal of not more than thirty-five feet of the west end of the stone portion of the existing structure and the facing with new masonry of the existing structure at the place where such part is removed:
- (iii) A wall commencing at a point two hundred and fifty feet or thereabouts south of the south shelter aforesaid and continuing for a distance of seventy-one feet in a southerly direction such wall to be erected with the approval and to the satisfaction of the Somersetshire Drainage Commissioners or their engineer for the time being but such approval shall not be unreasonably withheld.

(2) The said works will be situate in the parish and urban district of Burnham in the county of Somerset and on the foreshore or in the sea and bed thereof adjacent or near thereto.

15.—(1) Subject to the provisions of this Order the Undertakers may in connexion with the works authorised by this Order and the existing structure construct provide and maintain all such buildings structures shelters platforms lamps lamp-posts lighting apparatus toll-gates cranes lifts approaches ways walls landing-places buoys mooring-posts and other works appliances and conveniences as they may deem necessary or proper and may lay down and maintain railways sidings and other works and conveniences

Incidental works.

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on and along the pier and on the land lying between it and the property of the Somerset and Dorset Joint Railway Company and on and over any lands acquired by the Undertakers under the powers of this Order.

(2) No railway shall be laid down on the land lying between the pier and the property of the Somerset and Dorset Joint Railway Company so as to affect the works under the jurisdiction of the Somersetshire Drainage Commissioners without the consent of those Commissioners but such consent shall not be unreasonably withheld.

(3) No line of rails constructed under the powers of this Order shall be used for the public conveyance of passengers unless and until the same shall have been inspected and certified by the Board of Trade to be fit for such traffic.

(4) Any electric lighting apparatus constructed and provided under this Order shall be so constructed used and worked as to prevent any interference with telegraphic communication by means of any telegraph line of the Postmaster-General or with telephone communication by means of any apparatus of the National Telephone Company Limited.

Power to  
dredge.

16.—(1) The Undertakers may within the limits of this Order and seawards within an area lying within seventy-five yards from those limits deepen dredge scour and excavate any portion of the foreshore and bed of the sea for the purpose of improving the entrances and channels to the pier.

(2) All sand mud and materials dredged up under the powers in the last preceding subsection contained shall be the property of the Undertakers who may from time to time sell use or otherwise dispose of the same Provided that no sand mud or other material shall be deposited below high-water mark without the previous consent in writing of the Board of Trade.

(3) If in the exercise of the powers by this section conferred on them the Undertakers shall cause any damage to the sewer running to the north of the south shelter and belonging to the council the Undertakers shall forthwith make good any such damage to the satisfaction of the surveyor for the time being of the council.

(4) Nothing in this section contained shall authorise the Undertakers to damage or weaken any of the defences or works for the time being under the jurisdiction of the Somersetshire Drainage Commissioners.

(5) The Undertakers shall not exercise the powers by this section conferred on them without the consent in writing of the Bridgwater Corporation but such consent shall not be withheld to any works under this section which shall have been sanctioned by the Board of Trade.

Power to con-  
struct groynes.

17.—(1) The Undertakers may with the previous consent in writing of the Board of Trade and of the Bridgwater Corporation construct and maintain groynes for preventing damage or injury to the pier and foreshore The Undertakers shall give to the council the Bridgwater Corporation and the Somersetshire Drainage Commissioners respectively two months' previous

notice of their intention to apply to the Board of Trade for any consent under this section and such notice shall be accompanied by plans sections and specifications of the proposed works.

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(2) The consent of the Bridgwater Corporation shall not be withheld to any works under this section which shall have been sanctioned by the Board of Trade.

18. Subject to the provisions of this Order the Undertakers in constructing the pier may with the consent in writing of the Board of Trade deviate laterally to any extent within the limits of deviation shown on the deposited plans and may with the like consent deviate vertically to any extent.

Powers of deviation.

19.—(1) The Undertakers may construct provide and maintain on the pier and may furnish stock and equip and make such charges as they think fit for the use of and admission to platforms pavilions saloons assembly refreshment and other rooms shops aquaria baths sanitary and other conveniences and the Undertakers may let the pavilions and other works and things constructed or provided under this section or any of them for such period not exceeding seven years and upon such terms and conditions as they think fit.

Power to erect pavilions &amp;c.

(2) The Undertakers may at any time and as and when they think proper close any of the pavilions and other works and things constructed or provided under this section to the general public.

20. 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 that person shall for each offence be liable to a penalty not exceeding five pounds.

Penalty for obstructing works.

21.—(1) If within two years from the commencement of 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.

Powers to cease in certain events.

(2) If those works 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 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 commencement of 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 for the purposes of this Order be conclusive evidence of the facts stated in that certificate.

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*Burnham.*Consent of  
Board of Trade  
to works below  
high-water  
mark.Vessels not  
allowed to moor  
to pier nor an-  
chor within  
limits of Order.

22. Works authorised by this Order below high-water mark shall not be commenced without the consent in writing of the Board of Trade and shall be executed only in accordance with the terms of such consent.

23. No vessel or boat of any kind shall be moored to or alongside the pier nor anchor within the limits of this Order without the consent of the Undertakers or their piermaster. Provided always that fishing and pleasure boats shall have the right to anchor within the limits of this Order on the south side of the pier but only in such positions as the piermaster shall direct.

*Finance.*Power to bor-  
row.

24.—(1) Subject to the powers in this behalf of the Undertakers under their regulations for the time being the Undertakers may borrow and re-borrow on mortgage or otherwise at interest not exceeding the rate of five per centum per annum on the security of the rates and charges authorised by this Order such sum as may be required for the purposes of this Order not exceeding in the whole ten thousand pounds and may assign those rates and charges as security for the repayment of any moneys so borrowed with interest thereon as aforesaid.

(2) All moneys borrowed under this Order shall be applied in defraying the cost of the works authorised by this Order or for other purposes of this Order to which capital is properly applicable and not otherwise.

Protection of  
lenders.

25. Any person advancing money to the Undertakers shall not be bound to require any further or other evidence of the power of the Undertakers to borrow the money advanced by such person than such as is afforded—

(A) By a certificate signed by two of the directors and countersigned by the secretary of the Undertakers that the Undertakers are not exceeding the powers of borrowing conferred on them by the regulations of the Undertakers for the time being and this Order; and

(B) By an inspection of the register of mortgages by the Companies Acts 1862 to 1900 required to be kept by the Undertakers.

Appointment  
of receiver.

26.—(1) The mortgagees in respect of money borrowed under this Order may enforce payment of arrears of interest or principal or principal and interest due on their securities by the appointment of a receiver.

(2) In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than one-tenth of the sum for the time being due on account of money borrowed under this Order.

(3) Sections 53 and 54 of the Companies Clauses Consolidation Act 1845 are incorporated with this Order and in those sections as so incorporated any reference to the Special Act shall be construed as a reference to this Order.



*Rates.*

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rates.

27. When in addition to the certificate to be granted under the twenty-sixth section 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 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 conveniences connected therewith demand receive and recover any sums not exceeding the several rates and sums specified in the schedule to this Order.

28. 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 by means of those works for persons frequenting the pier or for the landing and embarking of passengers and goods 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 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 with the increased accommodation afforded.

Rates may be  
levied though  
works not  
completed.

29.--(1) The Undertakers may grant to passengers and promenaders or others for the use of the pier (either exclusively or not of any building or room for the time being thereon) pass tickets or family tickets at such rates on such terms and for such periods not exceeding one year as may be agreed upon and may issue books containing any number of pass tickets at a reduced rate and day tickets available for one day or part of a day only but for any number of admissions on such day or part of a day at a reduced rate but so that no preference be given to any person.

Family and day  
tickets.

(2) The Undertakers shall have power to prescribe the terms and conditions on which family tickets are issued and the persons by whom such tickets may be used.

(3) A pass ticket shall not be transferable and shall not be used by any person except the person to whom it is granted. A family ticket shall not be used otherwise than in accordance with the conditions on which it is issued. No pass ticket or family ticket shall be used by any person after the period limited for its use.

(4) There shall be printed on every pass ticket and family ticket the terms and conditions on which the same is issued.

(5) If any person wilfully and with intent to defraud acts in any way in contravention of the provisions of this section or uses or attempts to use any false or counterfeit ticket he shall for each offence be liable to a penalty not exceeding twenty shillings.

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(6) The Undertakers may make special arrangements with and concessions to fishermen for admission to the pier for such periods and on such terms and conditions as the Undertakers think fit so that no preference be given to one fisherman over another.

Rates for use  
of buildings &c.

30. The Undertakers may so far as the rates specified in the schedule to this Order do not extend demand and recover reasonable rates or other considerations for the use of any buildings railways cranes works and conveniences belonging to or provided by the Undertakers or in respect of any services rendered by them in connexion with the pier.

Contracts with  
railway com-  
panies &c.

31. The Undertakers may from time to time in connexion with and for the purposes of their undertaking enter into and carry into effect contracts and agreements with railway and other companies shipowners owners of boats and vessels and other persons with reference to the receiving forwarding and conveyance of passengers and traffic of all kinds including the user by any such company or person of the pier and other works or things by this Order authorised and may for the like purposes act as general shipping and forwarding agents provided that no undue preference be given to any company or person under any such contract or agreement.

Power to close  
pier on special  
occasions &c.

32.—(1) The Undertakers may on special occasions but not exceeding twelve days in any one year or for more than two days consecutively close the pier against the public and may if they think fit on those occasions admit any persons to the pier on payment of such special rates of admission not exceeding one shilling for each person as the Undertakers may think fit.

(2) On all such occasions the Undertakers shall reserve a sufficient passage along the pier from the landing stage or steps to the shore for all persons landing or embarking at the pier or jetties the reserved passage to be open for use by such persons at the ordinary charge and without payment of any special rates so long only as they use the pier as a passage to or from the shore and do not remain upon it.

(3) The special rate charged under this section for the use of the pier shall be in lieu of and not in addition to the rates specified in the schedule to this Order and any person paying the special rate shall not be liable to pay any further or other rate or sum for admission to the pier on the day for which the special rate is charged.

(4) The Undertakers shall give notice of their intention to close the pier under this section by exhibiting the notice conspicuously at the entrance to the pier during at least two days before the day on which the pier is to be closed.

Power to  
charge higher  
rates at certain  
times.

33.—(1) Notwithstanding anything contained in this Order the Undertakers may charge for every person entering upon and using the pier between the hours of 6 p.m. and 10 p.m. on any day on which a concert or other public entertainment (lasting for at least one and a-half hours between the said hours of 6 p.m. and 10 p.m.) is held on the pier or in any pavilion

building or room for the time being on the pier any sum not exceeding sixpence.

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(2) Any person who having already paid the ordinary charge for using the pier remains on the pier after 6 p.m. on any such day as in the preceding subsection mentioned shall have credit for the sum already paid by him and shall be liable in addition thereto to pay only the difference between the special charge and the sum already paid by him as aforesaid.

(3) The Undertakers shall notwithstanding the progress of any concert or other public entertainment reserve a sufficient passage along the pier for all persons landing or embarking at the pier or jetties and that reserved passage shall be open for use by such persons at the ordinary charge and without payment of the special rate by this section authorised so long as they use the pier as a passage only and do not remain upon it.

34. The Undertakers may confer vary or extinguish exemptions from and enter into composition with any person with respect to the payment of the rates and charges authorised by this Order but so that no undue preference be in any case given to any person over any other person and that anything done under this section shall not prejudice the other provisions of this Order.

Power to vary exemptions from rates and to enter into compositions &c.

35. The Undertakers may from time to time lease the rates and charges authorised to be taken by them under this Order or any part thereof for a period not exceeding seven years from the date of the lease on such terms and conditions and for such rent or consideration as they may think fit and the lessee shall have and may exercise during the continuance of his lease the same powers of levying and recovering rates and charges as the Undertakers have or might exercise under the Harbours Docks and Piers Clauses Act 1847 or this Order and shall be subject to the same provisions as to accounts and otherwise as the Undertakers are subject to under this Order.

Power to lease rates.

36.—(1) The Undertakers shall within one month after sending to the clerk of the peace a copy of their annual account in abstract 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.

Annual accounts to be sent to Board of Trade.

(2) The account shall be made up to the end of the thirty-first day of March in each year.

(3) The Undertakers shall as from the expiration of the said period of one month be liable to a penalty not exceeding twenty pounds for every week or part of a week during which they refuse or neglect to comply with this section.

37. If at any time the clear annual income derived from the pier on the average of the then three last preceding years after payment of all expenses and outgoings and any contributions towards the contingency fund authorised by this Order exceeds interest at the rate of ten per centum per annum on the entire sum appearing to the Board of Trade to have been

Board of Trade may reduce rates.

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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 or any of them to such amount as will be sufficient to provide the last-mentioned interest at the rate of ten per centum per annum and the rates shall thereupon be reduced accordingly with power to the Board of Trade at any time to raise them again to sums not exceeding the amounts specified in the schedule to this Order.

Exemption of  
lifeboat crews.

38. 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 actually employed in saving life and also all persons brought ashore from any vessel in distress shall at all times have free ingress passage and egress to and along and on and from the pier.

Exemption of  
certain foreign  
fishing vessels.

39. Fishing vessels belonging to the United Kingdom or 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 coast of the United Kingdom shall when forced by stress of weather to make use of the pier and not breaking bulk while making use thereof be exempt from rates leviable under this Order.

Exemption of  
fishermen and  
boatmen and  
pilots.

40. All fishermen and licensed boatmen and all pilots shall when exercising their respective callings but not for any other purpose have free ingress passage and egress to along and from the pier without payment of any rates or dues under this Order either for themselves or their vessels respectively.

Exemption of  
members and  
officials of  
Bridgwater  
Corporation  
Bridgwater  
Port Sanitary  
Authority and  
Somersetshire  
Drainage Com-  
missioners.

41. Members and officials of the Bridgwater Corporation when exercising or performing their official powers or duties under the Act of 1845 or otherwise in relation to the navigation referred to in that Act but not for any other purpose and members and officials of the Bridgwater Port Sanitary Authority and of the Somersetshire Drainage Commissioners when exercising or performing their official powers or duties respectively but not for any other purpose shall respectively have free ingress passage and egress to along and from the pier without payment of any dues or charges under this Order either for themselves or their vessels.

Restrictions on  
right to load  
and discharge  
cattle &c.

42. Nothing in this Order or in any Act shall entitle any person with any vessel or boat to load or discharge at the pier any sheep cattle or merchandise or to load or discharge there anything which in the judgment of the Undertakers might in any manner interfere with the use of the pier for recreation or for the embarking or landing of passengers.

Application  
of rates &c.  
received.

43. The revenue received from rates and charges authorised by this Order shall be applied for the purposes and in the order following and not otherwise:—

- (1) In paying the expense properly chargeable to revenue of the maintenance repair and management of the pier and of carrying into effect any powers given by this Order;

- (2) In payment year by year of the interest accruing on money borrowed under this Order ; A.D. 1906.  
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- (3) The surplus (if any) after providing for the purposes aforesaid shall belong to the Undertakers for their own use.

*Byelaws.*

44.—(1) Without prejudice to the power of making byelaws conferred by section 83 of the Harbours Docks and Piers Clauses Act 1847 the Undertakers may make byelaws for all or any of the following matters (that is to say) :— Power to make  
byelaws.

For regulating the collection and levying of the rates tolls and charges authorised by this Order ;

For regulating the conditions of the user of any portion of the pier or any of the buildings erected thereon ;

For regulating the conduct of persons frequenting the pier and buildings and conveniences and preserving order thereon and therein ;

For the regulation and control of vessels and boats and the prevention of nuisance or annoyance by smoke and noise or otherwise and the prevention of refuse of any kind being thrown into the sea within the limits of this Order.

(2) The byelaws may provide for imposing a penalty not exceeding forty shillings in any case of breach or non-observance of any byelaw.

(3) A byelaw under this section, or under the enactments incorporated herewith shall not come into operation until it has received the allowance and confirmation of the Board of Trade and that allowance and confirmation shall be sufficient for all purposes.

(4) One month at least before any byelaw is submitted to the Board of Trade for allowance and confirmation a copy thereof shall be forwarded by post to the Bridgwater Corporation.

(5) Sections 84 and 85 of the Harbours Docks and Piers Clauses Act 1847 shall not be incorporated with this Order.

*Lights.*

45.—(1) 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 other means to be taken for preventing danger to navigation and shall in all respects obey any directions given upon that application or afterwards given as to the like matters 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 those matters during the construction of the works. As to lights  
during con-  
struction of  
works.

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(2) The Undertakers shall be liable to a penalty not exceeding ten pounds for every day during which they omit so to apply or refuse or neglect to observe any such direction.

(3) Simultaneously with any application to the Board of Trade under this section the Undertakers shall forward by post to the Bridgwater Corporation a copy of that application.

As to lights  
after comple-  
tion of works.

46.—(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 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) and take such other steps for the prevention of danger to navigation as may be directed by the Corporation of Trinity House Deptford Strond and shall apply to that Corporation for such directions.

(2) The Undertakers shall be liable to a penalty not exceeding ten pounds for every day during which they omit so to apply or refuse or neglect to obey any such directions.

(3) Simultaneously with any application under this section the Undertakers shall forward by post to the Bridgwater Corporation a copy of that application.

Provisions  
against danger  
to navigation.

47.—(1) In case of injury to or destruction or decay of the works 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 Deptford Strond and shall apply to that Corporation for such directions.

(2) The Undertakers shall be liable to a penalty not exceeding ten pounds for every day during which they omit so to apply or refuse or neglect to obey any such directions.

*Life-Saving Apparatus.*Life-saving  
apparatus may  
be attached to  
pier.

48. 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 without payment attach or cause to be attached to any part of the pier 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.

Lifebuoys to  
be kept.

49. The Undertakers shall at all times keep at convenient places on the pier and in obedience to any requirements which may from time to time be made by the Board of Trade lifebuoys and lifelines in good order and fit and ready for use.

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50. Sections 16 to 19 of the Harbours Docks and Piers Clauses Act 1847 are not incorporated with this Order.

*Burnham.*

Sections of Harbours Clauses Act as to life-saving apparatus &amp;c. excepted.

*Miscellaneous.*

51. The Undertakers shall have the appointment of meters and weighers on or in connexion with the pier.

Meters and weighers.

52. Sections 28 and 99 of the Harbours Docks and Piers Clauses Act 1847 as incorporated with this Order shall apply to and for the benefit of any Government department in the same manner as they apply to and for the benefit of the Government departments specially named in those sections.

Extension of 10 &amp; 11 Vict. c. 27. (sections 28 and 99) to all Government departments.

53. Nothing in this Order affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Undertakers to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent the said Commissioners and Board are hereby respectively authorised to give).

Saving of Crown rights.

54. Nothing in this Order shall affect any right of the Bridgwater Corporation to demand and receive the rates authorised by the Act of 1845 or except as is by this Order expressly provided take away prejudice or affect any of the rights or privileges conferred on the Bridgwater Corporation by that Act.

Saving rights of Corporation of Bridgwater.

55. Any dispute question or difference arising upon the construction of or as to any matter or thing to be done or otherwise under this Order between the Undertakers on the one hand and the Bridgwater Corporation the council or the Somersetshire Drainage Commissioners on the other hand shall be determined by an arbitrator to be appointed by the Board of Trade upon the application of either party to such dispute question or difference.

Reference of disputes &amp;c.

56. The pier shall for all purposes be deemed and taken to be within and form part of the parish and urban district of Burnham in the county of Somerset.

Pier and works to be deemed within parish of Burnham.

57. 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 Undertakers.

Costs of Order.

A.D. 1906.

Burnham.

The SCHEDULE referred to in the foregoing Order.

## I.—RATES FOR USE OF 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 time any sum not exceeding ... ..	0	0	4
For every person who shall land on the pier from or embark from it on board of any yacht pleasure boat or fishing boat for each time a sum not exceeding ... ..	0	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 time any sum not exceeding ... ..	0	0	2
For every bath or sedan chair taken on the pier for each time any sum not exceeding... ..	0	0	4
For every bicycle or tricycle taken on the pier for each time any sum not exceeding ... ..	0	0	2
For every perambulator taken on the pier for each time any sum not exceeding ... ..	0	0	2
For every motor car or carriage taken on the pier for each time any sum not exceeding... ..	0	2	6
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 an annual sum not exceeding ... ..	1	0	0
Or if the annual sum is not paid for each time ... ..	0	0	2

II.—RATES ON PASSENGERS' LUGGAGE LANDED SHIPPED OR  
TRANSHIPPED AT THE PIER.

For every trunk portmanteau box parcel or other package within the description of luggage and not borne by passengers not exceeding 28 pounds ... ..	0	0	2
Over 28 pounds and not exceeding 84 pounds ... ..	0	0	4
Over 84 pounds and not exceeding 112 pounds ... ..	0	0	5
Over 112 pounds and not exceeding 140 pounds ... ..	0	0	6
Over 140 pounds and not exceeding 196 pounds ... ..	0	0	7
Over 196 pounds and not exceeding two cwt. ... ..	0	0	8
And for every 20 pounds weight in addition... ..	0	0	1



## III.—RATES ON VESSELS USING THE PIER.

	£	s.	d.
For every vessel under the burden of 15 tons ...	0	0	4
For every vessel of a burden of 15 tons and under 50 tons ...	0	0	6
For every vessel of the burden of 50 tons and under 100 tons ...	0	0	8
For every vessel of the burden of 100 tons and under 150 tons ...	0	0	10
For every vessel of the burden of 150 tons and upwards ...	0	1	0
For every lighter for each trip ...	0	0	2
All boats entirely open landing or taking on board passengers or goods each ...	0	0	6

A.D. 1906.

—  
*Burnham.*

## IV.—RATES ON GOODS SHIPPED TRANSHIPPED OR UNSHIPED AT THE PIER.

Ale beer and porter in cask per 54 gallons ...	0	0	6
Ale beer or porter bottled per 35 gallons ...	0	0	4
Ale beer or porter bottled per dozen Imperial quarts ...	0	0	2
Ale beer or porter bottled per dozen Imperial pints ...	0	0	1
Anchors per cwt. ...	0	0	3
Anchor stock per foot run ...	0	0	3
Ballast per ton ...	0	1	6
Bark per ton ...	0	1	6
Beef or pork per cwt. ...	0	0	3
Biscuits or bread per cwt. ...	0	0	3
Blubber per 252 gallons ...	0	3	0
Bones and bone dust per ton ...	0	1	0
Bottles per gross ...	0	0	9
Bricks per 1000 ...	0	1	0
Butter and lard per cwt. ...	0	0	2
Bicycles each ...	0	0	2
Cables iron or hempen per ton ...	0	3	0
Canvas per 40 yards ...	0	0	1
Carriages chaises and other four-wheeled carriages each ...	0	7	6
Gigs carts and other three or two-wheeled carriages each ...	0	5	0
Hand carts each ...	0	1	0
Casks (empty) not being returned packages each ...	0	0	3
Cattle--			
Bulls cows and oxen each ...	0	1	0
Calves each ...	0	0	9
Horses each ...	0	1	0
Mules ponies or donkeys each ...	0	1	0
Pigs each ...	0	0	3
Sheep each ...	0	0	3
Chalk per ton ...	0	1	0
Cheese per cwt. ...	0	0	4

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						£	s.	d.
Chimney pots each	...	...	...	...	...	0	0	2
Clay per ton	...	...	...	...	...	0	1	0
Cloth haberdashery &c. per cwt.	...	...	...	...	...	0	0	6
Coals per ton	...	...	...	...	...	0	6	6
Copper per ton	...	...	...	...	...	0	3	0
Cordage per cwt.	...	...	...	...	...	0	0	3
Corks per cwt.	...	...	...	...	...	0	0	6
Crystal per ton	...	...	...	...	...	0	5	0
Dogs each	...	...	...	...	...	0	0	6
Drugs (in casks hampers or boxes) per cubic foot	...	...	...	...	...	0	0	2
Earthenware (in crates) per cubic foot	...	...	...	...	...	0	0	1
Eggs per cwt.	...	...	...	...	...	0	0	2
Fish of all kinds per cwt.	...	...	...	...	...	0	0	2
Flax per ton	...	...	...	...	...	0	2	0
Flour and meal per 4 bushels	...	...	...	...	...	0	0	3
Flour and meal per cwt.	...	...	...	...	...	0	0	1
Furniture (household) per 5 cubic feet	...	...	...	...	...	0	0	4
Fruit per bushel	...	...	...	...	...	0	0	6
Fuel (manufactured) per ton	...	...	...	...	...	0	0	6
Glass per cwt.	...	...	...	...	...	0	1	0
Grains and seeds per cwt.	...	...	...	...	...	0	1	0
Groceries not enumerated per cwt.	...	...	...	...	...	0	0	6
Guano per ton	...	...	...	...	...	0	1	0
Gunpowder per cwt.	...	...	...	...	...	0	0	6
Hams bacon or tongues per cwt.	...	...	...	...	...	0	0	4
Hardware per ton	...	...	...	...	...	0	2	6
Hares and rabbits per dozen	...	...	...	...	...	0	0	4
Hay per ton	...	...	...	...	...	0	1	6
Hemp per ton	...	...	...	...	...	0	2	0
Hides—								
Ox cow or horse (wet or dry) each	...	...	...	...	...	0	0	2
Ice per ton	...	...	...	...	...	0	1	0
Iron—								
Bar bolt rod and shots per ton	...	...	...	...	...	0	1	6
Pig and old per ton	...	...	...	...	...	0	1	0
Manufactured per ton	...	...	...	...	...	0	2	6
Pots each	...	...	...	...	...	0	0	1
Kelp per ton	...	...	...	...	...	0	2	0
Lead per ton	...	...	...	...	...	0	2	0
Leather tanned and dressed per cwt.	...	...	...	...	...	0	0	3
Lime per 28 bushels	...	...	...	...	...	0	1	4
Limestone per ton	...	...	...	...	...	0	0	6
Machinery per ton	...	...	...	...	...	0	2	6
Manure (not enumerated) per ton	...	...	...	...	...	0	1	0
Masts and spars 10 inches in diameter and upwards each	...	...	...	...	...	0	4	6
Masts and spars under 10 inches in diameter each	...	...	...	...	...	0	3	0

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*Pier and Harbour Order*  
*Confirmation (No. 3) Act, 1906.*

[Ch. cxv.]

	£	s.	d.	A.D. 1906.
Meat (fresh) per cwt. ... ..	0	0	6	<u>Burnham.</u>
Milk per gallon ... ..	0	0	0½	
Motor cars or carriages each ... ..	0	10	0	
Musical instruments per cubic foot ... ..	0	0	1	
Mussels or other bait for fish per ton ... ..	0	1	0	
Nets per 5 cubic feet ... ..	0	0	4	
Oakum per cwt. ... ..	0	0	2	
Oils per ton ... ..	0	2	0	
Oil cake per ton ... ..	0	1	6	
Oranges and lemons per cwt. ... ..	0	0	6	
Ores per ton ... ..	0	1	0	
Paint per cwt. ... ..	0	0	2	
Peat per ton ... ..	0	0	6	
Perambulators each ... ..	0	0	3	
Pitch and tar per cwt. ... ..	0	0	2	
Potatoes per cwt. ... ..	0	0	2	
Poultry and game per dozen ... ..	0	0	4	
Rags and old rope per ton ... ..	0	2	0	
Sails per cwt. ... ..	0	0	6	
Salt per cwt. ... ..	0	0	1	
Sand per ton ... ..	0	1	0	
Shrimp baskets each ... ..	0	0	2	
Skins—				
Calf goat sheep lamb or dog per dozen ... ..	0	0	6	
Slates per 24 cubic feet ... ..	0	0	3	
Spirits per 54 gallons ... ..	0	1	0	
Spirits per gallon ... ..	0	0	1	
Steel per ton ... ..	0	3	0	
Stones per 16 cubic feet ... ..	0	1	6	
Sugar per cwt. ... ..	0	0	3	
Tallow soap and candles per cwt. ... ..	0	0	3	
Tea per 56 lbs. ... ..	0	1	0	
Tiles per 1000 ... ..	0	1	0	
Tin and zinc per ton ... ..	0	3	0	
Tobacco per cwt. ... ..	0	0	3	
Tricycles each ... ..	0	0	3	
Turnips per ton ... ..	0	0	6	
Turpentine and varnish per cwt. ... ..	0	0	2	
Turtle each ... ..	0	2	6	
Vegetables (not enumerated) per cwt. ... ..	0	0	4	
Vinegar per 54 gallons ... ..	0	0	6	
Vitriol per 36 gallons ... ..	0	0	1	
Water per 54 gallons ... ..	0	0	3	
Wine per 54 gallons ... ..	0	1	0	
Wine (bottled) per gallon ... ..	0	0	1	

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						£	s.	d.
Wood per 50 feet	...	...	...	...	...	0	1	0
Firewood and laths and lathwood per 216 cubic feet	...	...	...	...	...	0	1	6
Spars and oars per 120	...	...	...	...	...	0	5	0
Treenails and wedges per 1000	...	...	...	...	...	0	2	6
Pipes staves and others in proportion per 120	...	...	...	...	...	0	2	6
Lignum vitæ and fustic logwood mahogany and rosewood								
per ton	...	...	...	...	...	0	2	0
Wool per cwt.	...	...	...	...	...	0	0	2
Yarn per cwt.	...	...	...	...	...	0	0	2

## ALL OTHER GOODS NOT PARTICULARLY ENUMERATED ABOVE.

Light goods per cubic foot	...	...	...	...	...	0	0	1
Heavy goods per ton	...	...	...	...	...	0	2	0

In charging the rates on goods the gross weight or measurement of all goods to be taken and for any less weights measures and quantities than those above specified a proportion of the respective rates shall be charged.

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