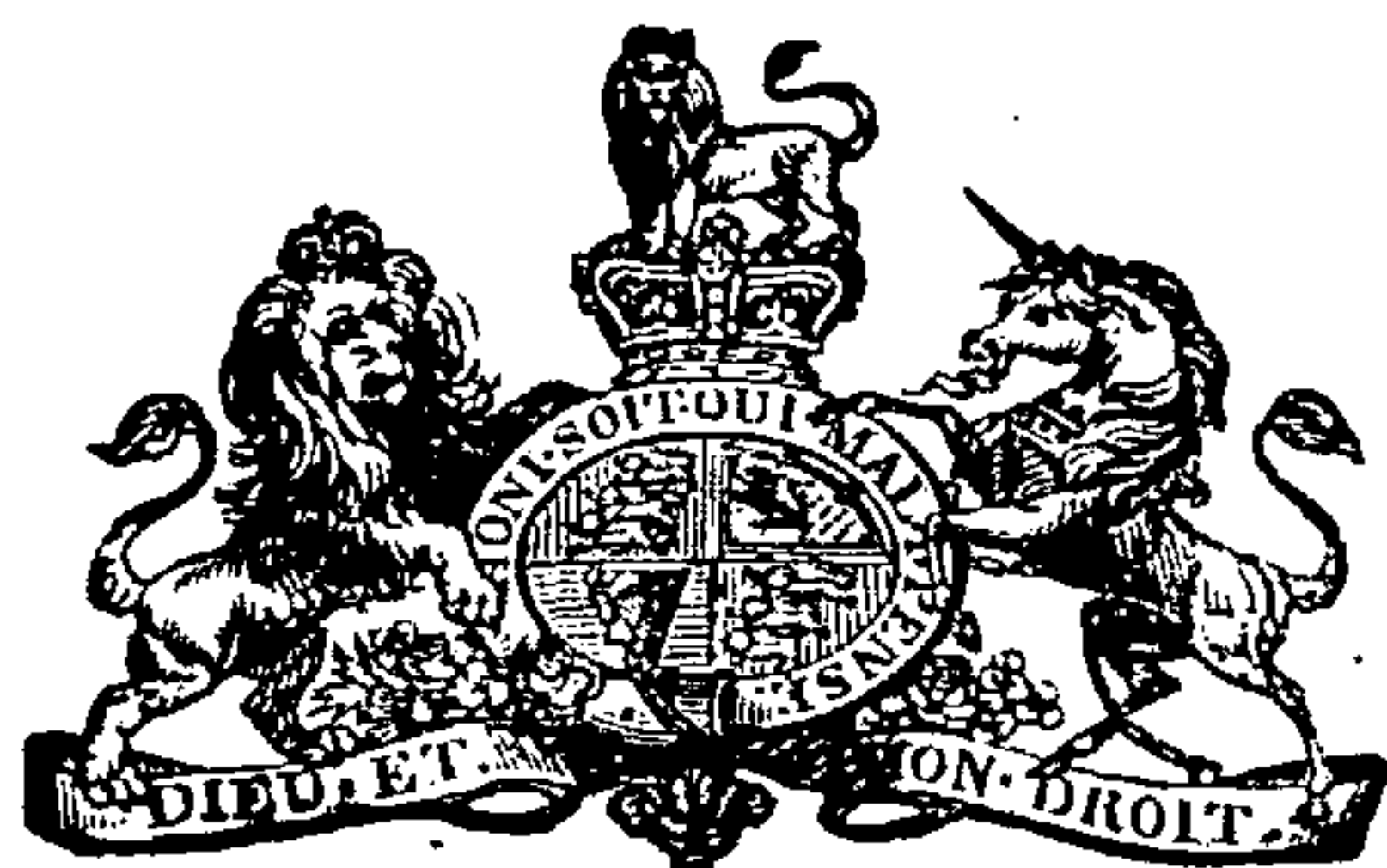


[53 & 54 VICT.] *Pontypridd (Mill Street and Rhondda Road, &c.) Improvements Act, 1890.* [Ch. cxxv.]



CHAPTER cxxv.

An Act to authorise the improvement of certain Streets in the town of Pontypridd in the county of Glamorgan and for other purposes. A.D. 1890.
[25th July 1890.]

WHEREAS the widening and improvement of Rhondda Road and Mill Street and in connexion therewith of Graigwen Road and Catherine Street in the town of Pontypridd in the parish of Llanwonno in the county of Glamorgan would be attended with public and local advantage :

And whereas in the month of December one thousand eight hundred and eighty-nine certain persons formed themselves into a company (herein-after called "the Limited Company") under the name of the Pontypridd Improvements Company Limited with a view to (amongst other objects) promoting the Bill for this Act and carrying this Act into execution and the Limited Company was duly registered under the Companies Acts 1862 to 1886 and it is expedient that they be empowered to carry out the said widening and improvement :

And whereas plans and sections showing the lines and levels of the works authorised by this Act the plans showing also the additional lands to be purchased compulsorily under the powers of this Act and also books of reference to the said plans respectively containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the county of Glamorgan and are herein-after respectively referred to as the deposited plans sections and books of reference :

And whereas the purposes 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

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A.D. 1890. Commons in this present Parliament assembled and by the authority of the same as follows:—

Short title. 1. This Act may be cited for all purposes as the Pontypridd (Mill Street and Rhondda Road &c.) Improvements Act 1890.

Incorporation of general Acts. 2. The Lands Clauses Acts so far as they are applicable to and are not expressly varied by or inconsistent with the provisions of this Act are incorporated with and form part of this Act.

Interpretation. 3. In this Act the several words and expressions to which meanings are assigned by the Acts incorporated with this Act have the same respective meanings unless there be something in the subject or context repugnant to such construction:

The expression "the Undertakers" means the Limited Company or their assigns:

The expression "the street improvements" means the widening and improvement of roads and streets by this Act authorised and the expression "street improvement works" means works in connexion with the street improvements:

The expression "the local board" means the local board for the district of Pontypridd:

The expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act wholly or partly incorporated with this Act shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

Power to make street improvements. 4. Subject to the provisions of this Act the Undertakers may make and maintain in the lines and according to the levels shown on the deposited plans and sections the street improvements hereinafter described with all necessary and proper approaches buildings and works connected therewith and may enter upon take and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for that purpose The street improvements herein-before referred to and authorised by this Act are respectively situate in the town of Pontypridd in the parish of Llanwonno in the county of Glamorgan and are—

(1) A widening and improvement (No. 1) of Rhondda Road partly on the north-eastern and partly on the south-western side thereof for the whole length thereof between the eastern side of the bridge carrying the Rhondda Branch of the Taff Vale Railway over the said road and the western side of the bridge carrying the main line of the said Taff Vale Railway over the said road at or near Mill Street (hereinafter referred to as "the Taff Vale main line bridge"):

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(2) A widening and improvement (No. 2) of Mill Street partly on the north-eastern and partly on the south-western side thereof from the eastern side of the Taff Vale main line bridge to the south-eastern end of the said street at its junction with Taff Street:

(3) A widening and improvement (No. 3) of Graigwen Road for the distance of about eighty feet north-westward from its junction with Rhondda Road:

(4) A widening and improvement (No. 4) of St. Catherine Street for the distance of about forty-five feet northward from its junction with Mill Street.

5. Subject to the provisions of this Act in making the street improvements the Undertakers may deviate from the lines thereof within the limits of deviation defined on the deposited plans and may deviate from the levels thereof shown on the deposited sections to any extent not exceeding two feet.

Power to deviate in constructing street improvements.

6. In addition to the other lands authorised by this Act to be taken by compulsion the Undertakers may enter upon take and use certain lands shown on the deposited plans and described in the deposited books of reference partly in the parish of Llanwonno and partly in the parish of Llantwit Fardre both in the county of Glamorgan lying on either side of or near the bridge over Rhondda river known as Rhondda Bridge.

Power to purchase additional lands compulsorily.

7. Nothing in this Act, or on the deposited plans and sections shall authorise or empower the Undertakers to stop up any part of the yard or passage between the public-house known as the Colliers' Arms and the shop of Aaron Cule and leading from Mill Street to St. Catherine Church and Market Street.

A certain yard or passage not to be stopped up.

8. The powers of the Undertakers for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Period for compulsory purchase of lands.

9. Persons empowered by the Lands Clauses Act to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Undertakers any easement right or privilege not being an easement of water required for the purposes of this Act in or over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges 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.

Power to take easements &c. by agreement.

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For the protection of the Taff Vale Railway Company.

10. For the protection of the Taff Vale Railway Company (in this section referred to as "the company") the following provisions shall unless otherwise agreed between the company and the Undertakers be observed and have effect (that is to say):—

(1) The Undertakers shall not without the consent of the company in writing under seal enter upon take use purchase or acquire any of the lands or property of the company except the lands adjoining Mill Street and the Rhondda Road which are hatched blue on the plan signed in duplicate by Arthur O. Evans on behalf of the Undertakers and by Henry O. Fisher on behalf of the company and if at any time hereafter the company shall be desirous to widen the bridge carrying their main line of railway over Mill Street or the bridge carrying their Rhondda Branch Railway over the Rhondda Road they shall be entitled in each case to construct a new bridge or widen the existing bridge over any portion of the lands which the Undertakers under the powers of this Act shall have purchased or acquired from the company without paying any compensation therefor or for any right or easement in respect thereof and without any further consent or authority from the Undertakers:

(2) The company their tenants servants agents and customers shall at all times hereafter have full and free liberty to pass with horses carts and carriages over any portion of the lands which the Undertakers under the powers of this Act shall purchase or acquire from the company to and from the lands of the company shown on the said plan and edged with a pink line:

(3) When and as soon as the Undertakers shall have acquired the strips of land adjoining the Rhondda Road hatched blue on the said plan or any part thereof they shall construct on the lands so acquired in accordance with plans and specifications to be previously submitted to and approved by the engineer for the time being of the company and to his reasonable satisfaction good and sufficient retaining walls along the entire length of the boundaries between the lands so acquired and the adjoining lands of the company:

(4) If any dispute shall arise between the company and the Undertakers respecting the matters and provisions aforesaid or any of them such dispute shall be settled by an arbitrator to be agreed upon between the parties or in case of difference to be appointed on the application of either party by the

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President for the time being of the Institution of Civil Engineers in London the costs of such arbitration to be in the discretion of the arbitrator. A.D. 1890.

11.—(1) The Undertakers shall not under the powers of this Act purchase or acquire in any city borough or other urban sanitary district or any parish or part of a parish not being within an urban sanitary district 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 unless and until the Undertakers—

Restrictions on displacing persons of labouring class.

(A) Shall have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Local Government Board shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(B) Shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced:

Provided that the Local Government Board may dispense with the last-mentioned requirement subject to such conditions if any as they may see fit.

(4) Any provisions of any scheme under this section or any conditions subject to which the Local Government Board may have approved of any scheme or of any modifications of any

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A.D. 1890. scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of Mandamus to be obtained by the Local Government Board out of the High Court.

(5) If the Undertakers acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom :

Provided that the High Court may if it think fit reduce such penalty.

(6) For the purpose of carrying out any scheme under this section the Undertakers may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require and for the purpose of any such purchase sections 176 and 297 of the Public Health Act 1875 shall be incorporated with this Act and shall apply to the purchase of lands by the Undertakers for the purposes of any scheme under this section in the same manner in all respects as if the Undertakers were a local authority within the meaning of the Public Health Act 1875 and the scheme were one of the purposes of that Act.

(7) The Undertakers may on any lands belonging to them or purchased or acquired under this section or any provisional order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply for the general purposes of their undertaking :

Provided that all lands on which any buildings have been erected or provided by the Undertakers in pursuance of any scheme under this section shall for a period of twenty-five years from the passing of this Act be appropriated for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment :

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Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this subsection subject to such conditions if any as they may see fit.

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(8) The Local Government Board may direct any inquiries to be held which they may deem necessary in relation to any scheme under this section and may appoint or employ inspectors for the purposes of any such inquiry and the inspectors so appointed or employed shall for the purposes of any such inquiry have all such powers as the inspectors of the Local Government Board have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

(9) The Undertakers shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any provisional order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

(10) 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.

12. If the works by this Act authorised are not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for making and completing the works or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

Period for completion of works.

13. The Undertakers during the making of the street improvements may stop up or cause to be temporarily stopped up all or any part of the carriageways or footways of any roads or streets which they shall think necessary for the purposes of this Act to be so stopped up.

Power to stop up ways during execution of Act.

14. Subject to the provisions of this Act and within the limits defined on the deposited plans the Company in connexion with the street improvements and as part and for the purposes thereof may make junctions and communications with any existing roads or

Power to make subsidiary works.

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A.D. 1890. streets interfered with by or contiguous to the street improvement works and may make alterations of the levels of any existing roads or streets for the purpose of connecting the same with the street improvement works and may remove alter or interfere with any gas water or other mains or pipes telegraphic or telephonic apparatus sewers or drains the Undertakers providing a proper substitute before interrupting the flow of gas or water in any main or pipe or of sewage in any sewer or drain and making compensation to all persons injuriously affected by the alteration of level or interference with any street or any premises or property :

Provided that the Undertakers shall not remove alter or interfere with any telegraphic or telephonic apparatus belonging to or used by Her Majesty's Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878 :

Provided also that nothing in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 and 1888 to which the provisions of section 15 of the former Act apply.

Works to be subject to approval of local board.

15. One month before commencing the execution of any of the street improvement works by this Act authorised the Company shall submit to the local board plans sections and other necessary particulars of such street improvement works and describing the nature of the paving and other materials to be used therein and all such street improvement works shall be made and completed paved flagged sewered channelled and kerbed in such manner and with such materials as shall be reasonably approved by the local board and the lamp-posts and other arrangements for lighting the same shall be subject to the like approval of the said local board.

Dedication of streets &c. to the public and repair and maintenance thereof.

16. So soon as the street improvements shall have been completed with proper paved flagged or asphalted and kerbed footpaths or sideways channels sewers gullies or other necessary works to the satisfaction of the local board the Undertakers may and shall open and dedicate the same to the public and thereafter they shall be used by the public accordingly and the same and the sole power authority liability and duty of maintaining paving repairing cleansing painting and lighting the same shall be vested in the local board.

Confirming scheduled agreement.

17. The agreement entered into between the Pontypridd Urban Sanitary Authority and the Undertakers (a copy whereof is set forth in the schedule to this Act) is hereby confirmed.

18. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited books of reference the Undertakers may after ten days notice to the owners lessees and occupiers of the lands in question apply to a court of summary jurisdiction for the correction thereof and if it appear to such court that the omission misstatement or wrong description arose from mistake they shall certify the same accordingly and they shall in such certificate state the particulars of any such omission and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county of Glamorgan and shall be kept by such clerk of the peace along with the other documents to which it relates and thereupon the deposited plans and books of reference shall be deemed to be corrected according to such certificate and the Undertakers may take the lands and execute the works in accordance with such certificate.

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Errors and omissions in plans &c. to be corrected.

19. Nothing in this Act shall be construed to prevent the Undertakers from selling any land acquired by them under this Act and not required for the street improvements or from demising any such land on lease or otherwise disposing of the same as they may think fit.

Powers of sale and lease of land not to be restricted.

20. The Undertakers and the local board may subject to the provisions of this Act from time to time enter into any agreements with respect to the construction and maintenance of the works by this Act authorised and the works and conveniences connected therewith the acquisition and appropriation of lands and property and any incidental matters :

Agreement between the Undertakers and local board.

Provided that the purposes of such agreements shall so far as relates to the local board be purposes of the Public Health Act 1875 and provided further that such agreements shall be carried into effect by the local board under and subject to the provisions of that Act.

21. With respect to notices and to the delivery thereof by or to the Undertakers the following provisions shall have effect viz. :—

Form and delivery of notices.

(1) Every notice shall be in writing and if given by the local board shall be sufficiently authenticated by being signed by the clerk or surveyor of the local board :

(2) Any notice to be delivered by or to the Undertakers to or by the local board may be delivered by being left at the principal office of the local board or of the Undertakers as the case may

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be or by being sent by post in a registered letter addressed to their respective clerk or surveyor at their principal office.

Costs of Act.

22. All costs charges and expenses of and preliminary and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Undertakers.

The SCHEDULE referred to in the foregoing Act.

AN AGREEMENT made the sixth day of March one thousand eight hundred and ninety between the Pontypridd Urban Sanitary Authority (herein-after called the said board) of the one part and the Pontypridd Improvements Company Limited (herein-after called the said company) of the other part whereby it is agreed as follows:—

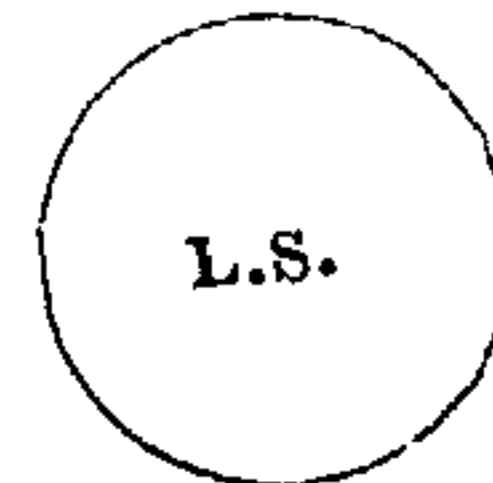
1. In the event of the Bill which is promoted by the company in the present session of Parliament for the widening and improving Mill Street and Rhondda Road within the district of the said board becoming law the said company shall commence operations for the carrying out of the street improvements contemplated and sought for by the said Bill in accordance with the plans and sections deposited with the clerk of the peace for the county of Glamorgan and also with the plan hereto attached within six calendar months from the date of the Royal Assent:
2. The said board will pay to the said company the sum of five hundred pounds as compensation for the land of the company required to carry out the widening and improving of the said street and road in accordance with such plans and sections as soon as and when but not until such street improvements have been carried out and entirely completed to the satisfaction of the board:
3. That the gradients of the approaches to the Graigwen Road from the Rhondda Road and Mill Street shall not be increased to a greater degree than those existing at the present time:
4. That this agreement shall not in any way prejudice the right of the said board to appear by petition whether in opposition or otherwise in the second House whether Lords or Commons should the Bill pass the House to which it is first committed:
5. The said company shall pay all costs incurred by the said board consequent upon or incidental to the scheme of the said company as such promoters except costs incidental to Parliamentary proceedings and this agreement to be executed in duplicate:

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6. This agreement shall be scheduled to the said Bill and be incorporated therewith and construed as part and parcel thereof In witness whereof the said board and the said company have hereto set their respective seals. A.D. 1890.

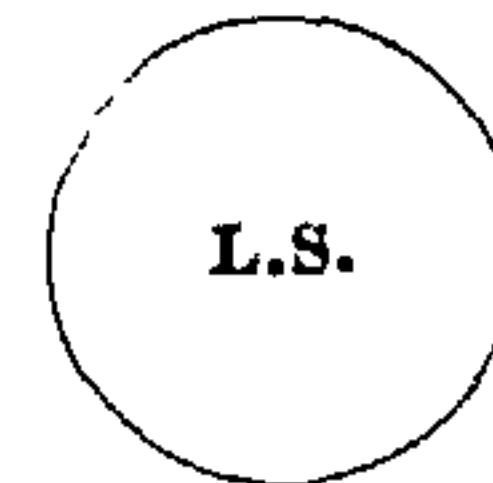
The common seal of the Pontypridd Improvements Company Limited was hereunto affixed by order of the Board of Directors at a meeting held on the sixth day of March one thousand eight hundred and ninety in the presence of

E. C. SPICKETT
Solicitor to the said company.



The common seal of the Local Board for the district of Pontypridd in the county of Glamorgan was hereunto affixed pursuant to a resolution duly passed authorising the sealing hereof in the presence of

HENRY LL. GROVER
Clerk to the board.



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