

**CHAPTER clxxxv.**

An Act to empower the Llandudno Urban District Council to acquire the undertaking of the Great Ormes Head Marine Drive Company to make further provisions for the good government of Llandudno and for other purposes. A.D. 1897.  
[6th August 1897.]

**W**HEREAS the urban district of Llandudno (in this Act called "the district") is an urban district within the meaning of the Local Government Act 1894 in the county of Carnarvon of which the Llandudno Urban District Council (in this Act called "the Council") is the urban authority :

And whereas under the Great Ormes Head Marine Drive Act 1873 (in this Act called "the Great Ormes Head Act") a company called the Great Ormes Head Marine Drive Company (in this Act called "the company") was incorporated with a capital of fourteen thousand pounds for the purpose of making and maintaining a marine drive and promenade (in this Act called "the said carriage road or drive") round the mountain called the Great Ormes Head : 26 & 37 Vict  
c. cv.

And whereas the company were authorised to borrow money and to levy tolls and to exercise other powers conferred by the said recited Act :

And whereas the said carriage road or drive have been made and are much frequented by the inhabitants and visitors at Llandudno :

And whereas by an agreement dated the twenty-sixth day of October one thousand eight hundred and ninety-six the company agreed to sell to the Council all their undertaking including all the powers and privileges conferred on them by the said Act and all their property for the consideration and upon the terms and conditions in the said agreement contained :

And whereas the company have agreed to pay all existing liabilities incurred in respect of their undertaking including their

A.D. 1897. — mortgage debt of one thousand pounds out of the purchase moneys to be received by them under the provisions of this Act :

And whereas it is expedient that the Council be empowered to acquire the said undertaking and to exercise the powers conferred on the company by the Great Ormes Head Act :

And whereas it is expedient to confer further powers on the Council for the better government of the district :

And whereas the population of the district is a fluctuating one rising in the summer season to upwards of twenty-five thousand persons and the district being situate on a promontory of the said county of Carnarvon is shut off and isolated from the rest of such county it is expedient to make such provision for the appointment of a medical officer of health for the district as is in this Act contained :

And whereas the Council are the owners of the gasworks at Llandudno :

And whereas it is expedient to authorise the Council to borrow money for the purposes of this Act :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

And whereas an absolute majority of the whole number of the Council at a meeting held on the sixteenth day of December one thousand eight hundred and ninety-six after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the *Llandudno Directory* newspaper a local newspaper published and circulating in the district such notice being in addition to the ordinary notices required for summoning such meeting resolved that it was expedient to promote the Bill for this Act :

And whereas such resolution was published twice in the said *Llandudno Directory* and has received the approval of the Local Government Board and of one of Her Majesty's Principal Secretaries of State :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the Council at a further special meeting held in pursuance of a similar notice on the twentieth day of January one thousand eight hundred and ninety-seven being not less than fourteen days after the deposit of the Bill in Parliament :

And whereas the owners and ratepayers of the district by resolution in the manner provided in the Third Schedule of the Public Health Act 1875 consented to the promotion of the Bill for this Act :

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):—

A.D. 1897.

## I.—PRELIMINARY.

1. This Act may be cited as the Llandudno Urban District Council Act 1897. Short title.

2. This Act shall be carried into execution by the Council and shall unless otherwise expressed or implied apply only to the district. Execution and limits of Act.

II.—PURCHASE OF GREAT ORMES HEAD MARINE  
DRIVE UNDERTAKING.

3. The Great Ormes Head Marine Drive Company shall sell and the Council shall purchase the undertaking including all the powers rights privileges and property of the company for the consideration and subject to the terms and conditions contained in the agreement dated the twenty-sixth day of October one thousand eight hundred and ninety-six set out in the schedule to this Act and the said agreement is hereby confirmed and made binding on the company and Council respectively. Confirmation of agreement between the company and Council.

4. The sale of the company's undertaking shall be carried into effect by a deed of conveyance and the purchase shall be completed within six months from the passing of this Act. Transfer of undertaking by deed.

On the execution of the said deed the undertaking of the company shall be transferred to and vested in the Council and thenceforth the Council shall have and hold the said undertaking subject and according to the provisions of this Act and of the agreement scheduled hereto (which transfer and vesting is in this Act referred to as "the transfer").

5.—(1) Until the transfer the company shall maintain and carry on the undertaking in accordance with their statutory powers and obligations and at their own risk in all respects and shall pay all outgoings of every kind. Provisions subsidiary to transfer.

(2) All books and other documents necessary for the conduct of the business of the company shall after the transfer be transferred to the Council but not any books or other documents which are no longer useful or reasonably necessary for the purposes of the Council as owners of the undertaking.



A.D. 1897.

(3) Any difference as to the custody of any books or documents belonging to the company shall be settled by some person to be nominated in that behalf by the Local Government Board and the decision of the person so nominated shall be final.

Application  
of the Great  
Ormes Head  
Act to the  
Council.

6. From and after the transfer all the powers rights privileges and authorities of the company under the Great Ormes Head Act shall be by virtue of this Act transferred to and vested in the Council and that Act shall be read and have effect as if the Council had been therein named instead of the company subject nevertheless and according to the following exceptions and provisions (namely):—

(1) The provisions of the Companies Clauses Consolidation Act 1845 and of the Companies Clauses Act 1863 incorporated with the Great Ormes Head Act shall not apply to the Council:

(2) None of the provisions of the Great Ormes Head Act or of any Acts incorporated therewith in any manner relating to the share or loan capital of the company or to the constitution meetings or direction of the company shall apply to the Council:

(3) Sections 48 49 and 50 of the Great Ormes Head Act shall not apply to the Council:

(4) All tolls received by the Council shall be carried to the credit of their district fund:

(5) Tolls for foot passengers shall be abolished within seven years from the passing of this Act or such further period if any as the Local Government Board may allow:

And subject also to the provision herein-after contained with respect to the leases granted by the Mostyn Trustees to the company.

Power to  
stop any  
person  
refusing to  
pay toll.

7. If any person subject to the payment of the tolls by the Great Ormes Head Act or this Act made payable or any of them shall after demand made thereof by any collector appointed to receive the same neglect or refuse to pay the same or any part thereof it shall be lawful for such collector by himself or taking such assistance as he shall think necessary to stop and prevent the passage of the person so neglecting or refusing or of the horse beast or cattle for or in respect of which such tolls ought to be paid until full payment thereof Provided always that no demand for toll shall be made upon any officer of the revenue when in the execution of his duty.

Penalty for  
evading  
tolls.

8. If any person subject to the payment of the tolls by the Great Ormes Head Act or this Act made payable shall (A) fraudulently or forcibly pass over or along the said carriage road or drive

or through any toll-gate without having paid the said tolls or shall assault interrupt or obstruct any person employed in the collection of the said tolls or (b) take off or cause to be taken off any horse or other beast from any carriage at or near to any toll house or gate to be erected or set up by virtue of the Great Ormes Head Act or this Act and afterwards put or add the same after having passed such toll house or gate as aforesaid with intent to evade and thereby shall evade or endeavour to evade the payment of any part of the said tolls or shall forge counterfeit or alter or receive from or deliver to any other person or persons any note or ticket with intent to evade or to enable or assist any other person or persons to evade the payment of any part of the said tolls every person so offending shall for every such offence forfeit and pay a sum not exceeding forty shillings.

A.D. 1897.

9. In case any dispute shall happen about the amount of toll due such amount may be ascertained by a court of summary jurisdiction which court shall have power to determine the amount of the toll due and other matters in dispute between the parties and may also award such costs to be paid by either party to the other as to such court shall seem just and reasonable.

For settling  
disputes  
concerning  
tolls.

10. Every toll collector shall and he is hereby required to place his Christian and surname painted on a board in legible characters in the front or some other conspicuous part of the toll-house or toll-gate immediately on his coming on duty each of the letters of such name or names to be at least two inches in length and of a breadth in proportion and painted in black letters on a board with a white ground and shall continue the same so placed during the whole time he shall be upon duty and if any toll collector shall not place such board and keep the same there during the time he shall be such collector as aforesaid or wilfully and with intent to defraud shall demand or take a greater or less toll from any person than he shall be authorised to do by virtue of the powers of the Great Ormes Head Act or of this Act or of the orders and resolutions of the company made in pursuance thereof or shall demand and take a toll from any person who shall be exempted from the payment thereof and claim such exemption or shall refuse to permit or suffer or shall in anywise hinder any person from reading the inscriptions on the said board or upon the table of tolls by this Act required to be put up at every toll-gate of the company or shall refuse to tell his Christian or surname to any person who shall demand the same on having paid the said tolls or any of them or shall in answer to such demand give a false name or upon the legal toll being paid or

For pre-  
venting toll  
collectors  
from taking  
undue toll  
or mis-  
behaving.



A.D. 1897. — tendered shall unnecessarily detain or wilfully obstruct hinder or prevent any passenger from passing through any turnpike or toll-gate then and in every such case every such toll collector shall forfeit and pay any sum not exceeding forty shillings for every such offence as the justice or justices before whom the complaint shall be heard shall adjudge.

Byelaws of  
company  
continued.

**11.** All byelaws made by the company and in force at the passing of this Act shall continue in force after the transfer until the same are repealed or amended by any fresh byelaws made by the Council under the provisions of the Great Ormes Head Act.

Contracts of  
company to  
be binding  
on Council.

**12.** All contracts leases and deeds entered into or made and in force at the time of the transfer shall be (subject to any agreement to the contrary) as binding and of as full force and effect in every respect against or in favour of the Council and may be enforced as fully and effectually as if instead of the company the Council had been a party thereto.

Winding  
up and dis-  
solution of  
company.

**13.** The directors of the company in office at the date of the passing of this Act shall without re-election continue in office for the purposes of this section and shall exercise all powers and do all acts necessary or proper for winding up the affairs of the company and when the affairs of the company have been completely wound up the directors or any two of them acting in pursuance of a resolution of the directors shall certify under their hands to that effect and shall cause a copy of their certificate to be published in the London Gazette and on the expiration of one month from the date of that publication the company shall be by virtue of this Act dissolved.

Notwith-  
standing dis-  
solution of  
company  
leases to  
remain in  
force.

**14.** Notwithstanding anything in section 34 of the Great Ormes Head Act the leases granted by the Mostyn Trustees to the company in pursuance of that section shall not be deemed to have become void and to have determined on the dissolution of the company under this Act but on the contrary they shall continue in full force and effect the Council only being deemed to be substituted therein for the company and the paragraph of the said section numbered fourteen is hereby repealed.

The Council may accept any other lease or leases of all or any of the hereditaments comprised in the leases aforesaid or may by agreement acquire the fee simple interest in such hereditaments or any of them.

Further  
exemptions  
from tolls in

**15.** In addition to the exemptions from toll made by section 42 of the Great Ormes Head Act the following exemptions shall be

made (that is to say) no toll shall be demanded or taken in respect of the use of or passage over the said carriage road or drive or any part thereof by the following persons or for or in respect of the horses or other beasts carriages or carts of such persons (namely):—

A.D. 1897.

respect of  
 use of drive.

The wife sons and daughters of the present Lord Mostyn and the future Lords Mostyn and any relative of Lord Mostyn who shall for the time being be the owner or occupier of any one of the mansion houses known respectively as Mostyn Hall Gloddaeth and Bodysgallen and his her and their families;

The chief land agent and the local agent and surveyor for the time being of Lord Mostyn or his sequels in estate;

Owners lessees and tenants of any building land or of any agricultural or other land or of any mines or minerals situate respectively on the Great Ormes Head as well as members of their families for the purpose only of access to and egress from such lands or mines and their agents servants and workmen when on duty or going to or returning from their work;

Persons (other than tradesmen) bonâ fide visiting Lord Mostyn or his sequels in estate or any such owners lessees or tenants as aforesaid:

And no toll shall be demanded or taken for or in respect of the use or passage on foot of or over the said carriage road or drive by the domestic servants of Lord Mostyn and his sequels in estate or of any relative of Lord Mostyn who shall for the time being be owners or occupiers of any one of the mansion houses aforesaid. And no toll shall be demanded or taken from Lord Mostyn or his sequels in estate in respect of carts carrying stone gravel or other like minerals to be used by Lord Mostyn or his sequels in estate on or upon any part of the Mostyn Estate. Provided always that no such exemption from toll shall apply in respect of horses or carts used in the working of any mine quarry or minerals or in carrying materials minerals or stones to or from any mine or quarry. Provided also that nothing in this section contained shall exempt the owners or occupiers of houses which may hereafter be built on lands belonging to Lord Mostyn or his sequels in estate from paying tolls or composition in lieu of tolls as provided by the Great Ormes Head Act or by this Act.

**16.** Subsection 17 of section 34 of the Great Ormes Head Act is hereby repealed and the following subsection is hereby substituted in its place:—

Composition  
 for tolls in  
 case of cer-  
 tain owners  
 and occu-  
 piers.

(17) With regard to all or any of the dwelling-houses which have since the date of the passing of the said Act been or may



A.D. 1897.  
—

hereafter be erected within five hundred yards of either side of the said carriage road or drive between and within the toll gates or on any land of the said Lord Mostyn or his sequels in estate situate on the Great Ormes Head though beyond the said distance of five hundred yards the Council shall if and when called upon to do so by Lord Mostyn or his sequels in estate accept from the owner or occupier or either of them as the case may be of all or any of such houses respectively in lieu of tolls upon the user by them of the said carriage road or drive a fixed payment or composition not to exceed the rate of threepence in the pound on the annual rateable value of such dwelling-houses respectively according to the parochial assessment for the relief of the poor such payment or composition unless otherwise agreed to be due and payable on the first day of January and the first day of July in each year by the owner or occupier as the case may be of such houses respectively who shall thereupon be free together with all other inmates of such houses respectively and with their visitors tenants and servants and with their horses and carriages from all tolls whatever upon the said carriage road or drive during the period covered in each case by such payment or composition and in proof and authentication of such payment or composition having been made the Council shall from time to time provide and issue a competent and sufficient number of passes to such owners and occupiers as aforesaid :

The said Lord Mostyn or his sequels in estate or any person or persons building such dwelling-houses as aforesaid shall be entitled to a reduction of one-third of the usual toll for the time being charged on horses and carts in respect of all horses and carts carrying the building materials for the erection of such dwelling-houses or for making any additions to or alterations in such dwelling-houses.

Composition  
for tolls in  
case of cer-  
tain trades-  
men.

17. The Council shall at all times if called on so to do by Lord Mostyn or his sequels in estate or by the owner occupier lessee or tenant of any lands mines minerals or houses situate on the Great Ormes Head accept from any tradesman (except builders and others carrying building materials and horses and carts used in working any quarry or carrying minerals stones or materials to or from any quarry) carrying on business in or about Llandudno and desirous of taking orders from or serving Lord Mostyn or his sequels in estate or any such owner occupier lessee or tenant as aforesaid in lieu of tolls on the user by such tradesman of the said carriage road or drive a fixed payment or composition not exceeding one shilling



per annum up to and until the thirty-first day of December one A.D. 1897.  
 thousand nine hundred and not exceeding five shillings per annum  
 after that date such payment or composition to cover all his  
 customers and unless otherwise agreed to be payable to the Council  
 on the first day of January and the first day of July in each year  
 by such tradesman as aforesaid who shall thereupon (but only when  
 on business) be free together with his servants on foot or otherwise  
 and with or without horses carriages or carts of any description  
 from all tolls whatever upon the said carriage road or drive during  
 the period covered in each case by such payment or composition and  
 in proof or authentication of such payment or composition having  
 been made the Council shall from time to time provide and issue a  
 competent and sufficient number of passes to all such tradesmen as  
 aforesaid.

18. It shall be lawful for Lord Mostyn or his sequels in estate to  
 construct and maintain any drain sewer culvert or pipe under the  
 surface of the said carriage road or drive or any part thereof in a  
 proper and workmanlike manner Provided always that Lord Mostyn  
 or his sequels in estate shall not cause any avoidable disturbance of  
 the said carriage road or drive or any part thereof and shall give  
 not less than seven days' notice to the Council of any intended  
 disturbance and shall on the completion of the work repair and  
 reinstate the surface of the said carriage road or drive and make  
 good any damage which may have been occasioned to the reasonable  
 satisfaction of the Council's surveyor.

Power to  
 Lord Mostyn  
 in respect of  
 drains &c.

19. For the protection of the Ecclesiastical Commissioners for  
 England their successors and assigns (herein-after called "the  
 commissioners") the following provisions shall have effect (that is  
 to say):—

For protec-  
 tion of  
 Ecclesias-  
 tical Com-  
 missioners  
 for England.

(1) The lease granted by the commissioners to the company and  
 all provisions therein and in force shall be as binding and of as  
 full force and effect in every respect against or in favour of the  
 Council and may be enforced as fully and effectually as if  
 instead of the company the Council had been party thereto  
 and notwithstanding anything in the said lease contained the  
 same shall not become or be deemed to have become void or  
 determined on the dissolution of the company under this Act  
 but shall continue in full force and effect as aforesaid :

(2) In addition to and not in substitution for anything in the said  
 lease contained there shall be full right and liberty for the  
 commissioners to make and have (and they shall at all times  
 hereafter maintain) any tunnel or archway tunnels or archways

A.D. 1897.

underneath the said carriage road or drive for the purpose of enabling the commissioners and the tenants of any land or house built or to be built on land belonging to the commissioners and their respective visitors servants agents and workmen to pass and repass through under and along such tunnel or archway tunnels or archways with or without horses carts waggons or other carriages in order to obtain access to the sea or to their lands on the opposite side of the said carriage road or drive and also to lay make maintain and use pipes and drains through under and along and to use such tunnel or archway tunnels or archways as aforesaid for all reasonable purposes connected with or incidental to the user and enjoyment of the said lands and houses Provided always that the commissioners shall not make such tunnel or archway tunnels or archways except in accordance with plans sections and specifications to be first submitted to and approved by the Council and the work shall then be carried out by the commissioners in such manner only as may have been approved by and under the superintendence and direction of the Council or other proper officer and the commissioners shall indemnify the Council from and against all loss costs injury or damage whatsoever which may be caused to the said carriage road or drive from or by reason or in consequence of the making using or maintaining of such tunnel or archway tunnels or archways and all expenses to which the Council may be put by or by reason of such making user or maintenance Provided also that if any such tunnel or archway tunnels or archways shall in the opinion of the Council be out of repair or in a dangerous state the Council may serve upon the commissioners notice to maintain and repair the same and if the commissioners fail to maintain and repair the same immediately after the receipt of such notice then the Council may at the expiration of such seven days themselves by their agents servants or workmen execute such repairs and recover the expenses thereof as certified by the said proper officer of the Council from the commissioners as liquidated damages Provided that in the event of any dispute or difference touching or regarding any matter or thing in this subsection contained the matter in difference shall be referred to two arbitrators or their umpire pursuant to and in accordance with the provisions of the Arbitration Act 1889:

- (3) The commissioners or any person or persons building any dwelling-house on land of the commissioners on the Great Ormes Head shall be entitled to a reduction of one-third



of the usual toll for the time being charged on horses and carts in respect of all horses and carts carrying the building materials for the erection of such dwelling-houses or for making any additions to or alterations in such dwelling-houses. A.D. 1897.

### III.—RECREATION GROUNDS.

20.—(1) The Council may set apart for cricket football golf and other games portions of any park or place of public resort or recreation for the time being belonging to or held by them (other than the recreation ground known as the Happy Valley) and may purchase or take on lease additional lands and lay out and improve and set apart the same or any portion thereof for the like purposes so however that all lands so set apart shall be open to the public when not in use for such games. Power to set apart lands for games.

(2) The Council may make byelaws for regulating the use of any lands so set apart Provided that no byelaw which shall restrict the military user in case of national or local emergency shall have effect until approved by the Secretary of State for War.

(3) The Council may erect provide and maintain on any such lands set apart for games and recreation any pavilion or pavilions building or buildings or any refreshment or other room or rooms or conveniences connected therewith.

(4) The Council may make or authorise others to make such charges as the Council may deem reasonable for admission to such pavilions and buildings or refreshment rooms or other room or rooms or conveniences connected therewith or may let on lease for any term not exceeding five years any such pavilions or buildings or refreshment rooms or other room or rooms or conveniences connected therewith.

21. The Council may provide place and maintain on any public road or place and on any land of the Council and with consent of the owners lessees and occupiers on any other land covered shelters for the protection of the public against wind and rain and may remove the same. Covered shelters.

22. The Council may place or authorise any person or persons to place seats or chairs in any park recreation ground street or other public place for the use of the public and may if they think fit charge or allow such person or persons to charge a reasonable sum for the use of chairs and may make regulations for the letting and use of seats or chairs and for preventing injury or damage thereto. Chairs and seats for public use.

A.D. 1897.

Recreation  
grounds to  
be deemed  
streets for  
police pur-  
poses.

**23.** All lands owned or leased by the Council and set apart for the purpose of public resort and recreation shall be deemed streets and places of public resort for the purposes of this Act and of section 29 of the Towns Police Clauses Act 1847 and also for the purposes of so much of section 28 of that Act as relates to the following offences :—

Every person who rides or drives furiously any horse or carriage or drives furiously any cattle ;

Every person who slaughters or dresses any cattle or any part thereof except in the case of any cattle overdriven which may have met with any accident and which for the public safety or other reasonable cause ought to be killed on the spot ;

Every common prostitute or night-walker loitering and importuning passengers for the purpose of prostitution ;

Every person who wilfully and indecently exposes his person ;

Every person who publicly offers for sale or distribution or exhibits to public view any profane indecent or obscene book paper print drawing painting or representation or sings any profane or obscene song or ballad or uses any profane or obscene language ;

Every person who wantonly discharges any fire-arm or discharges any missile or makes any bonfire ;

Every person who throws or lays any dirt litter or ashes or night soil or any carrion fish offal or rubbish on any street.

#### IV.—REGULATIONS AS TO ADVERTISING.

Prohibition  
of sky-signs.

**24.** After the passing of this Act it shall not be lawful to erect or fix upon or in connexion with any building or erection any sky-sign and if any sky-sign be erected contrary to the provisions of this Act it shall be lawful for the Council to take down and remove the sky-sign and to recover the expenses in relation thereto summarily.

Any person acting in contravention of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Definition  
of sky-sign.

**25.** The expression “sky-sign” means any word letter model sign device or representation in the nature of an advertisement announcement or direction supported on or attached to any post pole standard framework or other support wholly or in part upon over or above any house building or structure which or any part of which sky-sign shall be visible against the sky from some point in any street or public way and includes all and every part of any such



post pole standard framework or other support The expression "sky-sign" shall also include any balloon parachute or similar device employed wholly or in part for the purposes of any advertisement or announcement on over or above any house building structure or erection of any kind or on or over any street or public way but shall not be deemed to include—

A.D. 1897.

- (1) Any flagstaff pole vane or weathercock unless adapted or used wholly or in part for the purposes of any advertisement or announcement ;
- (2) Any sign on any board frame or other contrivance securely fixed to or on the top of the wall or parapet of any building on the cornice or blocking course of any wall or to the ridge of a roof Provided that such board frame or other contrivance be of one continuous face and not open work and do not extend in height more than three feet above any part of the wall or parapet or ridge to against or on which it is fixed or supported ;
- (3) Any such word letter model sign device or representation as aforesaid which relates exclusively to the business of a railway company and which is placed or may be placed wholly upon or over any railway station yard platform or station approach belonging to a railway company and which is also so placed that it could not fall into any street or public place.

26.—(1) It shall not be lawful in any street in the district to use any vehicle exclusively or principally for the purpose of displaying advertisements without the consent of the Council which consent shall be in writing and may be for such time and contain such terms and conditions as the Council think fit Any person aggrieved by the refusal of the Council to grant such consent may appeal to a court of summary jurisdiction held for the district after the expiration of two clear days after such refusal provided he give twenty-four hours' notice of such appeal and the grounds thereof to the clerk of the Council and the court shall have power to make such order as to them may seem fit and to award costs such costs to be recoverable in like manner as a penalty under this Act.

Restriction  
on advertis-  
ing vehicles  
and hoards.

(2) Every hoard or similar structure to be used either partly or wholly for advertising purposes in or abutting on or adjoining any street shall be securely erected to the satisfaction of the Council.

(3) It shall not be lawful after the passing of this Act to erect any hoard or similar structure to be used either partly or wholly for advertising purposes in or abutting on or adjoining any street to a greater height than twenty feet above the level of such street without the consent of the Council and such consent may be given subject to such conditions as to the submission of a plan and

A.D. 1897. — elevation and as to the dimensions and maintenance of such hoard as the Council may determine.

(4) The owner or other person using any hoard wall or similar structure for advertising purposes whether erected before or after the passing of this Act shall at all times hereafter keep and maintain the same in proper and safe repair and condition to the satisfaction of the Council and in the event of any nuisance being created in any street by reason of the falling off of any papers affixed for advertising purposes to such hoard wall or other structure shall forthwith remove and clear away such papers.

(5) Any person who acts in contravention of any of the provisions of this section or who violates any conditions or the terms of any consent given in pursuance of the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty after conviction not exceeding twenty shillings.

(6) Any consent or condition made under this section may be under the hand of the clerk or surveyor of the Council.

Provided that this section shall not apply to any hoard or similar structure or advertisement affixed to any railway station or premises of any railway company for the purposes of any such company.

## V.—POLICE REGULATIONS.

Street musicians to depart when required to do so.

**27.** Any householder personally or by his servant or by any constable may require any band of music (other than a military or naval band or band paid for out of the public rates) street musician or singer to depart from the neighbourhood of the house of such householder and every person who shall sound or play upon any musical instrument or sing in or near any street within hearing of such house after being so required to depart shall be liable to a penalty not exceeding forty shillings.

Prohibition of persons assembling in streets for purposes of betting.

**28.** Any three or more persons assembled in any part of any street for the purpose of betting shall be deemed to be obstructing the street and each of such persons shall be liable to a penalty not exceeding forty shillings.

Penalty on persons obstructing footway.

**29.** If two or more persons shall be assembled together in any street at any time of the day or night for the purpose of assaulting insulting or annoying foot passengers or in such a manner as to insult or annoy any foot passenger and if any such person shall not comply with the direction or request of any constable to move away so as to leave the footway clear and unobstructed or shall assault



insult or annoy any foot passenger he shall be liable to a penalty A.D. 1897.  
 not exceeding forty shillings.

**30.** The Council may make byelaws for prohibiting street cries Byelaws as  
 in the streets or in any other public place between the hours of to street  
 eight o'clock in the afternoon and eight o'clock in the forenoon. cries.

## VI.—OFFICER OF HEALTH.

**31.**—(1) The Council may in accordance with the provisions Appointment  
 relating to the appointment of officers of local authorities contained of medical  
 in the Public Health Act 1875 appoint a fit and proper person to officer of  
 be the medical officer of health for the district or with the sanction health for  
 of the Local Government Board for the district in combination with the district.  
 any other urban or rural district or districts.

(2) So long as the Council keep such officer appointed the district  
 shall not be liable to contribute or be rated towards the payment of  
 the medical officer of health appointed by the county council of  
 Carnarvon except during the term of five years during which the  
 present medical officer of health was appointed by the county  
 council of Carnarvon.

## VII.—BORROWING.

**32.**—(1) The Council may from time to time independently of Power to  
 any other borrowing power borrow at interest any sum or sums of borrow.  
 money for the purposes herein-after mentioned not exceeding the  
 respective amounts (when specified) following (that is to say):—

(A) For the payment of moneys payable under this Act in respect  
 of acquisition of the undertaking of the Great Ormes Head  
 Marine Drive Company the sum requisite for that purpose not  
 exceeding ten thousand pounds;

(B) For paying the costs and expenses of this Act the sum  
 requisite for that purpose:

And with the approval of the Local Government Board such further  
 moneys as the Council may require for any of the purposes of  
 this Act.

(2) In order to secure the repayment of the moneys borrowed  
 under this section and the payment of the interest thereon the  
 Council may mortgage or charge the district fund and general  
 district rate.

**33.**—(1) The Local Government Board may direct any inquiries Inquiries by  
 to be held by their inspectors which they may deem necessary for and expenses  
 giving effect to any of the provisions of this Act and the inspectors of Local  
 Government  
 Board.

A.D. 1897. — of the Local Government Board shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

(2) The Council shall pay to the Local Government Board any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

Certain regulations of Public Health Act as to borrowing not to apply.

**34.** The powers of borrowing money by this Act given shall not be restricted by any of the regulations contained in section 234 of the Public Health Act 1875 and in calculating the amount which the Council may borrow under that Act any sums which they may borrow under this Act shall not be reckoned.

Provisions of Public Health Act as to mortgages to apply.

**35.** The following sections of the Public Health Act 1875 shall extend and apply to mortgages granted under this Act (that is to say) :—

Section 236 (Form of mortgage) ;

Section 237 (Register of mortgages) ;

Section 238 (Transfer of mortgages) ;

Section 239 (Receiver may be appointed in certain cases).

Period for payment off of money borrowed.

**36.** The Council shall pay off all moneys borrowed by them under this Act within the respective periods (in this Act referred to as "the prescribed periods") following (that is to say) :—

As to moneys borrowed for the purposes (A) mentioned in the section of this Act the marginal note whereof is "Power to borrow" within fifty years from the date or dates of the borrowing of the same ;

As to moneys borrowed for the purpose (B) in the said section mentioned within five years from the date or dates of the borrowing of the same ;

As to moneys borrowed with the approval of the Local Government Board within such period as they may think fit to sanction.

Mode of payment off of money borrowed.

**37.—**(1) The Council shall pay off all moneys borrowed by them on mortgage under the powers of this Act either by equal yearly or half-yearly instalments of principal or of principal and interest or by means of a sinking fund or partly by such instalments and partly by a sinking fund and the payment of the first instalment or the first payment to the sinking fund shall be made prior to the thirty-first day of March next following the time of borrowing the sum in respect of which the payment is made.



(2) The following provisions shall apply in regard to any sinking fund to be formed under this Act:— A.D. 1897.

(A) The Council in every year shall appropriate and set apart out of the funds rates and revenue on the security of which such moneys shall have been borrowed such equal annual sums as will with the accumulations thereof by way of compound interest at a rate not exceeding three pounds per centum per annum be sufficient to pay off the principal moneys borrowed (so far as the same are repayable by means of a sinking fund) within the prescribed period:

(B) The yearly sums so appropriated and set apart shall be invested from time to time and accumulated in the way of compound interest by investing the same and the dividends interest and annual income thereof respectively in any security in which trustees are by law authorised to invest or in mortgages stock debentures or other securities issued by any local authority as defined in section 34 of the Local Loans Act 1875 (other than securities of the Council annuities and securities transferable by delivery) and if and as often as the rate of interest by investment is not equal to the prescribed rate of accumulation any deficiency arising thereby shall be made good out of the respective funds or rates which are liable to contribute to the sinking fund:

(C) The Council may at any time apply the whole or part of the sinking fund in or towards the repayment of the borrowed moneys repayable by means of such sinking fund in such order and manner as they deem proper. Provided that in such case they pay into such sinking fund in each year afterwards and accumulate as herein-before prescribed until the whole of such borrowed moneys are discharged a sum equal to the interest produced by the sinking fund or part thereof so applied at the rate per centum on which the equal annual payments to the sinking funds are based:

(D) Whenever and so long as the yearly income arising from the sinking fund would if the sinking fund were invested at the same rate of interest as is payable on the borrowed moneys then outstanding be equal to the annual interest of such borrowed moneys the Council may in lieu of investing the said yearly income apply the same in payment of such interest and may during such periods discontinue the payment to the sinking fund of the yearly sums required to be so paid thereto.

A.D. 1897.  
Power to  
reborrow.

**38.** If the Council pay off any moneys borrowed by them under this Act otherwise than by instalments appropriations or annual repayments or by means of a sinking fund or out of the proceeds of the sale of land or other property or out of fines or premiums on leases or out of other moneys received on capital account not being borrowed moneys they may from time to time re-borrow the same but all moneys so re-borrowed shall be repaid within the prescribed period and shall be deemed to form the same loan as the moneys originally borrowed and the obligations of the Council with respect to the repayment of the loan and to the provision to be made for such repayment shall not be diminished by reason of such re-borrowing.

Protection  
of lender  
from  
inquiry.

**39.** A person lending money to the Council under this Act shall not be bound to inquire as to the observance by them of any provisions of this Act or be bound to see to the application or be answerable for any loss or non-application of the money lent or of any part thereof.

Application  
of money  
borrowed.

**40.** Moneys borrowed or raised by the Council under this Act shall be applied only to the several purposes in respect of which they were respectively authorised to be borrowed or raised and to which capital is properly applicable.

Annual  
return to  
Local  
Government  
Board with  
respect to  
sinking fund.

**41.** The clerk of the Council shall within twenty-one days after the thirty-first day of March in each year during which any sum is required to be set apart for a sinking fund or any instalment is required to be paid under this Act transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by statutory declaration if so required by them showing the amount which has been paid as an instalment or invested for the purpose of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of the moneys invested for the sinking fund and the interest thereof have been applied during the same period and the total amount remaining invested at the end of the year.

In the event of any wilful default in making such return the clerk shall be liable to a penalty not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that Board in a summary manner.

If it appear to the Local Government Board by such return or otherwise that the Council have failed to pay any instalment or to set apart the sum required by this Act for the sinking fund or have applied any portion of the money set apart for that fund or any



interest thereof to any purposes other than those authorised by this Act the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund and such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court and the provisions of this section shall apply mutatis mutandis to appropriations and annual repayments. A.D. 1897.

42. Nothing in this Act shall prejudicially affect any charge on the revenue and rates or the estates and property of the Council subsisting at the passing of this Act and every mortgagee or person for the time being entitled to the benefit of any such charge shall have the same priority of charge and all the like rights and remedies in respect of the revenue rate and property subject to his charge as if this Act had not passed and all such charges created before the passing of this Act shall during the subsistence thereof have priority over any mortgage or charge granted under this Act on the same revenue rate and property. Saving for existing charges.

#### VIII.—MISCELLANEOUS PROVISIONS.

43. The Council may make byelaws with respect to the size of service and other pipes and fittings for the supply of gas supplied by the Council and may lay and fix at the expense of the owners of the premises supplied such portion of the service pipe as the Council may deem necessary to make the connexion between the stop-cock provided by the Council and the meter or meters belonging to or used by the consumer of the gas supplied as aforesaid. Byelaws as to gas fittings &c.

44. Offences against this Act and penalties costs and expenses imposed or recoverable under this Act or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner. Recovery of penalties.

45. All penalties recovered under this Act or under any byelaw thereunder shall except in the case of penalties recovered against the Council be paid to the treasurer of the Council and be by him carried to the credit of the district fund. Penalties to be paid to the treasurer.

46. The expenses of the execution by the Council of the Great Ormes Head Act and any expenses of the execution by the Council of this Act with respect to which no other provision is made may be defrayed by the Council out of the district fund. Expenses of execution of Act.

47. Accounts shall be kept by the Council of their receipts and payments under this Act and such accounts shall be deemed to be Accounts of Council.



A.D. 1897. — accounts of the Council within the meaning of section 58 of the Local Government Act 1894.

General provisions as to byelaws.

**48.** All the provisions with respect to byelaws contained in sections 182 to 186 of the Public Health Act 1875 (except so much thereof as relates exclusively to byelaws of a rural authority) shall unless by this Act otherwise provided apply to all byelaws made by the Council under the powers of this Act. Provided that the Secretary of State shall be the confirming authority for byelaws under Part V.

Powers of Act cumulative.

**49.** All powers given to the Council by this Act shall be deemed to be in addition to and not in derogation of any other powers conferred on them by the Public Health Act 1875 or other Act amending the same and such other powers may be exercised in the same manner as if this Act had not been passed. Provided that no person shall incur more than one penalty (other than a daily penalty not exceeding twenty shillings per day for an offence continuing after conviction) for the commission of the same offence.

Judges not disqualified.

**50.** A judge of any court or a justice shall not be disqualified from acting in the execution of this Act by reason of his being liable to any rate or any gas or water rent or charge payable to the Council.

Costs of Act.

**51.** The costs charges and expenses preliminary to and of and incidental to preparing obtaining and passing this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Council out of the district fund and general district rate or out of moneys to be borrowed under this Act.

The SCHEDULE referred to in the foregoing Act.

A.D. 1897.

AN AGREEMENT made the 26th day of October 1896 between the GREAT ORMES HEAD MARINE DRIVE COMPANY (herein-after called "the company") of the one part and the LLANDUDNO URBAN DISTRICT COUNCIL (herein-after called "the Council") of the other part.

WHEREAS the company was incorporated under an Act of Parliament 36 and 37 Vict. chap. 105 entitled the Great Ormes Head Marine Drive Act 1873 And whereas the company has agreed to sell and assign all their undertaking and all the powers and privileges conferred upon them by the said Act to the Council upon the terms and conditions herein-after contained :—

1. The company agrees to sell and the Council agrees to purchase for the sum of 9000*l.* all that the undertaking of the company and all the powers and privileges conferred upon the company by the said Act and also all the toll-houses and buildings and property belonging to the company.

2. The Council shall in the next session of Parliament deposit and promote a Bill to confirm and carry out the provisions of this agreement and use their best endeavours to procure the passing of the same into law.

3. The Council shall in the event of the said Bill being passed into law pay to the company within six calendar months of the date of the Royal Assent being given to the said Bill the said sum of 9000*l.* together with all costs charges and expenses (as between solicitor and client) which the company may have incurred or been put to in or about the negotiations for the said sale and the said Bill in Parliament and the conveyance or transfer of the company's undertaking and property to the Council.

4. The Council shall in the event of the said Bill failing to pass into law pay to the company within two calendar months of the date when the said Bill is thrown out by Parliament or withdrawn or abandoned by the Council all costs charges and expenses (as between solicitor and client) which the company may have incurred or been put to in and about the negotiations for the said sale and the said Bill in Parliament.

5. The purchase shall be completed within six calendar months of the Royal Assent being given to the said Bill in Parliament and until such completion all outgoings shall be paid by the company and the undertaking and works shall be maintained by the company and be at the risk of the company in all respects.

A.D. 1897.

6. The company's undertaking is held by them on two leases one for 1000 years from the 7th day of July 1873 at the yearly rent of 5s. and the other for 989 years from the 17th day of March 1884 at the yearly rent of 5s. And the company's undertaking is sold subject to all the restrictions covenants and conditions contained in such leases respectively and the Council shall assume that such leases have respectively been well granted and shall be entitled to no other or better title than that disclosed by the said leases.

7. In the event of the said Bill not being passed into law during the next session of Parliament this agreement save and except the provisions in clause 4 thereof shall be null and void.

8. This agreement is made subject to such alterations as Parliament may think fit to make herein but if any material alterations are made herein affecting either party hereto or their respective rights hereunder it shall be competent to such party to withdraw the same.

The common seal of the Great Ormes Head Marine Drive  
Company was hereto affixed this 26th day of October 1896.

THOS. WILLIAMS

Chairman.

R. S. CHAMBERLAIN

Secretary.

L.S.

The common seal of the Llandudno Urban District Council was  
hereto affixed this 21st day of October 1896.

T. W. GRIFFITH

Chairman.

ALF. CONOLLY

Clerk.

L.S.

---

Printed by EYRE and SPOTTISWOODE,

FOR

T. DIGBY PIGOTT, Esq., C.B., the Queen's Printer of Acts of Parliament.

---

And to be purchased, either directly or through any Bookseller, from  
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C.; or  
JOHN MENZIES & Co., 12, HANOVER STREET, EDINBURGH, and  
90, WEST NILE STREET, GLASGOW; or  
HODGES, FIGGIS, & Co., LIMITED, 104, GRAFTON STREET, DUBLIN.