ELIZABETH II



1985 CHAPTER xiv

An Act to authorise the Bath City Council to appropriate a portion of Royal Victoria Park for the purpose of constructing an access to a parking place for motor vehicles. [13th June 1985]

WHEREAS the city of Bath (hereinafter referred to as "the city") is under the management and local government of the Bath City Council (hereinafter referred to as "the Council"):

And whereas by the Bath Act 1879 certain lands in the city known as Royal Victoria Park were vested in the former mayor, aldermen and burgesses of the city who, by section 13 of that Act, were required to hold those lands in perpetuity as a park or place of public resort and recreation: 1879 c. lxii.

And whereas section 13 of the said Act of 1879 and other local enactments relating to Royal Victoria Park were repealed and re-enacted by the County of Avon Act 1982: 1982 c. iv.

And whereas Royal Victoria Park is now held as aforesaid by the Council by virtue of paragraph 2 of Schedule 1 to the said Act of 1982:

And whereas on certain lands adjoining Royal Victoria Park and described as "the green lands" in paragraph 1 of the said Schedule 1 there is situate a parking place for motor vehicles, being a parking place provided by the Council (hereinafter referred to as "the green lands parking place"):

And whereas there is at present vehicular and pedestrian access to the green lands parking place from Charlotte Street in the city but it is expedient that a means of such access thereto should now also be available from Marlborough Lane in the city and such access cannot conveniently be provided without constructing a part of it on a portion of Royal Victoria Park:

And whereas it is accordingly expedient that the Council should be authorised to appropriate for that purpose a portion of the said park containing 0·045 hectares or thereabouts:

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

And whereas in relation to the promotion of the Bill for this Act the requirements of section 239 of the Local Government Act 1972 have been observed:

1972 c. 70.

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:—

Citation.

1. This Act may be cited as the Bath City Council Act 1985.

Interpretation.

2. In this Act, unless the context otherwise requires—

"the city" means the city of Bath;

"the Council" means the Bath City Council;

"the green lands parking place" means the parking place for motor vehicles which has been provided by the Council on the lands adjoining Royal Victoria Park in the city described as "the green lands" in paragraph 1 of Schedule 1 to the County of Avon Act 1982;

1982 c. iv.

"the pink lands" means the lands forming part of Royal Victoria Park in the city containing 0·045 hectares or thereabouts and coloured pink on the signed plan;

"the signed plan" means the plan three copies of which have been signed by the Right Honourable the Lord Aberdare, the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred and deposited respectively in the office of the Clerk of the Parliaments, House of Lords, in the Private Bill Office of the House of Commons and with the chief executive of the Council.

3.—(1) Notwithstanding anything contained in section 122 of the Local Government Act 1972 (appropriation of land) or in Schedule 1 to the County of Avon Act 1982, the Council may appropriate the pink lands for the purpose of constructing thereon a means of vehicular and pedestrian access from Marlborough Lane in the city to the green lands parking place. Power to appropriate pink lands. 1972 c. 70. 1982 c. iv.

(2) On the date on which they are appropriated under subsection (1) above, the pink lands shall cease to form part of Royal Victoria Park and shall be free from any trust arising by reason of their being held as part of a park or place of public resort and recreation.

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