# Christ Church with Saint Andrew and Saint Michael, East Greenwich Act 1968

CHAPTER xi

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# ELIZABETH II




## 1968 CHAPTER xi

An Act to authorise the demolition of the church of Christ Church and the church of Saint Andrew and Saint Michael, East Greenwich; to provide for the construction of a new parish church for the parish of Christ Church with Saint Andrew and Saint Michael, East Greenwich; to authorise the use for other purposes of the site of the said church of Saint Andrew and Saint Michael and part of the site of the said church of Christ Church; and for purposes incidental thereto.

[30th May 1968]

WHEREAS the parish of Christ Church with Saint Andrew and Saint Michael, East Greenwich (hereafter called "the parish") was constituted by scheme under the Reorganisation Areas Measure, 1944, confirmed by order of 1944 No. 1.
the Church Commissioners for England dated the 12th April, 1951, with the church of Christ Church as the parish church of the parish and the church of Saint Andrew and Saint Michael as a chapel of ease within the parish:

And whereas the said church of Christ Church, which was consecrated in the year 1849, is situate on the land described in Part I of the schedule to this Act and the said church of Saint Andrew and Saint Michael, which was completed in the year 1902, is situate on the land described in Part II of that schedule:

And whereas the said church of Christ Church, which is a large stone-faced structure capable of seating 800 worshippers, is in use as the parish church but is in continuing need of substantial works of repair and maintenance, and its size and condition are such as will involve a continuing burden of large and disproportionate expenditure on repair, maintenance, cleaning and heating without securing for the parish a satisfactory and convenient parish church:

And whereas the said church of Saint Andrew and Saint Michael is only occasionally used for public worship and if it continues in use as a chapel of ease within the parish the expenditure necessary for its immediate repair, and continued maintenance thereafter, will add substantially to the burdens to be met by the parish and by the diocese of Southwark:

And whereas the needs of the parish for public worship are not sufficient to justify the retention of two churches therein but would be better met by the provision of a smaller and more convenient parish church:

And whereas the lands described in Parts I and II of the schedule to this Act are now vested in the incumbent for the time being of the benefice of the parish, the present incumbent being the Reverend Dudley Emerson Roberts:

And whereas it is expedient that the freeholds of the lands described in Parts I and II of the schedule to this Act should be vested in the Rochester and Southwark Diocesan Church Trust (hereafter called " the trust "), that the trust should be authorised to arrange for the demolition of the said churches of Christ Church and Saint Andrew and Saint Michael, and that such provisions as are contained in this Act with respect to the sale, leasing, use and disposal of the said lands and the construction, on the land described in Part I of that schedule, of a new parish church should be enacted:

And whereas it is expedient that, upon the said new church becoming available for public worship, that church should become the parish church of the parish in place of the existing church of Christ Church:

And whereas no human remains are interred in the land described in the schedule to this Act:

And whereas it is expedient that the other provisions contained in this Act should be enacted:

And whereas the Right Reverend Father in God, Mervyn, by divine permission Lord Bishop of Southwark, has consented to the provisions of this Act and the parochial church council of the parish has unanimously approved the promotion of the Bill for this Act:

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

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

Short title.

1. This Act may be cited as the Christ Church with Saint Andrew and Saint Michael, East Greenwich Act 1968.

Interpretation

2.—(1) In this Act, unless there be something in the subject or context repugnant to such construction—

"the benefice" means the benefice of the parish;

"the bishop" means the bishop of Southwark for the time being and during a vacancy in the see of Southwark includes the guardian of the spiritualities thereof;

"the church of Saint Andrew" means the existing chapel of ease known as the church of Saint Andrew and Saint Michael in the parish;

"the diocese" means the diocese of Southwark;

"the existing parish church" means the existing parish church of Christ Church in the parish;

"the incumbent" means the incumbent for the time being of the benefice or, during any period when the benefice is vacant, the bishop;

"the new church" means a new church to be erected on the land described in Part I of the schedule to this Act for use as the parish church of the parish in place of the existing parish church;

"the parish" means the parish of Christ Church with Saint Andrew and Saint Michael, East Greenwich;

"the Part I land" means the land described in Part I of the schedule to this Act;

"the parochial church council" means the parochial church council of the parish;

"the scheduled lands" means the lands described in Parts I and II of the schedule to this Act including the existing parish church and the church of Saint Andrew situate thereon respectively;

"the specified date" means—

(*a*) in relation to the land described in Part I of the schedule to this Act and the existing parish church situate thereon, the date upon which the bishop gives his certificate that satisfactory arrangements

have been made by the incumbent and the parochial church council for the holding of services temporarily in some suitable place in the parish until the new church is available for public worship; and

(*b*) in relation to the land described in Part II of that schedule and the church of Saint Andrew situate thereon, the date upon which, at the request of the incumbent and the parochial church council, the bishop gives his certificate that the church of Saint Andrew is no longer required for public worship;

"the trust" means the Rochester and Southwark Diocesan Church Trust.

(2) Any reference in this Act to any enactment shall be construed as a reference to that enactment as applied, extended, amended or varied by, or by virtue of, any subsequent enactment, including this Act.

Vesting of scheduled lands.

**3.** The scheduled lands shall on the specified date vest in the trust for an estate in fee simple subject to the provisions of this Act but otherwise in like manner as if the said land had been acquired by the parochial church council with the consent of the trust as diocesan authority pursuant to section 6 of the Parochial Church Councils (Powers) Measure, 1956, and the provisions of that section shall (subject as aforesaid) apply accordingly.

1956 No. 3.

Demolition of existing churches and erection of new church.

**4.**—(1) The trust, after consultation with the incumbent and the parochial church council, may, in each case at any time after the specified date applicable thereto respectively, cause or permit the existing parish church and the church of Saint Andrew to be demolished and the materials thereof to be sold or otherwise disposed of as they may think fit:

Provided that no part of the existing parish church or the church of Saint Andrew shall be demolished until the trust has arranged for the removal from the church concerned, and the installation at some convenient time thereafter in the new church or in such other place as the bishop, after consultation with the incumbent and the parochial church council, may direct, of the organ in the existing parish church and all equipment and furniture ancillary thereto, and such memorial plaques and other memorials in the existing parish church or the church of Saint Andrew as the bishop, after consultation as aforesaid, may direct.

(2) The incumbent and the trust shall use their best endeavours to procure the construction and completion of the new church so as to enable it to be made available for public worship before the expiration of a period of three years from the specified date in relation to the Part I land.

(3) No licence or faculty of the consistory court of the diocese shall be necessary for the exercise of the powers conferred, and the performance of the obligations imposed by this section.

(4) Nothing in this section shall authorise the demolition of any consecrated building until that building, and the site thereof, have been freed from the effects of consecration pursuant to the provisions of section 6 (Discharge of trusts, etc., and saving for private rights) of this Act.

Disposal of part of scheduled lands and application of proceeds.

5.—(1) For the purpose of the erection of the new church referred to in subsection (3) of this section, the trust shall retain such interests in such part of the Part I land as the trust may think fit and the incumbent may approve.

(2) Subject to the provisions of the foregoing subsection as from the specified date the trust may sell, lease or otherwise dispose of the scheduled lands, or any part thereof, for such price or consideration, in such manner and upon and subject to such terms and provisions as the trust may think fit and the incumbent may approve.

(3) All moneys received by the trust under the last preceding section and this section, and all income from time to time derived from such moneys, shall be applied by the trust as follows:—

(*a*) in reimbursing, to such extent as the trust with the approval of the incumbent and the bishop may think fit, any expenditure incurred by the parochial church council in the temporary adaptation of premises for the holding of services during the period from the closing of the existing parish church until the new church is available for public worship;

(*b*) in payment of the cost of demolition of the existing parish church and the church of Saint Andrew and the removal, preservation and reinstallation or other dealing with the organ and the ancillary equipment and furniture, plaques and other memorials pursuant to subsection (1) of section 4 (Demolition of existing churches and erection of new church) of this Act;

(*c*) in the construction on the Part I land of the new church (which shall be constructed in accordance with plans, specifications and particulars approved by the incumbent, the parochial church council and the Church Commissioners for England) and such other buildings and accommodation as the incumbent and the parochial church council, with the approval of the trust, may think fit;

(*d*) in defraying the costs, charges and expenses referred to in section 9 (Costs of Act) of this Act;

and any remaining balance shall be applied by the trust for such ecclesiastical purposes within the parish as may be charitable and as may from time to time be approved by the bishop and by the incumbent who before giving his approval shall consult the parochial church council.

(4) The new church, upon being approved by the Church Commissioners for England as suitable to be the parish church of the parish, shall become the parish church of the parish in place of the existing parish church.

Discharge of trusts, etc., and saving for private rights.

**6.**—(1) As from the specified date the scheduled lands shall be freed and discharged from all trusts, uses, obligations, disabilities and restrictions whatsoever (including the effects of consecration) which immediately before the specified date attached thereto under ecclesiastical law or otherwise, and from all other trusts, uses, obligations, disabilities and restrictions whatsoever which attached thereto immediately before the specified date by reason of the said lands or any part thereof having been or formed the site of a church or the enclosure of a church:

Provided that nothing in this Act shall operate to affect prejudicially any private right or easement over the said lands or any part thereof which attached thereto immediately before the specified date.

(2) Each of the specified dates shall be recorded in the parish register.

Power to use scheduled lands for other purposes.

**7.** Notwithstanding anything contained in any enactment, but subject to the provisions of this Act, it shall be lawful at any time after the specified date to use, deal with or dispose of the scheduled lands, or any part thereof, for any purpose in like manner as if no part thereof had ever been or formed the site of a church or the enclosure of a church.

Saving for town and country planning. 1962 c. 38.

**8.** The provisions of the Town and Country Planning Act, 1962, and any restrictions or powers thereby imposed or conferred in relation to land, shall apply and may be exercised in relation to any land notwithstanding that the development thereof is or may be authorised or regulated by or under this Act.

Costs of Act.

**9.** All the costs, charges and expenses preliminary to and of and incidental to the preparing, applying for, obtaining and passing of this Act or otherwise in relation thereto shall be paid by the trust.

# SCHEDULE

DESCRIPTION OF LANDS REFERRED TO IN THIS ACT Section 2

## PART I

### SITE OF THE EXISTING PARISH CHURCH OF CHRIST CHURCH AND LAND ADJOINING

All that piece of land in the London borough of Greenwich containing 21,600 square feet or thereabouts and now forming the sites of the existing parish church and the church hall adjacent thereto, situated on the north-west side of Trafalgar Road and the east side of Christ Church Way and bounded by a line commencing on the Trafalgar Road frontage immediately adjoining No. 179 Trafalgar Road and extending in a south-westerly direction for a distance of 204 feet or thereabouts, to meet a splayed boundary line at the junction of Trafalgar Road with Christ Church Way, extending in a north-westerly direction for a distance of 10 feet 9 inches or thereabouts, thence proceeding in a northerly direction for a distance of 92 feet 6 inches or thereabouts, thence proceeding in a north-easterly direction along the boundary of the adjoining school premises for a distance of 213 feet or thereabouts to a point adjacent to the north-eastern corner of the said hall, thence returning in a southerly direction for a distance of 109 feet or thereabouts to the point of commencement.

## PART II

### SITE OF THE CHURCH OF SAINT ANDREW AND LAND ADJOINING

All that piece of land in the London borough of Greenwich containing 23,550 square feet or thereabouts and now forming the site of the church of Saint Andrew and Saint Michael and the church hall and ancillary accommodation adjacent thereto, situated on the north-eastern side of Dreadnought Street adjoining Tunnel Avenue and the south-eastern side of Boord Street and bounded by a line commencing on the Dreadnought Street frontage at a point immediately adjoining the Dreadnought Primary School and extending in a north-westerly direction for a distance of 105 feet 6 inches or thereabouts to the junction with Boord Street, thence proceeding in a north-easterly direction for a distance of 241 feet or thereabouts, thence proceeding in a south-easterly direction for a distance of 92 feet or thereabouts, thence proceeding in a south-westerly direction for a distance of 236 feet to the point of commencement.

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