Essex County Council (Fullbridge, Maldon) Act, 1960

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(4) Rules (2) to (4) of the rules set out in section 2 of the said Act of 1919 (which provides rules for valuation on a compulsory acquisition) shall apply to the calculation of compensation under this section.

(5) Any claim for compensation under this section shall be made within one year from the date of opening for public use of the reconstructed bridge referred to in the said section 3.

Power to borrow.

5.—(1) The Council may borrow without the consent of any sanctioning authority such sums as may be necessary for the payment of the costs charges and expenses of this Act and Part IX of the Local Government Act 1933 shall have effect as if money borrowed under this section were borrowed under that Part.

(2) The Council shall repay sums borrowed under the preceding subsection within five years from the date of borrowing.

Costs of Act.

6. 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 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 county fund of the Council or out of moneys to be borrowed under this Act.

Table of Statutes referred to in this Act

Short title	Session and chapter
Acquisition of Land (Assessment of Compensation) Act 1919	9 & 10 Geo. 5 c. 57
Local Government Act 1933	23 & 24 Geo. 5 c. 51
Highways Act 1959	7 & 8 Eliz. 2 c. 25

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CHAPTER xxxi

An Act to authorise the county council of Essex in reconstructing Fullbridge in the borough of Maldon over the river Chelmer to reduce the headway under the existing bridge and for other purposes.

[29th July 1960.]

WHEREAS in May nineteen hundred and forty-three the road bridge over the river Chelmer known as Fullbridge in the borough of Maldon in the administrative county of Essex (hereinafter referred to as "the existing bridge") was considered unsafe for continued use by heavy traffic and it was deemed expedient to erect a temporary bridge alongside the existing bridge:

And whereas a temporary bridge was duly erected and in or about April nineteen hundred and forty-four the existing bridge was and has since remained closed to all vehicular traffic:

And whereas the county council of Essex (hereinafter referred to as "the Council") are the highway authority responsible for the maintenance of the existing bridge:

And whereas it is expedient that the existing bridge should be reconstructed:

And whereas it is expedient that in reconstructing the existing bridge the Council should reduce the headway under the bridge as in this Act provided:

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

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 Part XIII of the Local Government Act 1933 have been observed:

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 Essex County Council (Fullbridge, Maldon) Act 1960.

Interpretation.

2. In this Act unless otherwise expressly enacted or unless the subject or context otherwise requires—

"Council" means the county council of Essex;

"enactment" means any enactment whether public general or local and includes any order rule regulation scheme or other instrument having effect by virtue of an enactment;

"reconstruction" has the meaning assigned to it by section 295 of the Highways Act 1959.

Headway of Fullbridge, Maldon when reconstructed.

3. Notwithstanding anything in any enactment or any agreement or any rule of law or otherwise to the contrary the Council in carrying out the reconstruction under the powers conferred on them by the Highways Act 1959 of the bridge over the river Chelmer known as Fullbridge in the borough of Maldon in the administrative county of Essex may reduce the headway under the bridge as existing at the date of the passing of this Act by not more than thirteen inches at any point between the abutments of the bridge.

Compensation for depreciation in land values.

4.—(1) If on a claim made by an owner of land in accordance with this section it is shown that the value of his land is depreciated in consequence of the exercise by the Council of the powers conferred by section 3 (Headway of Fullbridge, Maldon when reconstructed) of this Act the Council shall pay to that owner compensation equal to the amount of the depreciation.

(2) Any dispute arising on a claim for compensation under this section shall be determined by the Lands Tribunal.

(3) For the purposes of any reference to the Lands Tribunal under this section section 5 of the Acquisition of Land (Assessment of Compensation) Act 1919 (which relates to costs) shall have effect with the substitution for references to the acquiring authority of references to the Council.