STATUTORY INSTRUMENTS

1980 No. 380

LOCAL GOVERNMENT, ENGLAND AND WALES

CHANGES IN LOCAL GOVERNMENT AREAS

The New Forest (Transfer of Properties, etc.) Order 1980

Made - - - -	11*th March* 1980
Coming into Operation	1*st April* 1980

Whereas the New Forest (Parishes) Order 1979(a), made by the Secretary of State for the Environment in exercise of his powers under sections 51(2) and 67(4) and (5) of the Local Government Act 1972(b) and of all other powers enabling him in that behalf, constituted four new parishes in the area of the former borough of Lymington in the District of New Forest;

And whereas regulation 62 of the Local Government Area Changes Regulations 1976(c) made certain provision in respect of properties, liabilities, contracts, deeds, bonds, agreements and other instruments, notices and proceedings;

And whereas further provision in respect of properties, liabilities, contracts, deeds, bonds, agreements and other instruments, notices and proceedings has been agreed between the District Council of New Forest and the parish councils of the said new parishes:

Now therefore the Secretary of State for the Environment, in exercise of his powers under sections 51(2) and 67(4) of the Local Government Act 1972 and of all other powers enabling him in that behalf, hereby makes the following order:—

1. This order may be cited as the New Forest (Transfer of Properties, etc.) Order 1980 and shall come into operation on 1st April 1980.

2. In this order "the district council" means the District Council of New Forest.

3. Any property of the district council described in any Part of the Schedule to this order and all liabilities attaching to the district council in respect of any such property shall by virtue of this order be transferred to and vest in or attach to the parish council named in the description of such Part; and—

(*a*) all contracts, deeds, bonds, agreements and other instruments subsisting in favour of, or against, and all notices in force which were given

(a) S.I. 1979/148. (b) 1972 c. 70.
(c) S.I. 1976/246, to which there are amendments not relevant to this order.

(or have effect as if they had been given) by, or to, the district council in respect of such property or liabilities shall be of full force and effect in favour of, or against, the parish council named as aforesaid, and

(*b*) any action or proceeding or any cause of action or proceeding, pending or existing immediately before the coming into operation of this order, by, or against, the district council in respect of such property or liabilities shall not be prejudicially affected by reason of this order, and may be continued, prosecuted and enforced by, or against, the parish council named as aforesaid.

4. Paragraphs (6), (7) and (8) of regulation 62 of the Local Government Area Changes Regulations 1976 shall apply to property transferred by article 3 above as they apply to property transferred by paragraph (2) of the said regulation.

SCHEDULE

PART I

PROPERTIES TRANSFERRED TO THE PARISH COUNCIL OF HORDLE

Open space off Dudley Avenue, Hordle, being the area of the former refuse tip

Area of part of footpath and adjoining land between Everton Road and Stopples Lane, Hordle

Recreation Ground including all buildings appurtenant thereto in Ashley Lane, Hordle, known as the William Wylie and Kate Elizabeth Holes Memorial Recreation Ground

Recreation Ground including all buildings appurtenant thereto off Frys Lane, Everton, known as the Everton Recreation Ground

Open space off Ashley Lane and Hare Lane, Hordle, excluding all public highways thereover, known as Golden Hill Common, Hordle

PART II

PROPERTIES TRANSFERRED TO THE TOWN COUNCIL OF LYMINGTON AND PENNINGTON

Recreation Ground together with all buildings appurtenant thereto off Southampton Road, Lymington, known as Lymington Sports Ground, excluding the area of the car park adjoining Southampton Road

Recreation Ground together with all buildings appurtenant thereto off Lodge Road, Pennington, known as Pennington Recreation Ground

Open space off Grove Road, Lymington, known as Grove Gardens (formerly known as Nags Head field)

Open space off Grove Road, Lymington, known as The Grove (forming part of Grove Gardens)

Open space off Emsworth Road, Lymington, known as Emsworth Road Playground

Gardens off Rookes Lane, Lymington, together with the buildings appurtenant thereto, known as Woodside Gardens

12·12 hectares of open space adjoining Woodside Gardens, Rookes Lane, Lymington, known as part of Woodside

Common land registered under the Commons Registration Act 1965(a) excluding all public highways thereon, known as Pennington Common, Pennington, Lymington

(a) 1965 c. 64.

6 areas of open space off St. Thomas Park, Lymington, known as St. Thomas's Park open space

7 areas of open space off Forest Vale, Lymington, known as Forest Vale open space

Recreation Ground together with all buildings appurtenant thereto adjoining Bath Road, Lymington, known as Bath Road Recreation Ground

The Seawater Baths and Changing Rooms, Lymington

Open space registered as a Village Green under the Commons Registration Act 1965 known as Chequers Green, Woodside, Lymington

Walhampton Monument, Walhampton, Lymington

War Memorial, St. Thomas Street, Lymington

PART III

PROPERTIES TRANSFERRED TO THE PARISH COUNCIL OF MILFORD-ON-SEA

Open Space off Lawn Road, Milford-on-Sea, known as Lawn Road Playground

Recreation Ground together with all buildings appurtenant thereto off Barnes Lane, Milford-on-Sea, known as Barnes Lane Recreation Ground

Open space off Whitby Road, Milford-on-Sea, known as Milford Pleasure Gardens

Open space known as The Green, Milford-on-Sea

Open space off Pless Road, Milford-on-Sea, known as Studland Common

Open space off Shorefield Road, known as Sharvells Copse

The Bowling Green, Hurst Road, Milford-on-Sea and buildings appurtenant thereto

The Putting Green, Hurst Road, Milford-on-Sea, and buildings appurtenant thereto

Open space off Keyhaven Road, Milford-on-Sea, known as the Baskets

The War Memorial, Keyhaven Road, Keyhaven

All benefit interest and use in the areas of open space adjoining Westover Road and Ravens Way, Milford-on-Sea, known as the Bolton, Milford-on-Sea

PART IV

PROPERTIES TRANSFERRED TO THE TOWN COUNCIL OF NEW MILTON

Recreation Ground including all buildings appurtenant thereto known as the Milton War Memorial Recreation Ground, New Milton, excluding the area of 137 square metres or thereabouts adjoining the south-east boundary and all necessary rights of access thereto and drainage thereof

Recreation Ground including all buildings appurtenant thereto known as Ashley Sports Ground, Ashley, New Milton

Childrens Playground registered as a village green under the Commons Registration Act 1965 including all equipment appurtenant thereto, Lower Ashley Road, New Milton

Open space at the junction of Lymington Road and Southern Lane, New Milton, known as the Len's Cafe site

Barton Common, Barton, New Milton excluding all public highways thereover and reserving to the district council user rights over the gravel pit area adjoining Barton Common Road

Open space known as Long Meadow, Barton on Sea

Open space known as Great Ballard Lake, Fernhill Land, New Milton

Open space at Brook Avenue, New Milton, known as Brook Avenue open space

The War Memorial, Barton on Sea

Open space at the Ashley Road, Ashley Common Road, Crossroads, Ashley, New Milton

Open space on the corner of Oakwood Avenue, New Milton

All benefit interest and use in the areas of open space adjoining Willowdene Close, New Milton, known as Willowdene Close open space

Signed by authority of
the Secretary of State

11th March 1980.

D. Gruffydd Jones,
An Under Secretary in the
Department of the Environment.

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