

ELIZABETH II



1982 CHAPTER xiii

An Act to authorise the Tees and Hartlepool Port Authority
to stop up and extinguish certain public rights of way;
and for connected purposes. [23rd July 1982]

WHEREAS—

(1) By the Tees and Hartlepool Port Authority Act 1966 the 1966 c. xxv. Tees and Hartlepool Port Authority were constituted and incorporated and invested with powers and duties as the harbour authority for the river Tees, the estuary thereof and the harbour and dock undertakings at Hartlepool and Middlesbrough as successors to the Tees Conservancy Commissioners, the Hartlepool Port and Harbour Commissioners, the British Transport Docks Board, the former borough of Stockton-on-Tees and the Tyne-Tees Shipping Company Limited:

(2) By the Tees and Hartlepool Port Authority Act 1969 the 1969 c. iv. name of the Authority was changed to the Tees and Hartlepool Port Authority:

(3) There exist public rights of way over land adjacent to and at Hartlepool Docks where further development for dock purposes is intended and, in the case of foot passengers, those rights of way could become hazardous following such further development,

and whereas it is expedient that the Authority be authorised (subject to a saving for all existing private rights of way) to stop up those public rights of way and that they be extinguished:

(4) It is expedient that the other provisions of this Act should be enacted:

(5) The purposes of this Act cannot be attained 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 and
collective
titles.

1.—(1) This Act may be cited as the Tees and Hartlepool Port Authority Act 1982.

(2) The Tees and Hartlepool Port Authority Acts and Orders 1966 to 1978 and this Act may be cited together as the Tees and Hartlepool Port Authority Acts and Orders 1966 to 1982.

Interpretation.

2. In this Act (including the Preamble hereto)—

“the Authority” means the Tees and Hartlepool Port Authority;

“the blue land” means the land situated in the borough of Hartlepool in the county of Cleveland as shown coloured blue on the deposited plan; and

“the deposited plan” means the plan (as amended) deposited in the office of the Clerk of the Parliaments, House of Lords and in the Private Bill Office of the House of Commons and with the proper officers respectively of the councils of the county of Cleveland and the borough of Hartlepool.

Power to
stop up
highways at
Hartlepool
Docks.

3. The Authority may stop up and cause to be discontinued so much of the highways in the borough of Hartlepool in the county of Cleveland as lie within the blue land and, thereupon, all rights of way over or along that part of those highways shall be extinguished and the owners of the subsoil thereof may appropriate and use the site of so much of those highways as is respectively owned by them.

Saving for
private
rights of
way.

4. Nothing in this Act shall operate to affect prejudicially any private right of way over the whole or any part of the blue land, being a right of way which attached thereto immediately before the coming into operation of this Act.

5.—(1) This Act shall come into operation, on such date not Commence-
being later than 31st December 1983, as the new berth is con- ment.
structed and first used for cargo handling by a sea-going vessel and
the Authority shall, not later than 28 days after that date, publish
in a newspaper circulating in their area notice of that date and the
general effect thereof.

(2) In subsection (1) above “new berth” means the berth
which the Authority propose to construct for roll-on/roll-off
cargo at Hartlepool Docks on the whole or some part of the land
hatched black on the deposited plan.

6. Where, in consequence of this Act, any part of any highway For
in which any apparatus of the statutory undertakers is situate protection of
ceases to be part of that highway the statutory undertakers may statutory
exercise the same rights in respect of such apparatus as they undertakers.
enjoyed immediately before the coming into operation of this Act
and in this section “the statutory undertakers” means the British
Gas Corporation, British Telecommunications, the Central
Electricity Generating Board, the North Eastern Electricity Board
and the Northumbrian Water Authority or any of them as the
case may be.

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