



Malvern Hills Act 1995

1995 CHAPTER iii

6 As to disposal of land

(1) Without prejudice to any other powers the Conservators have to sell, exchange, let, charge or otherwise dispose of land, and notwithstanding anything in the existing Malvern Hills Acts the Conservators may, with the consent of the Secretary of State, in respect of any land which—

- (a) is owned by them but has not been so owned for a continuous period of more than five years;
- (b) does not form part of the existing Malvern Hills;
- (c) is not registered as common land or a town or village green; and
- (d) the Conservators have not later than two years after the date of acquisition of it by them decided it is not desirable to retain for the benefit or recreation of the public as part of the Malvern Hills;

do any of the following:—

- (i) sell the whole or any part of or the whole or any part of any interest in any such land which is not required by them;
- (ii) exchange any such land which is not required by them for other land either with or without paying or receiving any money by way of equality of exchange;
- (iii) let any such land subject to such terms and conditions, covenants and arrangements as they think fit;

and the provisions of section 9 (Power to adjust boundaries) of the Act of 1930 shall not apply as respects any such sale or exchange.

(2) Where land has become vested in the Conservators by virtue of a gift or bequest the powers conferred by this section shall not be exercisable as respects that land in any manner inconsistent with any condition attached to the gift or bequest, except with the consent of the donor or the personal representatives or trustees of the donor.

(3) Where the Conservators exercise their powers under subsection (1) above in relation to any land by letting it, all the powers under that subsection shall continue to be available to them in relation to that land on the termination of the letting whether or not, at that termination, they have owned the land for more than five years.