



Pipe-lines Act 1962

1962 CHAPTER 58

Supplementary Provisions

51 Provisions as to ecclesiastical property

- (1) Where under this Act a document is required to be served on an owner of land, and the land is ecclesiastical property, a copy of the document shall be served on the Church Commissioners, and where under this Act the seeking of consultation with an owner of land is requisite, and the land is ecclesiastical property, the seeking of consultation with the Church Commissioners shall be requisite also.
- (2) Where the fee simple in any ecclesiastical property is in abeyance, it shall be treated for the purposes of an application for a compulsory purchase or rights order in which the property is proposed to be comprised, and of a compulsory purchase of the property in pursuance of a compulsory purchase order, as being vested in the Church Commissioners, and (in the case of a compulsory purchase) any notice to treat shall be served accordingly.
- (3) Any compensation falling to be paid under the foregoing provisions of this Act in respect of damage to land that is ecclesiastical property shall, to the extent to which it is payable to the owner of the fee simple in the land, be paid (where the fee simple is vested in any person other than the Church Commissioners) to them, instead of to that person, and any compensation falling to be paid under those provisions in respect of the depreciation of the fee simple in land that is ecclesiastical property shall (where the fee simple is vested in a person other than the Church Commissioners) be paid to them instead of to the person in whom the fee simple is vested.
- (4) Any sums agreed upon or awarded for the purchase, in pursuance of a compulsory purchase order, of the fee simple in land that is ecclesiastical property, or to be paid by way of compensation for damage sustained by reason of severance or injury affecting such land (being severance or injury arising from the purchase of land in pursuance of such an order), shall, instead of being paid as provided by the Lands Clauses Acts, be paid to the Church Commissioners.
- (5) Any sums paid under either of the two last foregoing subsections to the Church Commissioners with reference to any land shall, if the land is not consecrated, be

Status: This is the original version (as it was originally enacted).

applied by them for the purposes for which the proceeds of a sale by agreement of the fee simple in the land would be applicable under any enactment or Measure authorising such a sale or disposing of the proceeds of such a sale, and if the land is consecrated, be applied by them in such manner as they may determine.

- (6) In this section the expression " ecclesiastical property" means land belonging to an ecclesiastical benefice of the Church of England, or being or forming part of a church subject to the jurisdiction of the bishop of any diocese of the Church of England or the site of a church so subject, or being or forming part of a burial ground so subject.