



Church of England (Miscellaneous Provisions) Measure 2006

2006 No. 1

6 Powers of Church Commissioners relating to Farnham Castle

- (1) Subject to subsections (3) and (4) below, Farnham Castle shall be held by the Commissioners as part of their corporate property and, accordingly, the provisions of the Farnham Castle Measure 1961 (9 & 10 Eliz. 2 No. 1) (“the 1961 Measure”) mentioned in subsection (2) below are hereby repealed.
- (2) The provisions of the 1961 Measure referred to in subsection (1) above are the words “, but subject to the succeeding section” in section 1(2), section 2 and the definition of “approved” in section 3.
- (3) Before exercising any power to sell or otherwise dispose of Farnham Castle or any part thereof or any interest in or over it the Commissioners shall consider what consequences would be likely to result from the exercise of that power and what restrictive or other conditions, if any, should be imposed upon the purchaser, lessee or grantee and, if they consider that Farnham Castle or any part thereof may be prejudicially affected by the exercise of that power, they shall consult English Heritage and such other person or body qualified to advise on the matter as they think fit.
- (4) The Commissioners may enforce any covenants imposed on the sale, exchange or gift of the whole or, in the case of a partial disposition, on the sale, exchange or gift of the last remaining part, of Farnham Castle as if the Commissioners were the owners of adjacent land and the covenants were expressed to be entered into for the benefit of that land and, in the case of covenants of a positive character, as if they were negative.
- (5) In this section—
 - “the Commissioners” means the Church Commissioners;
 - “English Heritage” means the Historic Buildings and Monuments Commission for England, known as English Heritage; and
 - “Farnham Castle” has the meaning assigned to it by the 1961 Measure.