

ELIZABETH II



1965 CHAPTER iv

An Act to confer powers on the urban district council of Walton and Weybridge in relation to the appropriation and use of certain land; and for purposes incidental thereto. [2nd June 1965]

WHEREAS the urban district of Walton and Weybridge (hereinafter called "the district") is an urban district under the government of the council of the district (hereinafter called "the Council"):

And whereas certain land within the district described in the schedule to this Act (hereinafter called "the said land") is held by the Council by virtue of a conveyance dated the 1st January, 1915, and made between William Alfred Gouldsmith, Charles Cecil Gouldsmith, Percy Willis Russell and Jesse Devenish Gouldsmith of the one part and the urban district council of Walton-upon-Thames of the other part:

And whereas the said land was acquired by the Council under the powers conferred by section 164 of the Public Health Act, c. 55, 1875, and since the acquisition thereof the public and the inhabitants at large have from time to time had access thereto and the use and enjoyment thereof as a public walk or pleasure ground or otherwise, and by virtue of such access or use and enjoyment have acquired or may be said to be entitled to a beneficial interest in the said land:

And whereas by virtue of orders made under the Housing (Temporary Accommodation) Act, 1945, and the Housing c. 39. Repairs and Rents Act, 1954, the said land has, since the year c. 53.

1945, been used for temporary housing, but the use of the said land for that purpose will cease to be authorised after 31st December, 1965:

c. 56.

And whereas it is expedient, in the interests of the district and the inhabitants thereof, that the Council should be enabled to appropriate and use the said land at the earliest possible date for the purpose of their functions under Part V of the Housing Act, 1957:

And whereas by reason of a recent decision of the courts it is apprehended that the existence of a beneficial interest enjoyed by the public or the inhabitants at large as aforesaid would preclude the Council, without further authority, from appropriating or using the said land in the manner desired:

And whereas there are within the district considerable areas of land already used and enjoyed by the public as pleasure grounds and open spaces, and further areas of land are intended to become available for use and enjoyment for those purposes within the next seven years:

And whereas it is expedient that the several provisions contained in this Act should be enacted:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

c. 51.

And whereas in relation to the promotion of the Bill for this Act the requirements of Part XIII of the Local Government Act, 1933, have been observed:

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 title.

1. This Act may be cited as the Walton and Weybridge Urban District Council Act 1965.

Interpretation.

2.—(1) In this Act, unless the subject or context otherwise requires—

“the Council” means the council of the urban district of Walton and Weybridge;

“the scheduled land” means the land described in the schedule to this Act.

(2) Except where the context otherwise requires, any reference in this Act to any enactment shall be construed as a reference to that enactment as applied, extended, amended or varied by or by virtue of any subsequent enactment, including this Act.

3. Notwithstanding any enactment or rule of law, the Council may appropriate and use the scheduled land for the purpose of the Council's functions under Part V of the Housing Act, 1957 (which confers powers and imposes duties on local authorities in relation to the provision of housing accommodation) free from any beneficial interest or other right therein of the public or the inhabitants at large, other than rights to the use and enjoyment of highways.

Power to appropriate and use scheduled land free from certain rights.
c. 56.

4. All the costs, charges and expenses preliminary to and incidental to the preparing, applying for, obtaining and passing of this Act, as taxed by the taxing officer of the House of Lords or of the House of Commons, shall be paid by the Council.

Costs of Act.

SCHEDULE**Section 2****DESCRIPTION OF THE LAND DEALT WITH BY THE FOREGOING ACT**

Lands at Walton-on-Thames within the urban district of Walton and Weybridge containing 6.23 acres or thereabouts lying on the north-west side of Terrace Road and bounded on the south-east side in part by Terrace Road and in part by premises known as Nos. 75, 75A and 77 Terrace Road; on the south-west side by the said premises Nos. 75A and 77 Terrace Road and premises known as Nos. 8 to 58 (even numbers inclusive) Dudley Road; on the north-west side by the Council's recreation ground and by Felix Road along a line extended from the north-west boundary of the premises known as No. 75 Russell Road to the north-east boundary of the premises known as No. 58 Dudley Road; and on the north-east side by premises known as No. 79 Terrace Road and Nos. 1 to 75 (odd numbers inclusive) Russell Road.

PRINTED BY THE SOLICITORS' LAW STATIONERY SOCIETY, LTD., FOR
SIR PERCY FAULKNER, K.B.E., C.B.
Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament

LONDON: PUBLISHED BY HER MAJESTY'S STATIONERY OFFICE

Price 6d. net

PRINTED IN ENGLAND