ELIZABETH II

1972 CHAPTER xiii

An Act to extend the time for the commencement of the work authorised by the Whitley Bay Pier Act 1966; and for other purposes. [12th June 1972]

WHEREAS by the Whitley Bay Pier Act 1966 North Eastern Piers Limited were empowered (inter alia) to construct a pleasure pier in the borough of Whitley Bay in the county of Northumberland: 1966 c. xxxv.

And whereas under the said Act of 1966 the powers granted to the said company for making and completing the said pier are to cease on the 1st January, 1972:

And whereas it is expedient that the time so limited should be extended as by this Act provided:

And whereas it is expedient that the other provisions of this Act should be enacted:

And whereas the objects 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 title.

1. This Act may be cited as the Whitley Bay Pier (Extension of Time) Act 1972.

Interpretation.

2. In this Act—

1966 c. xxxv.

" the Act of 1966 " means the Whitley Bay Pier Act 1966;

" the Company " means North Eastern Piers Limited.

Extension of time for commencement of work.

3.—(1) The Act of 1966 shall have effect as if—

(*a*) the following section were substituted for section 14 thereof:—

" Powers to cease in certain events.

14.—(1) If the work authorised by section 8 (Power to construct work) of this Act is not substantially commenced within five years from 1st January, 1972, or such extended time as the Secretary of State may, after consultation with the council and the corporation, in the circumstances by order direct the powers granted to the Company by this Act for the construction of the work shall cease.

(2) If the execution of the work after having been substantially commenced is virtually suspended for twelve consecutive months the said powers shall cease except as to so much of the work as is then completed, unless the Secretary of State, after consultation with the council and the corporation, by order directs that the said powers continue and remain in force.

(3) A certificate of the Secretary of State to the effect that the work has not been substantially commenced or that it has been virtually suspended for twelve consecutive months shall for the purpose of this section be conclusive evidence of the facts stated in such certificate.

(4) An order under subsections (1) or (2) of this section shall be subject to special parliamentary procedure.";

(*b*) the following subsections were added to section 31 thereof:—

" (3) Subject to the provisions of subsection (4) of this section, in their application to development

authorised by this Act, article 3 of, and Class XII in Schedule 1 to, the Town and Country Planning General Development Order 1963 (which permit development authorised by private Act designating specifically both the nature of the development thereby authorised and the land on which it may be carried out) shall have effect as if the authority to develop given by this Act were limited to development begun within five years from 1st January, 1972.

(4) Such of the works authorised by section 9 (Subsidiary works) of this Act as are not tidal works and are not carried out within twelve months of the completion of the said work authorised by section 8 of this Act shall not be deemed to be development falling within Class XII in Schedule 1 to the Town and Country Planning General Development Order 1963."

(2) The provisions of the foregoing subsection shall be deemed to have come into force on 31st December, 1971.

4. The costs, charges and expenses preliminary to, and of and incidental to, the applying for and the preparing, obtaining and passing of this Act shall be paid by the Company. Costs of Act.

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