

ELIZABETH II



1974 CHAPTER xiii

An Act to provide for the preservation and for restricting the user of certain land in the borough of Castle Morpeth in the county of Northumberland known as Morpeth Common; and for other purposes. [9th July 1974]

WHEREAS—

- (1) The borough of Castle Morpeth (hereinafter referred to as “the borough”) in the county of Northumberland is under the local government of the Castle Morpeth Borough Council (hereinafter referred to as “the Council”):
- (2) Certain land in the borough known and hereinafter referred to as “Morpeth Common” is vested in the Council and is used partly for recreational and partly for agricultural purposes:

(3) The existence of Morpeth Common is of great benefit to the borough by reason of the amenities arising thereby to the inhabitants thereof:

1965 c. 64. (4) Morpeth Common is not common land within the meaning of the Commons Registration Act 1965 and it is expedient that the use of Morpeth Common for purposes other than those authorised by this Act should be prohibited:

(5) It is expedient that the other provisions contained in this Act should be enacted:

(6) The purposes of this Act cannot be effected without the authority of Parliament:

1933 c. 51. (7) 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 by the mayor, aldermen and burgesses of the borough of Morpeth many of whose functions were transferred to the Council by the Local Government Act 1972:

1972 c. 70.

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 Morpeth Common Act 1974.

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

“the borough” means the borough of Castle Morpeth;

“the Council” means the Castle Morpeth Borough Council;

“Morpeth Common” means the land delineated on the signed plan and thereon coloured pink;

“the scheduled agreements” means the agreements and lease, particulars of which are set out in the Schedule to this Act;

“the signed plan” means the plan signed in triplicate by Oscar Murton the chairman of the committee of the House of Commons to whom the Bill for this Act was referred one copy of which plan has been deposited in each of the following offices:—

(a) the office of the Clerk of the Parliaments;

(b) the Private Bill Office, House of Commons; and

(c) the office of the chief executive of the borough.

(2) Unless 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 enactment including this Act.

3. Morpeth Common shall not be used otherwise than for such recreational or agricultural purposes as may be approved by the Council: Protection
of Morpeth
Common.

Provided that nothing in this section shall—

- (1) prevent the continuance of any user of Morpeth Common existing on the fourth day of December, 1973;
- (2) prejudice or affect any rights or interests in Morpeth Common under the scheduled agreements;
- (3) prevent the carrying out by electricity, gas or water undertakers or by the Post Office of any development permitted under Class X and Class XVIII in Schedule 1 to the Town and Country Planning General Development Order 1973 or such diversions of apparatus as may be agreed to from time to time between the Council and such statutory undertakers.

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

Sections 2 and 3.

SCHEDULE**PARTICULARS OF AGREEMENTS ETC. RELATING TO MORPETH COMMON.**

Nature of agreement	Date	Parties
Tenancy agreement ..	31st May, 1967 ..	The mayor, aldermen and burgesses of the borough of Morpeth of the one part and Charles E. Harrison and John A. Harrison trading as C. E. Harrison and Son of the other part.
Grazing licence ..	12th February, 1973	The mayor, aldermen and burgesses of the borough of Morpeth of the one part and T. & I. Maughan & Co. Limited of the other part.
Surrender and Lease	29th December, 1972	The mayor, aldermen and burgesses of the borough of Morpeth of the one part and Morpeth Golf Club Limited of the other part.

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