



Allhallows Staining Church Act 2010

2010 CHAPTER v

4 Discharge of restrictions and power to use relevant land for other purposes

- (1) Subject to subsections (2), (3) and (4), and section 5 (removal of human remains)—
- (a) the relevant land is freed and discharged from any restrictions in any enactment, and from all rights and interests of any person who is an heir, executor or administrator or relative of any deceased person whose remains are interred in the relevant land, and from all trusts, uses, obligations, disabilities and restrictions imposed under ecclesiastical law or otherwise which immediately before the passing of this Act attached to the relevant land by reason of any part of it being consecrated land, a burial ground, a disused burial ground within the meaning of the Disused Burial Grounds Acts [1884 \(c. 72\)](#) and [1981 \(c. 18\)](#), or open space; and
 - (b) it shall be lawful at any time to use, develop, deal with or dispose of the relevant land or any part of it for any purpose as if no part of it had ever been used or set apart for the interment of human remains.
- (2) Nothing in this Act shall operate to affect prejudicially any private right or easement (not being a right in respect of a grave) over the relevant land, or any part of it, which attached to it immediately before the coming into force of this Act.
- (3) The provisions of the planning Acts and any restrictions or powers imposed or conferred by them in relation to land continue to apply to the relevant land.
- (4) Nothing in this section permits interference with land forming part of the public highway without the consent of the highway authority.