



# Croydon Tramlink Act 1994

## 1994 CHAPTER xi

### PART IV

#### MISCELLANEOUS AND GENERAL

#### 51 As to land of Council

- (1) Notwithstanding the provisions of section 123 (2) of the Local Government Act 1972, where land held by the Council is shown on the deposited plans within the limits of deviation for the authorised works or within the limits of land to be acquired or used, the Council may dispose of that land to the Corporation for a consideration less than the best that can reasonably be obtained.
- (2) Where by virtue of subsection (1) above the Council dispose of land which is held—
- (a) for the purposes of section 164 of the Public Health Act 1875 (pleasure grounds); or
  - (b) in accordance with section 10 of the Open Spaces Act 1906 (duty of local authority to maintain open spaces and burial grounds),
- the land shall by virtue of the disposal be freed from any trust arising solely by virtue of its being land held in trust for enjoyment by the public in accordance with the said section 164 or, as the case may be, the said section 10.
- (3) Subsection (4) below shall apply if—
- (a) the construction of the authorised works shall not have begun within the period specified in section 55 (2) (Planning permission) of this Act, or
  - (b) the provisions of this Act which confer power to construct, maintain and operate so much of Tramlink as is situated, or is to be situated, on the designated land are repealed, and

at the end of that period or (as the case may be) on the day on which the provisions are repealed any land which adjoins the designated land is held by the Council or any other person on terms (however expressed and whether imposed by or under statute or any other instrument) requiring the land to be preserved or regulated as a park, recreation ground or public open space for the enjoyment of the public.

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- (4) Where this subsection applies, the Secretary of State may, on an application made in accordance with subsection (5) below by any interested person, make an order vesting the designated land or any part of that land in such person as he may determine on the same terms as the adjoining land is held or on such other terms as he shall consider appropriate, being terms which secure that the designated land (or that part of it) is preserved or regulated as a park, recreational ground or public open space for the enjoyment of the public.
- (5) An application under subsection (4) above shall be made in writing and—
- (a) in a case falling within paragraph (a) of subsection (3) above, within 12 months of the end of the period referred to in that paragraph, or
  - (b) in a case falling within paragraph (b) of that subsection, within 12 months of the repeal of the provisions referred to in that paragraph.
- (6) The Secretary of State shall not make an order under subsection (4) above in relation to any land unless he is satisfied that the land is no longer required for the purposes of Tramlink; and before making such an order he shall give to the owner, lessee or occupier of the land the opportunity of making representations.
- (7) In this section—
- “the designated land” means so much of the land in the London borough of Croydon shown numbered 5A, 76, 78, 79, 81, 98, 99, 102, 104, 106, 108, 112, 118 and 126 on the deposited plans, and so much of the land in the London borough of Bromley shown numbered 1 on those plans, as may be acquired for the purposes of Tramlink pursuant to the powers conferred by this Act; and
  - “the adjoining land” means the land adjoining the designated land and referred to in subsection (3) above.