



# Mill Lane, Kirk Ella, Burial Ground Act 1968

## CHAPTER vi

### ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Interpretation.
3. Discharge of trusts and restrictions affecting burial ground.
4. Power to use burial ground for building or other purposes.
5. Saving for town and country planning.
6. Costs of Act.

SCHEDULE—Description of burial ground.

**ELIZABETH II**



**1968 CHAPTER vi**

An Act to authorise the removal of certain restrictions attaching to land adjoining Mill Lane Cemetery, Kirk Ella, in the East Riding of the county of York; to authorise the use of the land for building purposes or otherwise; and for other purposes. [30th May 1968]

**WHEREAS—**

- (1) By a conveyance dated the second day of March, 1967, between the Reverend John Christopher Heathcote Wilson, Bryan Hole and Geoffrey Wilkinson of the one part and Stan Spruit Limited (hereinafter called "the Company") of the other part, a piece or parcel of land adjoining and on the east side of Mill Lane Cemetery, Kirk Ella, in the East Riding of the county of York and containing one acre, three roods, nineteen perches or hereabouts was conveyed to the Company in fee simple:
- (2) The land so conveyed (hereinafter called "the burial ground") is a disused burial ground within the meaning of the Disused Burial Grounds Act, 1884, but has never been consecrated 1884 c. 72. and no human remains have been interred therein:

(3) The local planning authority have granted permission for the development of the burial ground for residential purposes:

(4) It is expedient that the burial ground should be freed from all restrictions which may affect it by reason of the ground having been set apart for the burial of human remains and that the Company and their successors in title be empowered to use, deal with or dispose of the burial ground or any part thereof for building or for any other purposes whatsoever, freed from all restrictions as aforesaid:

(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:

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 Mill Lane, Kirk Ella, Burial Ground Act 1968.

Interpretation.

2.—(1) In this Act—

“ the burial ground ” means the land described in the Schedule to this Act;

“ the Company ” means Stan Spruit Limited;

“ enactment ” has the same meaning as in the Town and Country Planning Act, 1962.

1962 c. 38.

(2) Any reference in this Act to an enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

Discharge of trusts and restrictions affecting burial ground.

1884 c. 72.

3. As from the passing of this Act the burial ground shall be freed and discharged from all trusts, uses, obligations, disabilities and restrictions whatsoever which immediately before the passing of this Act attached to the burial ground by reason of the burial ground having been set apart for the burial of human remains, and the provisions of the Disused Burial Grounds Act, 1884, shall cease to apply to the burial ground.

4. Subject to the provisions of this Act it shall be lawful at any time after the passing of this Act to use, deal with or dispose of the burial ground or any part thereof for building or for any other purpose in like manner as if no part thereof had ever been set apart for the purpose of the burial of human remains.

Power to use burial ground for building or other purposes.

5. The provisions of the Town and Country Planning Act, 1962, and any restrictions or powers thereby imposed or conferred in relation to land, shall apply and may be exercised in relation to any land notwithstanding that the development thereof is or may be authorised or regulated by or under this Act.

Saving for town and country planning. 1962 c. 38.

6. The costs, charges and expenses preliminary to and of and incidental to the preparing, applying for, obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company and may in whole or in part be defrayed out of revenue.

Costs of Act.

## SCHEDULE

## DESCRIPTION OF BURIAL GROUND

A piece or parcel of land adjoining and on the East side of Mill Lane Cemetery at Kirk Ella in the East Riding of the county of York containing one acre, three roods, nineteen perches or thereabouts delineated on the plan annexed to a Conveyance dated the 2nd March, 1967, between the Reverend John Christopher Heathcote Wilson and others of the one part and the Company of the other part.

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PRINTED IN ENGLAND BY THE SOLICITORS' LAW STATIONERY SOCIETY, LTD., FOR  
HARRY PITCHFORTH  
Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament  
LONDON: PUBLISHED BY HER MAJESTY'S STATIONERY OFFICE  
Price 1s. 0d. net