



CHAPTER ccix.

An Act to make better provision for the safety of the Public when the lands in or near Aldershot, vested in the Secretary of State for the War Department, are used for Rifle Ranges or other Military Purposes.

A.D. 1890.

[14th August 1890.]

WHEREAS various open lands in or near Aldershot, in the parishes of Ash-and-Normandy, Pirbright, Chobham, and Bisley, in the county of Surrey (in this Act referred to as the Aldershot lands) are, in pursuance of divers Acts, vested in the Secretary of State for the War Department, in this Act referred to as the Secretary of State, and are used for the training and instruction of Her Majesty's military forces, including rifle ranges for those forces, whether regular, militia, yeomanry, or volunteers :

And whereas such open lands are crossed by divers tracks some of which are, and others of which are not, public rights of way :

And whereas, by reason of the increased range of the rifles now used by Her Majesty's forces, it is expedient to make further provision for the safety of the public when the said lands are used for the purposes aforesaid, especially having regard to such tracks, and with a view to such increased safety to provide for the construction of new roads in substitution for certain of such tracks, and to provide either for excluding the public from other of the said tracks during the use of the lands for military purposes, or for diverting or stopping up the same :

And whereas a plan showing the said lands and showing three of the proposed new roads dotted green, and the tracks for which they are substituted, coloured green, and another of the proposed new roads dotted blue, and the tracks for which it is substituted, coloured blue, and another of the proposed roads dotted yellow, and showing also certain tracks, coloured brown, which are not to be stopped up or diverted, has been signed by the Honourable William St. John Fremantle Brodrick, the chairman of the committee of the House of Commons to whom the Bill for this Act was

A.D. 1890. referred, and which plan has been deposited with the clerk of the county council for the county of Surrey :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

Be it therefore 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 Aldershot Roads Act, 1890.

Substitution of roads for certain tracks.

2. If the Secretary of State constructs the roads in this section described, then, after such notice of the completion of the roads as in this Act mentioned, all rights of way over the tracks coloured green on the said plan shall by virtue of this Act be extinguished.

The said roads are—

- (1) a road commencing at a point in Bisley Road at or near Sandpit Hill, thence proceeding in a westerly direction, and terminating by a junction with an existing road at Lightwater Farm ;
- (2) a road commencing at Folly Cottage on the said existing road, and proceeding in a westerly direction, and terminating by a junction with the Maultway Award Road at or near the north side of the Heatherside Nurseries ;
- (3) a road commencing at Frimley Grove, about four hundred and twenty yards east of Tomlins Pond, proceeding in a north-easterly direction, and terminating at the junction of the road mentioned in sub-section (2) at or near Heatherside ; and
- (4) a road commencing at a point three hundred yards or thereabouts south of the Deepcut Bridge, proceeding in an easterly direction, and joining an existing road at Furze Hill Pond.

Substitution of road for other tracks.

3. If the Secretary of State constructs the road in this section described, then after such notice of the completion of the road as in this Act mentioned, all rights of way over the tracks, roads, and highways coloured blue on the said plan shall by virtue of this Act be extinguished, and the highway board shall be relieved from all liability or obligation to repair or maintain the same.

The said road to be constructed shall commence at a point about nine hundred and twenty yards east of Mitchett Lake, thence proceeding in a north-easterly direction past Longdown Hill, and thence in a northerly and north-easterly direction past Stoney Castle and Hodge Farm, and terminating at Cook's Green ; and in lieu of that part of the existing road lying between Mitchett Farm Bridge and its junction with the War Department land, east of Mitchett Lake, the said road to be constructed shall, with the consent

of the highway board, be extended from any convenient spot on the War Department boundary in a westerly direction, and shall form a junction with the existing road at Mitchett Farm Bridge, provided that the landowners through whose property such projected extension passes are willing to give the land for such extension to the War Department free of cost.

A.D. 1890.

4. If and when the highway authority shall take over and maintain the existing road from Deepcut Bridge to Colony Gate, the Secretary of State shall thereupon construct a road from Colony Gate along the Maultway Award Road to join the roads mentioned in section two sub-sections (2) and (3), and to be extended to the north-west angle of the War Department land.

If highway board take over road from Deepcut Bridge to Colony Gate, Secretary of State to construct road from Colony Gate to Heatherside.

5.—(1.) Each new road under this Act, so far as it is made on land vested in the Secretary of State, shall be of a width not less than forty feet, with a gravel surface not less than thirty feet wide, for the traffic thereon of horses and carriages.

Supplemental as to roads.

(2.) The Secretary of State may construct the said new roads, and on the completion of each of the said roads he shall notify such completion, and the consequent extinguishment of the rights of way over the said tracks, by advertisement in a local newspaper circulating in the neighbourhood, and by notices put up near the said tracks, and by a notice affixed on or near the door of the church of the parish in which the tracks are situate.

6.—(1.) After the passing of this Act all existing rights of way over the Aldershot lands (other than those expressly preserved or extinguished by this Act) shall be by virtue of this Act suspended whenever the said lands are used for military purposes, and for the purpose of enforcing such suspension and securing the public against danger arising from the use of such rights, bye-laws may be made by the Secretary of State under section two of the Artillery and Rifle Ranges Act, 1885, and sections two and six of that Act shall apply accordingly.

Suspension of rights of way when lands used for military purposes.

(2.) Such byelaws shall provide for proper notice being given, by the hoisting of a flag or otherwise, of the times during which the said rights are suspended.

7.—(1.) If it appears to the Secretary of State that for the purpose of the use of the Aldershot lands for military purposes it is important to stop up or divert any right of way, or alleged right of way, over those lands or all rights of way or alleged rights of way over any specified part of the said lands, he may notify his intention to stop or divert the same in the manner in which the completion of the roads is above in this Act required to be notified, and shall also give two months' notice of the same to the highway board and to

Provision for stopping up rights of way and grant of compensation.

A.D. 1890.

the county council. Provided that a right of way over a track or unmetalled road, subject to the provisions of clause six, shall be preserved to the public on War Department ground from Colony Gate to Mainstone Gate, and thence in an easterly direction across the common towards the village of Bisley, and that a similar right of way, subject to the provisions of clause six, shall be preserved to the public, running from the neighbourhood of Tunnel Hill in an easterly direction towards Pirbright Lodge.

(2.) If any owner, lessee, or occupier of any land in the neighbourhood of the Aldershot lands considers that he will be injured by any such stopping up or diversion of a right of way, he may, within three months after such notification, apply in writing to the chairman of the county council for the county of Surrey, and such chairman and the Secretary of State shall thereupon appoint an arbitrator whose decision in all things shall be final and conclusive, who shall hold an inquiry into all applications so made, and if satisfied that any applicant will be injured, and that the Secretary of State does not make full satisfaction for such injury by granting any other right of way, shall award the applicant such compensation as he shall think just, including such costs of the application as may be adjudged by the arbitrator, and such compensation shall, with the concurrence of the Treasury, be paid out of moneys provided by Parliament.

(3.) After the expiration of the said three months, if no application is made to the chairman of the said county council, or if an application is made, then after the arbitrator has held the inquiry and given his decision, the rights of way referred to in the notice shall by virtue of this Act be extinguished.

8. Nothing in this Act shall authorise any tracks coloured brown on the said plan to be stopped up or diverted or any right of way thereover to be suspended.

9. The Secretary of State for War shall, one month before selling any part of the lands shown on the plan referred to in this Act, give notice of his intention to the vestry of the parish in which such lands are situated, and to the county council of Surrey, and shall consider any objections which they may make to such intended sale.

Saving for rights of way over certain tracks.

Notice to be given to vestries and to county council of intended sale of lands.

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