

ELIZABETH II



1976 CHAPTER xxiii

An Act to empower the Suffolk Coastal District Council to discontinue their ferry across the river Deben in the Suffolk Coastal District and to confer further powers in relation to that ferry. [29th July 1976]

WHEREAS the Suffolk Coastal District in the county of Suffolk (in this Act referred to as "the district") is a district under the local government and administration of the Suffolk Coastal District Council (in this Act referred to as "the Council"):

And whereas it is expedient to empower the Council to discontinue the ferry between Woodbridge and Sutton across the river Deben in the district, that further powers should be conferred

in relation to that ferry, and that the other provisions contained in this Act should be enacted:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

1972 c. 70.

And whereas in relation to the promotion of the Bill for this Act the requirements of section 239 of the Local Government Act 1972 have been observed:

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 Suffolk Coastal District Council Act 1976.

Interpretation.

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

“ the Council ” means the council of the district;

“ the county council ” means the council of the county of Suffolk;

“ the district ” means the Suffolk Coastal District;

“ parish council ” means the parish council of a parish in the district or, where there is no parish council, the parish meeting of such parish.

(2) Any reference in this Act to any enactment shall be construed as a reference to that enactment as applied, extended, amended, replaced or varied by, or by virtue of, any subsequent enactment.

Ferry at
Woodbridge.

3.—(1) As from the coming into operation of this section, all rights and obligations in or relating to the franchise of the ferry of the Council plying across the river Deben between Woodbridge and Sutton shall be extinguished, the ferry service provided by the Council (hereafter in this section called the “ ferry service ”) may be discontinued and the Council may appropriate or dispose as they think fit of all works, lands, vessels and property held by them in connection with the ferry.

(2) (a) As from the coming into operation of this section but without prejudice to subsection (1) thereof, the Council may as and when they think fit provide a ferry service (with all necessary buildings, works, equipment and conveniences) at such times

and subject to payment of such charges as appear to the Council appropriate for the time being; and the Council may from time to time suspend or discontinue any ferry service so provided.

(b) The Council, on the one hand, and the county council, a parish council or any other person, on the other hand, may enter into arrangements for the discharge by any of them of the functions of the Council under paragraph (a) of this subsection.

(3) (a) This section shall come into operation on such day as may be fixed by a resolution of the Council.

(b) The Council shall cause to be published in one or more local newspapers circulating in the district notice—

(i) of the passing of the resolution and of the day fixed thereby; and

(ii) of the general effect of subsections (1), (2) and (4) of this section;

and the day so fixed shall not be earlier than one month after the date of the first publication of the said notice.

(c) Either—

(i) a copy of any such newspaper containing any such notice; or

(ii) a photostatic or other reproduction certified by the proper officer to be a true reproduction of a page or part of a page of any such newspaper bearing the date of its publication and containing any such notice;

shall be evidence of the publication of the notice and of the date of publication.

(4) Any person who suffers loss or damage to his property in consequence of the coming into operation of subsection (1) of this section shall be entitled to be paid by the Council compensation, the amount of which shall be determined, in default of agreement, by the Lands Tribunal.

(5) Section 288 of the Public Health Act 1936 shall have effect 1936 c. 49. as if references therein to that Act included references to this section.

4. Nothing in this Act shall affect prejudicially any estate, Crown right, power, privilege, or exemption of the Crown and, in particular and without prejudice to the generality of the foregoing nothing herein contained shall authorise the Council to take, use or in any manner interfere with any portion of the shore or bed of the sea or of any river, channel, creek, bay or estuary or any land, hereditaments, subjects or rights of whatsoever description

belonging to Her Majesty in right of Her Crown and under the management of the Crown Estate Commissioners without the consent in writing of those commissioners on behalf of Her Majesty first had and obtained for that purpose.



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