



Shrewsbury and Atcham Borough Council Act 1998

1998 CHAPTER ii

An Act to make further provision for the regulation and protection of part of the Square in the borough of Shrewsbury and Atcham; and for other purposes. [16th July 1998]

WHEREAS—

- (1) The borough of Shrewsbury and Atcham (hereinafter referred to as “the borough”) is under the management and local government of the Shrewsbury and Atcham Borough Council (hereinafter referred to as “the Council”):
- (2) By the Shrewsbury and Atcham Borough Council Act 1984 (hereinafter referred to as “the Act of 1984”) further and better provision was made for the regulation and use of part of the Square in the borough (in that Act and hereinafter referred to as “the protected area”):
- (3) It is expedient to amend the Act of 1984 and to authorise the provision of more convenient access to the Old Market Hall in the Square:
- (4) In the month of December, 1997, a plan was deposited with the chief executive of the Council and is in this Act called “the deposited plan” and copies of that plan were in the same month deposited in the office of the Clerk of the Parliaments and in the Private Bill Office, House of Commons:
- (5) It is expedient that the other provisions contained in this Act should be enacted:
- (6) The objects of this Act cannot be attained without the authority of Parliament:
- (7) 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:

Status: This is the original version (as it was originally enacted).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

1 Citation

- (1) This Act may be cited as the Shrewsbury and Atcham Borough Council Act 1998.
- (2) The Shrewsbury and Atcham Borough Council Acts 1977 and 1984 and this Act may together be cited as the Shrewsbury and Atcham Borough Council Acts 1977 to 1998.

2 Interpretation

In this Act, unless the subject or context otherwise requires—

“the Act of 1984” means the Shrewsbury and Atcham Borough Council Act 1984;

“the Council” means the Shrewsbury and Atcham Borough Council;

“the deposited plan” means the plan referred to in the Preamble to this Act;

“the protected area” and “the square” have the meanings given in section 2 (Interpretation) of the Act of 1984;

“the reserved area” means so much of the protected area as is shown coloured pink on the deposited plan.

3 Substituted map

The deposited plan is hereby substituted for the deposited map referred to in the Act of 1984 and references in that Act to “the deposited map” shall be construed as references to the deposited plan.

4 Reserved area

Notwithstanding the provisions of section 3 (Protected area to be open space and public rights of way extinguished) of the Act of 1984, the Council may enclose all or part of the reserved area for the purposes of providing more convenient access to the Old Market Hall and thereafter the said section 3 shall no longer apply to the area so enclosed.

5 Provision of entertainments

- (1) Notwithstanding the provisions of section 3 (Protected area to be open space and public rights of way extinguished) of the Act of 1984, the Council—
 - (a) may enclose or set apart any part of the square for the purposes specified in section 145(1) of the Local Government Act 1972 (which authorises a local authority to provide entertainments);
 - (b) may permit any part of the square so enclosed or set apart to be used by any other person, on such terms as to payment or otherwise as the Council think fit.
- (2) The Council may not exercise the powers under this section—
 - (a) for more than a total of 30 days in any calendar year; or
 - (b) so as to prevent reasonable access for pedestrians going to or from premises abutting the north-west side of the square.
- (3) Nothing in this section shall affect the provisions of any enactment by virtue of which a licence is required for the public performance of a stage play or the public exhibition of cinematograph films, or for boxing or wrestling entertainments or for public entertainment, or for the sale of intoxicating liquor.