

ORDER IN COUNCIL

AUTHORISING

The Constables of the Parish of St. Martin to execute such deeds in due form as may be necessary for assuring for a term not exceeding fifty years the cession and relinquishment in favour of the States of Guernsey by and on behalf of the inhabitants of the said Parish of their rights of common over and upon the site of a building which it is proposed to erect near the General Post Office hut at Saints Bay in the said Parish to house public conveniences and a refreshment kiosk and the grant of right of access at all times to the same and the right to lay and maintain a water service and drains in connection therewith.

(Registered on the Records of the Island of Guernsey
on the 21st day of March, 1961.)



1961.

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ORDER IN COUNCIL



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 21st day of March, 1961, before William Henry Arnold, Esquire, C.B.E., Bailiff; present :—Sir John Leale, William Robert Freake Clark, Esquire, Donald Carey Brock, Esquire, C.B.E., Wilfred John Corbet, Esquire, O.B.E., Théophile Le Messurier Allez, Bertram Guy Blampied, Esquires, Richard Edward Gibson, Esquire, O.B.E., Claude Fortescue Nason, Stanley Walter Gavey, Esquires, and Gilbert Carey de Jersey, Esquire, C.B., Jurats.

The Bailiff having this day placed before the Court an Order of Her Majesty in Council dated the 27th day of February, 1961, authorising the Constables of the Parish of Saint Martin to execute such deeds in due form as may be necessary for assuring for a term not exceeding fifty years the cession and relinquishment in favour of the States of Guernsey by and on behalf of the inhabitants of the said Parish of their rights of common over and upon the site of a building which it is proposed to erect near the General Post Office hut at Saints Bay in the said Parish to house public conveniences and a refreshment kiosk

and the grant of right of access at all times to the same and the right to lay and maintain a water service and drains in connection therewith,—the Court, after the reading of the said Order in Council and after having heard Her Majesty's Procureur thereon, ordered that the said Order in Council be registered on the records of this Island, of which Order in Council the tenor followeth:—

At the Court of Saint James

The 27th day of February, 1961.

PRESENT,

**Her Majesty Queen Elizabeth the Queen Mother,
Her Royal Highness the Princess Margaret.**

LORD PRESIDENT
MR. SECRETARY PROFUMO
MR. SECRETARY MACLAY
MR. POWELL

WHEREAS Her Majesty, in pursuance of the Regency Acts, 1937 to 1953, was pleased, by Letters Patent dated the seventeenth day of January, 1961, to delegate to the following Counsellors of State (subject to the exceptions hereinafter mentioned) or any two or more of them, that is to say, His Royal Highness Prince Philip, Duke of Edinburgh, Her Majesty Queen Elizabeth The Queen Mother, Her Royal Highness The Princess Margaret, His Royal Highness The Duke of Gloucester, His Royal Highness The Duke of Kent and Her Royal Highness The Princess Alexandra of Kent, full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

AND WHEREAS Her Majesty was further pleased to except from the number of the said Counsellors of State His Royal Highness Prince Philip, Duke of Edinburgh, and His Royal Highness The Duke of Kent and Her Royal Highness The Princess Alexandra of Kent while absent from the United Kingdom:

AND WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 31st day of January, 1961, in the words following, viz.:—

“YOUR MAJESTY having been pleased, by Your General Order of Reference of the 22nd day of February, 1952, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth:—

‘1. That at their meeting held on the fourteenth day of December, nineteen hundred and sixty, the States of Guernsey approved of the erection of a building near the General Post Office hut at Saints Bay in the Parish of Saint Martin in the Island of Guernsey to house public conveniences and a refreshment kiosk and of the carrying out of the necessary ancillary works.

2. That the site of the proposed building is on land which forms part of the Fief Blanchelande and over which the inhabitants of the said Parish have rights of common. 3. That the Dame of the Fief Blanchelande, Mrs. Joan Maud Gosselin (née Barclay), widow of Gerard Joshua Hadsley Gosselin, the life tenant of the said Fief, and the Bailiff of Guernsey, to whom and his successors in office the said Fief was devised in perpetuity, subject to the life tenancy of the said Joan Maud Gosselin, upon certain trusts under the Will of Realty of the said Gerard Joshua Hadsley Gosselin, have agreed to lease the said site to the States for a term of twenty-five years, renewable at the option of the States for a further term of twenty-five years, and to grant right of access to the site of the proposed building and the right to lay and maintain a water service and drains for the purposes of the proposed

building. 4. That on the eighteenth day of February, nineteen hundred and sixty, the inhabitants of the said Parish were duly convened by the Constables and Douzaine of the said Parish to consider the matter of the proposed works and the said Constables and Douzaine in a Report to the States Board of Administration dated the sixth day of October, nineteen hundred and sixty, certified that no opposition had been offered thereto and accordingly recommended that the rights of common of the inhabitants of the said Parish over the site of the proposed building be ceded to the States in perpetuity with the right of access thereto at all times and the right to lay and maintain a water service and drains in connection therewith. 5. That on the eighteenth day of October, nineteen hundred and sixty, after publication of the necessary notices, the Royal Court of Guernsey considered the said Report and ordered it to be registered on the Records of the Island, there being no opposition thereto. 6. That at their said meeting held on the fourteenth day of December, nineteen hundred and sixty, the States of Guernsey authorised the Bailiff of Guernsey to present a most humble Petition to Your Majesty in Council praying Your Majesty to order and direct that the Constables of the Parish of Saint Martin shall execute such deeds in due form as may be necessary for assuring for a term not exceeding fifty years the cession and relinquishment in favour of the States by and on behalf of the inhabitants of the said Parish of their rights of common over and upon the site of the said proposed building and the grant of right of access at all times to the same and the right to lay and maintain a water service and drains in connec-

tion therewith. And most humbly praying that Your Majesty might be graciously pleased to order and direct that the Constables of the Parish of Saint Martin shall execute such deeds in due form as may be necessary for assuring for a term not exceeding fifty years the cession and relinquishment in favour of the States by and on behalf of the inhabitants of the said Parish of their rights of common over and upon the site of the said proposed building and the grant of right of access at all times to the same and the right to lay and maintain a water service and drains in connection therewith.'

"THE LORDS OF THE COMMITTEE, in obedience to Your Majesty's said Order of Reference, have taken the said Petition into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition."

NOW, THEREFORE, Her Majesty Queen Elizabeth The Queen Mother and Her Royal Highness The Princess Margaret, being authorized thereto by the said Letters Patent, have taken the said Report into consideration, and do hereby, by and with the advice of Her Majesty's Privy Council, on Her Majesty's behalf approve thereof and order, as it is hereby ordered, that the Constables of the Parish of Saint Martin shall execute such deeds in due form as may be necessary for assuring for a term not exceeding fifty years the cession and relinquishment in favour of the States by and on behalf of the inhabitants of the said Parish of their rights of common over and upon the site of the said proposed building and the grant of right of access at all times to the same and the right to lay and maintain a water service and drains in connection therewith.

AND do hereby further direct that this Order be entered upon the Register of the Island of Guernsey and observed accordingly.

AND the Lieutenant Governor and Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other Her Majesty's Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

W. G. AGNEW.

R. H. VIDELO,

Her Majesty's Greffier.