

ELIZABETH II



1985 CHAPTER xxiii

An Act to amend the Alexandra Park and Palace (Public Purposes) Act 1900, the Alexandra Park and Palace Act 1913 and the Alexandra Park and Palace Order 1966; to confer powers on the Council of the London Borough of Haringey as trustees with respect to the Alexandra Park and Palace; and for other purposes.

[16th July 1985]

WHEREAS—

(1) The Alexandra Park and Palace (Public Purposes) Act 1900 constituted a body corporate of trustees to maintain and manage the Alexandra Park and Palace and vested lands and buildings in those trustees: 1900 c. cclix.

(2) By the Alexandra Park and Palace Act 1913 further powers were conferred on the trustees: 1913 c. cxi.

(3) By the Alexandra Park and Palace Order 1966 the functions of the trustees of Alexandra Park and Palace were transferred to the Greater London Council and it was further provided that the said body of trustees should cease to exist: S.I. 1966/199.

(4) By agreement with the Greater London Council the functions of the Greater London Council with respect to the Alexandra Park and Palace were on 1st January 1980 transferred to the Council of the London Borough of Haringey

1967 c. xxix. under article 14 of the Ministry of Housing and Local Government Provisional Order Confirmation (Greater London Parks and Open Spaces) Act 1967:

(5) The area of the Alexandra Park and Palace is approximately 196 acres:

(6) The Council of the London Borough of Haringey (hereinafter called "the Trustees") hold the said Park and Palace on the substantive trusts of the said Act of 1900 and with the powers set forth in that Act as extended and modified by the said Act of 1913 and the said Order of 1966:

1960 c. 58. (7) The said trusts constitute a charity and are registered under the Charities Act 1960:

(8) The Trustees are under a statutory duty to uphold, maintain and repair the Palace and to maintain the said Park and Palace as a place of public resort and recreation and for other public purposes:

(9) A substantial part of the Palace was destroyed or seriously damaged by fire in July 1980:

(10) It is proposed to reconstruct and repair the Palace in a manner which will enable the Trustees to promote the use and enjoyment of the said Park and Palace by the public:

(11) The Trustees intend in fulfilling their statutory duty under the said trusts to take into account the contemporary needs of the public:

(12) It is expedient that there should be conferred on the Trustees further powers in relation to the said Park and Palace:

(13) It is expedient that the other provisions contained in this Act should be enacted:

(14) The objects of this Act cannot be attained without the authority of Parliament:

1972 c. 70. (15) 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 and collective titles.

1.—(1) This Act may be cited as the Alexandra Park and Palace Act 1985.

(2) The Act of 1900, the Act of 1913, the Order of 1966 and this Act may be cited together as the Alexandra Park and Palace Acts and Order 1900 to 1985.

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

Interpretation.

“the Act of 1900” means the Alexandra Park and Palace (Public Purposes) Act 1900;

1900 c. cclix.

“the Act of 1913” means the Alexandra Park and Palace Act 1913;

1913 c. cxi.

“the Order of 1966” means the Alexandra Park and Palace Order 1966;

S.I. 1966/199.

“the Palace plan” means the plan marked “Alexandra Palace” and prepared in triplicate, one copy of which has been deposited in the office of the Clerk of the Parliaments, House of Lords, one in the Private Bill Office, House of Commons and one in the office of the proper officer of the Council of the London Borough of Haringey;

“the Park and Palace” means the land and buildings known as the Alexandra Park and Palace acquired, maintained and managed under the Alexandra Park and Palace Acts and Order 1900 to 1985;

“the Trustees” means the Council of the London Borough of Haringey as trustees of the Park and Palace.

3.—(1) In section 17 (Management of Alexandra Park and Palace) of the Act of 1900—

Amendments
to Act of 1900.

(a) there shall be added after the words “acquired by them” the words “as such trustees”;

(b) in paragraph (iii), at the end, there shall be added “primarily for use or uses as a theatre, concert hall, recording studio or cinema and secondarily for use or uses for any of the purposes (save as an hotel) for which they may use any other part of the palace”;

(c) for paragraph (v) there shall be substituted:—

“(v) They may let or license at the best rent that can reasonably be obtained regard being had to the purposes of the Alexandra Park and Palace Acts and Order 1900 to 1985 and for such term not exceeding twenty-two years (or with the prior approval in writing of the Charity Commissioners for England and Wales for such term not exceeding one hundred and twenty-five years) and subject to such covenants and conditions as they may think fit any portion of

the palace (other than the parts of the palace shown edged red or blue on the Palace plan defined in section 2 of the Alexandra Park and Palace Act 1985) or other buildings and the right of supplying and selling refreshments in any part or parts of the park and palace and may authorise the lessees or licensees to make charges for admission to any building or portion of a building demised or licensed to them.”;

(d) for paragraph (vi) there shall be substituted—

“(vi) They may close any part of the palace and park for not more than fourteen days in any one year to the exclusion of the public except on payment of such admission fee as shall be fixed by the Trustees and they may let any part of the park and palace respectively during any day or days on which the same may be closed as aforesaid. Public notice of the day or days on which any part of the palace and park will be so closed shall be affixed to the principal entrances to the park at Bedford Road and Muswell Hill and the entrances at the Grove, the Avenue, North View Road and Alexandra Park Road, and shall be kept so affixed for at least two weeks before such day or days and the said notice shall during the month before such day or days be advertised once in each of two successive weeks in a London daily newspaper:

Provided that the Trustees may not under this paragraph close any part of the park or palace which is for the time being let or licensed under any other provision of the Alexandra Park and Palace Acts and Order 1900 to 1985 or restrict access to any such part, unless provision for such closure is made in the lease or licence of that part.”;

(e) there shall be added as paragraph (x)—

“(x) They may, if they consider it desirable in relation to their management of the park and palace and with the prior approval in writing of the Charity Commissioners for England and Wales, sell, let or otherwise dispose of the whole or any part of, or the whole or any part of any interest in land acquired by them after the passing of the Alexandra Park and Palace Act 1985 together with any building or buildings erected thereon for the best consideration that can reasonably be obtained and on such other terms and conditions (whether with or without provisions relating to building or other operations) as they think fit.”.

(2) Section 31 (For protection of the Great Northern Railway Company) of the Act of 1900 shall be omitted.

4. For section 4 of the Act of 1913 there shall be substituted— Amendments
to Act of 1913.

“The Trustees may let for a term not exceeding twenty-two years any part or parts of the park not exceeding in the whole forty acres, for games or for purposes of recreation or for playgrounds in connection with any school but so that not more than twenty acres shall be let for purposes of recreation other than games.”.

5. The Order of 1966 shall be amended by— Amendments
to Order of
1966.

(1) In article 2, for paragraph (2) the substitution of—

“(2) In this order “the park” means the land and buildings known as the Alexandra Park and Palace acquired, maintained and managed under the Alexandra Park and Palace Acts and Order 1900 to 1985”;

(2) In article 3, the omission of paragraphs (1) and (3);

(3) In article 4 the substitution for the word “Council” in both places of the word “Trustees”;

(4) The omission of articles 5 and 6;

(5) For article 7 the substitution of—

“7. The park shall, subject to the provisions of the Alexandra Park and Palace Acts and Order 1900 to 1985 be held by the Trustees for the purposes of the Open Spaces Act 1906.”;

1906 c. 25.

(6) In article 8, the substitution for the word “Council” in both places of the word “Trustees”;

(7) The omission of articles 9 to 14;

(8) The omission of the Schedule.

6.—(1) Notwithstanding anything in the Act of 1900 and the Order of 1966, the Trustees may permit the use of that part of the Palace shown edged in red on the Palace plan for the provision of an hotel, provided that they shall not themselves by virtue of this section be authorised to carry on the business of hoteliers. Leasing of
areas.

(2) The Trustees may let some or all of that part of the Palace shown edged red on the Palace plan for the purposes of subsection (1) above at the best rent that can reasonably be obtained regard being had to the purposes of the Alexandra Park and Palace Acts and Order 1900 to 1985 and for such term not exceeding 125 years and on such other terms and conditions

(and in particular whether with or without provisions relating to building or other operations) as they think fit.

(3) The Trustees in exercise of any of their functions under the said Acts and Order may let or license some or all of those parts of the Palace shown edged blue on the Palace plan at the best rent that can reasonably be obtained regard being had to the purposes of the said Acts and Order and for such period not exceeding 125 years and on such other terms and conditions (and in particular whether with or without provisions relating to building or other operations) as they think fit provided that the lessee or licensee may not use the area so leased or licensed otherwise than in accordance with the terms of the substantive trusts of the Act of 1900.

(4) The Trustees in exercise of any of their said functions may let or license some or all of that part of the Park shown edged green on the Palace plan and any buildings thereon for the provision or purpose of a car park at the best rent that can reasonably be obtained regard being had to the purposes of the said Acts and Order and for such period not exceeding 125 years and on such other terms and conditions (and in particular whether with or without provisions relating to building or other operations) as they think fit provided that the lessee or licensee may not use the area so leased or licensed otherwise than in accordance with the terms of the substantive trusts of the Act of 1900.

Power to charge for car park on land edged green.

7. Where a car park is provided, whether by the Trustees or some other person, on some or all of that part of the Park shown edged green on the Palace plan or in any building thereon reasonable charges to the public may be made for the use of such car park.

Exercise of functions.

8. The Trustees may enter into and carry into effect agreements with any person with respect to the exercise of any of their functions under the Alexandra Park and Palace Acts and Order 1900 to 1985 or may enter into and carry into effect an agreement for the transfer of those functions and of any estate or interest in respect of all or any part of the Park and Palace to another person, but an agreement under this section shall not—

- (1) operate to vary any trust affecting the Park and Palace;
or
- (2) prejudice or affect the operation of any covenant or restriction relating to the use, management or maintenance of the Park and Palace.

Advisory committee.

9.—(1) There shall be an advisory committee to be known as the Alexandra Park and Palace Advisory Committee.

(2) The provisions of Schedule 1 to this Act shall apply to the Alexandra Park and Palace Advisory Committee.

(3) The Trustees shall consult the Alexandra Park and Palace Advisory Committee on all matters specified in paragraph 19 of Schedule 1 to this Act, shall have due and proper regard to advice from the said Committee on those matters and shall use their best endeavours to give effect to such reasonable recommendations of the said Committee as are expedient in the interests of the charity and consistent with the trusts thereof.

10. The enactments specified in columns (1) and (2) of Repeals Schedule 2 to this Act are hereby repealed to the extent mentioned in column (3) of the Schedule.

11. In accordance with the provisions of this Act, the Act of Existing 1900, the Act of 1913 and the Order of 1966 shall have effect enactments. as set out in Schedule 3 to this Act.

SCHEDULES

Section 9.

SCHEDULE 1

ALEXANDRA PARK AND PALACE ADVISORY COMMITTEE

PART I

CONSTITUTION OF THE ADVISORY COMMITTEE

1. The Alexandra Park and Palace Advisory Committee (herein referred to as "the Advisory Committee") shall consist of 16 members.

2. Eight members of the Advisory Committee shall be appointed by the Council of the London Borough of Haringey from the members of the Council, and of those eight members—

- (a) one shall be appointed from the councillors elected to represent the ward of Alexandra;
- (b) one from those for the ward of Bowes Park;
- (c) one from those for the ward of Fortis Green;
- (d) one from those for the ward of Hornsey Central;
- (e) one from those for the ward of Muswell Hill;
- (f) one from those for the ward of Noel Park.

3. Eight members of the Advisory Committee shall be nominated by local residents' associations as hereinafter provided.

4. Any association of residents which satisfies the requirements of paragraph 5 below may notify its existence to the person nominated by the Trustees for the purpose ("the proper officer") who shall maintain a register of such associations.

5. The requirements mentioned in paragraph 4 above are—

- (a) the association shall represent residents in one or more wards mentioned in paragraph 2 above and membership of it shall be open to all residents within the area of the association;
- (b) the association shall have a written constitution;
- (c) the association shall require an annual subscription from its members;
- (d) the association shall meet regularly;
- (e) the constitution of the association shall provide for annual elections of its officers;
- (f) the association shall not include party political objectives among its purposes.

6. Each association on the register shall annually not later than 1st February in each year notify the proper officer of the number of households represented in its membership, and it shall be the duty of the association to satisfy the proper officer of the accuracy of the number, and that it satisfies the requirements of paragraph 5 above.

7. Not later than 1st March in each year, the proper officer shall prepare a list of associations on the register with not less than 50 households represented in its membership according to the notification in the last preceding year and the associations on that list shall for that present year be qualifying associations.

SCH. 1
—cont.

8. Not later than 1st May in each year, the proper officer shall convene a meeting of representatives of the qualifying associations to determine which qualifying associations shall be entitled to nominate members of the Advisory Committee, but if there are 8 or more qualifying associations, no one association shall nominate more than one member.

9. No later than 1st July in each year, each qualifying association which under paragraph 8 above is to nominate one or more members of the Advisory Committee shall nominate one or more of its members to serve on the Advisory Committee.

10. Members of the Advisory Committee shall be appointed or nominated for a period of one year, and shall be eligible for re-appointment or re-nomination. No member of the Advisory Committee may be a member in two capacities.

11. In the event of a casual vacancy among the members appointed by the Council, the Council shall appoint a person from among the members of the Council to fill the vacancy, and if the vacancy arose among the councillors elected to represent one of the wards mentioned in paragraph 2 above, the casual vacancy shall be filled from among those councillors.

12. In the event of a casual vacancy among the members appointed by local residents' associations, the vacancy shall be filled by the appointment of a successor by the residents' association whose nominee has ceased to be a member of the Advisory Committee.

13. Notwithstanding paragraph 10 above, the period of membership of a person appointed or nominated to fill a casual vacancy shall expire at the end of the period of membership of his predecessor and he shall be eligible for re-appointment or re-nomination.

14. Where it appears to the Trustees and to the Advisory Committee expedient for the purpose of assisting the continuation of the Advisory Committee—

- (a) to make such amendments to sub-paragraphs (a) to (f) of paragraph 2 of this Schedule as appear to be appropriate in the light of any alterations made or to be made in the names or areas of the wards therein mentioned; or
- (b) to amend the provisions of paragraphs 4 to 13 of this Schedule;

then, with the approval of the Charity Commissioners expressed in writing or of the Chancery Division of the High Court expressed by order, they may by resolution of the Trustees and of the Advisory Committee make such amendments.

SCH. 1
—cont.

PART II

PROCEDURE OF THE ADVISORY COMMITTEE

15. The Advisory Committee shall appoint its own Chairman and Vice-Chairman.

16. The quorum for a meeting of the Advisory Committee shall be six, including not less than three appointed members and nominated members from not less than three different residents' associations.

17. The proceedings of the Advisory Committee shall not be invalidated by any vacancy among their number or by any defect in the appointment, nomination or qualifications of any member thereof.

18. The Advisory Committee shall prescribe its own rules of procedure (including provision for the consideration of matters of urgency) and otherwise shall decide the frequency of its meetings.

PART III

FUNCTIONS OF THE ADVISORY COMMITTEE

19. The powers and duties of the Advisory Committee shall be to promote the objects of the charity and assist the Trustees in fulfilling the trusts by considering and advising the Trustees on the following matters:—

- (i) the general policy relating to the activities and events arranged or permitted in the Park and Palace;
- (ii) the effects of such activities and events upon the local inhabitants and local environment;
- (iii) the frequency of activities and events attracting more than 10,000 people at any one time and the maximum number to be permitted on such occasions;
- (iv) the adequacy of car parking arrangements within the Park and Palace so as to avoid overflow into adjoining residential streets;
- (v) any proposals which require planning permission;
- (vi) the establishment and maintenance of the Park as a Metropolitan Park;
- (vii) the furtherance of recreation and leisure in the Alexandra Park and Palace.

20. In discharging their functions under paragraph 19 above, the Advisory Committee shall endeavour to ensure that no activities undertaken or permitted by the Trustees in the Park and Palace shall be a nuisance or annoyance, or of detriment to the amenities of local residents.

SCHEDULE 2

Section 10.

REPEALS

Chapter or S.I. number (1)	Short title (2)	Extent of repeal (3)
63 & 64 Vict. c. cclix.	Alexandra Park and Palace (Public Purposes) Act 1900.	Section 31.
S.I. 1966/199.	The Alexandra Park and Palace Order 1966.	In article 3, subsections (1) and (3). Articles 5 and 6. Articles 9 to 14. The Schedule.

SCHEDULE 3

Section 11.

THE ACT OF 1900, THE ACT OF 1913 AND THE ORDER OF 1966
AS AMENDED BY THIS ACT

ALEXANDRA PARK AND PALACE (PUBLIC PURPOSES)
ACT 1900

Chapter cclix

An Act to constitute a body of Trustees for the purpose of acquiring the Alexandra Park Palace and other lands in the county of Middlesex and to empower them to hold and manage the same as a place of public resort and recreation and for other public purposes and to make all provisions necessary or proper in that behalf.

A.D. 1900.

[6th August 1900.]

WHEREAS it would be of great local and public advantage if the lands and buildings known as the Alexandra Park and Palace situate in the county of Middlesex were vested in a representative body of Trustees to be maintained and managed by them as a place of public resort and recreation and for other public purposes:

And whereas to that end it is expedient to incorporate a body of Trustees consisting of representatives of the Middlesex Council the Hornsey Urban District Council the Wood Green Urban District Council and such other councils as by their contributions may become entitled to appoint representatives on the body of Trustees under this Act:

And whereas it is expedient to empower the Trustees so incorporated to acquire maintain and manage the said park and palace and other lands and to execute and perform the powers and duties conferred and imposed on them by this Act:

And whereas it is expedient that the said park and other lands should subject as by this Act provided be secured and maintained as an open space for ever:

SCH. 3
—cont.

And whereas the Middlesex Council have subject as after mentioned resolved to contribute a sum of forty-nine thousand pounds and the Hornsey the Wood Green the Friern Barnet the Finchley and the Tottenham Urban District Councils and the vestry of Islington have respectively resolved to contribute towards the cost of acquiring the said palace and park and other lands and towards the other purposes of this Act the sums set opposite their respective names in the Second Schedule to this Act:

And whereas it is expedient to authorise the Middlesex Council and the said urban district councils and vestry to contribute the said sums respectively and also to authorise the London Council and other local authorities in this Act mentioned to contribute such sums as they may respectively determine towards the cost of acquiring the said palace and park and other lands and towards the other purposes of this Act:

29 & 30 Vict.
c. CCXC.

And whereas the Muswell Hill Estate and Railways Act 1866 contained a provision (section 25) to the effect that the lands therein described as the Alexandra Palace grounds should be and continue a place for public resort and recreation and that the public should have access thereto at all reasonable times:

40 & 41 Vict.
c. XC.

And whereas the said enactment as modified by section 2 of the Alexandra Palace Act 1877 will be rendered unnecessary by the passing of this Act and may accordingly be repealed:

And whereas it is expedient to confer on the Trustees and on the Middlesex Council and other local authorities such powers and to make such other provisions as are in this Act contained:

And whereas the objects of this Act cannot be attained 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 Alexandra Park and Palace (Public Purposes) Act 1900.

Interpretation.

2. In and for the purposes of this Act—

“Alexandra Park and Palace” means certain land buildings and hereditaments generally known as the Alexandra Palace and Park containing one hundred and seventy-three acres or thereabouts of which one hundred and forty-four acres or thereabouts are freehold and twenty-eight acres are long leaseholds for a term of years expiring on the twenty-fourth day of March one thousand nine hundred and sixty-three all of which before described properties are delineated and shown on a plan signed in triplicate by the Right Honourable James William Lowther the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred;

* * * * *

3. The plans so signed shall be deposited as to one in the Office of the Clerk of the Parliaments as to another in the Private Bill Office of the House of Commons and as to the third in the office of the clerk of the county council of Middlesex.

SCH. 3
—cont.
Deposit of
the plan.

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POWERS AND DUTIES OF TRUSTEES

17. The Trustees shall have the entire control and management of the park and palace and other lands acquired by them as such trustees together with all buildings now existing or hereafter erected thereon and they may exercise the following powers (that is to say):—

Management
of Alexandra
Park and
Palace.

- (i) They shall uphold maintain and repair the palace and other brick and stone buildings and may improve and extend the park lands and buildings and lay out form fence and maintain grounds for cricket and other games sports meetings assemblies and other purposes and also gardens roads walks fences plantations ornamental lakes and spaces for military drill and exercise:
- (ii) They may erect provide equip furnish and maintain conservatories refreshment rooms shelters and conveniences necessary or desirable for the use and enjoyment of the park as an open space and also in or contiguous to the existing buildings libraries reading rooms museums concert rooms and other buildings for the use and enjoyment of the public and shall thereafter uphold maintain and repair the same or where they are no longer necessary or desirable remove the same:
- (iii) They may maintain uphold and improve the existing theatre in the palace primarily for use or uses as a theatre, concert hall, recording studio or cinema and secondarily for use or uses for any of the purposes (save as an hotel) for which they may use any other part of the palace:
- (iv) They may set apart and appropriate any portion of the palace and other buildings for such purposes of public utility instruction or benefit for such periods and on such terms and conditions as they may think fit consistent with the objects of this Act:
- (v) They may let or license at the best rent that can reasonably be obtained regard being had to the purposes of the Alexandra Park and Palace Acts and Order 1900 to 1985 and for such term not exceeding twenty-two years (or with the prior approval in writing of the Charity Commissioners for England and Wales for such term not exceeding one hundred and twenty-five years) and subject to such covenants and conditions as they may think fit any portion of the palace (other than the parts of the palace shown edged red or blue on the Palace plan defined in section 2 of the Alexandra Park and Palace Act 1985) or other buildings and the right of supplying and selling refreshments in any part or parts of the park and palace and may authorise the lessees or licensees to make charges for admission to any building or portion of a building demised or licensed to them:

SCH. 3
—cont.

- (vi) They may close any part of the palace and park for not more than fourteen days in any one year to the exclusion of the public except on payment of such admission fee as shall be fixed by the Trustees and they may let any part of the park and palace respectively during any day or days on which the same may be closed as aforesaid. Public notice of the day or days on which any part of the palace and park will be so closed shall be affixed to the principal entrances to the park at Bedford Road and Muswell Hill and the entrances at the Grove, the Avenue, North View Road and Alexandra Park Road, and shall be kept so affixed for at least two weeks before such day or days and the said notice shall during the month before such day or days be advertised once in each of two successive weeks in a London daily newspaper:

Provided that the Trustees may not under this paragraph close any part of the park or palace which is for the time being let or licensed under any other provision of the Alexandra Park and Palace Acts and Order 1900 to 1985 or restrict access to any such part, unless provision for such closure is made in the lease or licence of that part.

* * * * *

- (viii) They may provide free of charge reasonable accommodation for volunteer forces and educational purposes having regard to the purposes of this Act:
- (ix) They may generally do any act or thing which may in the judgment of the Trustees appear calculated to promote the use and enjoyment of the park and palace by the public:
- (x) They may, if they consider it desirable in relation to their management of the park and palace and with the prior approval in writing of the Charity Commissioners for England and Wales, sell, let or otherwise dispose of the whole or any part of, or the whole or any part of any interest in, land acquired by them after the passing of the Alexandra Park and Palace Act 1985 together with any building or buildings erected thereon for the best consideration that can reasonably be obtained and on such other terms and conditions (whether with or without provisions relating to building or other operations) as they think fit.

Subject to the foregoing provisions the park and other lands shall be maintained as an open space and the park palace and other lands shall be available for the free use and recreation of the public for ever.

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ALEXANDRA PARK AND PALACE ACT 1913

Chapter cxi

A.D. 1913.

An Act to confer further powers upon the Alexandra Park and Palace Trustees with respect to the temporary closing and use of the park and palace for exhibitions to extend the period for which portions of the park and palace may be let and for other purposes.

[15th August 1913.]



Alexandra Park and Palace Act 1985

CHAPTER xxiii

ARRANGEMENT OF SECTIONS

Section

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10. Repeals.
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