



CHAPTER lxviii

An Act to confer further powers upon London Necropolis Company Limited and for other purposes.

[5th July 1956.]

WHEREAS London Necropolis Company Limited (hereinafter called "the Company") is a company which was originally incorporated by the London Necropolis and National Mausoleum Act 1852 (hereinafter called "the Act of 1852") by the name of "the London Necropolis and National Mausoleum Company" but has since been registered and re-incorporated under Part IX of the Companies Act 1929 by the name of "London Necropolis Company Limited" as a company limited by shares:

And whereas by the Act of 1852 and the Acts incorporated therewith as amended by further Acts passed in the years 1855 1864 1869 and 1946 the Company was empowered to acquire land make establish and maintain a cemetery crematorium and other works and premises and to exercise other powers for the purpose of or in connection with the burial of the dead and the cremation of human remains:

And whereas the Company has for many years in pursuance of the powers conferred by the said Acts carried on a cemetery in the urban district of Woking in the county of Surrey and owns a large area of land comprising the site of the said cemetery:

And whereas by section 2 of the London Necropolis and National Mausoleum Act 1869 it was enacted that the Company should not sell lease or exchange any of the lands described in the schedule to the said Act of 1869 and should not erect or cause or permit or suffer to be erected on such lands any buildings other than such as might be required for the purposes of the Act of 1852 or the residence of the officers and servants of the Company the whole of which were specially retained for present and future cemetery purposes:

And whereas the Company has laid out and enclosed for the purposes of the Act of 1852 sufficient space to meet the estimated requirements of the Company for the next five hundred years and the lands mentioned and described in the First Schedule to this Act which form part of the lands comprised in the schedule annexed to the said Act of 1869 are not required by the Company for the purposes aforesaid and it is expedient that the Company should have power to dispose of the same:

And whereas it is expedient that the powers conferred upon the Company by the London Necropolis Act 1946 to erect and maintain a crematorium for the cremation of human remains upon certain lands shall be extended to other land belonging to the Company as in this Act provided:

And whereas by section 19 of the Act of 1852 the Company is required to pay fees by way of compensation to Incumbents in certain cases and it is now no longer necessary or appropriate to make any such payments and it is expedient that the said section 19 should be repealed and that other provisions should be made as are in this Act contained:

May it therefore please Your Majesty that it may be 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. This Act may be cited as the London Necropolis Act 1956 and this Act and the London Necropolis and National Mausoleum Act 1852 the London Necropolis and National Mausoleum Amendment Act 1855 the London Necropolis and National Mausoleum Act 1864 the London Necropolis and National Mausoleum Act 1869 and the London Necropolis Act 1946 may be cited together as the London Necropolis Acts 1852 to 1956.

Power to sell
certain lands.

2. It shall be lawful for the Company for such consideration and in such manner as it shall think fit to sell absolutely and convey lease or exchange the lands described in the First Schedule annexed to this Act or any part thereof subject to all rights of way light and other easements and rights (if any) respectively and to all existing leases tenancies licences and agreements therefor and for the purposes aforesaid to execute all deeds and instruments which shall be necessary or expedient.

Application of
section 2 of
Act of 1946
to other lands.

3. The powers conferred upon the Company by section 2 (Power to establish crematorium) of the London Necropolis Act 1946 shall extend and apply to the lands described in the Second Schedule to this Act and the provisions of the said section (except paragraph (a) of subsection (3)) shall extend and apply to the Company and to the said lands as if they were re-enacted herein:

Provided that section 5 (Site of crematorium) of the Cremation Act 1902 shall not apply in respect of any crematorium to be constructed upon the land described in the Second Schedule to this Act.

4. Three copies of the ordnance sheet marked as mentioned in the First and Second Schedules to this Act having been signed by the Right Honourable the Earl of Drogheda the chairman of the committee of the House of Lords to whom the Bill for this Act was referred shall within one month after the passing of this Act be deposited as follows that is to say one copy at the office of the Clerk of the Parliaments House of Lords one copy at the Private Bill Office of the House of Commons and one copy at the registered office of the Company. Plans to be deposited.

5. The lands described in the Second Schedule to this Act shall subject as hereinafter mentioned be free from the act or consequences of the consecration thereof and from all trusts uses obligations disabilities and restrictions whatsoever attributable to such consecration heretofore attaching thereto under ecclesiastical law: Lands freed from consequences of consecration.

Provided always that before applying the said lands or any chapel or other buildings thereon to the use as a crematorium the Company shall apply for a faculty to the consistory court of the diocese in which the said lands are situate and exercise their said powers subject to any conditions contained in such faculty.

6.—(1) The Company shall deliver to the Registrar of Companies a printed copy of this Act and he shall retain and register the same and if such copy is not so delivered within three months from the passing of this Act the Company shall incur a penalty not exceeding two pounds for every day after the expiration of those three months during which the default continues and any director or manager of the Company who knowingly and wilfully authorises such default shall incur a like penalty. Copy of Act to be registered.

(2) Every penalty under this section shall be recoverable summarily.

(3) There shall be paid to the registrar by the Company on such copy being registered the like fee as is for the time being payable under the Companies Act 1948 on registration of any document other than a memorandum of association or the abstract required to be delivered to the registrar by a receiver or manager or the statement required to be sent to the registrar by the liquidator in a winding up in England.

7. Section 19 of the Act of 1852 is hereby repealed.

Repeal.

Saving for town
and country
planning.

8. This Act shall be deemed to be an enactment passed before and in force at the passing of the Town and Country Planning Act 1947 for the purposes of subsection (4) of section 13 and subsection (1) of section 118 of that Act.

Costs of Act.

9. All costs charges and expenses of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

SCHEDULES

THE FIRST SCHEDULE

SURPLUS LANDS

First a piece or parcel of land in the parish of Woking in the county of Surrey containing an area of 158 acres or thereabouts bounded on the north side thereof by the Southern Railway on the east side thereof by Blackhorse Road on the west side thereof by Bagshot Road and on the south side thereof by other lands lying to the north of Heath House Lane all which piece or parcel of land is more particularly delineated on the Ordnance Sheet Surrey XVI.15 deposited as in this Act is hereinbefore mentioned and thereon surrounded by a red verge line.

Secondly a piece or parcel of land in the parish of Woking in the county of Surrey containing an area of 6.890 acres being field No. 1406 on the Ordnance Sheet Surrey XVI.15 deposited as in this Act is hereinbefore mentioned and thereon surrounded by a red verge line.

THE SECOND SCHEDULE

LANDS FOR CREMATORIUM

A piece or parcel of land in the parish of Woking in the county of Surrey comprising part of the existing cemetery of the Company lying approximately 1,600 feet to the south of the Southern Railway and abutting the west side of Bagshot Road containing an area of two and one half acres or thereabouts all which piece or parcel of land is more particularly delineated on the Ordnance Sheet Surrey XVI.15 deposited as in this Act is hereinbefore mentioned and thereon surrounded by a green verge line.

Table of Statutes referred to in this Act

Short title	Session and chapter
London Necropolis and National Mausoleum Act 1852	15 & 16 Vict. c. cxlix.
London Necropolis and National Mausoleum Amendment Act 1855	18 & 19 Vict. c. clxiii.
London Necropolis and National Mausoleum Act 1864	27 & 28 Vict. c. lvii.
London Necropolis and National Mausoleum Act 1869	32 Vict. c. iii.
Cremation Act 1902	2 Ed. 7 c. 8.
London Necropolis Act 1946	9 & 10 Geo. 6 c. xviii.
Town and Country Planning Act 1947	10 & 11 Geo. 6 c. 51.
Companies Act 1948	11 & 12 Geo. 6 c. 38.

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