



CHAPTER xxviii

An Act to provide for the vesting of the Crystal Palace and park in the London County Council for the dissolution of the Crystal Palace Trustees and for other purposes. [1st August 1951.]

WHEREAS—

- (1) By the Crystal Palace Act 1914 a body of trustees was constituted for the purpose of acquiring the lands and buildings known as the Crystal Palace and park situate partly in the metropolitan boroughs of Camberwell and Lewisham in the county of London and partly in the municipal borough of Beckenham and the urban district of Penge in the county of Kent:
- (2) The said trustees consisted of representatives of the corporation of the city of London the London County Council the councils of the metropolitan boroughs of Lambeth Lewisham and Wandsworth the corporations of Croydon and Beckenham the urban district council of Penge and certain other nominated trustees:
- (3) The said trustees were required to hold and manage the said Crystal Palace and park as a place for education and recreation and for the promotion of industry commerce and art:
- (4) By virtue of the Local Authorities Contributions (Crystal Palace) Act 1913 certain authorities have contributed towards the cost of the acquisition of the Crystal Palace and park:

- (5) It is expedient to extinguish any trusts relating to the Crystal Palace and park and to transfer the Crystal Palace and park from the said trustees to the London County Council (hereinafter referred to as "the Council"):
- (6) It is expedient that the other provisions contained in this Act should be enacted:
- (7) The objects aforesaid cannot be attained without the authority of Parliament:
- (8) In relation to the promotion of the Bill for this Act the Council have complied with the requirements of section 151 of the London Government Act 1939:

2 & 3 Geo. 6.
c. 40.

May it therefore please Your Majesty that it may be enacted and be it enacted by the King'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 (that is to say):—

Short title.

1. This Act may be cited as the London County Council (Crystal Palace) Act 1951.

Interpretation.

2.—(1) In this Act except as otherwise expressly provided or unless the subject or context otherwise requires—

- "the Act of 1914" means the Crystal Palace Act 1914;
- "the appointed day" means such day not being earlier than three months nor later than twelve months after the passing of this Act as the Council may determine;
- "contributing authority" means an authority who in the exercise of the powers of section 1 (Power to various authorities to contribute towards acquisition of Crystal Palace) of the Local Authorities Contributions (Crystal Palace) Act 1913 contributed towards the cost of the acquisition of the Crystal Palace and park;
- "the Council" means the London County Council; and
- "the trustees" means the body incorporated under the name of "the Crystal Palace Trustees" by section 5 (Incorporation of Trustees) of the Act of 1914.

(2) For the purposes of this Act there shall be excluded from the lands coloured yellow on the signed plan mentioned in the Second Schedule to this Act any part of such lands which has been disposed of by the trustees before the passing of this Act.

(3) Subject as aforesaid expressions to which meanings are assigned by section 2 (Interpretation) of the Act of 1914 as set forth in the Second Schedule to this Act shall in this Act have the same respective meanings.

3.—(1) On the appointed day any trusts existing immediately before the appointed day in relation to the Crystal Palace and park by virtue of the Act of 1914 shall be and are hereby extinguished. Extinguishment of trusts and vesting of Crystal Palace and park.

(2) On the appointed day the Crystal Palace and park and all other property real or personal which immediately before the appointed day was by virtue of the Act of 1914 the property of the trustees shall by virtue of this Act and without further assurance vest in and become the property of the Council.

(3) The Council shall on and after the appointed day hold the Crystal Palace and park as a place for education and recreation and for the promotion of industry commerce and art and those purposes shall be functions of the Council as defined by the London Government Act 1939 and shall not constitute a trust.

4. Any action arbitration or proceeding and any cause of action arbitration or proceeding which shall at the appointed day be pending or existing by or against or in favour of the trustees shall not abate or be discontinued by reason of the vesting in the Council of the Crystal Palace and park but may be continued prosecuted and enforced by against or in favour of the Council as and when it might have been continued prosecuted and enforced by against or in favour of the trustees if this Act had not been passed. Saving for pending actions.

5. All contracts and agreements and all conveyances deeds leases licences and other instruments affecting the trustees and in force at the appointed day shall as from that day be as binding and of as full force and effect against or in favour of the Council and may be enforced against or in favour of the Council as fully and effectually as if instead of the trustees the Council had been a party thereto or bound thereby or entitled to the benefit thereof but nothing in this Act or done thereunder shall prejudice or affect the right of the Council to terminate any such contract or agreement or other instrument as aforesaid at such time and in such manner as it might have been terminated if this Act had not been passed: Saving of contracts.

Provided that unless the Council otherwise agree the provisions of this section shall not apply to—

(a) any agreement for the rendering of personal services to the trustees ; or

(b) any variation of such an agreement ;

made after the ninth day of March nineteen hundred and fifty.

6. All rents and other sums and debts at the appointed day due and payable or accruing due and payable to the trustees shall be payable to and may be collected recovered and enforced by the Council in the same manner and with and by the same benefits and processes as those with and by which the trustees might have collected recovered and enforced them and shall belong to the Council for their own benefit. Collection of outstanding debts.

Books etc.
to remain
evidence.

7. All books and documents which if this Act had not been passed would have been evidence in respect of any matter for or against the trustees in relation to the Crystal Palace and park shall on and after the appointed day be admitted in evidence in respect of the same or the like manner for or against the Council.

Council to
take over
existing staff.

8. Subject to the provisions of this Act the Council shall take over and continue the employment of all officers and servants of the trustees who are willing to enter the service of the Council and such officers and servants who remain in the employment of the Council shall hold office by the same tenure and on the same conditions as immediately before the appointed day and while performing similar duties shall receive in respect thereof not less remuneration than the remuneration to which they would have been entitled if this Act had not been passed.

Repayment of
contributions
to contributing
authorities.

9.—(1) As soon as may be after the passing of this Act and before the appointed day the trustees shall pay to each contributing authority the sum contributed by that authority towards the cost of the acquisition of the Crystal Palace and park.

(2) The trustees shall as soon as may be after the making of any payment specified in subsection (1) of this section inform the Council of the making of that payment.

Byelaws.

10.—(1) The Council may make byelaws for regulating the use by the public of the palace and the park and the conduct of persons resorting to or using the same and any other matters or things requiring regulation in the interests of order and of the general public.

(2) As respects byelaws made under this section the confirming authority for the purpose of section 147 of the London Government Act 1939 shall be the Secretary of State.

Interim
arrangements.

11.—(1) The Council and the trustees may enter into and carry into effect agreements with reference to any of the purposes of this Act and any such agreement may provide for the exercise by the Council before the appointed day of any functions of the trustees.

(2) With a view to facilitating the carrying out of the purposes of this Act the trustees shall furnish to the Council such information regarding the operations and property of the trustees as the Council may reasonably require and shall afford the Council access to all books of accounts records and documents of the trustees.

Accounts
and audit.

12.—(1) So far as the accounts of the trustees for the period before the appointed day have not been completed and made up the said accounts shall be completed and made up to the

appointed day by such person as shall be appointed by the Council for the purpose and shall be subject to audit by a district auditor under Part X of the Local Government Act 1933. 23 & 24 Geo. 5. c. 51.

(2) A copy of the said accounts as audited and of any report of the auditor thereon shall within one month after the audit be furnished by the Council to each authority who before the appointed day was entitled to receive audited accounts under subsection (3) of section 22 (Accounts and audit) of the Act of 1914.

13.—(1) Until the appointed day the persons who were members of the body of trustees immediately before the passing of this Act shall unless they resign or become disqualified continue in their membership. Continuance and dissolution of trustees.

(2) On the appointed day the trustees shall by virtue of this Act be dissolved.

14. The powers conferred on transferred to or exercisable by the Council in pursuance of this Act shall be in addition to and not in derogation of any other powers of the Council: Saving for powers of Council.

Provided that the powers of the Council to appropriate land under section 106 of the London Government Act 1939 shall not be exercisable in relation to the lands delineated and coloured red and blue on the signed plan referred to in the Second Schedule to this Act.

15. The Crystal Palace and park (except the land delineated and coloured yellow on the signed plan referred to in the Second Schedule to this Act) shall be deemed to be land to which section 82 of the Town and Country Planning Act 1947 applied on the first day of July nineteen hundred and forty-eight and still applies on the appointed day. As to town and country planning. 10 & 11 Geo. 6. c. 51.

16.—(1) The enactments referred to in Part I of the First Schedule to this Act are hereby repealed. Repeals.

(2) On the appointed day the enactments specified in Part II of the said schedule except the provisions of the Act of 1914 which are set forth in the Second Schedule to this Act shall be and are hereby repealed.

(3) The provisions of the Act of 1914 which are set forth in the Second Schedule to this Act shall on and after the appointed day have effect as if for references therein to "the trustees" there were substituted references to the Council.

SCHEDULES

FIRST SCHEDULE

ENACTMENTS REPEALED

PART I

Session and chapter	Short title	Extent of repeal
16 & 17 Vict. c. xx.	The Crystal Palace Company's Act 1853	The whole Act.
17 & 18 Vict. c. xciii.	The Crystal Palace Company's Act 1854	The whole Act.
19 & 20 Vict. c. cxvii.	The Crystal Palace Company's Act 1856	The whole Act.
32 & 33 Vict. c. vi.	The Crystal Palace Company's Leasing Act 1869	The whole Act.
38 & 39 Vict. c. xxiv.	The Crystal Palace Company's Act 1875	The whole Act.
40 & 41 Vict. c. cxvii.	The Crystal Palace Company's Act 1877	The whole Act.
44 & 45 Vict. c. xxxvi.	The Crystal Palace Company's Act 1881	The whole Act.
50 & 51 Vict. c. cxcviii.	The Crystal Palace Company's Act 1887	The whole Act.
58 & 59 Vict. c. xv.	The Crystal Palace Company's Act 1895	The whole Act.
61 & 62 Vict. c. cxxxviii.	The Crystal Palace Company's Act 1898	The whole Act.
63 & 64 Vict. c. clxiv.	The Crystal Palace Company's Act 1900	The whole Act.
6 Edw. 7. c. i.	The Crystal Palace Company's Act 1906	The whole Act.
8 Edw. 7. c. cix.	The Crystal Palace Company's Act 1908	The whole Act.
4 & 5 Geo. 5. c. v.	The Crystal Palace Act 1914	Sections 6 and 7.

PART II

Session and chapter	Short title	Extent of repeal
3 & 4 Geo. 5. c. ci.	The London County Council (General Powers) Act 1913	Sections 12 and 18.
3 & 4 Geo. 5. c. clxiii.	The Local Authorities Contributions (Crystal Palace) Act 1913	The whole Act.
4 & 5 Geo. 5. c. v.	The Crystal Palace Act 1914	The whole Act (except so far as saved from repeal by this Act).

SECOND SCHEDULE

PROVISIONS OF THE ACT OF 1914 SAVED FROM REPEAL

2. Unless the context shall otherwise require in and for the Interpretation purposes of this Act the expressions:—

“The Crystal Palace and park” means and includes certain freehold lands buildings and hereditaments commonly known as the Crystal Palace and park situate in the metropolitan boroughs of Camberwell and Lewisham in the county of London and the urban districts of Beckenham and Penge in the county of Kent containing two hundred acres or thereabouts and delineated and coloured red blue and yellow on a plan signed in triplicate by William Arthur Mount esquire the chairman of the committee of the House of Commons to whom the Bill for this Act was referred and the said expression also means and includes all the fixtures fittings furniture statuary works of art machinery plant and all other effects whatsoever in the said palace and park and all buildings and other erections on the said lands ;

“The signed plan” means the plans so signed as aforesaid ;

“The palace” means and includes the buildings commonly known as the Crystal Palace together with so much of the lands now held in connection therewith as extends down to the lower terrace (including the lower terrace) and delineated and coloured red on the signed plan ;

“The park” means and includes the lands now held in connection with the palace below the lower terrace and the lands now let on lease or in hand for the purpose of such letting (being respectively the lands coloured blue and yellow on the signed plan) and any other lands other than the palace which may hereafter be acquired.

* * * * *

14. The trustees shall have the entire control and management of the palace and the park as a place for education and recreation and for the promotion of industry commerce and art and subject to existing leases tenancies licences and agreements and to the proviso to this section they may exercise the following powers (that is to say):—

Management
of palace and
park.

(1) They may maintain alter extend and repair the palace and other buildings and may improve and extend the park and appropriate lay out form fence and maintain grounds for cricket and other games sports amusements meetings assemblies and other purposes and also gardens roads walks fences plantations ornamental lakes and spaces for military drill and exercise and they may also pull down and remove the whole or any portion of the palace or other buildings and may construct new buildings and erections in lieu thereof or in addition thereto:

- (2) They may close the whole or any portion of the palace and the park and may make such reasonable charge as they think fit for admission to the palace or any part thereof and to any portion of the park which may be set aside or let in accordance with the provisions of this Act:
- (3) They may set aside or let for such period and subject to such conditions as they think fit the whole or any portions of the palace or the park for the exclusive use of any educational institution or for the purposes of a library or any exhibition show or display or any club or entertainment or for any recreation or sport or amusement or for stalls or for shops or for any purpose of public utility instruction or benefit and may authorise the lessees to erect buildings and to make charges for admission to any part of the palace or the park let to them * * *
- (4) They may themselves provide and maintain such educational institutions in the palace and the park as they think fit and may make such charges to students attending the same as they think fit:
- (5) They may purchase and hire works of art plant furniture and other appliances and things and may themselves provide such amusements in the palace or the park or any parts thereof as they think fit and may supply or let the right of supplying refreshments in any part or parts of the palace or the park together (if they think fit) with the exclusive right to use any refreshment rooms or stalls and may advertise the palace and the park and the attractions thereof:
- (6) They may appoint pay and remove such officers and servants as may be necessary for the purposes of this Act:
- (7) They may raise on mortgage of the palace and of the park (excluding the lands coloured blue on the signed plan) or any part thereof any sums of money that may be necessary for the purposes of this Act and may sell exchange or let on lease or otherwise any portion of the park (excluding the lands coloured blue on the signed plan):
- (8) They may generally do any act or thing which may in the judgment of the trustees appear calculated to promote the objects and purposes of this Act:

Provided always that not less than twenty acres of the park shall be open to the public free of charge on every day and the greater portion of the lands coloured blue on the signed plan shall be open to the public free of charge on every day except not more than fifty days in each year of which fifty days not more than fourteen days shall at any one time be consecutive or be in any one month.

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