



## CHAPTER xli.

An Act to provide for the acquisition of Parliament Hill  
and other lands and their addition to Hampstead Heath.

A.D. 1886.

[25th September 1886.]

**W**HEREAS there are adjoining and in the neighbourhood of Hampstead Heath in the county of Middlesex certain lands now commonly known as Parliament Hill Parliament Fields the Elms Estate and the East Park Estate and it would be to the public advantage that provision should be made as in this Act contained for the acquisition of the said lands with a view to their being preserved for ever as an open space in the same manner as Hampstead Heath :

And whereas under the Hampstead Heath Act 1871 Hampstead Heath was vested in the Metropolitan Board of Works (herein-after called the Board) who have by that Act undertaken to keep the Heath open uninclosed and unbuilt upon and to preserve it as an open space with certain powers of management and subject to certain conditions expressed in the said Act :

And whereas the object aforesaid cannot be effected 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 (that is to say) :—

1. This Act may be cited as the Hampstead Heath Enlargement Act 1886. Short title.

2. In and for the purposes of this Act the expression “the  
“Parliament Hill Estates” means the lands partly in the parish  
of St. John Hampstead and partly in the parish of St. Pancras in the  
county of Middlesex commonly known as Parliament Hill Parliament  
Fields the Elms Estate and the East Park Estate comprising together  
about two hundred and sixty-one acres as the same are defined  
upon a plan signed by Leonard Henry Courtney the Chairman of

Interpreta-  
tion.

A.D. 1886. the Committee of the House of Commons to whom the Bill for this Act was referred copies of which plan have been deposited in the Parliament Office of the House of Lords and the Private Bill Office in the House of Commons.

“The Board” means the Metropolitan Board of Works.

Powers of  
sale and  
purchase.

3. It shall be lawful for the owners of the Parliament Hill Estates or the persons who under section seven of the Lands Clauses Consolidation Act 1845 are or will be empowered to sell and convey the said estates or any part thereof or any one or more of such owners or persons on the one hand and the Board on the other hand to enter into and carry into effect any agreement or agreements for the acquisition by the Board of the Parliament Hill Estates or any part or parts thereof respectively with a view to their being preserved and maintained for ever as an open space: Provided always that any such sale or purchase shall be evidenced by a deed of conveyance duly stamped.

Powers of  
contribution.

4. In the event of or with a view to an agreement being entered into by the Board for the purchase of the Parliament Hill Estates it shall be lawful for the vestry of any parish mentioned in Schedule A or the district board of any district mentioned in Schedule B to the Metropolis Management Act 1855 to make a contribution in aid of such purchase of such an amount as they may think fit and as may be defined by a resolution passed as herein-after provided:

And the money required for the purpose of such contribution may be raised and provided by such vestry or district board in the same manner as money required for the purposes of defraying expenses incurred by them in the execution of the Metropolis Management Act 1855 and may be borrowed by them subject to the provisions of that Act and any Act amending the same with respect to moneys borrowed by vestries and district boards:

Provided that no such contribution shall be made by any such vestry or district board otherwise than in pursuance of a resolution passed by an absolute majority of the whole number of members of such vestry or district board at a meeting held after not less than fourteen days notice shall have been given to each member of such vestry or district board which notice shall state the intention to propose such resolution at such meeting and the amount of the proposed contribution and the manner in which it is intended to raise the same: Provided also that a public notice to the like effect shall be given previously to such meeting which notice shall be published as an advertisement once in each of two successive weeks in one or more London daily newspapers and shall be affixed to the principal doors of every church or chapel in the parish or district to which notices are usually affixed.



5. Whereas under the City of London Parochial Charities Act 1883 the Charity Commissioners for England and Wales (therein and herein-after called "the Commissioners") are to inquire into the nature and value of the property and endowments of the parochial charities therein mentioned and to classify the same into two schedules one of "ecclesiastical charity property" and the other of "general charity property" and by the said Act the Commissioners are also empowered to prepare schemes for the future application and management of the charity property and endowments so classified by them :

A.D. 1886.  
Contribution  
out of charity  
funds dealt  
with by City  
Parochial  
Charities Act  
1883.

And whereas it is enacted by section fourteen of the said Act that in every scheme relating to the property or endowments belonging to or applicable in the parishes enumerated in the Second Schedule to that Act the Commissioners shall (subject to carrying over a sum of money for the expenses of the Commissioners and to making provision for saving or making compensation contained in the said Act) provide for the application of the said general charity property to such of the objects or purposes to or for which the same are now applied as the Commissioners may think proper and legal and substantially beneficial to the inhabitants of the parish in which the same is now applicable or otherwise as therein stated and subject thereto shall provide for the application of such property (inter alia) to the preserving providing and maintaining of open spaces and recreation grounds within the Metropolis :

And whereas it is expedient that in the event of the Parliament Hill Estates being acquired for the purposes of this Act a contribution should be made out of the said general charity property in aid of such purchase Be it enacted that in the event of any agreement being made for the purchase of the said estates under this Act and subject to provision being made for giving compensation as required by the said Act and for the application of the general charity property under the said section fourteen to such of the objects or purposes to or for which the same are now applied as the Commissioners may think proper and legal and substantially beneficial to the inhabitants of the parish in which the same is now applicable or to any class thereof or in such manner as to secure to the inhabitants of the said parishes and to persons employed though not resident therein the benefit of any one or more of the applications in the said section fourteen mentioned it shall be the duty of the Charity Commissioners (by a preliminary scheme to be framed by them as soon as conveniently may be after the publication of the statement or statements referred to in section eight of the said Act) to provide for the payment of a sum of money not exceeding the sum of fifty thousand pounds but without interest thereon to the Board :

A.D. 1886.

Such scheme may provide for the payment of such sum by the governing body to be appointed under section forty-eight of the said Act or otherwise as the said Commissioners may see fit and shall be valid and have effect accordingly :

Such scheme shall be subject to the provisions as to schemes contained in the said City of London Parochial Charities Act 1883 so far as such provisions are applicable.

Powers of Board in the event of their acquiring the said lands.

6. In the event of the Board acquiring the Parliament Hill Estates or any part or parts thereof then as from the date of such acquisition the Board shall for ever keep the same open uninclosed and unbuilt upon except as regards such parts thereof as may be inclosed or built on at the date of such acquisition and shall by all lawful means prevent resist and abate all or any encroachments and attempted encroachments on the said estates and preserve them as an open space and resist all proceedings tending to the inclosure or appropriation for any purpose of any part thereof.

Incorporating Lands Clauses Acts.

7. The Lands Clauses Consolidation Act 1845 as amended by any subsequent Act (except the provisions of the Lands Clauses Consolidation Act 1845 which relate to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking) shall be incorporated with and form part of this Act :

And for the purposes of this Act the expression "the promoters of the undertaking" in the said Act shall mean the Board.

Further powers as to added lands.

8. The sections of the Hampstead Heath Act 1871 specified in the schedule to this Act shall be incorporated with and form part of this Act and the expression "the Heath" in the said sections shall be deemed to include the Parliament Hill Estates as and when they are acquired by the Board.

Costs of Act.

9. In the event of any agreement being entered into by the Board for the purchase of the Parliament Hill Estates the costs of and incidental to the preparing applying for and passing of this Act and of the negotiations relative thereto shall after taxation by the taxing officer of the House of Lords or of the House of Commons be paid by the Board.

SCHEDULE referred to in the foregoing Act.

A.D. 1886.  
—

No. of Section.	Marginal Note.
13	Prohibition of alienation &c.
14	Prohibition of sale of turf gravel &c.
15	Power to drain &c.
16	Preservation of turf &c.
18	Power to build Heath keepers lodges &c.
21	Power to make byelaws.
22	Regulations respecting byelaws.
23	Allowance of byelaws.
24	Byelaw as to prohibition of drill.
25	Appointment of constables &c.
26	Powers and duties of police over Heath.
27	Arrest of transient offenders.
28	Penalty for assaulting constables &c.
37	Power to apply existing funds.

