



Law of Property Act 1922

1922 CHAPTER 16 12 and 13 Geo 5

PART V

ABOLITION OF COPYHOLD AND CUSTOMARY TENURE

Abolition of Copyholds

137 Provisions for the protection of Royal Parks and Gardens.

As regards the manors of Hampton Court, in the county of Middlesex, and Richmond, in the county of Surrey, and every or any other manor vested, at the commencement of this Act, in His Majesty in right of the Crown or of the Duchy of Lancaster, and lands adjoining or separated only by a road or boundary wall from any royal park or garden the following provisions for the protection of the amenities of royal parks, gardens, and palaces shall have effect:—

- (1) The Commissioners of Works (in this section called “the Commissioners”) and all persons authorised by them in that behalf shall have a right of entry upon all enfranchised land adjoining any such boundary wall or the site thereof at all times in the daytime for the purpose of inspecting the state and condition of the boundary wall and repairing, rebuilding, or reinstating the same.
- (2) The Commissioners shall be entitled by deed under their corporate seal (to be enrolled on the court rolls of the manor within six months after execution and to be registered, in respect of restrictions, as a land charge under the ^{M1}Land Charges Registration and Searches Act, 1888, as amended) to impose upon any enfranchised land such conditions, stipulations, and restrictions relating to—
 - (a) The maintenance, repair, and reinstatement by or by the direction of the Commissioners of the boundary wall of a royal park or garden so far as adjoining the land or comprised in any building thereon;
 - (b) The character, height, and elevation towards the park, or garden of any future building erected on the land or any alteration of any existing building as shall in the opinion of the Commissioners be reasonably necessary for the

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protection of the amenities of the adjoining or neighbouring royal park or garden.

- (3) Before executing any such deed, the Commissioners shall give to the tenant, or leave or affix upon the land or some building thereon, at least one month's written notice of their intention to execute the deed, and of the conditions, stipulations, and restrictions intended to be comprised therein, and shall consider any objections which the tenant or any person interested in the land may offer within the period aforesaid.
- (4) The conditions, stipulations, and restrictions imposed by any such deed shall, as from the commencement of this Act, be binding in perpetuity (unless released by the Commissioners) upon the land affected thereby, and the persons from time to time entitled to any estate or interest therein, and shall be enforceable by the Commissioners in like manner as restrictive covenants running (as regards the burden thereof) with the land.
- (5) At any time after the expiration of six months from the commencement of this Act, any person interested in any enfranchised land not affected by any such deed already executed by the Commissioners may give to the Commissioners notice in writing requiring them to declare the conditions, stipulations, and restrictions (if any) intended to be imposed on such land, and the Commissioners shall, within three months after the receipt of such notice, execute such deed as aforesaid in relation to such land, or if they shall fail so to do such land shall be free from all such conditions, stipulations, and restrictions as aforesaid.
- (6) Every deed executed under this section shall be executed in duplicate, and one part shall be handed to the owner of the land affected, and the other part shall be retained by the Commissioners.
- (7) The Commissioners shall have power in their absolute discretion to release either wholly or partially and permanently or otherwise the conditions, stipulations, and restrictions so imposed by them on any enfranchised land or to waive any breach thereof.
- (8) Every person having or hereafter acquiring any estate or interest in any enfranchised land shall (provided a land charge is duly registered as aforesaid) be deemed to have acquired such estate or interest with notice of all conditions, stipulations, and restrictions (if any) for the time being affecting the land by virtue of any deed executed pursuant to this section.

Modifications etc. (not altering text)

- C1** [S. 137](#) extended by [Land Charges Act 1972 \(c. 61\)](#), [s. 15\(2\)](#)
C2 Functions of Commissioners of Works now exercisable by Secretary of State: S.R. & O.1945/991 (Rev. XV, p. 232: 1945 I, p. 1414), [S.I. 1962/1549](#) and 1970/1681
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Marginal Citations

- M1** [1888 c. 51](#).

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