CHAPTER 35.

An Act for affording Facilities for the enjoyment by the Public of Open Spaces in the Metropolis. [2d August 1877.]

WHEREAS it is expedient to afford facilities for making available the open spaces in and near the metropolis for the use of the inhabitants for exercise and recreation, and to enable the Metropolitan Board of Works to acquire the control and management of such open spaces for such purposes:

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:

Metropolitan Board of Works may acquire and hold open spaces for benefit of public.

1. The Metropolitan Board of Works may, by purchase on voluntary sale, or by the gift of the person or persons legally entitled to dispose of the same, acquire or accept the ownership of any open spaces, whether inclosed within rails or palings, or uninclosed, situated in the metropolis, and hold the same in trust for the perpetual use thereof by the public for exercise and recreation, and may from time to time make byelaws for the regulation of such open spaces, and may by such byelaws provide for the removal of any person infringing any such byelaw by any officer of the said Board or police constable. Byelaws under this section shall be made in the same manner and subject to the same conditions as byelaws made by the said Board under the Metropolis Management Act, 1855.

18 & 19 Vict. c. 120.

Right of entry to places of recreation may be conveyed to Metropolitan Board of Works.

2. Where any open spaces now are or hereafter may be used as places of exercise and recreation for the inhabitants of certain houses, and the property and right of user is now or hereafter may be vested in one or more persons as owners or occupiers of such houses, such owners and occupiers (if any) may convey to the Metropolitan Board of Works, in trust for the public, the right to enter upon and use and enjoy such open spaces, subject to such terms and conditions as may be agreed upon.

Provision for keeping up open spaces.

3. The Metropolitan Board of Works shall be entitled to make such provision as may be necessary for maintaining and protecting the open spaces so acquired by them.

Expenses.

18 & 19 Vict. c. 120.

4. The Metropolitan Board of Works shall be empowered to pay out of the funds at their disposal or which they are empowered to raise under the said Metropolis Management Act, 1855, and the several Acts amending the same, the costs and charges which they may incur in the execution of this Act, and such costs and charges shall be deemed to be expenses for which provision is made by such Acts.

Extent of Act.

5. This Act shall not extend to the royal parks, nor to any land belonging to Her Majesty in right of Her Crown or of Her Duchy of Lancaster, or any garden, ornamental ground, or ornamental land for the time being under the management of the Commissioners for the time being of Her Majesty's Works and Public Buildings or of the Commissioners for the time being acting under the Crown Estate Paving Act, 1851, or to any Metropolitan Common within the meaning of "The Metropolitan Commons Act, 1866," and "The Metropolitan Commons Amendment Act, 1869," nor to any land belonging to either of the honourable Societies of the Inner Temple and Middle Temple.

14 & 15 Vict. c. 95.
29 & 30 Vict. c. 122.
32 & 33 Vict. c. 107.

Meaning of term "metropolis."

6. The term "metropolis" in this Act means all parishes and places mentioned in Schedules A., B., and C. to the said Metropolis Management Act, 1855.

In the City of London the powers of the Act to be executed by the Corporation.

7. The powers in this Act conferred on the Metropolitan Board of Works shall in the City of London be exercised by the mayor, aldermen, and commons of the said city, who shall defray all the expenses caused by or connected with the execution of such powers.

Short title.

8. This Act may be cited as the Metropolitan Open Spaces Act, 1877.