



# City of London Corporation (Open Spaces) Act 2018

## 2018 CHAPTER i

### *Introductory provisions*

#### **3 Application of this Act**

- (1) This Act applies to the following open spaces—
- Epping Forest, being the land subject to the Epping Forest Act 1878 and vested in the Corporation;
  - Highgate Wood and Queen's Park, together being the land vested in the Corporation by the Highgate and Kilburn Open Spaces Act 1886;
  - Hampstead Heath, being the land vested in the Corporation by the London Government Reorganisation (Hampstead Heath) Order 1989; and
  - Ashted Common, Burnham Beeches, Coulsdon Common, Farthing Downs, Kenley Common, Riddlesdown, Spring Park, Stoke Common and West Wickham Common, being the land vested in the Corporation by the Corporation of London (Open Spaces) Act 1878.
- (2) Subject to subsection (3), sections 4(2), 6, 7, 8 and 10 also apply to the following open spaces—
- (a) Bunhill Fields, being the land vested in the Corporation by Part 3 of the City of London (Various Powers) Act 1960; and
  - (b) any garden, ornamental ground or churchyard in the City of London which is managed by the Corporation for purposes of public recreation under the Open Spaces Act 1906 or any local enactment.
- (3) In relation to any land falling within subsection (2)(b) which is not vested in the Corporation, the powers in sections 6, 7, 8 and 10—
- (a) may only be exercised with the consent of the landowner, and
  - (b) do not include the power to grant a lease or an easement.

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- (4) Section 4 and sections 11 to 14 also apply to any land comprising a deer sanctuary to which section 17 of the City of London (Various Powers) Act 1959 applies (which land is accordingly to be regarded as an open space for the purposes of section 2(2)).

#### **4 Protected status and private rights**

- (1) The sections of the Acts referred to in the following paragraphs of this subsection apply to this Act as they apply to the Acts referred to in those paragraphs—
- (a) sections 12, 14 and 16 of the Hampstead Heath Act 1871 (which provide for the preservation of Hampstead Heath as an unenclosed public open space, the prohibition of the sale of turf, gravel or other material, and the preservation of its natural aspect);
  - (b) sections 7 and 9 of the Epping Forest Act 1878 (which provide for the preservation of Epping Forest as an unenclosed public open space and the preservation of its natural aspect);
  - (c) sections 6 and 7 of the Corporation of London (Open Spaces) Act 1878 (which provide for the preservation of the open spaces to which that Act applies as unenclosed public open spaces and the preservation of their natural aspect); and
  - (d) section 2 of the Highgate and Kilburn Open Spaces Act 1886 (which provides for the preservation of the lands to which that Act applies as public open spaces and the preservation of their natural aspect).
- (2) Nothing in this Act—
- (a) affects any power of the Corporation other than under this Act;
  - (b) prevents the operation of any private right in respect of an easement or covenant affecting an open space;
  - (c) affects the operation of section 57(1) of the Town and Country Planning Act 1990, or constitutes authority for development for the purposes of any order under section 59(2)(a) of that Act.