
EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect, with modifications, to proposals of the London Residuary Body for the transfer of Hampstead Heath and associated functions, rights and liabilities to the Corporation of the City of London (“the City”). The principal modifications are –

- (a) the addition of certain land acquired by the Residuary Body to the land initially proposed by them for transfer to the City;
- (b) the omission from the functions to be conferred on the City of the power conferred by section 123 of the Local Government Act 1972 to dispose of land;
- (c) the extension of the financial arrangements so as to permit the City to have recourse to any money for the time being in the Hampstead Heath Trust Fund, rather than only the income accruing to that Fund; and
- (d) the inclusion of provisions relating to the Consultative Committee.

Article 2 defines terms used in the Order. In particular “the Heath lands” is defined as the area which vested in the Residuary Body on 1st April 1986 and certain land acquired by that Body between that date and 31st March 1989.

Article 3 transfers the Heath lands to the City on 31st March 1989, and article 4 provides for the transfer of associated rights and liabilities.

Article 5 confers on the City the functions that were exercisable by the Greater London Council immediately before 1st April 1986 in respect of such part of the Heath lands as was then vested in it.

Article 6 requires the Residuary Body to pay the sum of £19,067,000 to the City on 31st March 1989. The City are to credit £15 millions to the Hampstead Heath Trust Fund. Subject to the restrictions specified in article 7, to which Schedule 2 is relevant, the City may draw on that sum for defraying their expenditure on the management and maintenance of the Heath lands. The balance of £4,067,000 is to be credited to the Hampstead Heath Works Fund and may be used to defray the City’s expenditure on work within the descriptions specified in Schedule 1 to the Order.

Articles 8 and 9 require the City to appoint a Management Committee and a Consultative Committee for the purposes of assisting the City in implementing their policies and programmes of work in relation to the Heath lands. Details relating to these Committees are contained in Schedules 3 and 4.

Article 10 makes provision for the application of certain parts of the Order to be extended to land which may be acquired by the City in connection with the Heath lands.

Article 11 provides for continuity in the exercise of functions.