

**Decision Maker:** Executive

**For Pre-Decision Scrutiny by the Environment PDS  
Committee**

**For Pre-Decision Scrutiny by the Renewal & Recreation PDS  
Committee**

**Date:** 19<sup>th</sup> October 2011 (Executive)  
4<sup>th</sup> October 2011 (Environment PDS)  
11<sup>th</sup> October 2011 (Renewal and Recreation PDS)

**Decision Type:** Non-Urgent Executive Key

**Title:** PROPOSED GOVERNANCE OF CRYSTAL PALACE PARK

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**Chief Officer:** Marc Hume, Director of Renewal & Recreation

**Ward:** Penge and Crystal Palace Wards

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1. Reason for report

- 1.1 This report recognises Crystal Palace Park as a site of local, regional, national and international significance which now requires an alternative approach to its management to ensure that it is enjoyed for generations to come. The approved Masterplan for Crystal Palace Park, although subject to a judicial review, requires consideration to be given to the mechanism by which the Masterplan can be implemented and the need to attract significant external support and funding whilst retaining and increasing the support of local residents, interest groups and associations.
- 1.2 This report examines different options for the future governance of the park and recommends that management of the park in the form of a 'not-for-profit' organisation be further investigated. The report also suggests pursuing discussions with established and experienced organisations such as the National Trust, English Heritage and other industry sectors who have a history and reputation for managing green spaces.
- 1.3 Recognising the complexities of the park's history, the diverse range of parties that have an interest in the future of the park and the scale of resources likely to be required to implement

(in all or in part) the Masterplan, this report recommends the creation of the Crystal Palace Park Management Board (**Appendix 1**). The Board will be established to explore opportunities for the management, restoration, development and protection of Crystal Palace Park; recognising the site's multi-faceted historical significance and creating an environment which is valued and admired by local people and visitors alike.

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## **2. RECOMMENDATION(S)**

### **That the Environment PDS Committee and the Renewal & Recreation PDS Committee:**

- 2.1. Note the contents of the report and the consultation undertaken to date and provide the Executive with their comments.

### **That the Executive considers the comments of the Environment PDS Committee and the Renewal and Recreation PDS Committee to:**

- 2.2 Approve the creation of the Crystal Palace Park Management Board at (**Appendix 1**).
- 2.3 Agree that Officers support members of the Crystal Palace Park Management Board to:
- 2.3.1 Explore the 'not-for-profit' organisation governance option for the park;
  - 2.3.2 Pursue discussions with established organisations who have the experience and capability of managing green spaces, such as the National Trust and English Heritage;
  - 2.3.3 Investigate options for a challenge of the Lee Valley Regional Park Act 1966 in collaboration with neighbouring boroughs to obtain agreement to reinvest Bromley's funds into Crystal Palace Park.
  - 2.3.4 Agree that the Crystal Palace Park Executive Project Board bring back further reports to the Executive Committee with recommendations on the future management of Crystal Palace Park and any other significant developments.

## Corporate Policy

1. Policy Status: Existing policy.
  2. BBB Priority: Quality Environment.
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## Financial

1. Cost of proposal: N/A
  2. Ongoing costs: N/A.
  3. Budget head/performance centre: Crystal Palace Park
  4. Total current budget for this head: £495k
  5. Source of funding: Existing revenue budget 2011/12
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## Staff

1. Number of staff (current and additional): Approximately 1.5 FTE Rangers
  2. If from existing staff resources, number of staff hours:
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## Legal

1. Legal Requirement: No statutory requirement or Government guidance.
  2. Call-in: Call-in is applicable
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## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Park attendance figures for the annual total number of visits to Crystal Palace Park have been estimated from surveys carried out in December 2006 and July 2007 by Steer Davies Gleave, who were commissioned by the London Development Agency. Steer Davies Gleave estimate that there are approximately 1.67 million visitors a year to the site and National Sports Stadium, excluding visits for special events.
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## Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes.
2. Summary of Ward Councillors comments: Ward Members have been consulted on the Crystal Palace Park Management Structure which is proposed to explore the 'not-for-profit' organisation option in addition to other improvement projects for the park. Generally Ward Members views towards the scheme were favourable and positive. Some concerns were raised in respect of the membership of Crystal Palace Park Executive Project Board and suggested any organisation represented on the board that would potentially benefit financially from the proposals should have a non-voting position. They also requested that Ward Members are represented on the Executive Project Board as well as the Crystal Palace Park Stakeholder Groups.

### **3. COMMENTARY**

3.1 This report outlines proposals to create a Crystal Palace Park Management Board to investigate alternative options for the future governance of Crystal Palace Park.

#### **Background**

3.2 Crystal Palace Park is an English Heritage Grade II listed park which was once home to Sir Joseph Paxton's Crystal Palace, the structure which originally housed the Great Exhibition in 1851. The London Borough of Bromley took control of Crystal Palace Park in 1986 from the Greater London Council. The Park's 200 acres incorporates a number of heritage features and the National Sports Centre, the latter being a separately managed entity.

3.3 This report recognises that Crystal Palace Park requires significant financial investment to its infrastructure to ensure that it can be enjoyed by generations to come.

3.4 In 1999, the park was awarded £4.4m from the Heritage Lottery Fund to restore 40% of the landscape and infrastructure. However, further investment is needed to restore, conserve, protect and develop the remaining elements of the park.

3.5 The London Borough of Bromley has not been able to guarantee the level of investment required given the park's status as a national asset. In the current economic climate where there are competing priorities on local authority funding, this is unlikely to improve.

3.6 Because the park is situated on the borders of five London boroughs; Bromley, Croydon, Lambeth, Lewisham and Southwark, it has evoked a diverse range of interest and support from a wide range of residents.

3.7 The Council granted the London Development Agency a 125 year lease of the National Sports Centre and grounds immediately surrounding the site on 25<sup>th</sup> March 2006. Since that date, under the terms of that lease, the London Development Agency have been wholly responsible for the National Sports Centre site, including insurance, although there is no covenant on their part to keep or maintain the buildings in any particular condition. A further 125 year lease (running for the same term) of that part of the Crystal Palace Park Farm not included in the National Sports Centre lease was subsequently granted to the London Development Agency to enable them to grant a lease of the whole of the farm to Capel Manor College for use as part of the college.

3.8 The agreement entered into between the Council and the London Development Agency which led to the lease of the National Sports Centre site also granted the London Development Agency an option to take a 125 year lease of the whole park. With the potential of taking over the management of the park, the London Development Agency commissioned Latz + Partner (a landscape architecture firm) to carry out extensive public consultation and create a landscape Masterplan for the park. The Masterplan has been approved by the Council but is currently with the Secretary of State under judicial review with a decision expected later on in the year.

3.9 The Masterplan applications for planning permission, Conservation Area Consent and Listed Building Consent were submitted in November 2007. In December 2008 the Development Control Committee resolved to grant permission, but the applications were called in by the Secretary of State for Communities (SoS) decision. A local inquiry took place between July and September 2009 and the Inspector's report of April 2010 was considered by the SoS, who granted permission in December 2010. This decision is subject to a legal challenge which awaits a hearing date.

3.10 The description of the planning application is as follows -

Comprehensive phased scheme for landscaping and improvement of the park, comprising demolition of and alterations to existing buildings and structures including removal of existing hard surfaces; changes of use, including of part of the caravan site to public open space and museum to park rangers base; erection of new buildings and structures for various uses including museum and park maintenance facilities, community facility/ information kiosk, greenhouses, retail kiosks, cafes, toilets, classroom/ children's nursery, treetop walk, college and up to 180 residential dwellings; erection of new regional sports centre including indoor swimming pool; alterations to ground levels with new pedestrian paths, vehicular access roads, car park, highway works, water features together with associated and ancillary works / plant and equipment (Part Outline/Part Full Application)

3.11 The aim of the Masterplan is to create a 21<sup>st</sup> century park which reflects Paxton's original ideas while responding to today's concerns and opportunities. The aim is that the park should be:

- Innovative
- Inspirational
- Trend – setting
- Recreational, fun and educational for all
- An exemplar of a modern sustainable park

This vision responds to heritage, current conditions and future needs, with an overall aim to re-establish the park's significance. It aims to conserve and strengthen the historic landscape character, by re-interpreting and revitalising Paxton's configuration and so recreating the character of the park as a whole.

3.12 In terms of the costs of implementing the Masterplan, the London Development Agency assigned the works to three "Levels".

1. Level one works involve basic restorative and remedial works which represent the minimum improvement necessary to restore the park. For example; remediation of contamination, archaeological excavations, removal of hardstandings, changes in levels, landscaping (including the terraces) and water features (cost £41.8M).
2. Level two works are intended to restore the park to regional park standard and will include the construction of two greenhouses, a cricket pavilion, additional playgrounds and water features and works to the concert bowl (cost £17.3M).
3. Level three works are intended to restore the park to both national and international standards and include the installation of a tree top walk and further water features (cost £8.9M).

3.13 The total cost of around £68M did not include certain elements that would attract grants and or other separate funding streams, for example the build of a new museum, restoration of the subway, restoration of the stonework of the listed terraces and works to the National Sports Centre. As such the total costs of implementing the Masterplan could be nearly twice the figure originally quoted. It was estimated that the receipt from the sale of the two residential sites would be in the region of £12.8M, but this estimate was prior to the recession. There are costs associated with releasing these sites, for example, the maintenance building on the Crystal Palace Park Road frontage has to be physically relocated and the One O' Clock Club needs to be relocated, potentially to the new children's

nursery permitted on the Caravan Club site. There is a break clause in the lease of the Caravan Club in 2019, and it is unlikely that the land could be sold before then. As such there are many “linkages” between the elements of the Masterplan, other examples being the phasing envisaged being reliant upon changes in level (and related stockpiling of soil), also the improvements to the National Sports Centre to convert it to dry sports only would not take place until the Regional Sports Centre (including its 50m pool) is complete. The re-establishment of Paxton’s central axis of the park by removal of the raised walkway and other structures adjacent to the National Sports Centre includes raising ground levels around the National Sports Centre – the works will visually reconnect the elements of the original layout by removing these barriers that exist in the centre of the Park.

- 3.14 The London Development Agency had until 31<sup>st</sup> March 2009 to exercise the option to take over the management of Crystal Palace Park but chose not to do so; the remainder of the park therefore remains the Council’s responsibility and liability. As a result, it is suggested that the Council looks at different options to reduce its liability and to ensure a more sustainable future for the park. Although the London Development Agency will be absorbed by the Greater London Authority during 2012 and therefore is no longer in a position to lease the park, both have and will be involved in discussions as to the park’s future and a new management arrangement that could carry out the Crystal Palace Park Masterplan.

### **Potential Governance Options for Crystal Palace Park**

#### Single Borough Governance

- 3.15 The park could be managed by a single London borough; Bromley, Croydon, Lambeth, Lewisham or Southwark, all of which adjoin the park.

- 3.16 The advantages of single borough governance are:

- A single local body that has experience of managing open spaces which already exists present the least difficulty initially.
- Local authorities have existing robust systems, procedures and accountability mechanisms.
- Local and national taxation provides an annual source of funding.
- Strategic management initiatives can reduce service delivery costs and liberate funding for other green space maintenance.

- 3.17 The disadvantages of single borough governance are:

- There is no evidence that any neighbouring borough wishes to take on the sole burden of managing Crystal Palace Park.
- As the management of parks and other public open spaces is not a statutory duty, it is unlikely that any of the boroughs will have sufficient and dedicated resources to look after the park effectively.
- Any resources available from a single borough would be subject to competition from other parks or priorities in spending.
- Ring-fencing income generated from Crystal Palace Park in order to develop and improve facilities and the grounds is likely to be difficult in light of other, more pressing, local authority funding commitments.

- The equity of running costs associated with a park of national significance may be brought into question in light of the fact that residents from all London boroughs, including those which abut the park, are entitled to use the site.

3.18 On evaluation, this report does not recommend a single borough governance option. This option does not provide the management, partnership and funding opportunities that Crystal Palace Park requires.

#### Multiple Borough Governance

3.19 The park could be managed by a consortium of local boroughs who would all contribute financially to the park.

3.20 The advantages of multiple borough governance are:

- The management and development costs could be more fairly shared amongst the boroughs that constitute the immediate catchment area.
- There could be some economies of scale if other local parks were also managed by this consortium.

3.21 The disadvantages of multiple borough governance are:

- No single body would be responsible for the park. A situation could arise where an individual borough withdraws funding and commitment due to other pressures and priorities.
- From a practical point of view, the park cannot be managed on a day-to-day level by several boroughs. One would need to take a lead or all five would need to appoint a subsidiary management body. The potential for bureaucratic complexity, and even conflict, could arise.
- This governance option also suffers from an unpredictable level of funding as competition for limited resources from statutory services remains an issue.

3.22 On evaluation, this report does not recommend a multiple borough governance option. The disadvantages outweigh the advantages of this arrangement.

#### Generic Regional Borough Governance

3.23 The management of the park would be transferred to an existing generic regional body (i.e. an organisation not primarily concerned with parks).

3.24 The advantages of generic regional borough governance are:

- If an appropriate body were identified, no new organisation needs to be set up.
- Generic regional bodies such as the Greater London Authority, or alternatively the Corporation of London, are regionally established organisations with extensive networks, influence and potential access to funds.

3.25 The disadvantages of generic regional borough governance are:

- No appropriate regional body appears to exist – particularly since the London Development Agency has made it clear that park management is now beyond its remit. (The Greater London Authority might be another possibility, although it currently

manages no parks at all and faces similar financial constraints as that of local authorities).

- It could be difficult for a regional body to satisfy the requirement for local accountability and provide appropriate opportunities for local stakeholder input.
- It is uncertain whether a regional body, primarily concerned with other matters, would have the expertise to effectively manage a large park of national importance.
- Ring-fencing of park income may not be possible.

3.26 On evaluation, this report does not recommend a generic regional borough governance option. Since the London Development Agency is going to be absorbed by the Greater London Authority it seems unlikely that a generic regional body will be prepared to extend their remit to include a park, particularly in the current economic climate.

#### Specialist Parks Authority Governance

3.27 The park could be managed by Royal Parks, the existing specialist parks authority. Alternatively a new London Parks Authority could be established.

3.28 The advantages to the specialist parks authority governance are:

- Crystal Palace Park would become part of a portfolio of high profile parks.
- There are potentially higher levels of income for maintenance.

3.29 The disadvantage of this option is that there could be questions raised to Members about local accountability and control with either model.

3.30 The specific disadvantages in relation to the Royal Parks option are:

- The Royal Parks body has made it clear that they are not looking to expand their portfolio. The Royal Parks option would require new legislation to make Crystal Palace Park crown land.
- Even if it were, any park it considers taking on would need a substantial dowry to cover future management and maintenance costs.

3.31 The specific disadvantage of a new London Parks Authority is that no such body exists at present and setting one up could present challenges.

3.32 On evaluation, specialist parks authority governance is not the preferred option, however further investigations will be carried out to ensure that this is evaluation is accurate.

#### **‘Not-for-profit’ organisation**

3.33 A new ‘not-for-profit’ organisation, for example a charitable trust, could be created with the sole purpose of caring for the management, development, protection and restoration of Crystal Palace Park .

3.34 The advantages of a ‘not-for-profit’ organisation are:

- Setting up a new ‘not-for-profit’ organisation is relatively straightforward.



- 'Not-for-profit' organisations can apply for external funding and grants for which statutory bodies are not eligible. The charitable status of 'not-for-profit' organisations can also bring tax-relief benefits.
- A 'not-for-profit' organisation can be structured to provide local accountability, opportunities for local input and is attractive to influential and dynamic individuals who wish to make a valuable contribution to a national asset.
- The 'not-for-profit' organisation can focus on raising additional monies and tap additional sources of income. They often have a strong entrepreneurial culture to access funding from a variety of sources such as other business opportunities and commercial finance.
- Trusts can encourage cohesion as interested residents and stakeholders, including the local authority, have opportunities to become members or trustees.
- Trusts can focus on green spaces and so would not face the competitive pressures inherent within local authorities.

3.35 The disadvantages of an independent 'not-for-profit' organisation are:

- Recruiting people with the right expertise to govern the trust could be a challenge.
- Fundraising and donor programmes can be more suitable for specific capital projects as they can be directly linked to new development initiatives. Funding for green space maintenance may therefore be limited.
- The composition of the trust could raise questions about equity of representation, especially from local groups.

3.36 On evaluation, this report recommends an independent 'not-for-profit' organisation for the future governance of Crystal Palace Park. Based on the findings above, this report suggests that the advantages associated with setting up an independent 'not-for-profit' organisation outweigh those of other governance options. It also suggests that the identified disadvantages could be managed by careful and effective planning. This model has been used successfully in a number of other parks across the country. Particularly successful examples include the Chiswick House and Gardens Trust ([www.chgt.org.uk](http://www.chgt.org.uk)) and the Nene Park Trust ([www.neneparktrust.org.uk](http://www.neneparktrust.org.uk)).

3.37 In summary, on evaluation of each of the identified governance options, this report recommends a 'not-for-profit' governance model for the future management of Crystal Palace Park and suggests that further investigation into the practicalities of this option should be made. It also recommends that some investigations should be made into the specialist parks authority governance model to ensure the evaluation in paragraph 3.32 is accurate. The report also recommends exploring management options with established industry standard organisations such as the National Trust, English Heritage and the Eden Project.

3.38 Given the complexities of the history and the diverse interests in Crystal Palace Park, if members choose to further investigate the 'not-for-profit' organisation governance model, this report recommends the adoption of the Crystal Palace Park Management Board (at **Appendix 1**).

#### The Crystal Palace Park Management Board (**Appendix 1**)

3.39 If the recommendations contained within this report are agreed, the Crystal Palace Park Management Board would be established to explore opportunities for the management, restoration, development and protection of Crystal Palace Park; recognising the site's multi-

faceted historical significance and creating an environment which is valued and admired by local people and visitors alike.

3.40 Robust terms of reference would be drawn up to set the ground rules for the operation of the Crystal Palace Park Management Board.

3.41 The Crystal Palace Park Management Board would be responsible for making recommendations to Bromley Council's Executive Committee which will determine the future management of Crystal Palace Park. This recommendation will place an emphasis on:

- Restoring and protecting Crystal Palace Park 's heritage and infrastructure
- Improving and developing community use and investment in the park
- Recognising the park's local, regional and national significance
- Determining and securing the park's importance for the future.

3.42 It is suggested that the Crystal Palace Park Management Board members all work towards the following aims:

- To examine and agree a legal structure for the future management of Crystal Palace Park .
- To challenge the Lee Valley Regional Park Act 1966 in collaboration with neighbouring boroughs to obtain agreement to reinvest Bromley's funds into Crystal Palace Park.
- To approve and champion capital and revenue projects that improve the usage and visitor experience at Crystal Palace Park.
- To examine and pioneer different opportunities for investment at Crystal Palace Park.
- To work closely with the Mayor of London to:
  - Explore a regional status for Crystal Palace Park
  - Enter into discussions with the National Trust, English Heritage and other industry sectors about the future governance of Crystal Palace Park .
- Develop employment and skills opportunities at Crystal Palace Park.

3.43 It is suggested that the work of the Crystal Palace Park Management Board be subject to monitoring and evaluation by the London Borough of Bromley.

3.44 The Crystal Palace Park Management Board shall take the following form:

Crystal Palace Park **Executive Project Board** (**Appendix 1, Box 1**)

3.44.1 It is suggested that the Crystal Palace Park **Executive Project Board** oversee and implement the work of the Crystal Palace Park Management Board by making recommendations as appropriate to Bromley Council's Executive Committee.

3.44.2 The recommended membership for the Executive Project Board includes representatives from:

London Borough of Bromley (Councillors)

Greater London Authority (senior representation)

The Eden Project

English Heritage

Capel Manor College

National Sports Centre

Two Community Representatives

London Borough of Bromley Project Team (**Appendix 1, Box 2**)

- 3.44.3 It is proposed that a group of existing officers will support the Crystal Palace Park Management Board, by establishing the Crystal Palace Park Stakeholder Groups and providing on going support.

Crystal Palace Park Stakeholder Groups

- 3.44.4 It is recommended that the Executive Project Board establish four Crystal Palace Park Stakeholder Groups including:

Community (**Appendix 1, Box 4**)

Site Management (**Appendix 1, Box 5**)

Heritage (**Appendix 1, Box 6**)

Borough Councils (**Appendix 1, Box 7**)

- 3.44.5 It is suggested that each stakeholder group be given responsibility for investigating and delivering options for the park as directed by the Executive Project Board. Similarly these stakeholder groups will be supported by officers within the Renewal and Recreation Department.

- 3.45 All individuals recruited to the Crystal Palace Park Management Board will have the authority, relevant skills and experience as required for their roles.

- 3.46 Local communities that use and surround Crystal Palace Park are represented by a significant number of community interest groups, all of which have been involved in the promotion of the site over time.

- 3.47 A successful Crystal Palace Park Community Conference organised by the Crystal Palace Working Group was held on 20<sup>th</sup> May 2011 attended by over 70 people. Attendees included the Leader of the London Borough of Bromley, London Borough of Bromley Councillors, neighbouring borough councillors and politicians, local community representatives, local park users, the London Borough of Bromley and neighbouring borough officers and English Heritage. There was significant accord to finalise the status and future management of the park, continued regeneration of the landscape and for further work to reflect the vision and framework of the Masterplan.

- 3.48 In recognition of their contributions and due to the diversity of these groups, it is suggested that two Executive Project Board places are reserved for community representatives. Furthermore, it is recommended that a new Community Stakeholder Group be formed with appointed community representatives.

- 3.49 Since the conference, officers have met with a number of community groups to discuss the Crystal Palace Park Management Board and future management options for the park. The majority of those consulted have been in favour of exploring next steps, one group would like to increase the community representation on the Crystal Palace Park Executive Board from two members to four.
- 3.50 It is suggested that all community representatives including a newly recruited Community Stakeholder Group to be recruited through advertisements placed in local and national newspapers and a formal interview process to ensure that the community is fairly and appropriately represented. These opportunities will be proactively promoted to all existing community interest groups and to all other local residents in and around the area. It is suggested that Community Links could be involved in the recruitment process to demonstrate transparency.
- 3.51 The Crystal Palace Park Executive Management Board will have the option to co-opt additional individuals into the structure in an advisory capacity as and when they deem it necessary.

### Project Timetable

- 3.52 Should the Executive Committee approve the creation of the Crystal Palace Park Management Board which includes key national, regional and local organisations along with neighbouring boroughs, to investigate and commence implementation of a 'not-for-profit' organisation, a suggested timetable for the development phase of this project would as follows:

Advertise, interview and appoint two Executive Project Board community representative members	End November 2011
Hold first Executive Project Board meeting and agree Terms of Reference	End November 2011
Set up four stakeholder groups and agree tasks <i>Including formal recruitment process for Community stakeholder Group membership opportunities. See <b>Appendix 1</b>, boxes 4,5,6,7.</i>	End December 2011
A Community Conference to report on progress, galvanise the vision	April 2012
Stakeholder Groups' tasks completed	End October 2012
Report back to the Executive on progress and findings	End November 2012

- 3.53 The report to the Executive in November 2012 will report on the following:
- The most suitable 'not-for-profit' organisational structure for the management of Crystal Palace Park including discussions with existing well established organisations managing green space.
  - Advise Members of the potential to challenge the Lee Valley Regional Park Act 1966 with a view to seeking agreement to reinvest the borough's contribution in Crystal Palace Park instead.

- Capital and revenue investments, funding and grant opportunities available to draw down money for improvements to the site and facilities therein.

#### **4. POLICY IMPLICATIONS**

- 4.1 The proposals deliver the Building a Better Bromley promise for 2011/12 to develop the parks, leisure and sports offer at Crystal Palace Park in line with the Crystal Palace Park Masterplan. The planning policies in the London Plan and Bromley Unitary Development Plan are both proactive and protective in relation to the Park, in that they encourage its function to provide for a wide range of recreational and sporting activities and protect its sensitivity in open space, landscape and heritage terms.

## 5. FINANCIAL IMPLICATIONS

5.1 The latest approved budget for Crystal Palace Park is as follows: -

Expenditure type	2011/12 £'000
Employees	56
Other running expenses (incl ground maintenance costs)	345
Income	(29)
<b>Net controllable budget</b>	<b>372</b>
<b>Non-controllable costs &amp; recharges</b>	
Other departmental recharges	98
Repairs & Maintenance (Property)	172
Rental income (Property)	(199)
Insurance & capital charges	52
<b>Total net budget</b>	<b>495</b>

5.2 Any financial implications of options for the future management of the park will be reported back to Members once investigations have been completed.

## 6. LEGAL CONSIDERATIONS

6.1 Crystal Palace Park was originally run by private enterprise in the nineteenth century and in 1914 the Crystal Palace Act established a body of Trustees to acquire the palace and park and empower them to hold and manage them as a place of public resort and recreation. The main objects of the Trust being to maintain and manage the Park “as a place for education and recreation and for the promotion of industry, commerce and art.”

6.2 This Act was substantially repealed by the London County Council (Crystal Palace) Act 1951 which vested the Palace and Park in the London County Council. Whilst the objects of the Trust survived as “functions” of the London County Council, as defined in the London Government Act 1963, the Trust itself did not. Hence consideration of the management of the site became a matter of public administrative law rather than Trust law.

6.3 The 1951 Act set out detailed powers to be exercised by the London County Council in managing the site and these would have been passed over to the Greater London Council which assumed responsibility for the site in 1965 following the dissolution of the London County Council pursuant to the London Government Act 1963.

6.4 The Greater London Council itself was dissolved in 1986 and its functions were distributed amongst the existing London Borough Councils. Although there was discussion at the time as to how the management of the site should be managed there was no agreement on a group of three Boroughs managing it and Bromley Council indicated that it was willing to take over sole responsibility subject to honouring certain existing legal agreements.

6.5 The park remains subject to the outstanding provisions of three Acts of Parliament which impose statutory restrictions on the use of the park. These restrictions effectively divide the park into three zones with specific restrictions on what can be done in each zone. Over the years a wide variety of commercial and non commercial activities have been permitted at the site and any future proposals for redevelopment will need to take account of these. The Acts would not prevent the Council from leasing or transferring the ownership of the park but their provisions remain in effect and will continue to bind the use and operation of the park, whatever the ownership arrangements, so that any proposals which go beyond what is

permitted by statute may require a further private Act of Parliament before they could proceed.

- 6.6 The London Development Agency, although in the process of being absorbed and transferred into the Greater London Authority, was responsible for producing the Crystal Palace Masterplan which is currently the subject of judicial review. It is this document which currently informs future thinking on the redevelopment of the site. However the management structure recommended to Members clearly allows for on going consultation with stakeholders and others which is an integral part of any future proposals and minimise the likelihood of further legal challenges and delays to redevelopment of the site.

<b>Non-Applicable Sections:</b>	Personnel Implications
Background Documents: (Access via Contact Officer)	Crystal Palace Masterplan