



# London Local Authorities Act 2000

## 2000 CHAPTER vii

### PART VI

#### MISCELLANEOUS

#### 45 Dangerous structures

- (1) The provisions of Part VII of the Act of 1939 (which makes provision in relation to dangerous and neglected structures) shall apply to outer London boroughs.
- (2) Section 43 of the London Government Act 1963 (which provides for modifications to the extent of the application of the London Building Acts) is amended by the insertion, in subsection (1), after the words “Part II” in both places where they appear, of the words “and Part VII”.
- (3) The council of an outer London borough to which Part VII of the said Act of 1939 is applied under this section may make regulations under section 8 (Dangerous structure fees) of the London Local Authorities Act 1994 as though they were a borough to which the London Building Acts apply.
- (4) Section 77 of the Building Act 1984 (which makes provision in relation to dangerous buildings) and section 79 of that Act (which makes provision in relation to ruinous and dilapidated buildings and neglected sites) shall not apply to an outer London borough.
- (5) Paragraph 5 of Schedule 3 to the said Act of 1984 shall apply in respect of the borough of a participating council as though “77 to 83” were replaced by “77 to 80, 82, 83”.
- (6) In this section—
  - “outer London borough” has the same meaning as in section 1(1) of the said Act of 1963 but does not include the London Borough of Barnet;
  - “the Act of 1939” means the London Building Acts (Amendment) Act 1939; and
  - “the London Building Acts” means the London Building Acts 1930 to 1939 as amended by the London County Council (General Powers) Act 1952 and by the London County Council (General Powers) Act 1954.

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#### **46 Service of certain notices under Highways Act 1980**

- (1) Where a participating council issues a notice under section 149(1) (Removal of things so deposited on highways so as to be a nuisance etc.) of the Highways Act 1980 and the name or the address of the person who deposited the thing on the highway to which the notice relates cannot after reasonable enquiry be ascertained by the council seeking to serve the notice, the notice may be served by—
  - (a) addressing it to the person on whom it is to be served by the description of “owner” of the thing (describing it) to which the notice relates; and
  - (b) affixing it or a copy of it to the thing.
- (2) The provisions of this section are without prejudice to the provisions of section 322 (Service of notices etc.) of the said Act of 1980.

#### **47 Compensation to servants of fire authority**

Section 31 (Compensation to persons in Council’s service on abolition of office) of the London County Council (General Powers) Act 1921 shall (with any necessary modifications) apply to the London Fire and Civil Defence Authority as it applies in relation to a London borough council.

#### **48 Bus lanes**

Section 4 (Penalty charge notices under Part II) of and Schedule 1 (which makes provision relating to the enforcement of the provisions relating to bus lanes) to the London Local Authorities Act 1996 are amended in accordance with Schedule 2 to this Act.

#### **49 Fees for assistance given in relation to entertainment licensed by the Crown**

Where a participating council is requested to consider, approve or carry out safety measures, crowd control measures or related matters in relation to premises used for any entertainment lawfully held by licence of the Crown, the council may charge a fee to cover in whole or in part the reasonable administrative or other costs of considering, approving or carrying out those measures.

#### **50 Obstruction of authorised officer**

- (1) Any person who—
  - (a) intentionally obstructs any authorised officer acting in the exercise of his powers under this Act; or
  - (b) without reasonable cause fails to give any authorised officer any assistance or information which the officer may reasonably require of him for the purposes of the exercise of the officer’s functions under any provision of this Act;shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (2) Subsection (1)(b) above applies in relation to a constable as it applies in relation to an authorised officer.
- (3) A person shall be guilty of an offence if, in giving any information which is required of him by virtue of subsection (1)(b) above—

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- (a) he makes any statement which he knows is false in a material particular; or
  - (b) he recklessly makes a statement which is false in a material particular.
- (4) A person guilty of an offence under subsection (3) above shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

## **51 Defence of due diligence**

- (1) In proceedings for an offence under this Act it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- (2) If in any case the defence provided under subsection (1) above involves the allegation that the commission of the offence was due to the act or default of another person, the person charged shall not, without leave of the court, be entitled to rely on that defence unless, no later than 7 clear days before the hearing, he has served on the prosecutor a notice in writing giving such information as was then in his possession identifying or assisting in the identification of that other person.

## **52 Liability of directors, etc**

- (1) Where an offence under this Act committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of the offence.
- (2) Where the affairs of the body corporate are managed by its members, subsection (1) above shall apply to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.