

ELIZABETH II



1963 CHAPTER xvii

An Act to confer further powers upon the London County Council and other authorities and for other purposes.
[10th July 1963]

WHEREAS—

(1) It is expedient that the powers of the London County Council (hereinafter referred to as “the Council”) and of metropolitan borough councils in relation to street improvements should be extended as by this Act provided:

(2) It is expedient that provision should be made as by this Act provided in connection with the storage of trade refuse and the provision of dustbins at certain premises:

(3) The time limited by the London County Council (General Powers) Act, 1960, for the compulsory purchase of lands by the Council for various purposes will shortly expire and it is expedient that the time so limited should be extended as by this Act provided:

(4) It is expedient that the powers of the Council in connection with the provision of subways should be extended as by this Act provided:

(5) It is expedient that provision should be made for requiring owners and occupiers of premises to take steps to prevent danger from disused petrol tanks or containers on their premises:

(6) It is expedient that the powers of the Council to provide refreshments and refreshment rooms in open spaces should be extended as by this Act provided:

(7) It is expedient that metropolitan borough councils should be empowered, by agreement, to provide for the illumination of premises and structures by way of floodlighting or otherwise:

(8) It is expedient that the mayor, aldermen and councillors of the metropolitan borough of Greenwich (hereinafter referred to as "the Greenwich Council") should be empowered to advance money to the purchaser or lessee of any land acquired from or leased by the Greenwich Council for the purpose of enabling or assisting him to build on such land or to extend or improve any existing building thereon:

(9) It is expedient that the mayor, aldermen and councillors of the metropolitan borough of Bethnal Green and the mayor, aldermen and councillors of the metropolitan borough of Wandsworth (hereinafter respectively referred to as "the Bethnal Green Council" and "the Wandsworth Council") should be empowered to organise or conduct athletic competitions, to charge entrance fees in connection therewith and to provide trophies and prizes:

(10) It is expedient that the other provisions contained in this Act should be enacted:

(11) The objects aforesaid cannot be attained without the authority of Parliament:

(12) In relation to the promotion of the Bill for this Act the Council (as respects the appropriate provisions of the Bill) have complied with the requirements of section 151 of the London Government Act, 1939, and the Greenwich Council, the Bethnal Green Council and the Wandsworth Council (as respects the provisions of the Bill relating specifically to those councils) have complied with the requirements of sections 151 and 152 of that Act as amended by the London County Council (General Powers) Act, 1948:

May it therefore please Your Majesty that it may be enacted, and 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, that is to say:—

PART I

PRELIMINARY

Short title.

1. This Act may be cited as the London County Council (General Powers) Act 1963.

2. This Act is divided into Parts as follows:—

Part I.—Preliminary.

Part II.—Street improvements.

Part III.—Public health.

Part IV.—Miscellaneous and supplemental.

PART I
—cont.

Division of
Act into
Parts.

3.—(1) In this Act except as otherwise expressly provided or unless the context otherwise requires—

“ the Act of 1878 ” means the Telegraph Act, 1878 ;

“ the Act of 1936 ” means the Public Health (London) Act, 1936;

“ the Act of 1950 ” means the Public Utilities Street Works Act, 1950;

“ the Act of 1957 ” means the London County Council (General Powers) Act, 1957;

“ the Act of 1958 ” means the London County Council (General Powers) Act, 1958;

“ the Bethnal Green Council ” means the mayor, aldermen and councillors of the borough of Bethnal Green;

“ borough ” means a metropolitan borough, and “ the borough ” means the metropolitan borough in relation to which the expression is used;

“ borough council ” means the mayor, aldermen and councillors of a borough, and “ the borough council ” means the mayor, aldermen and councillors of the borough in relation to which the expression is used;

“ the Council ” means the London County Council;

“ the county ” means the administrative county of London;

“ enactment ” means any enactment, whether public general or local, and includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;

“ the Greenwich Council ” means the mayor, aldermen and councillors of the borough of Greenwich;

“ land ” or “ lands ” includes any interest in land and any easement or right in, to or over land;

“ magistrates’ court ” has the same meaning as in subsection (1) of section 124 of the Magistrates’ Courts Act, 1952;

“ the Minister ” means the Minister of Transport;

“ owner ” and “ premises ” have the same meanings as in the Act of 1936;

“ street ” has the same meaning as in the Metropolis Management Acts, 1855 to 1893;

“ the Wandsworth Council ” means the mayor, aldermen and councillors of the borough of Wandsworth.

Interpretation.

PART I
—cont.

(2) Any reference in this Act to an enactment shall be construed as a reference to that enactment as applied, extended, amended or varied by, or by virtue of, any subsequent enactment including this Act.

PART II

STREET IMPROVEMENTS

Interpretation
of Part II.

4. In this Part of this Act—

“the Act of 1946” means the Acquisition of Land (Authorisation Procedure) Act, 1946;

“the Act of 1961” means the Land Compensation Act, 1961;

“local authority” means the Council or a borough council, as the case may be;

“street improvement” means any work carried out by a local authority in furtherance of any of those purposes for which the local authority may be authorised under section 10 (Compulsory acquisition of land for street improvements etc.) of the Act of 1958 to acquire compulsorily any land in the county.

Variation of
widths of
carriageways
and footways.

5.—(1) It is hereby declared that the powers of a local authority to carry out any street improvement include a power to vary the relative widths of the carriageway and of any footway of a street.

(2) Not less than twenty-one days before commencing, in the exercise of their powers under this section, any work which will materially reduce the width of the carriageway or a footway of a classified road within the meaning of the Highways Act, 1959, a local authority shall give notice of the proposed work to the Minister.

(3) A local authority shall not exercise the powers of this section in relation to so much of a street as is situate upon, or upon the approaches to, a bridge over a railway, canal, inland navigation, dock or harbour without the consent in writing of the undertakers authorised by any enactment to carry on the railway, canal, inland navigation, dock or harbour undertaking concerned:

Provided that such consent shall not be unreasonably withheld and any question whether it is unreasonably withheld shall be determined by the Minister.

Boundary
walls.

6.—(1) Without prejudice to the provisions of any other enactment, where any building or structure or part of a building or structure is demolished by a local authority in connection with the carrying out of a street improvement leaving exposed a wall of adjoining premises, the local authority may—

(a) with the consent of the owner of those adjoining premises, carry out at their own expense any works which they

consider to be reasonably necessary or desirable for either or both of the following purposes, that is to say, for—

- (i) weatherproofing the surface of the wall;
 - (ii) restoring or improving the appearance of the wall; or
- (b) make such contribution, if any, as they think fit towards any expenses incurred by the owner or occupier of those adjoining premises in carrying out works for either or both of the purposes referred to in the foregoing paragraph:

Provided that where in the opinion of a local authority any consent required for the carrying out of works proposed by them for the purposes mentioned in sub-paragraph (ii) of paragraph (a) of this subsection is unreasonably withheld, and the appearance of the wall in question is or (unless such works are carried out) will be detrimental to the general appearance of the street improvement, they may apply to a magistrates' court by way of complaint for an order and the court may either order the carrying out of the proposed works subject to such conditions, if any, as the court thinks fit or disallow the carrying out of those works.

(2) Either party to any proceedings on a complaint to a magistrates' court under the proviso to the foregoing subsection may appeal against the decision of that court to a court of quarter sessions.

(3) An officer or servant of a local authority or of their contractor acting in pursuance of an order of a magistrates' court or of a court of quarter sessions made in pursuance of the foregoing provisions of this section, and after the giving of not less than twenty-four hours' notice to the occupier of the land on which the exposed wall is situated, may, at all reasonable times and on producing, if so required, some duly authenticated document showing his authority, enter on such land for the purpose of carrying out in compliance with the said order the works referred to therein.

(4) Nothing in this section nor the carrying out of any works thereunder shall impose upon the owner of any such adjoining premises as are referred to in subsection (1) of this section any liability which would not have been imposed upon him if this section had not been enacted and the said works had not been carried out, other than the liability to comply with the terms of any order made by a court under this section.

7.—(1) Where as a result of the carrying out of a street improvement a local authority have raised or lowered the level of any street, any owner or occupier of any premises having a

Compensation for alteration of levels.

PART II
—cont.

frontage to the said street who has sustained damage by reason of the said raising or lowering shall be entitled to be paid compensation by the local authority in respect thereof:

Provided that no compensation shall be payable under this section in respect of any damage for which compensation may be claimed under any other enactment.

(2) Any dispute arising as to the amount of compensation payable under this section shall be determined by the Lands Tribunal, and, so far as the compensation is properly to be calculated by reference to the depreciation of the value of the interest of an owner or occupier in the premises, rules 2 to 4 of the rules set out in section 5 of the Act of 1961 shall apply.

Acquisition
of easements,
etc.

8.—(1) A local authority, by means of an order made by the local authority and confirmed by the Minister, may be authorised compulsorily to create in their favour and to acquire such licences, rights or easements in, on, under or over any land in the county as may be described in the order and as they may require for any of the purposes mentioned in subsection (1) of section 10 of the Act of 1958.

(2) The Minister shall not confirm an order authorising the creation and acquisition of a licence, right or easement under the foregoing subsection unless in his opinion such licence, right or easement can be created without material detriment to the land in, on, under or over which it is proposed to be created, or, in the case of a park or garden belonging to a house, without seriously affecting the amenity or convenience of the house.

(3) The Act of 1946 shall have effect as if this section had been contained in a public general Act in force immediately before the commencement of the Act of 1946, and as if the expression “ compulsory purchase of land ” in the Act of 1946 included the creation and acquisition of such licences, rights or easements as aforesaid, and a local authority may give notice to treat in respect of any such licences, rights or easements describing the nature thereof.

(4) No such licence, right or easement as aforesaid shall be deemed to be part of a house, building or manufactory, or of a park or garden belonging to a house, for the purposes of paragraph 4 of Part I of the Second Schedule to the Act of 1946.

(5) For the avoidance of doubt it is hereby declared that any order made by a local authority under this section, in so far as it authorises the creation and acquisition of a licence, right or easement in, on, under or over any such land as is referred to in paragraph 9 of Part III of the First Schedule to the Act of 1946, shall, in accordance with the provisions of that paragraph, be subject to special parliamentary procedure in any case where an objection to the order has been duly made and has not been withdrawn.

9. A local authority at their own costs and charges may, subject as hereinafter provided, underpin or otherwise strengthen any house or building within one hundred feet of any street improvement carried out or to be carried out by them, and for that purpose the following provisions shall have effect, that is to say:—

PART II
—cont.

Underpinning
of houses
near a street
improvement.

- (1) At least fourteen days' notice shall, except in case of emergency, be given to the owners and occupiers of the house or building intended to be so underpinned or otherwise strengthened:
- (2) If any owner or occupier of any such house or building shall, within seven days after the giving of such notice, give a counter-notice in writing that he disputes the necessity of such underpinning or other strengthening, the question of the necessity shall be settled by arbitration:
- (3) The local authority shall be liable to compensate the owners and occupiers of every such house or building for any loss or damage which may result to them by reason of the exercise of the powers granted by this section, provided that the claim for compensation in respect of such loss or damage be made within three months from the occurrence thereof:
- (4) In any case in which any house or building shall have been underpinned or otherwise strengthened under the powers of this section the local authority may, from time to time after the completion of such underpinning or other strengthening, and during the execution of the work in connection with which such underpinning or other strengthening was done, or within twelve months after the opening for traffic of that work, enter upon and survey such house or building and do such further underpinning or other strengthening thereof as they may deem necessary or expedient or, in case of dispute between the local authority on the one hand and the owner or occupier of the house or building on the other hand, as shall be settled by arbitration:
- (5) If in any such case as is referred to in the last foregoing paragraph the underpinning or other strengthening done by the local authority shall at any time within five years from the opening for traffic of the work in connection with which such underpinning or other strengthening was done prove inadequate for the support or protection of the house or building against further injury arising from the execution of such work, the local authority shall make compensation to the owner and occupier of the house or building for such injury,

PART II
—*cont.*

provided that the claim for compensation in respect thereof be made within three months from the discovery thereof:

- (6) Except in case of emergency, any local authority proposing to exercise the powers of this section shall consult with the London Transport Board in regard to any underpinning or other strengthening which that authority intend to carry out in connection with any house or building within fifty feet of any railway, or of any works or buildings connected with any railway, belonging to or occupied by the London Transport Board:
- (7) Nothing in this section contained nor any dealing with any property in pursuance of this section shall relieve a local authority from the liability to compensate under section 68 of the Lands Clauses Consolidation Act, 1845, or under any other Act:
- (8) Every case of compensation to be ascertained under this section shall be determined in case of dispute by the Lands Tribunal, and, so far as the compensation is properly to be calculated by reference to the depreciation of the value of the interest of the owner or occupier of the house or building, rules 2 to 4 of the rules set out in section 5 of the Act of 1961 shall apply:
- (9) Any question or difference which pursuant to this section is to be settled by arbitration shall be referred to and determined by an arbitrator to be agreed upon between the parties in difference or, failing such agreement, to be appointed on the application of either party, after notice in writing to the other of them, by the President of the Institution of Civil Engineers.

Penalty for
obstruction,

10. A person who wilfully obstructs any person acting in pursuance of the powers conferred by subsection (3) of section 6 (Boundary walls) or section 9 (Underpinning of houses near a street improvement) of this Act shall be liable on summary conviction to a fine not exceeding five pounds.

PART III

PUBLIC HEALTH

Trade refuse
disposal
facilities.

11.—(1) In this section—

“building” includes a part of a building;

“trade refuse disposal facilities” in relation to a building means reasonable accommodation for the storage of dustbins containing or intended to contain the trade

refuse arising from the use or occupation of the building, or other reasonable facilities for the storage, collection and removal of such refuse, together with satisfactory means of access to a street.

(2) Every building to which this section applies shall be provided with trade refuse disposal facilities approved or deemed to have been approved by the borough council of the borough in which the building is situated and, in considering as respects any building whether reasonable trade refuse disposal facilities are, or are not, provided, or proposed to be provided, regard shall be had to—

- (a) the use, character and situation of the building;
- (b) the type of dustbin provided, or proposed to be provided, at the building; and
- (c) the quantity and nature of the trade refuse which arises or which may arise from the use of the building.

(3) This section applies to a building in a borough which is used or intended to be used, as the case may be, for the purposes of any trade, manufacture or business, and as respects which works of a structural nature for any of the following purposes are begun on or after the first day of April, 1964, that is to say, for—

- (a) the erection or rebuilding of the building; or
- (b) the making of any alteration or adaptation of the building or the effecting of any change in the use or occupation thereof in consequence of which alteration, adaptation or change of use or occupation existing trade refuse disposal facilities serving the building will be rendered insufficient or unsuitable or new trade refuse disposal facilities will be required to serve the building:

Provided that this section shall not apply to—

- (i) any building from which the collection of trade refuse is undertaken by or on behalf of the Crown Estate Paving Commissioners; or
- (ii) any building which is used or intended to be used by the North Thames Gas Board or the South Eastern Gas Board for the manufacture or storage of gas or residual products thereof and in relation to which the borough council do not or have not been required to remove the trade refuse arising from such use.

(4) Where a building to which this section applies is not or, as the case may be, is not proposed to be provided with trade refuse disposal facilities approved or deemed to have been approved by the borough council, the borough council may, not later than twelve months after the commencement as respects that building of the works referred to in subsection (3) of this section,

PART III
—cont.

serve on the owner or occupier of the building a notice requiring him to carry out such works and do such other things as may be necessary to secure that the building is provided with trade refuse disposal facilities approved by the borough council and the provisions of section 286 of the Act of 1936 shall apply in relation to the notice.

(5) (a) Where there are submitted to a borough council particulars of proposals for the provision of trade refuse disposal facilities, or for the alteration of such facilities, the borough council shall be deemed to have approved such facilities or alteration unless, within two months after the submission of the particulars or within such longer period as may be agreed in writing between the borough council and the applicant, the borough council serve notice on him that they refuse to give their approval to the proposals or approve them subject to such modifications or conditions as may be specified in the notice.

(b) Where a borough council refuse to give approval under this section to any proposals for the provision or alteration of trade refuse disposal facilities, or give such approval subject to modifications or conditions, they shall state the grounds of their decision and any person aggrieved thereby may appeal to a magistrates' court.

(6) A borough council, after giving not less than twenty-four hours' notice to the occupier of any premises, may, at all reasonable times, enter those premises for the purpose of ascertaining whether the requirements of this section are being complied with.

(7) For the avoidance of doubt it is hereby declared that the powers of this section in relation to any building are in addition to and not in derogation of the powers of a borough council under section 24 (Refuse storage accommodation) of the London County Council (General Powers) Act, 1959.

(8) Nothing in this section shall authorise or require—

(a) the carrying out of any work in contravention of the London Building Acts, 1930 to 1939, or any byelaws in force thereunder, or of any consent or any term or condition attached to a consent granted under the said Acts or byelaws;

(b) the carrying out of any development within the meaning of the Town and Country Planning Act, 1962, otherwise than in accordance with the provisions of that Act or of any permission or condition attached to a permission granted, or deemed to be granted, under or by virtue of that Act; or

(c) the carrying out of any work in contravention of any byelaw made or having effect as if made by the Council under paragraph (c) of subsection (2) of section 84 or subsection (1) of section 107 of the Act of 1936.

(9) Before the thirty-first day of December, 1963, every borough council shall cause to be published in two successive weeks in a local newspaper circulating in their borough notice of the general effect of the provisions of this section.

PART III
—cont.

(10) This section shall be construed as one with the Act of 1936 and that Act shall have effect as if this section was contained in Part III thereof.

12.—(1) In subsection (1) of section 12 (Obligation to provide dustbins) of the London County Council (General Powers) Act, 1954, for the words “any house in their district is” there shall be substituted the words “any premises in their district are”, and for the words “the house” there shall be substituted the words “the premises”.

Amendment
of section 12
of London
County
Council
(General
Powers)
Act, 1954.

(2) After subsection (1) of the said section 12 there shall be inserted the following subsection:—

“(1A) Nothing in the foregoing subsection shall authorise a borough council to require the provision of dustbins for the reception of trade refuse arising from the use of any premises for the purposes of trade, manufacture or business in any case in which the borough council do not or have not been required to remove the trade refuse arising from that use.”

(3) In subsection (2) of the said section 12 for the words “the house to which the notice relates is” there shall be substituted the words “the premises to which the notice relates are”, and for the words “the house” there shall be substituted the words “the premises”; and in the proviso to the said subsection (2) for the words “a house” there shall be substituted the words “any premises”, and for the words “the house” there shall be substituted the words “the premises”.

(4) In subsection (3) of the said section 12 for the words “a house” there shall be substituted the words “any premises”.

PART IV

MISCELLANEOUS AND SUPPLEMENTAL

13.—(1) The period now limited by the London County Council (General Powers) Act, 1960, for the exercise by the Council of powers for the compulsory purchase of lands—

Extension of
time for
compulsory
purchase of
lands by
Council.

(a) in the borough of Wandsworth for the purposes of paragraph (b) of subsection (1) of section 5 (Power to Council to take lands) of the London County Council (General Powers) Act, 1939;

(b) in the city of Westminster for the purposes of the London County Council (Improvements) Act, 1939; and

PART IV
—cont.

(c) in the city of Westminster for the purposes of paragraph (a) of subsection (1) of section 5 (Power to acquire lands) of the Act of 1957;

is hereby further extended until the first day of October, 1966.

(2) Notwithstanding anything in subsection (1) of this section, if, at any time before the first day of January, 1966, the owner of any land to which that subsection relates gives to the Council notice in writing requiring them forthwith to decide whether or not they will proceed with the purchase of his estate or interest in any such land which is specified in the notice, the powers referred to in the said subsection shall not extend so as to enable the Council to purchase compulsorily the estate or interest of such owner in the land so specified, or in any part of such land, in pursuance of a notice to treat served later than six months after the receipt by the Council of the first-mentioned notice.

(3) If the Council give notification in writing to the owner of any land, being land to which this section relates and which is specified in the notification, that they do not intend to proceed with the purchase of the estate or interest of such owner in the land so specified, the powers referred to in this section, so far as they authorise the compulsory purchase of such estate or interest, shall cease forthwith.

Provision
of shops, etc.,
in subways.

14.—(1) Subject to the provisions of this section, the Council may in or abutting on and as part of any subway provided by them under section 144 of the Metropolis Management Act, 1855, or under any other enactment, provide and maintain shops, kiosks, show or display cases, advertisement sites, automatic prepayment machines for the sale of goods and other facilities to increase the attraction and amenity of such subways, and may let the same, or let sites for the provision thereof, on such terms and conditions as the Council think fit.

(2) Nothing in any enactment shall require the Council to transfer, or require a borough council as a highway authority to accept any transfer of, any property or rights in any facilities provided in or abutting on a subway under the foregoing subsection or any functions relating to the management of such facilities, but the Council and the borough council in whose district the subway is situate may enter into and carry into effect an agreement whereby all or any of such property, rights or functions as aforesaid may be transferred to the borough council as from such date and on such terms as may be specified in the agreement.

(3) Nothing in this section shall apply to any subway provided under the powers of section 20 (Power to execute works) of the Act of 1957.

15.—(1) Where a fixed tank or other fixed container which has been used for the storage of petroleum spirit and is no longer used for that purpose is kept on any premises in the county of London the occupier of the premises or, if the premises are unoccupied, the owner of the premises, shall take all such steps as may be reasonably necessary to prevent danger from the container. Disused
petrol tanks.

(2) Any person authorised in that behalf by the Council may, on producing, if so required, some duly authenticated document showing his authority, at all reasonable hours require the occupier of the premises or, if the premises are unoccupied, the owner of the premises, on which is situated any tank or other container to which subsection (1) of this section applies, to show him the container and permit him to ascertain whether steps have been taken to comply with the provisions of this section.

(3) The Council may by notice require the occupier of the premises or the owner of the premises, as the case may be, to take any steps reasonably necessary to prevent danger from any tank or other container to which subsection (1) of this section applies.

(4) The provisions of section 286 of the Act of 1936 shall apply in relation to any notice served under the last foregoing subsection, and that section and the enactments hereinafter mentioned shall have effect in relation to this section as if it formed part of the Act of 1936 and as if any reference in those enactments to a borough council or to a sanitary authority were a reference to the Council:—

In the Act of 1936—

- Section 275 (Penalty for obstruction, &c.);
- Section 279 (Mode of recovering fines, expenses, &c.);
- Section 285 (Appeal from courts of summary jurisdiction to quarter sessions);
- Section 286A (Appeals to courts of summary jurisdiction etc.);
- Section 289 (Recovery of expenses by sanitary authorities from occupier of premises);
- Section 299 (Protection of authorities and their officers and agents from personal liability); and

In the London County Council (General Powers) Act, 1951—

- Section 8 (As to certain expenses recoverable by sanitary authorities under Act of 1936).

(5) This section shall not apply to any premises within the area for which the Port of London Authority have jurisdiction to grant petroleum spirit licences under section 2 of the Petroleum (Consolidation) Act, 1928.

(6) In this section the expression “petroleum spirit” has the same meaning as in the said Act of 1928.

PART IV
—cont.

Extension of powers to provide refreshments, etc., in open spaces.

16. The following subsection shall be added to section 42 (Facilities for public recreation) of the London County Council (General Powers) Act, 1935:—

“(3) In the application of this section to any open space under the control and management of the Council—

- (a) the expression ‘refreshments’ in paragraph (e) of subsection (1) of this section includes meals and refreshments of all kinds; and
- (b) the expression ‘refreshment rooms’ in paragraph (g) of the said subsection (1) includes restaurants and catering establishments.”

Power to provide illuminations, floodlighting, etc.

17.—(1) Subject to the provisions of this section, a borough council may, with the consent of the owner or occupier of any premises or structure situate wholly or partly within the borough, provide for, or arrange on such terms and conditions as they may think fit for the provision of, the illumination of such premises or structure by way of floodlighting or otherwise.

(2) A borough council may for the purposes of the foregoing subsection provide, fit up, maintain and operate all such floodlights, flashlights, lamps, fittings, equipment, and other apparatus and appurtenances (all of which are hereinafter included in the expression “apparatus”), and do all such things, as may be necessary or requisite in connection therewith, and may for those purposes instal any apparatus on any land and affix any apparatus to any building or structure with the consent of the owner or occupier of the land, building or structure, as the case may be.

(3) A borough council shall not continue any illumination under this section which in the opinion of the British Railways Board or the London Transport Board hinders or is likely to hinder the ready interpretation of any railway signal or is likely to render more hazardous the use of any railway.

(4) (a) Any electrical apparatus provided in pursuance of the powers of this section shall be so constructed, maintained and used as to prevent interference with any telegraphic line belonging to or used by the Postmaster General or the London Electricity Board or with telegraphic communication by means of any such line.

(b) For the purposes of this subsection the expression “telegraphic line” has the same meaning as in the Act of 1878.

(5) Except with the consent of the Minister of Public Building and Works a borough council shall not, under this section, affix any apparatus to a monument which is for the time being included in a list published under section 12 of the Ancient Monuments Consolidation and Amendment Act, 1913.

(6) Nothing in this section shall take away or diminish any right of a borough council to illuminate by way of floodlighting or otherwise any premises or structure vested in them.

18.—(1) Section 28 (Advances by Woolwich Council for the erection etc. of buildings) of the Act of 1958 shall extend and apply to the Greenwich Council as it applies to the Woolwich Council.

PART IV
—cont.
Advances by Greenwich Council for erection, etc., of buildings.

(2) In its application to the Greenwich Council the said section shall have effect as if for every reference therein to the Woolwich Council there was substituted a reference to the Greenwich Council.

19.—(1) A borough council to whom this section applies may—

Promotion of athletic competitions, etc., by Bethnal Green and Wandsworth Councils.

(a) either alone or in co-operation with any association or body dealing with the promotion or control of any recreation, organise or conduct any competition;

(b) in connection with any such competition charge such entrance fees as they think fit to any entrants for any competition; and

(c) provide trophies and prizes to be awarded to participants in any such competition.

(2) The amount which a borough council to whom this section applies may expend for the purposes of paragraph (c) of the foregoing subsection shall not in any one year exceed the sum of five hundred pounds.

(3) For the purposes of this section “competition” means any competition, tournament or contest held in connection with swimming, athletics or any other recreation, sport or game of an athletic nature and includes any display or exhibition given in connection therewith.

(4) This section applies to the Bethnal Green Council and the Wandsworth Council.

20.—(1) In relation to any works authorised by section 9 (Underpinning of houses near a street improvement) or section 14 (Provision of shops, etc., in subways) of this Act, to which, apart from this section, the provisions contained in Part II of, and the Fourth Schedule to, the Act of 1950 (which regulate the relations between an authority executing a road alteration and undertakers within the meaning of the Act of 1950 whose apparatus is affected thereby) would not apply, the said provisions shall apply as if the said works were executed for road purposes within the meaning of the Act of 1950 and were mentioned in paragraph (a) of subsection (1) of section 21 of the Act of 1950 and, where the undertakers’ apparatus is not in a street, as if that apparatus were in a street.

(2) In this section “undertakers’ apparatus” has the same meaning as in the Act of 1950.

PART IV
—cont.
Crown rights.

21.—(1) Nothing in this Act affects prejudicially any estate, right, power, privilege or exemption of the Crown and in particular and without prejudice to the generality of the foregoing nothing herein contained authorises the Council or a borough council to take, use or in any manner interfere with any land or hereditaments or any rights of whatsoever description—

- (a) belonging to Her Majesty in right of Her Crown and under the management of the Crown Estate Commissioners without the consent in writing of those commissioners on behalf of Her Majesty first had and obtained for that purpose; or
- (b) belonging to a government department or held in trust for Her Majesty for the purposes of a government department without the consent in writing of that government department.

(2) Nothing in this section shall prejudice or affect any statutory powers of the Council or a borough council—

- (a) to carry out code-regulated works within the meaning of the Act of 1950 in any highway vested in or maintained by the Minister; or
- (b) to carry out any works by reason only that such works involve or are likely to involve an alteration in any telegraphic line of the Postmaster General in relation to which paragraphs (1) to (8) of section 7 of the Act of 1878 apply.

Costs of Act.

22.—(1) Except as otherwise provided in this Act, all costs and expenses of the Council in the execution of this Act shall be defrayed as payments for general or special county purposes within the meaning of the London Government Act, 1939, as the Council may decide.

(2) So much of the costs, charges and expenses preliminary to and of and incidental to the preparing, applying for and obtaining of this Act as may be incurred in respect of or in connection with the provisions contained in—

- (i) section 18 (Advances by Greenwich Council for erection, etc., of buildings); and
- (ii) section 19 (Promotion of athletic competitions, etc., by Bethnal Green and Wandsworth Councils);

shall, unless otherwise agreed, be paid as regards (i) by the Greenwich Council, and as regards (ii) by the Bethnal Green Council and the Wandsworth Council in equal shares.

Table of Statutes referred to in this Act

Short title	Session and chapter
Lands Clauses Consolidation Act, 1845 ...	8 & 9 Vict. c. 18.
Metropolis Management Act, 1855 ...	18 & 19 Vict. c. 120.
Telegraph Act, 1878 ...	41 & 42 Vict. c. 76.
Ancient Monuments Consolidation and Amendment Act, 1913	3 & 4 Geo. 5 c. 32.
Petroleum (Consolidation) Act, 1928 ...	18 & 19 Geo. 5 c. 32.
London County Council (General Powers) Act, 1935	25 & 26 Geo. 5 c. xxxiii.
Public Health (London) Act, 1936 ...	26 Geo. 5 & 1 Edw. 8 c. 50.
London Government Act, 1939 ...	2 & 3 Geo. 6 c. 40.
London County Council (General Powers) Act, 1939	2 & 3 Geo. 6 c. c.
London County Council (Improvements) Act, 1939	2 & 3 Geo. 6 c. ci.
Acquisition of Land (Authorisation Procedure) Act, 1946	9 & 10 Geo. 6 c. 49.
London County Council (General Powers) Act, 1948	11 & 12 Geo. 6 c. liii.
Public Utilities Street Works Act, 1950 ...	14 Geo. 6 c. 39.
London County Council (General Powers) Act, 1951	14 & 15 Geo. 6 c. xli.
Magistrates' Courts Act, 1952 ...	15 & 16 Geo. 6 & 1 Eliz. 2 c. 55.
London County Council (General Powers) Act, 1954	2 & 3 Eliz. 2 c. xxiv.
London County Council (General Powers) Act, 1957	5 & 6 Eliz. 2 c. xxxv.
London County Council (General Powers) Act, 1958	6 & 7 Eliz. 2 c. xxi.
Highways Act, 1959 ...	7 & 8 Eliz. 2 c. 25.
London County Council (General Powers) Act, 1959	7 & 8 Eliz. 2 c. lii.
London County Council (General Powers) Act, 1960	8 & 9 Eliz. 2 c. xxix.
Land Compensation Act, 1961 ...	9 & 10 Eliz. 2 c. 33.
Town and Country Planning Act, 1962 ...	10 & 11 Eliz. 2 c. 38.

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London County Council (General Powers) Act 1963

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