



# Greater London Council (General Powers) Act 1974

## 1974 CHAPTER xxiv

### PART III

#### PROVISIONS RELATING TO THE COUNCIL AND TO BOROUGH COUNCILS

##### *Highways*

#### **14 Further powers for highway authorities.**

- (1) Subject to subsection (4) of this section, section 82 of the Act of 1959 shall have effect, in its application to Greater London with the following modifications:—
  - (a) any reference therein to the planting of trees and shrubs shall be construed as including the placing of containers in which to grow such trees and shrubs and the attaching of such containers either to posts or standards provided by the highway authority or, with the consent of the owner thereof, to any other posts or standards;
  - (b) any reference therein to a grass verge shall be construed as including a garden or space;
  - (c) the power in subsection (1) thereof to alter or remove any grass verge shall include a power to cut down or remove any tree, shrub or plant of any description or to remove any container.
- (2) A highway authority may in Greater London in any highway or on such other lands as are referred to in the said section 82 and sections 23 and 24 of the Act of 1973—
  - (a) by notice prohibit persons from entering upon, or causing or permitting horses or cattle to enter upon, any grass verge laid out under any enactment and maintained in an ornamental condition or mown or any garden or space so laid out;
  - (b) by notice prohibit either entirely or subject to such conditions as may be specified in the notice the playing of any game on any grass verge, garden or space;

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*Changes to legislation: There are currently no known outstanding effects for the Greater London Council (General Powers) Act 1974, Section 14. (See end of Document for details)*

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- (c) by notice (which shall be a traffic sign) prohibit persons from causing or permitting motor vehicles to enter upon any such grass verge, garden or space not being a grass verge, garden or space falling within subsection (1) of the next following section or in respect of which the parking of vehicles is prohibited under or by virtue of any other enactment;

and any such notice shall be conspicuously posted on or in proximity to the grass verge, garden or space to which it relates and any person who contravenes the provisions of such a notice shall be guilty of an offence and liable on summary conviction to a fine not exceeding [<sup>F1</sup>£50].

- (3) In subsection (4) of section 33 (Improvement of roadside amenities etc., by borough councils) of the <sup>M1</sup>London County Council (General Powers) Act 1951, for the references to the provisions of section 38 (Trees, grass margins and gardens) of the London County Council (General Powers) Act 1955 so far as they relate to the planting, maintenance, cutting down and removal of trees there shall be substituted references to section 82 of the Act of 1959, to section 23 of the Act of 1973 and to this section so far as those sections relate to the planting, maintenance, cutting down and removal of trees:

Provided that no tree planted in pursuance of the said subsection (4) shall be cut down or removed by a borough council in the exercise of the powers conferred by the said sections 82 and 23 or this section without the consent of all persons interested in the land.

- (4) (a) In Part I (General enactments applied) of Schedule 1 to the Greater London Council (General Powers) Act 1969 in column (3) thereof there shall be inserted after the entry relating to subsections (2) and (3) of section 67 of the Act of 1959—

“Subsections (1), (5) and (6) of section 82 (Powers of highway and local authorities to plant trees, lay out grass verges, etc.)”

and in column (4) thereof there shall be inserted after that entry—

“For the words “highway authority” there shall be substituted the words “borough council”; for the words “highway maintainable at the public expense by them” there shall be substituted the word “walkway”; for the word “highway” there shall be substituted the word “walkway”; in subsection (6) after the words “conferred by” there shall be inserted the words “subsections (1) and (5)”; and for the words from “authority” to the end there shall be substituted the words “borough council”.”

- (b) In Part II (Local enactments applied) of the said Schedule 1 the entry relating to section 38 (Trees, grass margins and gardens) of the <sup>M2</sup>London County Council (General Powers) Act 1955 shall be deleted.
- (5) (a) The enactments specified in Part II of Schedule 2 to this Act are hereby repealed.
- (b) The enactments specified in Part I of Schedule 3 to this Act are hereby repealed so far as they relate to any part of Greater London.
- (6) In this section “highway authority” means the Council in respect of all metropolitan roads and a borough council or the Common Council, as the case may be, in respect of all highways in their area, whether or not maintainable at the public expense, which are

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not for the time being metropolitan roads or highways for which under subsection (1) of section 1 of the Act of 1959 the Secretary of State is the highway authority.

- (7) (a) Nothing in this section shall affect the rights of statutory undertakers with respect to apparatus (including the placing of apparatus) in any such grass verge, garden or space as is referred to in subsection (2) of this section.
- (b) Except as may otherwise be agreed with a statutory undertaker, a highway authority or (in a case to which section 82 of the Act of 1959 applies by virtue of section 29 (Application to walkways of certain enactments) of the <sup>M3</sup>Greater London Council (General Powers) Act 1969), a borough council shall so exercise the powers conferred by the said section 82 as to avoid, so far as is reasonably practicable, obstructing or rendering less convenient the access to any apparatus.
- (c) In this subsection “apparatus” means any apparatus belonging to statutory undertakers or for the maintenance of which they are responsible (including any structure for the lodging therein of apparatus) and includes any apparatus belonging to the British Railways Board [<sup>F2</sup>Transport for London or any of its subsidiaries (within the meaning of the Greater London Authority Act 1999)] or for the maintenance of which [<sup>F3</sup>[<sup>F4</sup>that Board or (as the case may be) Transport for London or any such subsidiary] is] responsible.

#### Textual Amendments

- F1** Sum in s. 14(2) substituted by [Greater London Council \(General Powers\) Act 1983 \(c. iii\), s. 3, Sch.](#)
- F2** Words in s. 14(7)(c) substituted (15.7.2003) by [The Transport for London \(Consequential Provisions\) Order 2003 \(S.I. 2003/1615\), art. 1\(1\), Sch. 1 para. 31\(2\)\(a\)](#)
- F3** Words in s. 14(7)(c) substituted by [London Regional Transport Act 1984 \(c. 32\), s. 71\(3\)\(a\), Sch. 6 para. 37\(b\)](#)
- F4** Words in s. 14(7)(c) substituted (15.7.2003) by [The Transport for London \(Consequential Provisions\) Order 2003 \(S.I. 2003/1615\), art. 1\(1\), Sch. 1 para. 31\(2\)\(b\)](#)

#### Marginal Citations

- M1** 1951 c. xli.
- M2** 1955 c. xxix.
- M3** 1969 c. lii.

**Changes to legislation:**

There are currently no known outstanding effects for the Greater London Council (General Powers) Act 1974, Section 14.