

London County Council (General Powers) Act, 1952

15 & 16 GEO. 6 & 1 ELIZ. 2 Ch. viii

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CHAPTER viii

An Act to confer further powers upon the London County Council and other authorities and for other purposes. [26th June 1952.]

WHEREAS—

- (1) the time limited by certain enactments for the compulsory purchase of lands and the completion of certain works by the London County Council (hereinafter referred to as "the Council") will shortly expire and it is expedient that the time so limited should be extended as by this Act provided:
- (2) by the Lambeth Borough Council (Superannuation) Acts 1922 to 1934 and by the Poplar Borough Council (Superannuation) Acts 1911 to 1937 provision is made for the establishment respectively by the council of the metropolitan borough of Lambeth (hereinafter referred to as "the Lambeth Council") and by the council of the metropolitan borough of Poplar (hereinafter referred to as "the Poplar Council") of superannuation funds for the benefit of the employees of those councils and it is expedient that the said Acts should be amended as provided by this Act:
- (3) the council of the metropolitan borough of Hackney (hereinafter referred to as "the Hackney Council") maintain a superannuation fund under the Camberwell and other Metropolitan Borough Councils (Superannuation) Act 1908 as amended by subsequent enactments and it is expedient that the provisions of the said enactments with respect to the contributions payable to the said fund by officers should be amended as by this Act provided:

- (4) it is expedient that the provisions of the London Building Acts (Amendment) Act 1939 should be amended as by this Act provided :
- (5) it is expedient that the trustees of Sir John Soane's Museum should be authorised to lend to the Council for exhibition at the Iveagh Bequest Kenwood certain of the drawings forming part of the collection preserved in the said museum :
- (6) it is expedient that certain lands vested in the council of the metropolitan borough of Camberwell for the purposes of the Open Spaces Act 1906 should be transferred to the Council and that the Council should be authorised to substitute other land for parts of the lands so transferred and use such parts for purposes other than an open space and to stop up certain streets abutting upon certain of the lands aforesaid :
- (7) by the London County Council (General Powers) Act 1900 the Council are required to hold and use certain lands in the metropolitan borough of Greenwich known as the ranger's house Greenwich for the purpose of public recreation only and it is expedient that the Council should be authorised to permit the use of the said ranger's house for the purpose of educational and cultural activities :
- (8) it is expedient that further provision should be made with respect to the appointment and remuneration of the clerks to the chairman and deputy chairman of quarter sessions for the county of London and with respect to the appointment of a temporary additional deputy chairman of such sessions :
- (9) it is expedient that further provision should be made with respect to the making by the Council of contributions in aid of rates on premises in the administrative county of London occupied for judicial or other Crown purposes and with respect to the manner in which such premises are to be dealt with in valuation lists :
- (10) it is expedient that the sale or delivery of articles by rag and bone dealers and dealers in old clothes or similar articles should be restricted as by this Act provided :
- (11) doubts have arisen as to the power of highway authorities to maintain or remove trees shrubs or grass margins planted or laid out by the Council in pursuance of the London County Council (General Powers) Act 1951 and it is expedient that such doubts should be removed :

- (12) it is expedient that the council of the metropolitan borough of Wandsworth (hereinafter referred to as "the Wandsworth Council") should be empowered in certain circumstances to pay gratuities to or in respect of certain employees of that council:
- (13) it is expedient that the other provisions contained in this Act should be enacted:
- (14) the objects aforesaid cannot be attained without the authority of Parliament:
- (15) 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 Lambeth Council the Poplar Council the Hackney Council and the Wandsworth Council (as respects the provisions of the Bill relating exclusively to those councils) have complied with the requirements of sections 151 and 152 of the said Act of 1939 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

1. This Act may be cited as the London County Council Short title.
(General Powers) Act 1952.

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

Act divided
into Parts.

Part I.—Preliminary.

Part II.—Extensions of time.

Part III.—Lambeth Borough Council (superannuation).

Part IV.—Poplar Borough Council (superannuation).

Part V.—Hackney Borough Council (superannuation).

Part VI.—Miscellaneous.

3. In this Act except as otherwise expressly provided or Interpretation.
unless the subject or context otherwise requires—

"the Act of 1934" means the London County Council
(General Powers) Act 1934;

"the Act of 1936" means the Public Health (London) Act
1936;

- “the Act of 1939” means the London Building Acts (Amendment) Act 1939 ;
- “borough” means metropolitan borough ;
- “the Camberwell Council” means the council of the borough of Camberwell ;
- “the Council” means the London County Council ;
- “the county” means the administrative county of London ;
- “enactment” includes any order scheme or regulations made under any Act of Parliament ;
- “the Hackney Council” means the council of the borough of Hackney ;
- “the Lambeth Council” means the council of the borough of Lambeth ;
- “the Poplar Council” means the council of the borough of Poplar ;
- “the Wandsworth Council” means the council of the borough of Wandsworth ;

and any reference to any 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

EXTENSIONS OF TIME

Extension of
time for
compulsory
purchase of
lands.

4.—(1) The period limited by the London County Council (Extension of Time) Order 1947 for the exercise of powers conferred by—

- (a) the London County Council (General Powers) Act 1925 for the compulsory purchase of lands in the city of Westminster for a widening of the Strand ;
- (b) the Act of 1934 for the compulsory purchase of lands in the boroughs of Poplar and Stepney for the purposes of paragraph (a) of subsection (1) of section 5 (Power to Council to take lands) of that Act ;
- (c) the London and Middlesex (Improvements &c.) Act 1936 for the compulsory purchase of lands in the boroughs of Kensington Fulham and Hammersmith for the purposes of subsection (1) of section 5 (Power to take lands) of that Act except the lands in the borough of Hammersmith numbered 5 to 309 (inclusive) on the plans deposited in respect of the Bill for that Act ; and
- (d) the London County Council (Tunnel and Improvements) Act 1938 for the compulsory purchase of lands in the

boroughs of Poplar Greenwich and Wandsworth for the purposes of section 5 (Power to Council to take lands) of that Act ;

is hereby further extended until the first day of October nineteen hundred and fifty-five.

(2) The period limited by the London County Council (Improvements) Act 1948 for the exercise of the powers conferred by that Act for the compulsory purchase of lands in the borough of Hammersmith for the purposes of that Act is hereby extended until the first day of October nineteen hundred and fifty-five.

5.—(1) If any person being the owner or lessee of any land to which the last preceding section relates shall give notice in writing to the Council of his desire that as soon as may be such land or his interest therein shall be acquired then the Council shall within a period of six months after the receipt of that notice either—

Power to owners and lessees to give notice as to purchase of land.

- (a) enter into an effective contract with such person for the acquisition by agreement of such land or part of such land or his interest in such land or part thereof ; or
- (b) serve a notice to treat for the compulsory acquisition of such land or part of such land or of such person's interest in such land or part thereof ; or
- (c) notify their intention not to proceed with the purchase of such land or of such person's interest therein ;

and if they fail to do so within the said period or if within the said period they notify their intention in accordance with the foregoing paragraph (c) the powers referred to in the last preceding section so far as they authorise the compulsory purchase of the land or the interest in land (as the case may be) to which the notice given by the owner or lessee relates shall cease.

(2) Where a notice to treat (whether relating to the whole or part of the land to which the notice given by the owner or lessee relates) is given in accordance with paragraph (b) of subsection (1) of this section then—

- (a) if in pursuance of any statutory provision in that behalf the notice to treat is withdrawn the said powers so far as they authorise the compulsory purchase of such land or (as the case may be) the interest therein of the person on whom the notice to treat was served shall cease ;
- (b) if part only or such person's interest in part only of such land is acquired in pursuance of the notice to treat the said powers so far as they authorise the compulsory purchase of the remainder or (as the case may be) such person's interest in the remainder of such land shall cease.

PART II
—cont.

Extension of
time for com-
pletion of
works.

6. The period limited by the London County Council (Extension of Time) Order 1947 for the exercise of powers conferred by—

- (a) the Act of 1934 for the execution of works in the boroughs of Poplar and Stepney authorised by Part III of that Act ;
- (b) the London and Middlesex (Improvements &c.) Act 1936 for the execution by the Council of the works in the boroughs of Kensington Fulham and Hammersmith authorised by that Act except the work and parts of works in the borough of Hammersmith abandoned in pursuance of section 41 (Abandonment of certain authorised works) of the London County Council (Improvements) Act 1948 ; and
- (c) the London County Council (General Powers) Act 1939 for the execution of works in the city of Westminster and the borough of Lambeth authorised by Part III of that Act ;

is hereby further extended until the first day of October nineteen hundred and fifty-seven.

PART III

LAMBETH BOROUGH COUNCIL (SUPERANNUATION)

Construction
and citation of
Part III of
this Act.

7. This Part of this Act shall be read and construed as one with the Lambeth Borough Council (Superannuation) Acts 1922 to 1934 and those Acts and this Part of this Act may be cited together as the Lambeth Borough Council (Superannuation) Acts 1922 to 1952.

Allocation of
part of super-
annuation
allowance to
spouse or
dependant.

8.—(1) Any such officer of the Lambeth Council as is mentioned in subsection (2) of this section may within the time specified in relation to him in that subsection give to the Lambeth Council a notice in writing in accordance with the provisions of this section of his desire to surrender part of the superannuation allowance to which he is or may become entitled in consideration of the grant by the Lambeth Council on his death of a pension to a person named in the notice (hereinafter in this section referred to as “ the beneficiary ”) being the spouse or any dependant of the officer and if such surrender becomes effective as hereinafter provided and the beneficiary survives the officer there shall be payable to the beneficiary out of the superannuation fund a pension in accordance with the provisions hereinafter contained.

(2) A notice under the foregoing subsection may be given—

- (a) by an officer who on ceasing to be employed by the Lambeth Council becomes entitled to a superannuation allowance not later than one month after he so ceases to be employed ;
- (b) by an officer who having attained the age of sixty years and completed forty years of service or having attained the age of sixty-five years and completed ten years of service is still employed by the Lambeth Council at any time before he ceases to be so employed.

(3) An officer shall not surrender—

- (a) more than one-third of the superannuation allowance to which he is or may become entitled ;
- (b) any such part of such allowance as would make the reduced allowance which is or may become payable to him less than the amount of the pension which might become payable to the beneficiary ;
- (c) a part smaller than that necessary to secure for the beneficiary a pension equal to one-fourth of the reduced allowance ;
- (d) any part which is not an exact number of pounds :

Provided that for the purposes of the foregoing paragraph (a) any reduction of the superannuation allowance in pursuance of regulations made under subsection (4) of section 69 of the National Insurance Act 1946 shall be disregarded.

(4) An officer who gives a notice under this section shall furnish the Lambeth Council with such evidence of the date of birth of the beneficiary and (where the beneficiary is the spouse of the officer) of marriage and such other evidence or information as they may reasonably require.

(5) On receiving a notice given by an officer under this section the Lambeth Council shall arrange for the officer to be examined by a registered medical practitioner nominated by them and as soon as practicable after receiving the report of such practitioner they shall notify the officer in writing either that the notice is accepted or that it is not accepted on one or more of the following grounds:—

- (a) that in the opinion of the practitioner by whom he was examined the officer is not in good health having regard to his age ;
- (b) that the notice is not in conformity with the provisions of this section ;
- (c) that the officer has not duly complied with the provisions of subsection (4) of this section or they are not satisfied with the evidence or information furnished by him thereunder.

PART III
—cont.

(6) A notice given by an officer referred to in paragraph (a) of subsection (2) of this section shall become null and void if the beneficiary dies before the Lambeth Council accepts the notice.

(7) The following provisions shall have effect with respect to a notice given by an officer referred to in paragraph (b) of subsection (2) of this section:—

- (a) the officer may at any time before he ceases to be employed by the Lambeth Council cancel or amend the notice by a notification in writing addressed to them but any such amendment shall be disregarded if the notice as amended does not comply with the provisions of this section;
- (b) the notice shall become null and void if the beneficiary dies on or before the day on which the officer ceases to be employed;
- (c) if the officer dies without having become entitled to a superannuation allowance the officer shall for the purposes of this section be deemed to have become entitled to the superannuation allowance to which he would have become entitled had he retired on the day preceding the date of his death.

(8) (a) Subject to the provisions of the last two foregoing subsections where a notice has been accepted by the Lambeth Council the surrender of part of the superannuation allowance to which the notice relates shall become effective as from the date on which the allowance becomes or is deemed to become payable and if the beneficiary survives the officer he shall be entitled on the death of the officer to receive during his life a pension of such value as is actuarially equivalent at the date on which the officer becomes or is deemed to have become entitled to a superannuation allowance to the value of that part of the allowance which is surrendered.

(b) The amount of a pension payable under this subsection shall be determined in accordance with the published tables from time to time prepared by the government actuary for the purposes of regulation 11 of the National Health Service (Superannuation) Regulations 1950 in like manner as if the pension were a pension payable under the first schedule to those regulations except that where the case is one for which the said tables do not provide the amount of the pension payable shall be such amount as shall be certified by an actuary appointed by the Lambeth Council to be in accordance with the provisions of the foregoing paragraph.

(9) In the foregoing provisions of this section “superannuation allowance” means a superannuation allowance exclusive of any lump sum payable to an officer on retirement.

9.—(1) In this section “ the Act of 1922 ” means the Lambeth Borough Council (Superannuation) Act 1922.

PART III
—cont.

(2) The provisions of section 19 (Prohibition of assignment &c. of grants and application and payment thereof) of the Act of 1922 so far as the same may be applicable shall apply with respect to a pension payable under the last foregoing section as if such pension were a superannuation allowance and the person to whom the pension is payable were a contributor. Supplemental provisions.

(3) In the case of an officer on whose death a pension becomes payable under the last foregoing section by virtue of a notice given by him thereunder subsection (1) of section 12 (Return in case of death) of the Act of 1922 shall not apply and subsection (2) of the said section 12 shall have effect subject to the modifications that no payment shall be made thereunder before the death of the person to whom the pension is payable and for the purpose of determining whether any payment is due to the legal personal representatives of the officer and the amount (if any) so due account shall be taken of the payments made by way of such pension as if they had been made to the officer by way of superannuation allowance.

PART IV

POPLAR BOROUGH COUNCIL (SUPERANNUATION)

10. In this Part of this Act—

“ the Act of 1911 ” means the Poplar Borough Council (Superannuation and Pensions) Act 1911 ;

“ the Act of 1937 ” means the London County Council (General Powers) Act 1937 ; and

“ the Poplar Superannuation Acts ” means the Poplar Borough Council (Superannuation) Acts 1911 to 1937.

Interpretation
of expressions
in Part IV of
this Act.

11. As from the passing of this Act the Poplar Superannuation Acts shall have effect subject to the provisions of this Part of this Act.

Amendment of
Poplar Super-
annuation
Acts.

12. Any calculation of compound interest on the contributions of an officer which is required to be made for the purposes of subsection (1) of section 8 (Return of contributions and power to grant gratuities and superannuation allowances in certain cases) of the Act of 1911 or of paragraph (a) or subparagraph (i) of paragraph (b) of subsection (1) of section 96 (Payments in case of death) of the Act of 1937 shall be made in accordance with the following provisions (that is to say) the interest shall begin to run— Calculation of interest on contributions.

(a) in the case of contributions made before the first day of July nineteen hundred and fifty-two from the first day

PART IV
—cont.

of January or the first day of July (whichever first falls) following the date on which the contributions were made ;

- (b) in the case of contributions made after the thirtieth day of June nineteen hundred and fifty-two from the thirty-first day of March or the thirtieth day of September (whichever first falls) following the date on which the contributions were made ;

and shall be calculated at the rate of three per centum per annum to the date on which the officer ceased to hold his office or employment or the date of his death (as the case may be) with half-yearly rests except that in the case of the contributions referred to in the foregoing paragraph (a) the interest in respect of any period commencing on the first day of July nineteen hundred and fifty-two shall be calculated (if and so far as may be required having regard to the date to which the calculation is to be made) with a rest at the thirtieth day of September nineteen hundred and fifty-two and with half-yearly rests thereafter.

Actuarial
investigation
and accounts
of super-
annuation
fund.

13.—(1) The first of the actuarial valuations of the assets and liabilities of the superannuation fund to be made after the passing of this Act under section 55 (Actuarial investigation) of the Act of 1934 shall be made as soon as may be after the thirty-first day of March nineteen hundred and fifty-seven instead of at the time provided by that section and subsequent valuations under that section shall be made at the expiration of successive periods of five years reckoned from the said thirty-first day of March.

(2) The following provisions shall apply with respect to the accounts of the superannuation fund and the amounts to be carried to the credit thereof by the Poplar Council as from the first day of January nineteen hundred and fifty-three:—

- (a) In respect of the period of three months ending on the thirty-first day of March nineteen hundred and fifty-three subsection (4) of section 54 (Superannuation fund) of the Act of 1934 shall have effect as if for the references therein to a year there were substituted references to the said period and the contribution to be made to the fund by the Poplar Council under paragraph (a) of subsection (1) of the said section 55 of that Act shall be one-fourth of the amount of the annual contribution which would have been payable in respect of the year nineteen hundred and fifty-three if this section had not been enacted ;

- (b) After the said thirty-first day of March the accounts of the fund shall be made up for the twelve months ending on the thirty-first day of March in each year and the references in the said subsection (4) to a year shall be construed accordingly.

14. Section 5 (Scale of superannuation allowances) and section 8 (Return of contributions and power to grant gratuities and superannuation allowances in certain cases) of the Act of 1911 and section 96 (Payments in case of death) of the Act of 1937 shall be read and construed subject to the following amendments:—

PART IV
—cont.

Further modi-
fications of
Acts of 1911
and 1937.

- (a) In the said section 5 the words “the quarter day which immediately precedes” wherever those words occur shall be omitted;
- (b) In the said section 8 in subsection (2) thereof the words “the quarter day which immediately precedes” shall be omitted; and
- (c) In the said section 96 in sub-paragraph (ii) of paragraph (b) of subsection (1) thereof the words “the quarter day which immediately preceded” shall be omitted.

15. This Part of this Act shall be read and construed as one with the Poplar Superannuation Acts and those Acts and this Part of this Act may be cited together as the Poplar Borough Council (Superannuation) Acts 1911 to 1952.

Construction
and citation of
Part IV of
this Act.

PART V

HACKNEY BOROUGH COUNCIL (SUPERANNUATION)

16. The Camberwell and other Metropolitan Borough Councils (Superannuation) Act 1908 so far as it applies to the borough of Hackney and as amended in its application to the said borough by any subsequent enactment shall be read and construed subject to the further amendment that as from the first day of October nineteen hundred and fifty-two the percentage of salary or wages and emoluments payable by way of contribution to the superannuation fund shall in the case of an officer be six per centum:

Contributions
to super-
annuation fund
of Hackney
Council.

Provided that this section shall not apply to an officer who—

- (a) is a contributor to such fund immediately before the said date; or
- (b) having ceased before the said date to be a contributor to such fund again becomes a contributor on or after the said date and within twelve months after the date on which he so ceased to be a contributor;

so long as he continues without a break of more than twelve months at any one time to be a contributor.

17. Nothing in this Part of this Act shall affect the operation of any provision of the Hackney Borough Council (Superannuation) Scheme, 1938.

PART VI

MISCELLANEOUS

Flag advertise-
ments.

18. Subsection (1) of section 71 (Prohibition of sky signs) of the Act of 1939 shall not apply to a flag to the display of which as an advertisement consent has been or is deemed to have been granted in pursuance of any regulations for the time being in force under section 31 of the Town and Country Planning Act 1947.

Delegation
of certain
functions under
London Build-
ing Acts.

19.—(1) The Council may from time to time on such conditions and for such period as they think fit delegate to any or every local authority any of the functions of the Council under Part IV (Special and temporary buildings and structures) of the Act of 1939 with respect to structures to which the said Part IV applies.

(2) In this section the expression "local authority" has the same meaning as in the London Building Acts 1930 to 1939.

Exhibition at
Iveagh Bequest
of drawings
from Sir John
Soane's
Museum.

20.—(1) In this section—

"the Act of 1833" means the private Act 3 & 4 Will. 4. chapter iv intituled an Act for settling and preserving Sir John Soane's Museum Library and Works of Art in Lincoln's Inn Fields in the county of Middlesex for the benefit of the public and for establishing a sufficient endowment for the due maintenance of the same;

"the Iveagh Bequest" means the premises which are known as the Iveagh Bequest Kenwood and which were vested in the Council by virtue of the Iveagh Bequest (Kenwood) Act 1929;

"the museum" means Sir John Soane's Museum maintained under the Act of 1833; and

"the museum trustees" means the trustees for the time being of the museum.

(2) The Council and the museum trustees may notwithstanding anything in the Act of 1833 enter into and carry into effect agreements for the loan to the Council upon such terms and conditions as may be provided by the agreements of any drawings forming part of the collection preserved in the museum which the museum trustees are willing to lend to the council for exhibition at the Iveagh Bequest and the Council consider suitable for that purpose.

(3) It shall be the duty of the Council to make proper arrangements for the due care and control of any drawings for the time being lent to them in pursuance of an agreement under the last foregoing subsection and for the return of such drawings

into the charge of the curator for the time being of the museum at the expiration of the period for which they are so lent and as from the date on which such drawings are removed from the museum and until such drawings shall have been returned into the charge of the said curator—

PART VI
—cont.

- (a) all obligation of the museum trustees under the Act of 1833 to inspect and exercise control over such drawings shall be suspended and the museum trustees shall not be responsible for any loss of or damage to such drawings howsoever caused ;
- (b) any bond entered into in pursuance of section IV of the Act of 1833 (which requires a person appointed the curator of the museum to give security against the removal from the museum or the loss of any effects forming part of the said collection) shall not apply in relation to the drawings so removed but shall continue in full force and effect in relation to any other of the said effects.

21.—(1) In this section—

“ the Act of 1906 ” means the Open Spaces Act 1906 ;

“ the Act of 1931 ” means the London Squares Preservation Act 1931 ; and

“ the signed plan ” means the plan of which copies have been signed in quadruplicate by R. Hopkin Morris esquire the chairman of the committee of the House of Commons to whom the Bill for this Act was referred and of which one copy has been deposited at the office of the Clerk of the Parliaments one copy in the Private Bill Office of the House of Commons one copy at the County Hall Westminster Bridge and one copy at the Town Hall Camberwell.

Transfer to
Council of
certain open
spaces at
Camberwell.

(2) The Council and the Camberwell Council may enter into and carry into effect agreements for the transfer to the Council of all or any of the lands vested in the Camberwell Council shown by green pink and brown colours on the signed plan being the following lands in the borough of Camberwell which are held by the Camberwell Council for the purposes of the Act of 1906 (namely):—

(a) the gardens known respectively as Addington Square Garden (including the land adjacent thereto used as an extension thereof) Rolls Garden Woolcombe Garden Neate Street Open Space Albany Road Garden Downes Place Recreation Ground and Leyton Square Garden ; and

(b) land abutting upon Lomond Place not laid out as an open space.

PART VI
—cont.

(3) An agreement under this section may provide for the transfer of any of the said lands to the Council either by way of gift or in consideration of such payment as may be provided by the agreement and any money received by the Camberwell Council in pursuance of any such agreement (other than a payment made to them in respect of any costs or expenses of the transaction) shall be applied by them in the repayment of moneys borrowed by them for the purpose of the acquisition or laying out of the said lands or any of them and not already repaid.

(4) Upon the transfer to the Council in pursuance of this section of any of such of the said lands as are shown by green colour on the signed plan the following provisions shall have effect:—

- (a) The Council shall hold the land for the purposes of the use thereof by the public as an open space in the like manner and subject to the like provisions as if it had been acquired by them under the Act of 1906 ;
- (b) Where at any time the Council maintain the land together with other land abutting thereupon also held by them for the use of the public as an open space such lands shall for the purposes of any enactment relating to the management of open spaces maintained by the Council be deemed to merge and form a single open space ;
- (c) Until byelaws made by the Council applying to the open space come into effect any byelaws made by the Camberwell Council applying to the land immediately before the transfer shall continue in force and have effect as if made by the Council.

(5) Upon the transfer to them of any of such of the said lands as are shown by pink or brown colour on the signed plan the Council shall hold the land free from any trust to allow the use thereof by the public as an open space and may appropriate and use the same for the purposes of the Housing Acts 1936 to 1949 or with the consent of the Minister of Housing and Local Government for any other purpose for which they are authorised to acquire land and in the case of the said land shown by brown colour the provisions of the Act of 1931 shall cease to apply thereto upon the transfer thereof to the Council.

(6) As soon as conveniently may be after the transfer to them of Leyton Square Garden the Council shall lay out as an addition to that garden the land shown by blue colour on the signed plan or so much thereof as is not already so laid out and when so laid out such last-mentioned land shall form part of Leyton Square Garden and be subject to the like rights of user

by the public as the part thereof shown by green colour on the signed plan and the provisions of the Act of 1931 shall apply to the said land shown by blue colour in all respects as if the same were a protected square mentioned in Part I of the schedule to that Act.

(7) Upon the transfer to them of Leyton Square Garden (or if they are not then the owners in possession of the whole of the properties abutting upon the streets hereinafter mentioned so soon thereafter as they shall have become such owners) the Council may stop up the streets shown by yellow colour on the signed plan (being Maismore Street and part of the street known as Leyton Square) and may appropriate and use for the purposes of the Housing Acts 1936 to 1949 so much of the sites of the said streets as shall not already be vested in them for those purposes.

22.—(1) In this section—

“ cultural body ” means any club society or organisation having educational or cultural objects ; and

“ the ranger’s house ” means the lands referred to in section 21 (Purchase of ranger’s house Greenwich Park) of the London County Council (General Powers) Act 1900 and includes any buildings for the time being erected thereon.

Use of
ranger’s house
Greenwich by
cultural bodies.

(2) Without prejudice to any other power exercisable by them in relation to the ranger’s house under Part V (Open spaces) of the London County Council (General Powers) Act 1935 or otherwise the Council notwithstanding anything in the said section 21 or the First Schedule to the said Act of 1900 or in any other enactment may on such occasions and subject to such terms and conditions as to payment or otherwise as may be agreed between them and any cultural body allow such body to use any part of the ranger’s house for any purpose connected with the educational or cultural activities of such body and may preclude any person from entering such part while it is being so used other than a person to whom access is permitted by the body with whom the agreement is made :

Provided that the Council shall not exercise the powers conferred by this subsection in respect of any part of the ranger’s house in such a manner that the public are thereby precluded from access to that part earlier than the hour of seven in the evening on more than twenty-two consecutive days at any one time or on more than forty-four days in any period of six months.

(3) Subject to the terms of and any conditions or limitations contained in any such agreement a cultural body may make reasonable charges for admission to the part of the ranger’s house the subject of the agreement while it is being used by the body in pursuance of such agreement.

PART VI
—cont.

(4) The covenants by the Council contained in the conveyance of the ranger's house dated the thirty-first day of January nineteen hundred and two shall have effect subject to the following provisions:—

(a) the covenant that the Council will hold and use the ranger's house for purposes of public recreation only under their direct control and management shall be deemed not to be infringed; and

(b) for the purposes of any right of pre-emption or re-purchase reserved and secured by the covenant in that behalf the ranger's house shall not be deemed to have ceased to be used for purposes of public recreation only;

solely by reason of anything done in pursuance of this section but save as aforesaid nothing in this section shall prejudice or affect any provision of the said conveyance.

Amendment of provisions as to appointment of temporary additional deputy chairman of quarter sessions.

23. In section 58 (Power to Secretary of State to appoint temporary additional deputy chairman of quarter sessions) of the London County Council (General Powers) Act 1947 references to the Lord Chancellor shall be substituted for the references to the Secretary of State.

Appointment of clerks to chairman and deputy chairman of quarter sessions.

24.—(1) In this section—

“the quarter sessions” means the court of quarter sessions of the county of London; and

“the standing joint committee” means the standing joint committee for the county of London appointed under section 30 of the Local Government Act 1888.

(2) Sections 3 and 4 of the Quarter Sessions (London) Act 1896 (which relate to the appointment and remuneration of clerks to the chairman and the deputy chairman respectively of the quarter sessions) shall cease to have effect and subject to the provisions of this section it shall be the duty of the standing joint committee to appoint and employ such officers as may from time to time be required to act as clerk to the chairman and as clerk to any deputy chairman respectively of the quarter sessions:

Provided that before appointing or assigning any officer to act as clerk to the chairman or any deputy chairman (as the case may be) the standing joint committee shall confer with such chairman or deputy chairman and take into consideration any nomination made by him.

(3) Any person who at the passing of this Act holds office as clerk to the chairman or to a deputy chairman of the quarter sessions shall as from that date be transferred to and become an officer of the standing joint committee but he shall not except with his consent be required to perform any duties other than those performed by him immediately before the passing of this Act and so long as he continues to perform those duties he shall receive in respect thereof not less salary than that previously paid to him for performing those duties and he shall not be removed except with the consent of the chairman or deputy chairman by whom he was appointed :

Provided that if such chairman or deputy chairman shall die or shall otherwise cease to hold his office the clerk shall also cease to hold office but without prejudice to the right of the standing joint committee to re-employ him in any capacity in which they are authorised to employ officers.

(4) An officer employed by the standing joint committee to perform the duties of clerk to the chairman or to a deputy chairman of the quarter sessions shall (whether or not he is also employed by the committee in some other capacity) perform those duties as and when required by and under the direction of the chairman or deputy chairman to whom he is assigned.

(5) There shall be paid out of the county fund of the county to an officer in respect of his services as such clerk as aforesaid such salary as may from time to time be determined by the standing joint committee with the approval of the Council.

25.—(1) The Council may make contributions in aid of rates in respect of any premises in the county which are exempt from liability to rating and are provided or maintained—

Contributions by Council in aid of rates in respect of judicial etc. properties.

- (a) by the Council for judicial or other Crown purposes ; or
- (b) by a sanitary authority within the meaning of the Act of 1936 for the holding of inquests in pursuance of an agreement with the Council under section 238 of that Act.

(2) In relation to any such premises as aforesaid subsection (3) of section 64 of the Rating and Valuation Act 1925 (which regulates the manner in which property occupied by or on behalf of the Crown is to be dealt with in valuation lists) shall apply and have effect as if for the references in paragraph (b) of the said subsection to the Crown there were substituted references to the Council.

(3) Section 59 (Contributions by Council in lieu of rates on judicial &c. properties) of the Act of 1934 is hereby repealed.

PART VI
—cont.

Restrictions on sales etc. by dealers in rags old clothes and similar articles.

26.—(1) No person being a rag and bone dealer or a person who collects or deals in old clothes or similar articles and no person assisting or acting on behalf of any such person as aforesaid shall—

- (a) in or from any shop or premises used for or in connection with the business of a rag and bone dealer or the business of a dealer in old clothes or similar articles; or
- (b) while engaged in collecting any articles in the course of any such business as aforesaid;

sell or deliver whether gratuitously or not any article of food or drink to any person or any article whatsoever to a person under the age of fifteen years.

(2) A person who contravenes any of the provisions of the foregoing subsection shall be liable on summary conviction to a fine not exceeding five pounds.

(3) Nothing in this section shall prejudice the power of the Council or the common council under section 146 of the Act of 1936 to make byelaws with respect to the business of a rag and bone dealer but where an act constitutes an offence under this section as well as under any such byelaw a person shall not in respect of that offence be subjected to a fine both under this section and under the byelaw.

(4) This section shall be read and construed as one with Part IV of the Act of 1936.

Maintenance of trees etc.

27. For the removal of doubts it is hereby declared that a highway authority may in any street maintainable by them do anything expedient for the maintenance and protection or removal of any trees shrubs or grass margins planted or laid out by the Council in pursuance of section 30 (Extension of powers of Council with respect to street improvements) of the London County Council (General Powers) Act 1951.

Power to Wandsworth Council to grant gratuities to non-pensionable employees.

28.—(1) Subject to the provisions of this section the Wandsworth Council may grant a gratuity to any employee to whom this section applies on his ceasing to be employed by them or in respect of any such employee who dies while in their employment.

(2) This section applies to any employee of the Wandsworth Council who is not at the time when he ceases to be employed by them or dies while in their employment (as the case may be) an officer or servant to whom the provisions of the Wandsworth Borough Council (Superannuation) Acts 1909 to 1940 apply and who—

- (a) either has attained the age of sixty-five years or (if he has not attained that age) has become in the opinion of

the Wandsworth Council incapable of discharging the duties of his office or employment with efficiency by reason of permanent infirmity of mind or body ; and

- (b) has completed a period (whether continuous or aggregate) of employment with the Wandsworth Council of not less than ten years :

Provided that—

- (i) in the case of an employee who dies while in the employment of the Wandsworth Council the foregoing paragraph (a) shall not apply ;
- (ii) where at any time an employee left the employment of the Wandsworth Council in order to enter upon service with the armed forces of the Crown or in connection with civil defence any period during which he was engaged in such service may at the discretion of the Wandsworth Council be aggregated with his employment with that council and reckoned for the purposes of the foregoing paragraph (b) as a period of such employment ;
- (iii) notwithstanding anything in the foregoing provisions of this subsection where the period of employment of an employee which is reckonable for the purposes of this subsection is an aggregate period this section shall not apply to him unless he has at some time been actually employed by the Wandsworth Council substantially without a break for a period of not less than three years.

(3) (a) A gratuity under this section may be granted by way either of a lump sum or of periodical payments but shall not exceed or shall not in the aggregate exceed an amount equal to twice the annual remuneration of the employee.

(b) For the purposes of this subsection the annual remuneration of the employee shall be ascertained by reference to the amount of the salary or wages and emoluments of the employee during the year ending on the date on which he ceased to be employed or died (as the case may be) any reduction or suspension of such salary or wages and emoluments by reason of his absence on leave being disregarded.

(4) A gratuity under this section shall be paid out of and charged to the general rate fund of the borough of Wandsworth.

(5) At least one month's notice in writing shall be given to every member of the Wandsworth Council of any proposal to grant a gratuity under this section.

PART VI
—cont.
Costs of Act.

29.—(1) 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) Part III (Lambeth Borough Council (superannuation));
- (ii) Part IV (Poplar Borough Council (superannuation));
- (iii) Part V (Hackney Borough Council (superannuation));
- and
- (iv) section 28 (Power to Wandsworth Council to grant gratuities to non-pensionable employees);

shall unless otherwise agreed be paid as regards (i) by the Lambeth Council as regards (ii) by the Poplar Council as regards (iii) by the Hackney Council and as regards (iv) by the Wandsworth Council.

Table of Statutes referred to in this Act

Short title	Session and chapter
Local Government Act 1888	51 & 52 Vict. c. 41.
Quarter Sessions (London) Act 1896	59 & 60 Vict. c. 55.
London County Council (General Powers) Act 1900	63 & 64 Vict. c. cclxviii.
Open Spaces Act 1906	6 Edw. 7. c. 25.
Camberwell and other Metropolitan Borough Councils (Superannuation) Act 1908	8 Edw. 7. c. xix.
Poplar Borough Council (Superannuation and Pensions) Act 1911	1 & 2 Geo. 5. c. cii.
Lambeth Borough Council (Superannuation) Act 1922	12 & 13 Geo. 5. c. xci.
Rating and Valuation Act 1925	15 & 16 Geo. 5. c. 90.
London County Council (General Powers) Act 1925	15 & 16 Geo. 5. c. cxix.
Iveagh Bequest (Kenwood) Act 1929	19 & 20 Geo. 5. c. lxix.
London Squares Preservation Act 1931	21 & 22 Geo. 5. c. xciii.
London County Council (General Powers) Act 1934	24 & 25 Geo. 5. c. xl.
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 and Middlesex (Improvements &c.) Act 1936	26 Geo. 5. & 1 Edw. 8. c. cviii.
London County Council (General Powers) Act 1937	1 Edw. 8. & 1 Geo. 6. c. xci.
London County Council (Tunnel and Improvements) Act 1938	1 & 2 Geo. 6. c. lxxxii.
London Government Act 1939	2 & 3 Geo. 6. c. 40.
London Building Acts (Amendment) Act 1939	2 & 3 Geo. 6. c. xcvi.
London County Council (General Powers) Act 1939	2 & 3 Geo. 6. c. c.
National Insurance Act 1946	9 & 10 Geo. 6. c. 67.
London County Council (General Powers) Act 1947	10 & 11 Geo. 6. c. xlvi.
Town and Country Planning Act 1947	10 & 11 Geo. 6. c. 51.
London County Council (Improvements) Act 1948	11 & 12 Geo. 6. c. iv.
London County Council (General Powers) Act 1948	11 & 12 Geo. 6. c. liii.
London County Council (General Powers) Act 1951	14 & 15 Geo. 6. c. xli.

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