



Housing Act 1957

1957 CHAPTER 56

PART VII

GENERAL

Provisions as to building byelaws, &c

145 Building byelaws not to apply to certain buildings

- (1) Where in connection with housing operations carried out under this Act by a local authority or county council, or by a housing association or housing trust, new buildings are constructed, or public streets and roads are laid out and constructed, in accordance with plans and specifications approved by the Minister, the provisions of any building byelaws shall not, so far as they are inconsistent with the plans and specifications so approved, apply to those buildings and streets, and, notwithstanding the provisions of any other Act, any public street or road laid out and constructed in accordance with those plans and specifications may be taken over and thereafter maintained by the local authority:

Provided that as respects the administrative county of London, the Minister shall not approve for the purposes of this subsection any plans and specifications inconsistent with the provisions of any building byelaws in force in the county except after consultation with the London County Council on the general question of the relaxation of such provisions in connection with housing operations.

- (2) Where the Minister has approved plans and specifications which in certain respects are inconsistent with the provisions of any building byelaws in force in the district in which the works are to be executed, any proposals for the erection thereon of houses and the laying out and construction of new streets which do not form part of housing operations carried out under this Act may, notwithstanding those provisions, be carried out if the local authority are, or, on appeal the Minister is, satisfied that they will involve departures from such provisions only to the like extent as in the case of the plans and specifications so approved, and that, where such plans and specifications

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have been approved subject to any conditions, the like conditions will be complied with in the case of proposals to which this subsection applies.

- (3) In the application of the last foregoing subsection to the administrative county of London, references to the local authority shall be construed, in relation to matters within the jurisdiction of the London County Council, as references to them, and, in relation to other matters, as references to the Common Council of the City of London or the council of a metropolitan borough as the case may be.
- (4) Subject to any conditions which may be prescribed by the Minister, the provisions of any building byelaws shall not apply to any new buildings and new streets constructed and laid out by a local authority or county council in accordance with plans and specifications approved by the Minister of Agriculture, Fisheries and Food under Part IV of the Agriculture Act, 1947, or under the Allotments Acts, 1908 to 1950.

146 Relaxation of Building Acts or byelaws in London

For the purpose of facilitating the erection of houses within the administrative county of London, the London County Council may, with the consent of the Minister, suspend, alter or relax the provisions of any enactment or byelaw relating to the formation or laying out of new streets, or the construction of sewers or of buildings intended for human habitation.

147 Power of Minister to prescribe a code of byelaws for new streets

- (1) For the purpose of facilitating the erection of houses, the Minister may prescribe a code of building byelaws relating to the level, width, and construction of new streets, but no such code shall have effect unless and until adopted by resolution of a local authority ; and where such code or any part thereof is so adopted it shall not be necessary for the local authority to comply with the requirements of subsections (3), (4) and (5) of section two hundred and fifty of the Local Government Act, 1933, or, if the byelaws are made under a local Act, the corresponding provisions of that Act, and the code or such part thereof shall have full force and effect as part of the byelaws of the local authority in substitution for such of the existing byelaws of the authority as may be specified in the resolution.
- (2) Where a local authority have approved any plans and sections for a new street, subject to any conditions imposed or authorised by any byelaws in force in the area of that authority, those conditions may be enforced at any time by the authority against the owner for the time being of the land to which the conditions relate.
- (3) Where, as respects the district of any local authority, matters relating to the level, width and construction of new streets are regulated by a local Act and not by byelaws, and the local authority pass a resolution adopting the said code or any part thereof, the code or such part as aforesaid shall have full force and effect as if it formed part of the local Act in substitution for such provisions of the local Act as may be specified in the resolution.
- (4) Before a resolution is passed under this section, notice of the proposed resolution shall be published in one or more newspapers circulating in the district, and when such a resolution has been passed the local authority shall, within seven days thereafter, send a copy thereof to the Minister.
- (5) This section shall not apply to the administrative county of London.

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148 Power of Minister to revoke unreasonable byelaws

- (1) If the Minister is satisfied, by a local inquiry or otherwise, that the erection of any buildings within any borough or urban or rural district is, or is likely to be, unreasonably impeded in consequence of any byelaws with respect to new streets or buildings in force therein, the Minister may require the local authority to revoke those byelaws or to make such new byelaws as he may consider necessary for the removal of the impediment.
- (2) If the local authority do not within three months after the requisition comply therewith, the Minister may himself revoke the byelaws, and make by statutory instrument such new byelaws as he considers necessary for the removal of the impediment, and those new byelaws shall have effect as if they had been duly made by the local authority and confirmed by the Minister.
- (3) The provisions of this section shall be without prejudice to the provisions of subsection (2) of section sixty-nine of the Public Health Act, 1936 (under which the Minister may require a local authority to revoke building byelaws if the erection of any building is unreasonably impeded by them).