



# London Government Act 1963

## 1963 CHAPTER 33

### PART I

#### LOCAL GOVERNMENT IN AND AROUND GREATER LONDON

#### **1 London boroughs**

- (1) There shall be established new administrative areas, to be known as London boroughs, which shall comprise the areas respectively described (by reference to existing administrative areas) in column 2 of Part I of Schedule 1 to this Act; and in this and any other Act—
  - (a) any reference to an inner London borough shall be construed as a reference to one of the London boroughs numbered from 1 to 12 in the said Part I;
  - (b) any reference to an outer London borough shall be construed as a reference to one of the London boroughs numbered from 13 to 32 in the said Part I.
- (2) If in the case of any London borough, on representations in that behalf made to the Privy Council by the Minister, Her Majesty by the advice of Her Privy Council thinks fit to grant a charter of incorporation of the inhabitants of that borough, Her Majesty may by that charter—
  - (a) make provision with respect to the name of the borough; and
  - (b) subject to the provisions of this Act, make any provision such as may be made by virtue of section 131 of the Local Government Act 1933 by a charter granted under Part VI of that Act;and any charter which purports to be granted in pursuance of the Royal prerogative and this subsection shall be deemed to be valid and within the powers of this Act and Her Majesty's prerogative and the validity thereof shall not be questioned in any legal proceeding whatever.
- (3) In the case of any London borough whose inhabitants are not incorporated by such a charter as is referred to in the last foregoing subsection, provision for their incorporation shall be made by the Minister by order (hereafter in this Act referred to as an "incorporation order") which may include any such provision as is mentioned in paragraph (a) or (b) of that subsection.

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- (4) The provisions of Part III of Schedule 1 to this Act shall have effect for the purpose of the revocation or alteration of the provisions with respect to the matters mentioned in paragraph 1 of the said Part III of any charter or incorporation order under subsection (2) or (3) of this section; but nothing in any such charter or order or in any order under the said Part III shall authorise the number of councillors of any London borough to exceed sixty.
- (5) Before the Minister makes as respects a London borough either representations under subsection (2) of this section for the grant of a charter or an incorporation order under subsection (3) thereof, the Minister or, as may be appropriate, the Secretary of State shall cause such notices to be given and such, if any, inquiries to be held with respect to the matters to be dealt with by the charter or order as may appear to the Minister or, as the case may be, the Secretary of State to be expedient.
- (6) The Municipal Corporations Act 1882 shall apply to every London borough and section 15 of the Interpretation Act 1889 shall have effect accordingly, that is to say, the expression "borough" when used in relation to local government in any enactment whether passed before or after this Act (and in particular, subject to section 8 (2) of this Act, in the Local Government Act 1933) shall except where the context otherwise requires (and except in particular in the expressions "county borough" and "non-county borough") include a London borough; and the council of a London borough shall be a local authority within the meaning of the said Act of 1933.
- (7) The first election of councillors of each London borough shall be held, under arrangements to be made by its charter or incorporation order, on the day in May 1964 fixed by the Secretary of State as the day of election of borough councillors in England and Wales; and the persons declared to be elected councillors at that election shall come into office on the fourth day after the day of election.

## **2 Greater London and the Greater London Council**

- (1) The area comprising the areas of the London boroughs, the City and the Temples shall constitute an administrative area to be known as Greater London.
- (2) There shall be established for Greater London a council consisting of a chairman, aldermen and councillors which shall be a body corporate under the name of the Greater London Council with perpetual succession and a common seal and shall have all such functions as are vested in that Council by this Act or otherwise.
- (3) Notwithstanding anything in subsection (1) or (2) of this section, the Greater London Council may with the consent of the Minister change the name of the Council or the name by which the area referred to in the said subsection (1) is to be known or both those names, or make provision as to the titles by which the chairman, vice-chairman and any deputy chairman of the Council are to be known, and any change of name made in pursuance of this subsection shall take effect as from such date as the Minister may by order appoint; and any such order—
  - (a) shall not affect any rights or obligations of any council, authority or person, and
  - (b) shall not be taken as invalidating any instrument (whether made before or after the date appointed by the order) which refers to the Council or the said area by the previous name,

but the new name shall be substituted for the previous name in all enactments relating to the Council or, as the case may be, that area and in all instruments and legal

proceedings made or commenced before the said date which refer to that previous name, so, however, that nothing in this subsection shall be construed as affecting the title of any Act or instrument.

- (4) The provisions of Schedule 2 to this Act shall have effect with respect to the constitution and general functions of the Greater London Council; and the first election of councillors of that Council shall be held on 9th April 1964, and the persons declared elected at that election shall come into office on the fourth day after the day of election.

### **3 Local government areas in and around Greater London**

- (1) As from 1st April 1965—
- (a) no part of Greater London shall form part of any administrative county, county district or parish;
  - (b) the following administrative areas and their councils (and, in the case of a borough, the municipal corporation thereof) shall cease to exist, that is to say, the counties of London and Middlesex, the metropolitan boroughs, and any existing county borough, county district or parish the area of which falls wholly within Greater London;
  - (c) the urban district of Potters Bar shall become part of the county of Hertfordshire ;
  - (d) the urban districts of Staines and Sunbury-on-Thames shall become part of the county of Surrey.
- (2) As from the passing of this Act, in the Local Government Act 1958—
- (a) in sections 17(1) and 53(1), for any reference to the metropolitan area there shall be substituted a reference to Greater London;
  - (b) section 53(2) shall cease to have effect;
  - (c) in section 28, subsection (6) shall cease to have effect, but—
    - (i) subsection (1) shall not apply to the county of London or of Middlesex ;
    - (ii) no county review under that section shall extend to any part of Greater London ;
    - (iii) subject to any order under section 23 or 24, any such review by the Hertfordshire county council shall extend to the urban district of Potters Bar and any such review by the Surrey county council shall extend to the urban districts of Staines and Sunbury-on-Thames;
  - (d) in relation to a county district to which Part III applies as from the date of the passing of this Act only by virtue of this subsection, that date shall be deemed to be specified in sections 47 (3) and 52 (2) as a further day on which the periods mentioned in those provisions may begin.

### **4 General provisions as to exercise in Greater London of existing local authority functions**

- (1) Subject to any provision to the contrary effect made by, or by any instrument made under, this Act or any other Act passed during the same session as this Act (and in particular any provision conferring functions on the Greater London Council), and without prejudice to any express provision so made, the provisions of this section (being provisions designed to confer on the councils of London boroughs as respects their boroughs and on the Common Council as respects the City the functions

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exercisable by the councils of county boroughs as respects their boroughs or by the existing London county council as respects the metropolitan boroughs or, as the case may be, the City) shall have effect as from 1st April 1965 as respects any enactment (hereafter in this section referred to as an "existing enactment") contained in any public general Act passed before this Act or in any other such Act passed during the same session as this Act.

- (2) Subject to subsection (7) of this section, where any existing enactment refers to, or to the councils of, county boroughs, then—
  - (a) if it also refers in the same context to, or to the councils of, metropolitan boroughs, any reference in that enactment in that context to, or to the council of, a metropolitan borough shall be construed as a reference to, or to the council of, a London borough;
  - (b) if it also refers (or, but for section 3(1)(b) of this Act, would have referred) in the same context to the London county council (whether expressly or by virtue of a reference to councils of counties) but not to councils of metropolitan boroughs, any reference in that enactment in that context to a county borough or the council thereof shall be construed as including a reference to a London borough or the council thereof and, where that enactment extends to the City but does not refer to the Common Council, as including also a reference to the City or the Common Council.
- (3) Any reference in any existing enactment which, by virtue of any other existing enactment passed subsequently thereto, falls to be construed as a reference to authorities of a particular class shall be deemed for the purposes of subsection (2) of this section to be a reference to authorities of that class.
- (4) Any existing enactment to the effect that any provision does not apply or refer, or applies or refers only, to the administrative county of London or to that county other than the City or other than the City and the Temples shall have effect as if it provided that the provision in question does not apply or refer, or, as the case may be, applies or refers only, to Greater London other than the outer London boroughs, or other than those boroughs and the City, or other than those boroughs, the City and the Temples, as the case may be.
- (5) Where, under any existing enactment which by virtue of subsection (4) of this section applies to Greater London other than the outer London boroughs or other than those boroughs and the City with or without the Temples, any functions were exercisable immediately before 1st April 1965 as respects a metropolitan borough by the London county council or by the council of that borough or as respects the City by the London county council, those functions shall be exercisable as respects an inner London borough by the council of that borough or, as the case may be, as respects the City by the Common Council.
- (6) In any existing enactment which by virtue of subsection (4) of this section applies to the outer London boroughs but not to the rest of Greater London, any reference to, or to the council of, a county borough shall be construed as including a reference to, or to the council of, an outer London borough.
- (7) Without prejudice to any exclusion by virtue of subsection (1) of this section and to any amendment of the enactment in question by or under any subsequent provision of this Act, subsection (2) of this section shall not apply to any existing enactment contained in—
  - (a) the Local Government Act of 1888, 1929, 1933 or 1958 ; or

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- (b) the enactments to which section 40 of this Act applies or would apply but for the proviso to subsection (4) of that section; or
  - (c) the Representation of the People Acts; or
  - (d) any enactment relating to rating and valuation in England and Wales ; or
  - (e) the Town and Country Planning Act 1962; or
  - (f) any of the Acts amended by Schedule 5, 6, 8 or 13 to this Act;
- and this section shall not apply to any enactment contained in an Act passed with respect only to the whole or part of the existing county of London.

## **5 Delegation of functions in Greater London**

- (1) Subject to any provision to the contrary effect made by, or by any instrument made under, this Act or any other Act passed during the same session as this Act, and without prejudice to any express provision so made, the Greater London Council may, with the concurrence of the council in question, delegate to any London borough council or to the Common Council, with or without restrictions or conditions as the Greater London Council think fit, any of the functions of the Greater London Council except—
- (a) functions for which the Greater London Council are required by any enactment for the time being in force to appoint a committee;
  - (b) functions in respect of which specific powers of delegation to that council are conferred by any enactment; and
  - (c) the power of borrowing money or issuing a precept for the levy of a rate ;
- and where any functions are delegated to a London borough council or the Common Council under this section, that council shall, in the discharge of those functions, act as agents for the Greater London Council.
- (2) The Common Council and the council of any London borough which is adjacent to the City may agree together for the discharge by that borough council, as agent for the Common Council, of such of the functions of the Common Council as may be specified in the agreement.
- (3) Without prejudice to any other provision of this or any other Act, any of the following councils, that is to say, the Greater London Council, the London borough councils and the Common Council, may, for the better performance of their respective functions, agree with any one or more of the others of those councils and any other local authority within the meaning of the Local Government Act 1933 whose area is contiguous with any part of Greater London for—
- (a) the undertaking by one party for another of any administrative, clerical, professional, scientific or technical services;
  - (b) the use or maintenance by one party of any vehicle, plant, equipment or apparatus of another party and, if it appears convenient, the services of any staff employed in connection therewith ;
  - (c) the carrying out of works of maintenance by one party in connection with land or buildings for the maintenance of which another party is responsible,
- on such terms as may be agreed between them; and in this subsection the expression " maintenance" includes minor renewals, improvements and extensions.

## **6 Alteration of boundaries of or within Greater London**

- (1) Section 140 of the Local Government Act 1933 shall not apply to the alteration of the boundary between a county or county borough and Greater London, and nothing in

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section 253 of that Act shall authorise any local authority within the meaning of that Act to include in any Bill promoted by them any provision making an alteration of the boundaries of any London borough or of Greater London ; but the following provision of this section shall have effect for the purposes of such an alteration.

- (2) If proposals are made to the Minister—
- (a) by the council of the London borough affected and the Greater London Council acting jointly, or by the council of the county or county borough affected, for the making of an alteration of the boundary of Greater London; or
  - (b) by the council of a London borough for the making of an alteration of the boundary between that and some other London borough; or
  - (c) by the council of the London borough affected or by the Common Council, for the making of an alteration of the boundary between a London borough and the City; or
  - (d) under subsection (4) of this section,
- the Minister shall, unless he is satisfied that the proposals ought not to be entertained, cause a local inquiry to be held, and may make an order giving effect to the proposals or making such other alteration of the boundary in question as he may deem expedient, or may refuse to make any such order; but no order shall be made under this subsection unless a draft thereof has been laid before, and approved by a resolution of, each House of Parliament.
- (3) If joint representations are made to the Minister—
- (a) by all or, as the case may be, both of the councils referred to in paragraph (a), (b) or (c) of subsection (2) of this section for the making of such an alteration as is mentioned in that paragraph ; or
  - (b) by the Common Council or the council of a London borough and the Honourable Society of the Inner Temple or of the Middle Temple for the making of an alteration of the boundary between the City or that borough and the Inner Temple or the Middle Temple, as the case may be,
- the Minister shall, unless he is satisfied that it is unnecessary so to do, cause a local inquiry to be held and, after considering the report of any such inquiry, may by order give effect to the representations.
- (4) In the case of a London borough contiguous with a county, at any time after 31st March 1965 and before 1st April 1970 proposals for the transfer from that borough to that county of a part of that borough which is so contiguous may be made to the Minister by any three hundred or more local government electors residing in that part of the borough and together constituting not less than ten per cent. of the total number of local government electors so residing.
- (5) Any order by the Minister under subsection (2) or (3) of this section shall be deemed for the purposes of sections 148 and 149 of the said Act of 1933 to be an order made in pursuance of powers conferred by Part VI of the said Act of 1933.

## **7 Promotion of Bills with respect to local government functions in Greater London**

- (1) The powers of the Greater London Council under section 253 of the Local Government Act 1933 shall include power subject to subsection (2) of this section to promote a Bill in Parliament for any purpose which is for the public benefit of the inhabitants of Greater London or of any part thereof; and without prejudice to the generality of those powers any provision included in a Bill promoted by that Council—

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- (a) for such a purpose as aforesaid ; or
- (b) subject to subsection (3) of this section, at the request of a London borough council or the Common Council,

may alter the functions of any London borough council or the Common Council or, as the case may be, of the council making the request notwithstanding that no alteration is made thereby in the functions of the Greater London Council.

- (2) Before the Greater London Council include in any Bill to be promoted by them any provision altering the functions of the Common Council or a London borough council, they shall consult with the Common Council or, as the case may be, with that borough council or, if the provision relates to all the London borough councils, with any association or committee which appears to the Greater London Council to be representative of those borough councils.

- (3) Where, in the case of any provision which, by virtue of subsection (1)(b) of this section, is or is proposed to be included at the request of a borough council or the Common Council in a Bill promoted or to be promoted by the Greater London Council, it is or will be a condition of the inclusion of that provision in the Bill that the borough council or, as the case may be, Common Council shall make a contribution towards the expenses incurred or to be incurred by the Greater London Council in connection with the promotion of the Bill, sections 254 and 255 of, and Schedule 9 to, the said Act of 1933 shall apply in relation to the making of the request aforesaid—

- (a) as if any reference in the said sections or Schedule to the promotion of, or of any provision of, a Bill were a reference to the making of the request aforesaid for the inclusion of, or, as the case may be, of any part of, that provision in the Bill in question and, in relation to the Common Council, as if the City were a borough and the Common Council the council of that borough;
- (b) as if the deposit of the Bill in question in Parliament by the Greater London Council were such a deposit of that Bill by the borough council or, as the case may be, Common Council;

and where the borough council or Common Council are required by either of the said sections as modified by this subsection to take all necessary steps to withdraw the Bill or some provision thereof, that council shall forthwith notify the Greater London Council to that effect and the Greater London Council shall thereupon take all necessary steps to withdraw the provision or part of a provision in question.

- (4) A London borough council or the Common Council may in compliance with any such condition as is referred to in subsection (3) of this section make such contribution towards the expenses incurred by the Greater London Council in connection with the promotion of the Bill in question as may be agreed between the councils concerned.

## **8 Supplementary provisions to Part I**

- (1) The provisions of Part I of Schedule 3 to this Act, being provisions necessary or expedient in consequence of the foregoing provisions of this Part of this Act, shall have effect with respect to parliamentary and local government elections in and around Greater London; and the Representation of the People Acts shall have effect subject to the modifications specified in Parts II and III of that Schedule, being modifications consequential on the provisions of the said Part I or modifications of those Acts in their application to Greater London; and the said Schedule 3 shall be included among the enactments which may be cited together as the Representation of the People Acts.

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- (2) The Local Government Act 1933 shall have effect subject to the modifications specified in Schedule 4 to this Act, being—
- (a) modifications consequential on other provisions of this Act; or
  - (b) modifications designed to assimilate the provisions of the said Act of 1933 to provisions for corresponding purposes contained in the London Government Act 1939 ; or
  - (c) modifications designed to make the said Act of 1933 apply in appropriate cases in relation to the Greater London Council as it applies in relation to a county council or in relation to a London borough as it applies in relation to a county borough or as it applies in relation to a metropolitan borough; or
  - (d) modifications of the said Act of 1933 in its application either to all London boroughs or to the inner London boroughs.