



London Government Act 1963

1963 CHAPTER 33

PART II

ROAD TRAFFIC, HIGHWAYS AND MOTOR VEHICLES

9 General duty of Greater London Council with respect to road traffic and abolition of London Traffic Area and Traffic Advisory Committee

- (1) The provisions of this Part of this Act shall have effect for the purpose of redistributing functions with respect to road traffic in Greater London and assimilating the law with respect to highways in Greater London to that in force in the rest of England and Wales.
- (2) It shall be the duty of the Greater London Council so to exercise the functions conferred on them by or by virtue of sections 10 to 19 of this Act as, so far as practicable having due regard to—
 - (a) the desirability of securing and maintaining reasonable access to premises;
 - (b) the effect on the amenities of any locality affected; and
 - (c) any other matters appearing to the Council to be relevant,to secure the expeditious, convenient and safe movement of vehicular and other traffic (including foot passengers) and the provision of suitable and adequate parking facilities on and off the highway ; and the Minister of Transport shall not—
 - (i) give any direction to the Council under section 10(7)(a) or (b), 11(7) or 13(2)(a) of this Act; or
 - (ii) exercise his power under section 10(2)(b), 11(2)(a) or 13(2)(c) of this Act to revoke or vary any order made by the Council,unless he is satisfied, having regard to any matters appearing to him to be relevant, that the Council's duty aforesaid is not being satisfactorily discharged by the Council and that it is necessary for him so to do in order to secure compliance with that duty.
- (3) The Greater London Council shall before 1st April 1965 consult with the Minister of Transport with regard to the administrative arrangements to be made by the Council for the discharge of the Council's functions by virtue of sections 10 to 15 of this Act.

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- (4) Any person appointed by the Greater London Council to hold a local inquiry for the purposes of any of the Council's functions by virtue of sections 10 to 15 of this Act shall have the like powers as a person appointed to hold an inquiry to which section 290 of the Local Government Act 1933 applies.
- (5) Without prejudice to any power of delegation conferred by or by virtue of the provisions of sections 10 to 20 of this Act, section 5 (1) of this Act shall not apply to any function conferred on the Greater London Council by or by virtue of those provisions.
- (6) The London Traffic Area and the London and Home Counties Traffic Advisory Committee shall cease to exist; and any reference in the Road Traffic Act 1960, the Road Traffic and Roads Improvement Act 1960 or the Road Traffic Act 1962—
 - (a) to the London Traffic Area ; or
 - (b) except in sections 85 (1) and (8), 135 and 141 of the Road Traffic Act 1960, to an area comprising the metropolitan police district and the City of London, shall be construed as a reference to Greater London.

10 Traffic regulation in Greater London

- (1) Subject to subsections (4) to (7) of this section, the Greater London Council (hereafter in this section referred to as " the Council") may by order make provision for controlling vehicular and other traffic (including foot passengers) on roads in Greater London, being—
 - (a) roads other than trunk roads ; or
 - (b) trunk roads with respect to which the Minister of Transport has consented to the making of the order in question,

and in particular, but without prejudice to the generality of the foregoing words, for any of the purposes, or with respect to any of the matters, mentioned in Schedule 4 to the Road Traffic Act 1960; but no such order shall contain any provision for regulating the speed of vehicles on roads, and paragraph 16 of the said Schedule 4 and section 62 of the London Passenger Transport Act 1933 shall cease to have effect.
- (2) The powers of the Minister of Transport under section 34 of the said Act of 1960 shall be exercisable only—
 - (a) with respect to trunk roads in Greater London; or
 - (b) for the revocation or variation, after giving notice to the Council and, if he thinks fit, after holding a public inquiry, of any order by the Council under subsection (1) of this section ; or
 - (c) for securing the object of any direction with respect to any road other than a trunk road or a special road given by that Minister to the Council under subsection (7) of this section with which the Council have failed to comply,

and shall be exercisable by order made by statutory instrument instead of by regulations; and the powers of the said Minister by virtue of this subsection to make orders under the said section 34 shall include power to make such an order varying or revoking any such order previously made by him; and so much of section 26 of the Road Traffic Act 1962 as limits the duration of the powers conferred thereby shall cease to have effect.
- (3) The provisions of subsections (2) to (4) and (7) to (9) of the said section 34 shall apply to an order made by the Council under subsection (1) of this section as they apply to

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an order made by the Minister of Transport under the said section 34 and, in relation to such an order by the Council, shall have effect as if in those provisions—

- (a) for any reference to that Minister there were substituted a reference to the Council;
 - (b) any reference to the said section 34 included a reference to subsection (1) of this section.
- (4) Before making any order under subsection (1) of this section otherwise than in pursuance of a direction given by the Minister of Transport under subsection (7) thereof, the Council shall consult with the appropriate commissioner of police and with any other council, being a London borough council or the Common Council, within whose area any road affected by the proposed order lies or whose area appears to the Greater London Council likely to be affected by that order.
- (5) Subject to the next following subsection, any order made by the Council under subsection (1) of this section may be revoked or varied by a subsequent order of the Council under that subsection.
- (6) If the provisions as respects any length of road of any order made by the Council under subsection (1) of this section are revoked or varied by an order of the Minister of Transport under the said section 34, then, except with the consent of that Minister, the Council shall not make any further order under the said subsection (1) as respects the same length of road within twelve months after the making of the Minister's order.
- (7) The Minister of Transport may after consultation with the Council give to the Council—
- (a) a direction to make an order under subsection (1) of this section for a specified purpose and coming into force before the expiration of a specified period; or
 - (b) a direction prohibiting, either generally or except with the consent of that Minister or for a specified period, the making or bringing into force of such an order with respect to specified matters or a specified area,
- and may also give directions, either generally or with respect to any particular case or class of cases, as to the procedure to be followed in connection with any order under the said subsection (1).
- (8) The Greater London Council as well as the Minister of Transport shall have power to make an order under section 11 (1) of the Road Traffic Act 1962 (which relates to speed limits on roads other than restricted roads) as respects any road in Greater London other than a trunk road.

11 Experimental traffic schemes

- (1) The Greater London Council as well as the Minister of Transport shall have power to make an experimental traffic order under section 28 of the Road Traffic Act 1962 with respect to any road in Greater London, being—
 - (a) a road other than a trunk road ; or
 - (b) a trunk road with respect to which that Minister has consented to the making of the order in question.
- (2) The Minister of Transport shall not make an order under the said section 28 with respect to any road in Greater London which is not a trunk road except for the purpose of—

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- (a) the revocation or variation, after giving notice to the Greater London Council, of any order by that Council under that section ; or
 - (b) securing the object of any direction given to that Council by that Minister by virtue of subsection (3) of this section with which that Council have failed to comply.
- (3) The provisions of section 10(6) and (7) of this Act shall have effect for the purposes of subsection (1) of this section as if—
- (a) any reference in those provisions to, or to an order made by the Greater London Council under, subsection (1) of that section were a reference to, or to an order made by that Council by virtue of, subsection (1) of this section;
 - (b) any reference to an order of the Minister of Transport under section 34 of the Road Traffic Act 1960 were a reference to an order of that Minister under the said section 28.
- (4) An order made by the Greater London Council under the said section 28 may include provision whereby a specified officer, or some person authorised in that behalf by a specified officer, of the Council may, if it appears to that officer or person essential in the interests of the expeditious, convenient and safe movement of traffic and after consulting with the appropriate commissioner of police and giving such public notice as the Minister of Transport may direct, modify or suspend the order or any provision thereof.
- (5) Before the Greater London Council make any order under the said section 28 they shall—
- (a) except where the order is made in pursuance of a direction by the Minister of Transport by virtue of subsection (3) of this section, consult with the appropriate commissioner of police ; and
 - (b) give such public notice as that Minister may direct.
- (6) The Minister of Transport may repay to the Greater London Council any expenses incurred by that Council in connection with any order made by them under the said section 28.
- (7) The powers with respect to the carrying out of experimental traffic schemes conferred by section 35 of the Road Traffic Act 1960 on the commissioner of police of the metropolis shall be exercisable only within Greater London; and the authority for the giving of any consent or direction under subsection (1) or (5) of that section shall be the Greater London Council instead of the Minister of Transport; but the Greater London Council shall not give their consent to any such scheme affecting a trunk road except with the agreement of that Minister ; and in the case of any particular scheme that Minister may after consultation with the Greater London Council direct that Council to consent thereto within a specified period or to withhold their consent therefrom.

12 Powers in respect of traffic signs, etc.

- (1) The Minister of Transport or the Greater London Council may, to such extent as that Minister or Council may consider necessary in connection with any order under section 34 of the Road Traffic Act 1960, section 10 (1) of this Act or section 28 of the Road Traffic Act 1962 made or proposed to be made by that Minister or, as the case may be, that Council—
- (a) exercise as respects any road in Greater London which is not a trunk road any powers exercisable by the highway authority for that road in connection with

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- the placing of traffic signs on or near that road in pursuance of section 52 of the said Act of 1960 and affix any such sign to any lamp-post or other structure in the highway, whether or not belonging to that Minister or Council;
- (b) authorise or require the highway authority for any such road to place in the carriageway such bollards or other obstructions as that Minister or Council may consider appropriate for preventing the passage of vehicles, or vehicles of any class or description, at any point at which their passage (whether in any direction or in one direction only) is prohibited by any such order as aforesaid and to maintain and light those obstructions;
 - (c) authorise or require any highway authority to remove any obstruction placed by that authority in pursuance of an authorisation or requirement under the last foregoing paragraph.
- (2) To such extent as the Minister of Transport or, as the case may be, the Greater London Council may consider necessary in connection with any order such as is mentioned in subsection (1) of this section, whether made or proposed to be made by that Minister or by that Council, that Minister may do with respect to any trunk road, or as the case may be that Council may do with respect to any metropolitan road, anything which the authority making or proposing to make the order might under subsection (1)(b) of this section require to be done with respect to any other road by the highway authority therefor.
- (3) The Greater London Council or, to such extent as the Minister of Transport may consider necessary in connection with any order made or proposed to be made by him under the said section 34 or 28, that Minister may give to the highway authority for any road in Greater London which is not a trunk road such directions with respect to the adjustment, modification or replacement of, or of any part of, the mechanism of traffic signs, being light signals controlled by that authority, as that Council or Minister may consider expedient in the interests of the movement of traffic.
- (4) If a highway authority fail to comply with any requirement or direction under subsection (1) or (3) of this section the Minister of Transport or, as the case may be, the Greater London Council may carry out the work required by the requirement or direction, and the expense incurred by that Minister or Council in so doing shall be recoverable summarily as a civil debt from the authority.
- (5) As respects any traffic sign placed by the Minister of Transport or the Greater London Council in the exercise of the powers conferred by subsection (1)(a) of this section, it shall be the duty of that Council—
- (a) to take such steps to maintain, and to make such alteration of, that sign as may be necessary or expedient in connection with the order in connection with which it was placed ;
 - (b) to remove that sign upon that order ceasing to have effect;
- and that Minister may recover from that Council summarily as a civil debt any expenses incurred by him by virtue of the said subsection (1)(a).
- (6) As respects any road in Greater London other than a trunk road the Greater London Council shall be the competent authority for the purposes of section 22 of the said Act of 1960 with respect to signs for indicating speed restrictions.
- (7) References in this section to a highway authority include references to any person who, not being a highway authority, is responsible for the maintenance of a road.

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- (8) The power of the Minister of Transport under section 63 of the Road Traffic Act 1960 to make advances towards expenses incurred in relation to traffic signs shall be exercisable with respect to any expenses incurred by the Greater London Council— in relation to the erection, maintenance, alteration or removal of traffic signs or by virtue of subsection (2) of this section; and the said section 63 shall apply in relation to any such obstruction as is mentioned in subsection (1) of this section as it applies in relation to traffic signs.

13 Parking accommodation in Greater London

- (1) Section 81 of the Road Traffic Act 1960 (which relates to the power of local authorities to provide parking places) shall extend to the whole of Greater London and to the use as a parking place of any place other than a road in Greater London ; and the Greater London Council as respects the whole of Greater London, the council of a London borough as respects the borough, and the Common Council as respects the City, shall be the local authority for the purposes of that section; but the Greater London Council shall not exercise their powers under that section—
- (a) as respects any London borough, without the consent of the council of that borough, or
 - (b) as respects the City, without the consent of the Common Council,
- except with the consent of the Minister of Transport.
- (2) The functions as respects Greater London conferred on the Minister of Transport by section 85 (1) and (2) of the said Act of 1960 (which relate to the designation on the application of local authorities of parking places on highways where charges are made), the functions of that Minister under section 85(5) of that Act (which relates to the designation of parking places without an application by the local authority) and, in respect of any site in Greater London, the supplementary functions of that Minister under sections 86 and 87 of that Act and section 3 of the Road Traffic and Roads Improvement Act 1960 shall be exercisable by the Greater London Council (hereafter in this section referred to as " the Council ") as well as by that Minister ; and that Minister—
- (a) subject to subsection (3) of this section, may after consultation with the Council direct the Council—
 - (i) to make under any provision of the said sections 85, 86, 87 and 3 (hereafter in this section referred to as " the relevant provisions ") such order as may be specified in the direction in respect of any site in Greater London so specified to come into force before the expiration of a period so specified, being in the case of an order under the said section 85 (1) an order either in the form applied for by the local authority or in that form with specified modifications ; or
 - (ii) not to make under any of the relevant provisions a particular order which has been applied for or proposed;
 - (b) shall not himself make an order under any of the relevant provisions except for the purpose of securing the object of any direction given to the Council under paragraph (a)(i) of this subsection with which the Council have failed to comply ;
 - (c) may, after giving notice of his intention to the Council and any other person appearing to that Minister to be likely to be concerned, by order revoke or vary any order made by the Council under any of the relevant provisions.

- (3) Before giving any direction under subsection (2)(a)(i) of this section—
- (a) in the case of a direction to make with or without modifications—
 - (i) an order applied for under the said section 85 (1); or
 - (ii) an order under the said section 85(5) or 3(4) which has already been proposed by the Council,the Minister of Transport shall consider any objections made to the order applied for or proposed;
 - (b) in the case of a direction to make an order under the said section 85(5) or 3(4) which has not already been proposed by the Council, that Minister instead of the council shall comply with the requirements of Part II of Schedule 10 to the Road Traffic Act 1960 in like manner as if the order were to be made by him instead of by the Council;
 - (c) in the case of a direction to make any order in the form of an order applied for by a local authority or proposed by the Council but with modifications which appear to that Minister to affect substantially the character of the order, that Minister shall take such steps as appear to him to be sufficient and reasonably practicable for informing any local authority concerned and any other person likely to be concerned.
- (4) Any application by a local authority in Greater London for an order under the said section 85(1) shall be made to the Council and not to the Minister of Transport, but a London borough council shall not make such an application in respect of a site on a trunk road except with the consent of that Minister and, for the purposes of subsection (2)(b) of this section, any such application made to the Council shall be deemed to have been made to that Minister.
- (5) In relation to an order of the Council—
- (a) any reference in the relevant provisions or in the said Schedule 10 to the Minister of Transport (other than the reference in the said section 86(2)(a)) shall be construed as a reference to the Council;
 - (b) the said section 85 (5) shall have effect as if paragraph (a) and, in paragraph (b), the words " with the consent of the Treasury", the words from "or the" to " Council" where first occurring and the words " or Council " were omitted ; and
 - (c) the said section 3 (4) shall have effect as if the reference to section 90(3) and (5) of the Road Traffic Act 1960 were omitted;
- and in relation to parking places designated by virtue of the said section 85(5) by an order of the Council, references in sections 85(3), 86 to 89 and 232(2)(a)(ii) of the Road Traffic Act 1960 and sections 6 and 15 of the Road Traffic and Roads Improvement Act 1960 to the local authority shall be construed as references to the Council.
- (6) Where—
- (a) the Council make an order under any of the relevant provisions in pursuance of a direction under subsection (2)(a)(i) of this section; or
 - (b) the Minister of Transport makes an order under any of the relevant provisions for the purpose specified in subsection (2)(b) of this section; or
 - (c) that Minister makes an order under subsection (2)(c) of this section ; or
 - (d) that Minister enters into an agreement under the said section 85(5)(b) for the transfer of a parking place designated by an order of that Minister,

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the powers of the Council to vary or revoke orders made by them under the relevant provisions shall extend to the variation or revocation of any such order as aforesaid notwithstanding that it is made by, or by direction of, that Minister but, except with the consent of (that Minister—

- (i) any order such as is mentioned in paragraph (a), (b), (c) or (d) of this subsection shall not be revoked or varied by the Council, and
- (ii) where an order of the Council under the said section 85 with respect to parking places on any length of highway has been varied or revoked by that Minister by virtue of the said subsection (2)(c), the Council shall not make a further order under the said section 85 as respects that length of highway,

within twelve months of the making of the order referred to in paragraph (a), (b) or (c) or the transfer referred to in paragraph (d), as the case may be, of this subsection.

- (7) The Minister of Transport may give directions to the Council, either generally or with respect to any particular case or class of cases, as to the procedure to be followed in connection with—
 - (a) any application to the Council for an order under the said section 85 (1);
 - (b) the making of any order by the Council under any of the relevant provisions, including directions modifying the provisions of the said Schedule 10 in their application to, or applying those provisions with modifications to, any such order of the Council; but, except in the case of an order revoking and re-enacting the provisions of a previous order, whether or not made by the same authority, no direction given by virtue of this subsection shall reduce the opportunities afforded by the said Schedule 10 to object to any application or proposal.
- (8) In the Road Traffic and Roads Improvement Act 1960, the following provisions shall cease to have effect, that is to say—
 - (a) so much of section 4 (1) as limits the duration of the powers conferred by the said section 85 (5);
 - (b) so much of section 4 (2) as limits the duration of the power conferred thereby on the Minister of Transport to make grants towards the provision and maintenance of off-street parking places;
 - (c) section 10 (which relates to the provision by that Minister of temporary parking accommodation in Greater London).

14 Other road traffic functions in Greater London

- (1) The functions of the Minister of Transport under the following enactments shall, as respects Greater London, become functions of the Greater London Council, that is to say—
 - (a) sections 137 and 138 of the Highways Act 1959 (which relate to half-yearly schemes of repair and improvement works);
 - (b) except as respects trunk roads, section 21 of the Road Traffic Act 1960 (which relates to directions with respect to speed limits on restricted roads);
 - (c) sections 49 and 50 of the Road Traffic Act 1960 (which relate to the use of roads as playgrounds);
 - (d) section 18 of the Road Traffic and Roads Improvement Act 1960 (which relates to road improvements),

and so much of the said section 18 as restricts the duration thereof shall cease to have effect.

- (2) The Greater London Council shall have as respects Greater London the like powers as are conferred on the Minister of Transport by section 19 of the Road Traffic and Roads Improvement Act 1960 (which relates to road improvements) and so much of that section as restricts the duration thereof shall cease to have effect; and, without prejudice to the extent of the powers of the Greater London Council by virtue of the foregoing provisions of this subsection, that Minister shall exercise his powers under the said section 19 only if he considers it necessary in connection with any order made or proposed to be made by him under section 34 of the Road Traffic Act 1960 or section 28 of the Road Traffic Act 1962 for a purpose specified in section 10(2)(b) or (c) or, as the case may be, 11(2) of this Act.
- (3) In exercising their functions by virtue of subsection (1)(a) of this section, the Greater London Council, before drawing up a scheme under section 137 (3) of the said Act of 1959, shall instead of referring the statements mentioned in the said section 137 (3) to the body so mentioned consult with the appropriate commissioner of police and the London Transport Board; and no such scheme confirmed by that Council shall be binding on the Minister of Transport.
- (4) The consent of the Greater London Council for the purposes of section 138(2) of the said Act of 1959 shall not be unreasonably withheld, and any question whether the withholding of such consent is unreasonable shall be determined in like manner as any question arising under section 136(4) of that Act; and section 136(6) and (7) of the said Act of 1959 shall apply to a contravention of section 138(2) thereof as they apply to a contravention of section 136(1) thereof.
- (5) In the application to Greater London of section 44 of the Road Traffic Act 1960 (which relates to schemes for the establishment of pedestrian crossings on roads other than trunk roads) the expression " local authority " in that section shall mean—
 - (a) as respects a metropolitan road, the Greater London Council;
 - (b) as respects any other road in a London borough, the council of the borough ;
 - (c) as respects any other road in the City, the Common Council;but before the Greater London Council submit any scheme under that section with respect to a metropolitan road they shall consult with any other of the councils aforesaid within whose area that road is situated.
- (6) In the Road Traffic Act 1960—
 - (a) section 17 (which relates to the control of the use of footpaths and bridleways for motor-vehicle trials) shall apply to the council of a London borough as it applies to the council of a county borough;
 - (b) section 49 (which empowers local authorities to prohibit traffic on roads to be used as playgrounds) shall apply to the Common Council as it applies to the council of a borough;
 - (c) section 65(3) (which relates to the appointment of authorised examiners of vehicles) shall apply to the Greater London Council as it applies to the council of a county and to the Common Council as it applies to the council of a borough ;
 - (d) sections 135(8) and 141(2) to (6) (which relate respectively to road service licences and to the approval of routes in the London special area) shall apply to the Greater London Council as they apply to the commissioners of police therein mentioned ;
 - (e) section 202(2)(a) (which relates to the bodies excepted from the requirement of third-party insurance or security) and section 221(3) (which relates to

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the institution of proceedings for an offence under that section in respect of protective helmets for motor cyclists) shall apply to the Greater London Council as they apply to the council of a county.

15 Supplementary provisions as to road traffic

- (1) The Road Traffic Act 1960, the Road Traffic and Roads Improvement Act 1960 and the Road Traffic Act 1962 shall have effect subject to the modifications specified in relation thereto in Parts I, II and III respectively of Schedule 5 to this Act, being modifications consequential on other provisions of this Act.
- (2) Any expression used in sections 10 to 14 of this Act which is also used in the Road Traffic Act 1960 shall have the same meaning as in that Act.

16 Highway authorities

- (1) The Greater London Council shall be the highway authority for all metropolitan roads; and the council of a London borough or the Common Council shall be the highway authority for all highways in the borough or, as the case may be, in the City, whether or not maintainable at the public expense, which are not for the time being metropolitan roads or highways for which under section 1 (1) of the Highways Act 1959 the Minister of Transport is the highway authority.
- (2) The Highways Acts 1959 and 1961 shall extend to the whole of Greater London, and—
 - (a) the Highways Act 1959 shall have effect subject to the amendments specified in Schedule 6 to this Act, being amendments—
 - (i) consequential on other provisions of this Act; or
 - (ii) designed to apply in relation to highway authorities in Greater London, in appropriate cases and with appropriate modifications, provisions of that Act applicable to comparable authorities elsewhere;
 - (b) in section 2(2) of the Private Street Works Act 1961, the reference to a county borough shall include a reference to a London borough ;

and in the application of section 153 of the Highways Act 1959 to Greater London the words " the carriageway of " in subsection (1) thereof shall be omitted.
- (3) The power conferred on a local highway authority by section 26 (2) of the Highways Act 1959 to construct new highways shall be exercisable by the Greater London Council for the purpose of constructing a new highway communicating with a metropolitan road notwithstanding that the new highway will not itself be such a road ; but before so exercising that power that Council shall give notice of their proposals for the construction of the new highway to, and consider any representations by, the council which will be the highway authority for that new highway.
- (4) Where a new highway to be constructed by virtue of the said section 26(2) by a London borough council or the Common Council will communicate with a metropolitan road, the communication shall not be made unless the manner in which it is to be made has been approved by the Greater London Council.
- (5) It shall be the duty of every London borough council and of the Common Council to furnish, and to instruct their officers to furnish, any information in their power which may reasonably be required by the Greater London Council for the purpose of enabling that Council to discharge their functions under or by virtue of this and the two next following sections.

- (6) Any expression used in this or the two next following sections which is also used in the Highways Act 1959 shall have the same meaning as in that Act.

17 Metropolitan roads

- (1) The following shall be metropolitan roads, that is to say—
- (a) subject to subsection (2) of this section, the highways specified in Schedule 7 to this Act;
 - (b) subject as aforesaid, any highway constructed or proposed to be constructed by the Greater London Council the construction of which as a metropolitan road has been approved by the Minister of Transport;
 - (c) any other highway or proposed highway which is for the time being designated as a metropolitan road by an order under subsection (2) of this section or by an order under section 7 of the Highways Act 1959 directing that the highway shall cease to be a trunk road.
- (2) Subject to subsection (3) of this section, the Minister of Transport may, on the application of the Greater London Council, a London borough council or the Common Council, by order designate as a metropolitan road any highway or proposed highway specified in the order or direct that any highway or proposed highway so specified which is for the time being a metropolitan road shall cease to be such a road.
- (3) The council by whom an application for an order under subsection (2) of this section is made shall send a copy of the application to any other council who, if the order were to be made, would become or cease to be the highway authority for the highway in question and, before determining whether or not to make the order, the Minister of Transport shall consider any representation which any such other council may make to him with reference to the making of the order and, if so requested by any such other council, shall hold a local inquiry.
- (4) Where a highway in a London borough or the City becomes (otherwise than by virtue of subsection (1)(a) of this section) or ceases to be a metropolitan road, the council of the borough or the Common Council, as the case may be, and the Greater London Council may agree for the transfer to the new highway authority for the highway of such property and liabilities relating thereto of the former highway authority therefor on such terms and conditions as may be specified in the agreement.
- (5) The drains belonging to a highway which is for the time being a metropolitan road shall vest in the Greater London Council and, where any other drain or sewer was, at the date when the highway became a metropolitan road, used for any purpose in connection with the drainage of that highway, that Council shall continue to have the right of using that drain or sewer for that purpose; and any difference arising under this subsection between the Greater London Council and a London borough council or the Common Council as to the council in whom a drain is vested, or as to the use of a drain or sewer, shall, if either council so elect, be referred to and determined by the Minister.
- (6) An order—
- (a) under subsection (2) of this section ; or
 - (b) under section 7 of the Highways Act 1959 directing that a highway shall cease to be a trunk road and designating that highway as a metropolitan road,
- may be made before 1st April 1965 so as to come into force at any time not earlier than that date.

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18 Delegation or transfer of functions with respect to metropolitan roads

- (1) The Greater London Council may agree with the council of any London borough or the Common Council for the delegation to the borough council or Common Council of any of the functions of the Greater London Council with respect to the maintenance and improvement of, and other dealing with—
 - (a) the whole or any part of so much of any metropolitan road as lies within the borough or, as the case may be, the City;
 - (b) any land which does not form part of a metropolitan road but has been acquired by the Greater London Council in connection with such a road under section 214(5) or (6) or 215(2) of the Highways Act 1959.
- (2) A London borough council or the Common Council shall, in the discharge of any functions delegated by virtue of subsection (1) of this section, act as agents for the Greater London Council; and it shall be a condition of the delegation—
 - (a) that the works to be executed and the expenditure to be incurred by the borough council or the Common Council in the discharge of the delegated functions shall be subject to the approval of the Greater London Council; and
 - (b) that the borough council or Common Council shall comply with any requirement of the Greater London Council as to the manner in which, and the persons by whom, any works are to be carried out, and with any general directions of the Greater London Council as to the terms of contracts to be entered into for the purposes of the discharge of the delegated functions; and
 - (c) that any such works shall be completed to the satisfaction of the Greater London Council;and, if at any time the Greater London Council are satisfied on the report of some officer of the Council or other person appointed by them for the purpose that the road or land with respect to which the functions are delegated is not in proper repair or condition, they may give notice to the borough council or Common Council requiring them to place it in proper repair or condition and, if the notice is not complied with within a reasonable time, may themselves do anything which seems to them necessary to place it in proper repair or condition.
- (3) A delegation to a London borough council or the Common Council under subsection (1) of this section may be determined by notice given to that council by the Greater London Council, or the functions so delegated may be relinquished by notice given by the borough council or Common Council to the Greater London Council; but—
 - (a) the determination or relinquishment shall not take effect until 1st April in the calendar year next following that in which the notice is given; and
 - (b) such a notice shall not be given during the last three months of a calendar year.
- (4) The Greater London Council may enter into an agreement with the council of a London borough or the Common Council for the construction of a metropolitan road in the borough or, as the case may be, in the City, or for the carrying out by the borough council or Common Council of any particular work of improvement of, or other dealing with, such a road or part thereof or such land as is mentioned in subsection (1) of this section; and subsection (2) of this section shall apply to the discharge of the functions of the borough council or Common Council under any such agreement and to the conditions to be included in the agreement as it applies to the discharge of functions delegated by virtue of the said subsection (1) and to the conditions to be attached to any such delegation.

- (5) The council of a London borough or the Common Council shall, if so required by the Greater London Council, undertake the maintenance of any metropolitan road within the borough or, as the case may be, within the City in consideration of such payments by the Greater London Council as may from time to time be agreed between them or, in default of such agreement, as may be determined by the Minister of Transport; and while that requirement remains in force the borough council or Common Council shall have the like powers and be subject to the like duties and liabilities with respect to the maintenance of that road as if they were the highway authority therefor.
- (6) Plant or materials belonging to a council by whom functions fall to be exercised by virtue of a delegation, agreement or requirement under this section may be used by them for the purposes of the exercise of those functions, subject to the terms of any delegation or of any agreement between that council and the Greater London Council.
- (7) Nothing in this section shall be construed as limiting the power of the Greater London Council to enter into and carry into effect agreements with any person for any purpose connected with the construction, improvement or maintenance of, or other dealing with, a metropolitan road or otherwise connected with any functions of that Council relating to metropolitan roads; but no such agreement shall provide for the delegation of any powers or duties of the Greater London Council except in accordance with the provisions of this section.

19 Modifications to Public Utilities Street Works Act 1950

- (1) The Public Utilities Street Works Act 1950 shall have effect subject to the modifications hereafter specified in this section.
- (2) For the purposes of the operation of Part II in relation to a street in Greater London, the reference in section 21(1) to a county council shall be construed as including a reference to the Greater London Council.
- (3) In section 35(2), for the words " the administrative county of London" there shall be substituted the words " Greater London ",
- (4) In paragraph 1(b) of Schedule 7, for the words " conferred on the London County Council " there shall be substituted the words " in default of their execution by the undertakers conferred ",
- (5) In paragraph 5 of Schedule 7, for the words "in London" there shall be substituted the words " in Greater London ",
- (6) In paragraph 6 of Schedule 7, for the word " London " there shall be substituted the words " any part of London other than an outer London borough ",

20 Functions as to motor vehicles and driving licences

- (1) The functions of a county council under the Vehicles (Excise) Act 1962 (being functions as to the collection of excise duties on, and the licensing and registration of, mechanically propelled vehicles) shall be exercised as respects Greater London by the Greater London Council; and accordingly, in section 24 (1) of that Act, for the definition of " county " there shall be substituted—

“ county ' includes a county borough and Greater London, and references to the council of a county shall be construed, in relation to a county borough,

Status: This is the original version (as it was originally enacted).

as references to the council of the borough and, in relation to Greater London,
as references to the Greater London Council.”

- (2) The Greater London Council shall be the licensing authority for Greater London for the purposes of Part II of the Road Traffic Act 1960 (which relates to driving licences).