



London Government Act 1963

1963 CHAPTER 33

PART III

HOUSING AND PLANNING

Housing

21 Housing powers in Greater London

- (1) Subject to subsection (3) of this section, the council of a London borough shall be the local authority as respects that borough for all purposes of the Small Dwellings Acquisition Act 1899, the Housing Act 1957, the Housing (Financial Provisions) Act 1958, the House Purchase and Housing Act 1959 and the Housing Act 1961 for which the council of a county borough are the local authority as respects that county borough.
- (2) The Common Council shall be the local authority as respects the City for the purposes of the said Act of 1899 and, subject to subsection (3) of this section, shall continue to be the local authority as respects the City for all purposes of the other enactments referred to in subsection (1) of this section.
- (3) The council of a London borough or the Common Council shall not exercise any powers under Part V of the Housing Act 1957 outside Greater London for the purposes of a scheme prepared by that council unless, on an application made to the Minister for the purpose by that council, it appears to the Minister expedient that the needs of that borough or, as the case may be, the City with respect to the provision of housing accommodation should be satisfied by the provision of such accommodation by that council outside Greater London and he consents to the scheme.
- (4) Without prejudice to the powers of a London borough council or the Common Council, the Greater London Council shall be a local authority as respects the whole of Greater London for the purposes of the Small Dwellings Acquisition Act 1899, Part V of the Housing Act 1957 (as regards housing accommodation both inside and outside Greater London), section 9 of the Housing (Financial Provisions) Act 1958 and section 13 of the House Purchase and Housing Act 1959; but the Greater London Council—

Status: This is the original version (as it was originally enacted).

- (a) except—
- (i) for the purpose of the carrying out by them of the provisions of a development plan within the meaning of the Town and Country Planning Act 1962 relating to an area of comprehensive development ; or
 - (ii) for the purpose of rehousing persons displaced by, or in consequence of, action taken by them in the exercise of any of their powers,
- shall not exercise their powers to provide housing accommodation under the said Part V by the development or redevelopment of land in a London borough except with the consent of the council of that borough or, if that consent is withheld, with the consent of the Minister, who, in deciding whether or not to give his consent, shall have regard to the needs of that borough as well as the needs of Greater London as a whole; and
- (b) subject to subsections (7) and (11) of this section, shall not exercise any powers by virtue of this section in the City;

and in Schedule 2 to the Land Compensation Act 1961 (which relates to the payments to be made on the compulsory acquisition of houses as being unfit for human habitation) after paragraph 2(1)(e) there shall be inserted—

“(f) an acquisition by the Greater London Council under Part V of the Act of 1957”.

- (5) Until such date as the Minister may by order appoint, the Greater London Council may exercise any of the powers of a local authority under any of the enactments referred to in subsection (1) of this section in any circumstances in which that power might have been exercised by the London county council if this Act had not been passed; and different days may be appointed under this subsection for different purposes or for different areas.
- (6) Any review by the Greater London Council in pursuance of their duty under section 91 of the Housing Act 1957 shall be made in consultation with the London borough councils and the Common Council, who shall keep the Greater London Council supplied with information as to their assessment of the needs of their respective districts and as to any action proposed to be taken by them, or any arrangements made between any of them, to meet those needs, and with such other information relevant to that duty in such form as the Greater London Council may require; and the Greater London Council shall inform the Minister of any proposed exercise of their powers under Part V of the Housing Act 1957 in a London borough to which the council of that borough have given their consent.
- (7) Section 5 (1) of this Act shall not apply to any functions of the Greater London Council by virtue of this or the next following section, but the Greater London Council and the council of any London borough may agree together for the carrying out of any action under Part V of the Housing Act 1957 in that borough—
- (a) by the Greater London Council as agent of the borough council; or
 - (b) by the borough council as agent of the Greater London Council;
- and, without prejudice to subsection (11) of this section, the Greater London Council and the Common Council may agree together for the carrying out of any such action in the City by the Greater London Council as agents of the Common Council.
- (8) It shall be the duty of the council of any London borough in carrying out their functions under Parts II and III of the Housing Act 1957 to have regard to any proposals in that behalf as respects the area of that borough submitted before 1st April 1965 under the

Housing Repairs and Rents Act 1954 or section 2 of the Housing Act 1957 by any existing council to whom section 3(1)(b) of this Act applies or jointly by the London county council and a metropolitan borough council, but subject to any modifications made by subsequent proposals approved by the Minister under the said section 2.

- (9) In section 93 (3) of the Housing Act 1957, references to the London county council, a metropolitan borough council and the administrative county of London shall be construed as references respectively to the Greater London Council, a London borough council and Greater London.
- (10) Arrangements may be made by any of the London borough councils or the Common Council for the rehousing of any person by another of those councils ; and any such arrangements may include provision for the payment of contributions by that council to that other council.
- (11) The Greater London Council and any of the following other councils, that is to say, the Common Council and any borough or urban or rural district council whose area lies outside but adjacent to or in the vicinity of Greater London, may enter into agreements for the provision by the Greater London Council of houses outside the London boroughs to meet the special needs of that other council, or for the provision by that other council of houses within their area to meet the needs of the Greater London Council, and for the payment in either case of such contributions as may be agreed by the council needing the houses to the council providing them.
- (12) The enactments referred to in subsection (1) of this section shall have effect subject to the modifications respectively specified in Schedule 8 to this Act, being modifications necessary or expedient in consequence of the foregoing provisions of this section or other provisions of this Act.

22 Record of need, and facilities for exchange, of housing accommodation

- (1) The Greater London council shall establish and maintain in such form and manner as they think appropriate records showing the needs for the time being of Greater London with respect to housing accommodation.
- (2) Any application for housing accommodation maintained by a housing authority in Greater London—
 - (a) if the applicant is resident in a London borough, whether or not the accommodation is sought in that borough, shall be made to the council of that borough; or
 - (b) in any other case, shall be made to the Greater London Council who may, if they think fit, transmit the application to such of the London borough councils as they think appropriate,and shall include information on such matters as the Greater London Council may require for the purposes of their functions under subsection (1) of this section.
- (3) Each London borough council shall establish and maintain a register of all applications duly made to them under subsection (2)(a) or transmitted to them under subsection (2) (b) of this section which are for the time being outstanding, and shall furnish to the Greater London Council such particulars in such form as the Greater London Council may require for the purposes of their functions under subsection (1) of this section—
 - (a) of any such application as aforesaid; and
 - (b) of the steps taken by the borough council to satisfy the needs of persons requiring housing accommodation maintained by that borough council.

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

- (4) Subsections (2) and (3) of this section shall apply to the City as if it were a London borough and the Common Council were the council of that London borough.
- (5) The Greater London Council shall establish and maintain facilities for the exchange of housing accommodation in Greater London for other housing accommodation, whether in or outside Greater London, between persons requiring such an exchange and, notwithstanding anything in the Accommodation Agencies Act 1953, may require the payment of a charge by any person making use of those facilities.

23 Transfer of land held for housing purposes

- (1) On 1st April 1965 there shall vest in the Greater London Council all land which immediately before that date was held by the London county council for the purposes of their functions as a local authority under the Housing Act 1957.
- (2) On 1st April 1965 there shall vest in the council of each London borough all land which immediately before that date was held for the purposes of functions as such a local authority as aforesaid—
 - (a) by any council to whom section 3(1)(b) of this Act applies whose area falls wholly within that London borough;
 - (b) in the case of land within the London borough, by the Chigwell urban district council.
- (3) The Minister shall if so requested by both the parties concerned, or if so requested by one of those parties may after consultation with the other of those parties, or if he thinks fit after consultation with both parties may without any such request, by order provide for the transfer—
 - (a) from or to the Greater London Council to or from any London borough council or the Common Council of any land for the time being held by the council in question for the purpose of development or redevelopment as housing accommodation; or
 - (b) from the Greater London Council or the council of a London borough to the local authority (not being the Greater London Council) for the purposes of the Housing Act 1957 or to a housing association of any housing accommodation for the time being vested in that council, being, in the case of the council of a London borough, housing accommodation outside that borough;

and any such order shall include such terms as may have been agreed between the two parties concerned or, in default of such agreement, determined by the Minister and provision for arbitration as to the value of the property transferred ; and in the case of an order made by virtue of paragraph (b) of this subsection—

 - (i) the said terms may include the retention by the transferor of a right to nominate tenants to the transferred accommodation and, where such a right is retained, provision for the payment of contributions by the transferor to 'the transferee; and
 - (ii) the order shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) The Greater London Council shall submit to the Minister by such date, if any, as the Minister may at any time after 1st April 1965 require and in any event by not later than 1st April 1970 a programme for any transfers of housing accommodation vested in that Council such as are mentioned in subsection (3)(b) of this section which they propose to make and have not yet made; and the Minister may at any time after 1st

April 1965 require any London borough council to submit a similar programme for such transfers of accommodation vested in them.

- (5) References in this section to land or housing accommodation shall be construed as including references to any other property held in connection therewith and any rights or liabilities attaching thereto.
- (6) Any contributions which the Greater London Council carry to the credit of their Housing Revenue Account under paragraph 1(5) or (6) of Schedule 5 to the Housing (Financial Provisions) Act 1958 for the year 1965-66 shall be treated as expenditure for special London purposes and be chargeable only on the inner London boroughs, the City and the Temples ; and so much of any such contributions for the years hereinafter mentioned shall be treated and chargeable as aforesaid as is necessary to ensure that the amounts in the pound required to be levied for special London purposes and for general London purposes respectively by way of rates in respect of those contributions are as near as may be in the following proportions, that is to say—
- (a) for the year 1966-67, six to one ;
 - (b) for the year 1967-68, five to two ;
 - (c) for the year 1968-69, four to three ;
 - (d) for the year 1969-70, three to four ;
 - (e) for the year 1970-71, two to five ;
 - (f) for the year 1971-72, one to six ;

and so much of paragraph 5 of the said Schedule 5 as authorises the Greater London Council to apply any surplus shown in their Housing Revenue Account at the end of a financial year towards making good to their general fund any such contributions as aforesaid for earlier years shall not apply to contributions for any year earlier than 1972-73.