



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—

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(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.

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- (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.

Application of Town and Country Planning Act 1962 to Greater London

24 Local planning authorities

- (1) The provisions of this section shall have effect with respect to the local planning authority for the purposes of the Town and Country Planning Act 1962 (hereafter in this Part of this Act referred to as " the Planning Act ") in its application to Greater London.
- (2) Subject to subsections (3) and (5) of this section, the Greater London Council shall be the local planning authority for Greater London as a whole.
- (3) Subject to subsection (4) of this section and to sections 25 to 29 of this Act, for all purposes of the Planning Act except sections 7(2), (5) and (6) the local planning authority as respects any London borough shall be the council of the borough and as respects the City shall be the Common Council; and any application under Part III of the Planning Act for planning permission for any development shall be made to, and, subject to the said subsection (4) and (section 22 of the Planning Act, shall be determined by, such as may be appropriate of those councils ; but, except in any case or class of cases with respect to which the Greater London Council otherwise direct, each London borough council and the Common Council shall cause a copy of every decision made by them on such an application to be sent to the Greater London Council, together with a copy of the application and such other information relating thereto and to the decision as the Greater London Council may reasonably require.

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(4) In relation to development of such a class in such area of Greater London as the Minister may by regulations prescribe the Greater London Council shall be the local planning authority for all relevant purposes of the Planning Act other than the reception of applications for, or with respect to the need for, planning permission for such development, and accordingly, subject to subsection (5) of this section, the council by whom there is received—

- (a) any application for planning permission for such development; or
- (b) any application under section 43 of the Planning Act in the case of which it appears to that council that the proposed action to which the application relates would constitute or involve such development if it constituted or involved development at all,

shall forward the application to the Greater London Council, who shall deal with it in like manner as if it had been made to them; and such development of land in such an area by the Greater London Council shall be deemed for the purposes of sections 42(1) and 66 of that Act to be development by that Council of land in respect of which they are the local planning authority; but, without prejudice to the said subsection (5), the Greater London Council may in any particular case by instrument in writing authorise a London borough council or the Common Council to discharge on their behalf any functions under sections 45 to 51 of that Act with respect to such development of land in such an area.

(5) Section 5 (1) of this Act shall not apply to any functions of the Greater London Council under the Planning Act or under or by virtue of sections 24 to 29 of this Act, but the Greater London Council may with the consent of the Minister, and shall if so required by the Minister, delegate to the council of a London borough or the Common Council any of those functions so far as exercisable in that borough or, as the case may be, in the City, and any council to whom functions are so delegated shall perform those functions on behalf of the Greater London Council.

(6) Without prejudice to his powers by virtue of section 19 (2) or 22 of the Planning Act, the Minister may by regulations make with respect to applications for planning permission for development in Greater London provision for particular applications or applications of a particular class to be referred before they are dealt with by the local planning authority—

- (a) in the case of an application falling to be dealt with by the Greater London Council, to the Minister;
- (b) in the case of an application falling to be dealt with by a London borough council or the Common Council—
 - (i) to the Greater London Council; or
 - (ii) in such cases as the regulations may prescribe, to the Minister;
- (c) in the case of an application referred to the Greater London Council by virtue of paragraph (b)(i) of this subsection, to the Minister,

and for the giving to the referring council by the Greater London Council or, as the case may be, the Minister of directions as to the manner in which the application is to be dealt with; and in particular the Minister shall make regulations under this subsection with respect to any application which the local planning authority consider should be granted for permission for development inconsistent with the Greater London development plan referred to in section 25 (3) (or, as respects any period before that plan becomes operative, with the initial development plan referred to in section 25 (2)) of this Act.

- (7) The Greater London Council may agree with a London borough council or the Common Council for the transfer to the borough council or Common Council of any liability of the Greater London Council to pay compensation under the Planning Act in respect of anything done by the borough council or Common Council in the exercise of functions delegated to them under subsection (5) of this section and for the transfer of any officers of any of those councils; and any such agreement shall include provisions in accordance with section 85(3) of this Act for the protection of the interests of such officers.
- (8) In relation to land in a London borough or the City—
- (a) references to local planning authorities in any of the following enactments, that is to say—
 - (i) sections 33 and 34 of, and Schedule 2 to, the Electricity Act 1957;
 - (ii) section 108 of, and Schedule 12 to, the Highways Act 1959;
 - (iii) Schedule 1 to the Pipe-lines Act 1962,shall be construed as including references to the Greater London Council but not to the borough council or the Common Council;
 - (b) the reference in section 86(4) of the Transport Act 1962 to the local planning authority to whom application is made for permission for the development in question shall be construed as a reference to the local planning authority by whom that application falls to be dealt with;
 - (c) references in section 3(2) of the Acquisition of Land (Authorisation Procedure) Act 1946 to the local planning authority shall be construed as including references both to the Greater London Council and to the borough council or, as the case may be, the Common Council;
 - (d) any reference in section 17 or 20 of the Caravan Sites and Control of Development Act 1960 to the local planning authority shall be construed as a reference to the borough council or, as the case may be, the Common Council;
 - (e) any reference in Part III of the Land Compensation Act 1961 to the local planning authority shall be construed as a reference to the borough council or, as the case may be, the Common Council; but that council shall consult with the Greater London Council before issuing a certificate under section 17 of that Act in any case where an application for planning permission for any development to which the certificate would relate would fall to be dealt with by the Greater London Council.
- (9) The Greater London Council may direct that any expenses incurred by them under any of the provisions specified in paragraph 1 of Schedule 8 to the Planning Act or by virtue of sections 24 to 29 of this Act shall be treated as expenses for special London purposes chargeable upon such part of Greater London as may be specified in the direction.

25 Development plans

- (1) In the application of the Planning Act to Greater London, sections 4(1) and (5) and 6(1) and (2) (which relate to the submission or amendment of development plans) shall not apply but the provisions of this and the next following section shall have effect in place thereof.
- (2) Subject to the provisions of any order under section 84 of this Act, any development plans under the Planning Act operative on 31st March 1965 which relate, or so far as

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they relate, to any part of Greater London shall together constitute as from 1st April 1965 the initial development plan for Greater London.

- (3) The Greater London Council shall cause to be carried out a survey of Greater London and shall, within such period as the Minister may allow, submit to the Minister a report of that survey and a general development plan for Greater London, to be known as the Greater London development plan, which, subject to any regulations made (by virtue of section 27(5)(e) of this Act) under section 10 of the Planning Act, shall lay down considerations of general policy with respect to the use of land in the various parts of Greater London, including in particular guidance as to the future road system, and may make any necessary consequential modifications in the initial development plan aforesaid; and as from the date when the Greater London development plan becomes operative, that plan and the initial development plan aforesaid with any modifications therein made by the Greater London development plan shall together constitute the interim development plan for Greater London.
- (4) Within such period as the Minister may allow after the Greater London development plan becomes operative, each London borough council shall as respects their borough, and the Common Council shall as respects the City, carry out on behalf of the Greater London Council such further survey, if any, as the borough council or Common Council may consider necessary or as the Greater London Council may direct, and submit to the Greater London Council a report on any such further survey and a local development plan which, subject to any such regulations as aforesaid, shall restate as respects the borough or, as the case may be, the City the relevant provisions of the initial development plan aforesaid as modified by the Greater London development plan with any alterations and additions appearing to them necessary or expedient which are consistent with the Greater London development plan ; and, without prejudice to section 27 (1) of this Act, the Greater London Council shall within such further period as the Minister may allow forward any such reports and those local development plans to the Minister with any observations thereon by that Council.
- (5) The development plan for the purposes of the Planning Act for any London borough or, as the case may be, the City shall be the following, as amended from time to time by virtue of any provision of the two next following sections, that is to say—
 - (a) as from 1st April 1965 until the Greater London development plan becomes operative, the relevant provisions of the initial development plan aforesaid ;
 - (b) as from the date when the Greater London development plan becomes operative until the date when the local development plan submitted by the borough council or Common Council becomes operative, the relevant provisions of the interim development plan aforesaid;
 - (c) as from the date when the said local development plan becomes operative, that plan together with the Greater London development plan ;and accordingly section 101 (5) of the Planning Act shall not apply to Greater London.

26 Amendment of development plans

- (1) The Greater London Council shall from time to time cause fresh surveys of Greater London to be carried out and, not less than once in every five years after the approval of the Greater London development plan by the Minister, submit to the Minister a report of any such surveys together with proposals for any alterations or additions to that plan which appear to that Council to be required having regard to those surveys.

- (2) Without prejudice to the provisions of the foregoing subsection, the Greater London Council may at any time, and shall at any time when so directed by the Minister, submit to the Minister proposals for such alterations or additions as appear to the Council to be expedient or as may be required by that direction—
- (a) in the case of proposals made before the date of the Minister's approval of the Greater London development plan, to the initial development plan referred to in section 25 (2) of this Act; or
 - (b) in the case of proposals made after that date, to the Greater London development plan.
- (3) After the Greater London development plan has become operative, the council of any London borough or the Common Council may at any time, and shall at any time when so directed by the Minister or, with the approval of the Minister, by the Greater London Council, after carrying out on behalf of the Greater London Council such, if any, fresh survey of the borough or, as the case may be, the City as may appear to the borough council or Common Council to be expedient or as may be required by that direction, submit to the Greater London Council proposals for such alterations or additions as may appear expedient or as may be so required—
- (a) in the case of proposals made before the date of the Minister's approval of their local development plan under section 25(4) of this Act, to the initial development plan aforesaid as modified by the Greater London development plan ; or
 - (b) in the case of proposals made after that date, to that local development plan;
- and, without prejudice to section 27(1) of this Act, the Greater London Council shall, within such time as the Minister may allow, forward any such proposals to the Minister together with any observations thereon by that Council.

27 Supplementary provisions as to development plans

- (1) If any local development plan submitted to the Greater London Council under section 25(4) of this Act, or any proposal so submitted under section 26(3) of this Act, contains any provision which in the opinion of the Greater London Council involves a departure from the Greater London development plan, that Council may, if they think fit, require the council submitting the plan or proposal to reconsider that provision within such period as may be specified in the requirement, and thereupon—
- (a) unless within the period so specified the submitting council agree that the provision involves such a departure, the question shall be referred to the Minister for decision;
 - (b) if the submitting council agree as aforesaid, or if on such a reference to the Minister the Minister decides that the provision involves such a departure, the Greater London Council may if they think fit cause that provision to be struck out from the local development plan or proposal for the purpose of its consideration by the Minister;
 - (c) if on such a reference to the Minister the Minister decides that the provision does not involve such a departure, the provision shall be included in the local development plan or proposal for the purpose of its consideration by the Minister, but the Minister, if so required by the Greater London Council, shall afford that Council an opportunity to make further observations thereon.
- (2) Any survey under section 25(3) or 26(1) of this Act shall, unless for special reasons the Greater London Council decide to carry it out themselves, be carried out on behalf

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of that Council by the London borough councils and the Common Council as respects their respective areas; and subject to subsection (6) of this section any such survey and any survey under section 25(4) or 26(3) of this Act shall be carried out on such lines as the Greater London Council may direct.

(3) The Greater London Council, before preparing the Greater London development plan or any proposals under section 26(1) or (2) of this Act, shall consult with the London borough councils and the Common Council or, in the case of any such proposals, with such of those councils as are affected by the proposals, and before submitting the plan or proposals to the Minister shall give to each of those councils an opportunity to make representations with respect to the plan or proposals and shall consider any representations so made.

(4) A London borough council or the Common Council—

- (a) when preparing their local development plan under section 25(4) or any proposal under section 26(3) of this Act shall give to the Greater London Council any information which that Council may require with respect to the matters to be included in that plan or proposal; and
- (b) before submitting that plan or proposal to the Greater London Council shall give that Council an opportunity to make representations in the light of that information and shall consider any representations so made.

(5) The following provisions of Part II of the Planning Act, that is to say—

- (a) section 4(2), (3) and (4) (which relate to the contents of development plans);
- (b) section 5 (which relates to the approval of development plans by the Minister);
- (c) section 6(3) and (4) (which relate to proposals for amendments to development plans);
- (d) section 7 (which confers additional powers on the Minister with respect to development plans);
- (e) section 10(2), (3) and (5) (which contain supplementary provisions as to development plans);
- (f) section 11 (which relates to the publication and date of operation of development plans),

shall apply for the purposes of sections 25 and 26 of this Act with the modifications specified in subsection (7) of this section as if any report or plan submitted or forwarded under section 25(3) or (4) of (this Act were a report or plan submitted under section 4(1) of that Act and any report or proposal submitted or forwarded under section 26 of this Act were a report or proposal submitted under section 6 of that Act.

(6) Section 10(4) of the Planning Act shall not apply to Greater London but, subject to any express provision contained in or having effect by virtue of this or either of the two last foregoing sections, the Minister may give directions—

- (a) to the Greater London Council with respect to the form and content of any directions by the Greater London Council under subsection (2) of this section ;
- (b) to that Council, to any London borough council and to the Common Council—
 - (i) with respect to the procedure for the carrying out of the functions exercisable under or by virtue of those sections by any of those councils ; and
 - (ii) with respect to the furnishing to the Minister by those councils of information required for the purpose of the functions exercisable under or by virtue of those sections by the Minister.

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- (7) In the application by virtue of subsection (5) of this section of the provisions of the Planning Act hereinafter mentioned—
- (a) any reference in section 4(3) or (4) to the opinion of the local planning authority shall be construed as a reference to the opinion of either the Greater London Council or the council of the London borough in which the land in question is situated (or, if it is situated in the City, the Common Council);
 - (b) the reference in section 7(1)(b) to the local planning authority shall be construed as a reference to any of the following councils, that is to say, the Greater London Council, the London borough councils and the Common Council, by whom there fall to be taken the steps necessary to enable the plan, report or proposal in question to be submitted within the period in question;
 - (c) the reference in section 7(4) to the preceding provisions of Part II of the Planning Act shall be construed as including a reference to the provisions of sections 25 and 26 of this Act and subsections (1) to (4) of this section;
 - (d) any reference in section 10(2), (3) or (5) to objections or representations shall be construed as a reference only to objections or representations arising from—
 - (i) any addition, modification or alteration to the initial development plan referred to in section 25(2) of this Act which is proposed to be effected by the Greater London development plan or which is proposed under section 26(2)(a) of this Act;
 - (ii) any addition or alteration to the initial development plan aforesaid as modified by the Greater London development plan which is proposed to be effected by any local development plan forwarded to the Minister under section 25(4) of this Act or which is proposed under section 26(3)(a) thereof;
 - (iii) any alteration or addition to the Greater London development plan proposed under section 26 (1) or (2)(b) of this Act;
 - (iv) any alteration or addition to such a local development plan as aforesaid proposed under section 26(3)(b) of this Act;
 - (e) the reference in section 11(1) to the local planning authority shall be construed—
 - (i) in relation to any amendment of the initial development plan aforesaid made before the Greater London development plan becomes operative or made by the Greater London development plan, as a reference to the Greater London Council;
 - (ii) in relation to any amendment of the provisions with respect to any London borough or the City of the initial development plan aforesaid as modified by the Greater London development plan, as a reference to the council of that borough or, as the case may be, the Common Council;
 - (iii) in relation to the Greater London development plan, as a reference to the Greater London Council;
 - (iv) in relation to a local development plan under section 25(4) of this Act, as a reference to the council of the London borough in question or, as the case may be, the Common Council.

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28 Buildings of special architectural or historic interest

(1) The Minister shall cause a copy, certified by or on his behalf to be a true copy, of so much of, and of any amendment to, any list of buildings of special architectural or historic interest compiled or approved by him under section 32 of the Planning Act as relates to any London borough or the City to be deposited—

- (a) with the cleric of the borough council or, as the case may be, the town clerk of the City ; and
- (b) with the clerk to the Greater London Council,

and any such copy shall be so deposited, in the case of a list compiled or approved or amendment made before 1st April 1965, as soon as may be after that date or, in any other case, as soon as may be after the list has been compiled or approved or the amendment has been made; and any such copy deposited with the clerk of a London borough council or the town clerk of the City shall be registered in the register of local land charges in such manner as may be prescribed by rules made for the purposes of the said section 32 under section 15(6) of the Land Charges Act 1925 by the proper officer so prescribed :

Provided that nothing in this subsection shall require the deposit with the town clerk of the City of a further copy of any document so deposited before 1st April 1965.

(2) As respects buildings in Greater London—

- (a) any reference to a local planning authority in section 30 of the Planning Act (which relates to building preservation orders) or in section 62 or 125 of that Act so far as it relates to such orders shall be construed as including a reference to the Greater London Council;
- (b) except in any case or class of cases with respect to which the Greater London Council otherwise direct, each London borough council and the Common Council shall supply the Greater London Council with copies of any notices received by the borough council or Common Council under section 33 of that Act;
- (c) any reference in sections 52 to 55 of that Act to the local planning authority shall be construed as including a reference to the Greater London Council;
- (d) section 69 of that Act shall have effect as if Greater London were a county and the Greater London Council were the council of that county and as if the London boroughs and the City were county boroughs and, in the case of the City, the Common Council were the council of that county borough.

(3) In section 33 (3) of the Planning Act, for the words from "to the Minister" onwards there shall be substituted the words—

- “(a) to the Minister; and
- (b) if the building to which the notice relates is situated in a county district, to the council of that district; and
- (c) to such other persons or bodies of persons as may be specified by directions of the Minister either generally or with respect to the building in question”.

29 Miscellaneous modifications of Planning Act

(1) In the application to Greater London of the following provisions of the Planning Act, that is to say, sections 68 (1), 71, 74, 75 (7), 112 (4) and (5), 129 (1), 135 (1), 136 (1) and 207 (5), any reference therein to a county borough or the council thereof shall be

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

construed as including a reference to a London borough or the council thereof and to the City or the Common Council, as the case may be.

- (2) Where under section 68 (1) of the Planning Act the Minister has power to authorise a London borough council or the Common Council to acquire any land compulsorily, he may, if after consultation with that council and with the Greater London Council he thinks it expedient so to do, authorise the land to be so acquired by the Greater London Council instead of the borough council or Common Council, and in that case shall have the like powers under section 207 (5) of that Act in relation to the Greater London Council as in relation to the borough council or Common Council.
- (3) The powers conferred on London borough councils and the Common Council by section 71 of the Planning Act shall be exercisable also by the Greater London Council—
 - (a) in a London borough, with the consent of the council of the borough; or
 - (b) in the City, with the consent of the Common Council; or
 - (c) in the Inner Temple or the Middle Temple, with the consent of the Sub-Treasurer or, as the case may be, Under-Treasurer thereof; or
 - (d) in any of the areas aforesaid, if the appropriate consent aforesaid is withheld, with the consent of the Minister ; or
 - (e) in relation to land in any of the areas aforesaid, without any such consent as aforesaid, if the land is used for the purposes of an industrial or commercial undertaking and is to be acquired incidentally to the removal of that undertaking from Greater London.
- (4) In section 154 (7) of the Planning Act (which defines the expression " local authority " for the purposes of certain orders relating to highways) after the words " rural district " there shall be inserted the words " the Greater London Council, the council of a London borough, the Common Council of the City of London ",
- (5) In section 221(1) of the Planning Act, in the definition of " local authority ", for the words " and any other authority being " there shall be substituted the words " the Greater London Council, the council of a London borough and any other authority (except the Receiver for the Metropolitan Police District) who are ",
- (6) For the purposes of sections 8, 86(5), 178 (1) and (2), 179, 189(2), 199, 211(1)(a) and 217(2) of the Planning Act, the provisions of sections 24 to 29 of this Act shall be deemed to be included in that Act and, in the case of sections 25 to 27 of this Act, to be included in Part II of that Act.
- (7) In paragraph 6(1) of Schedule 11 to the Planning Act, after the words " that council " there shall be inserted the words " or by the Greater London Council in relation to any road for the time being designated by or under section 17 of the London Government Act 1963 as a metropolitan road ",