

SCHEDULES

SCHEDULE 28

Section 38

LOCAL ACTS

London Squares Preservation Act 1931 (c. xciii)

- 1 (1) Nothing in section 3 of the London Squares Preservation Act 1931 (protection of squares) has effect in relation to anything done for the purposes of or in connection with the exercise of the powers conferred by this Act with respect to works.
- (2) Nothing in any agreement under section 9 of that Act (agreements between local authority and owner of a protected square) has effect to prohibit, restrict or impose any condition on the exercise of the powers conferred by this Act with respect to works.

London Overground Wires &c. Act 1933 (c. xliv)

- 2 Nothing in the London Overground Wires &c. Act 1933, or in any byelaw made under that Act, extends or applies to any wires or part of a wire erected or placed, proposed to be erected or placed, or for the time being maintained, by the nominated undertaker in exercise of the powers conferred by this Act.

London Building Acts (Amendment) Act 1939 (c. xcvii)

- 3 (1) The following provisions of the London Building Acts (Amendment) Act 1939 do not apply to anything held by the Secretary of State or the nominated undertaker and used, or intended for use, by the nominated undertaker for the purposes of its undertaking under this Act—
 - (a) Part 3 (construction of buildings and structures generally),
 - (b) Part 4 (construction of special and temporary buildings and structures), and
 - (c) Part 5 (means of escape in case of fire).
- (2) Sub-paragraph (1) does not apply in relation to a building which is a house or a hotel.
- (3) Sub-paragraph (1) does not apply in relation to a building which is used as offices or showrooms unless it forms part of a railway station or other railway facility.
- (4) The reference in sub-paragraph (3) to a “railway facility” includes a maintenance depot, electrical supply facility or stabling facility used for the purposes of a railway.

West Midlands County Council Act 1980 (c. xi)

- 4 (1) Section 11 of the West Midlands County Council Act 1980 (floodlighting) does not apply to floodlighting provided for the purposes of or in connection with the exercise of the powers conferred by this Act with respect to works.

Status: This is the original version (as it was originally enacted).

- (2) Section 15 of that Act (dust) does not apply to building operations carried out in exercise of the powers conferred by this Act.
- (3) Section 16 of that Act (noise from air-powered tools and compressors) does not apply to equipment used for the purposes of or in connection with the exercise of the powers conferred by this Act with respect to works.
- (4) Section 21 of that Act (powers of entry for Prevention of Damage by Pests Act 1949) does not apply in relation to any land held by the nominated undertaker and used, or intended for use, by the nominated undertaker for the purposes of its undertaking under this Act.
- (5) Section 46 of that Act (building plans: access for fire brigade) does not apply to plans relating to a building held by the Secretary of State or the nominated undertaker and used, or intended for use, by the nominated undertaker for the purposes of its undertaking under this Act.
- (6) Part 7 of that Act (storage of flammable materials) does not apply in relation to a stack on land held by the Secretary of State or the nominated undertaker and used, or intended for use, by the nominated undertaker for the purposes of its undertaking under this Act.
- (7) Section 84 of that Act (works erected etc over watercourses) does not apply to a work (as defined in that section) belonging to the Secretary of State or the nominated undertaker and used, or intended for use, by the nominated undertaker for the purposes of its undertaking under this Act.

Staffordshire Act 1983 (c. xviii)

- 5 (1) Section 7 of the Staffordshire Act 1983 (plans for new streets) does not apply to any work carried out in exercise of the powers conferred by this Act.
- (2) Section 10(1)(b) of that Act (ornamental or mown land) does not apply to the use of a vehicle which is reasonably necessary—
 - (a) for the purposes of, or in connection with, the exercise of the powers conferred by this Act with respect to works, or
 - (b) for the purposes of the nominated undertaker’s undertaking under this Act.
- (3) Section 12 of that Act (dust) does not apply to building operations carried out in exercise of the powers conferred by this Act.
- (4) Section 16 of that Act (powers of entry for Prevention of Damage by Pests Act 1949) does not apply in relation to any land held by the nominated undertaker and used, or intended for use, by the nominated undertaker for the purposes of its undertaking under this Act.
- (5) Section 26 of that Act (building plans: access for fire brigade) does not apply to plans relating to a building held by the Secretary of State or the nominated undertaker and used, or intended for use, by the nominated undertaker for the purposes of its undertaking under this Act.
- (6) Part 7 of that Act (storage of flammable materials) does not apply in relation to a stack on land held by the Secretary of State or the nominated undertaker and used, or intended for use, by the nominated undertaker for the purposes of its undertaking under this Act.

Oxfordshire Act 1985 (c. xxxiv)

- 6 (1) Section 5(2)(a) of the Oxfordshire Act 1985 (grass verges and open spaces) does not apply to the use of a vehicle, or the leaving of a vehicle, which is reasonably necessary—
- (a) for the purposes of, or in connection with, the exercise of the powers conferred by this Act with respect to works, or
 - (b) for the purposes of the nominated undertaker’s undertaking under this Act.
- (2) Section 10 of that Act (culverting of ditches) does not apply to anything done in exercise of the powers conferred by this Act with respect to works.

Greater London Council (General Powers) Act 1986 (c. iv)

- 7 The following provisions of the Greater London Council (General Powers) Act 1986 do not apply to anything done in exercise of the powers conferred by this Act with respect to works—
- (a) section 5(1) (consent of borough council required for demolition of works under a street),
 - (b) section 6(1) (consent of borough council required for works preventing access to premises under a street), and
 - (c) section 7(1) (consent of borough council required for infilling in premises under a street).