



# Local Government (Miscellaneous Provisions) Act 1953

1953 CHAPTER 26 1 and 2 Eliz 2

*Powers of local authorities in respect of omnibus shelters, etc.*

## <sup>F1</sup>6 Supplementary provisions as to omnibus shelters, etc.

- (1) Where a shelter or other accommodation is provided by a local authority under section four of this Act in a position obstructing access to any [<sup>F2</sup>[<sup>F1</sup>electronic communications apparatus] kept installed for the purposes of [<sup>F3</sup>an electronic communications code network] and the operator of [<sup>F4</sup>that network] notifies the local authority that he requires to obtain access to the apparatus, the authority shall, unless they temporarily remove the shelter or accommodation for the purpose of affording such access or so much thereof as is necessary for that purpose, be liable to repay to the operator so much of the expenses reasonably incurred by him in obtaining] such access as is attributable to the situation of the shelter or accommodation.
- (2) The provisions of the foregoing subsection shall apply in relation to any sewers, pipe-subways, pipes, wires or other apparatus belonging to or maintained by any local authority or any gas, electricity, water, hydraulic power, tramcar or trolley vehicle undertakers, as they apply in relation to any such [<sup>F5</sup>[<sup>F1</sup>electronic communications apparatus] as is therein mentioned, and as if for any reference therein to the operator of the [<sup>F6</sup>network] in question there were] substituted a reference to the local authority or the undertakers, as the case may be.
- (3) Any dispute as to the amount (if any) payable by a local authority under the foregoing provisions of this section shall be determined in accordance with subsection (2) of section two hundred and seventy-eight of the <sup>M1</sup>Public Health Act, 1936.

### Textual Amendments

- F1** Words in s. 6 substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\), s. 411\(2\)](#), [Sch. 17 para. 22\(2\)](#) (with [Sch. 18](#));

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**Changes to legislation:** There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1953, Section 6. (See end of Document for details)

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S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

- F2** Words substituted by Telecommunications Act 1984 (c. 12, SIF 96), s. 109(1), **Sch. 4 para. 31(a)**, s. 109(1), Sch. 5 para. 45
- F3** Words in s. 6(1) substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 17 para. 22(3)(a)** (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)
- F4** Words in s. 6(1) substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 17 para. 22(3)(b)** (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)
- F5** Words substituted by Telecommunications Act 1984 (c. 12, SIF 96), s. 109(1), **Sch. 4 para. 31(b)**, Sch. 5 para. 45
- F6** Word in s. 6(2) substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), **Sch. 17 para. 22(4)** (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with art. 11)

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**Modifications etc. (not altering text)**

- C1** S. 6 extended by Parish Councils Act 1957 (c. 42), **s. 5(4)**; amended by Post Office Act 1969 (c. 48), s. 76, **Sch. 4 para. 54**
- C2** S. 6 applied with modifications by Road Traffic Regulation Act 1984 (c. 27, SIF 107:1), **s. 58(4)(5)**
- C3** S. 6 amended by Electricity Act 1989 (c. 29, SIF 44:1), s. 112(1)(3), **Sch. 16 para. 2(5)(a)**, (9), Sch. 17 paras. 33, 35(1)
- C4** S. 6(2) amended by Water Act 1989 (c. 15, SIF 130), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 25 para. 20, Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), **58**

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**Marginal Citations**

- M1** 1936 c. 49.

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1953, Section 6.