

1985 No. 61

TELECOMMUNICATIONS

**The London Hydraulic Power Acts 1871 to 1977 (Amendment)
Order 1985**

<i>Made - - - -</i>	21st January 1985
<i>Laid before Parliament</i>	23rd January 1985
<i>Coming into Operation</i>	14th February 1985

Whereas:—

(1) under the London Hydraulic Power Acts 1871 to 1977(a) (“the Acts”) the London Hydraulic Power Company (“the Company”) has, for the purpose of supplying hydraulic power to customers, installed a network of conduits, mostly under streets in the Central London area;

(2) section 3 of the London Hydraulic Power Act 1977(b) empowers the Company to use such conduits or make them available for use (including use as a duct for cables or other associated apparatus) for the purposes of the conveyance of anything other than hydraulic power;

(3) it appears to the Secretary of State to be expedient to amend that Act so as to secure that the use of any of the Company’s conduits kept installed in any street under or in accordance with the Acts for telecommunication purposes is not unreasonably inhibited (whether directly or indirectly) by reason of the terms of any consent, licence or agreement which has been given, granted or made in relation to any of the conduits for the purposes of those Acts:

Now, therefore, the Secretary of State, in exercise of the power conferred upon him by section 98(5) and 104 of the Telecommunications Act 1984(c), hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the London Hydraulic Power Acts 1871 to 1977 (Amendment) Order 1985 and shall come into operation on 14th February 1985.

Amendment of enactment

2. In the London Hydraulic Power Act 1977 immediately after section 3 there shall be inserted the following new section:—

(a) 1871 c. cxxi, 1884 c. lxxii, 1889 c. vii, 1893 c. lx, 1903 c. xvii, 1953 c. viii, 1977 c. xi.
(b) 1977 c. xi. (c) 1984 c. 12.

“3A. Any consent, licence or agreement which has been given, granted or made on or before 14th February 1985 in relation to any pipeline shall be unenforceable to the extent to which any of its terms unreasonably inhibits (whether directly or indirectly) the use of such pipeline for telecommunication purposes.”

Geoffrey Pattie,
Minister of State,
Department of Trade and Industry.

21st January 1985.

EXPLANATORY NOTE

(This Note is not part of the Order.)

Under the London Hydraulic Power Acts 1871 to 1977 the network of pipelines installed by the London Hydraulic Power Company, mostly under streets in Central London, for the conveyance of hydraulic power may also be used by the Company or made available for use by others for the conveyance of any other thing.

This Order amends the London Hydraulic Power Act 1977 so as to secure that the use of the pipelines for telecommunication purposes is not unreasonably inhibited by reason of the terms of any consent, licence or agreement given, granted or made on or before the date on which the Order comes into operation in relation to any of those pipelines for the purposes of those Acts.

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