



# Greater London Council (General Powers) Act 1974

## 1974 CHAPTER xxiv

### PART III

#### PROVISIONS RELATING TO THE COUNCIL AND TO BOROUGH COUNCILS

##### *Miscellaneous*

#### <sup>x1</sup>16 **Undertaking and agreements binding successive owners.**

- (1) Every undertaking given to a local authority by the owner of any legal estate in land and every agreement made between a local authority and any such owner being an undertaking or agreement—
  - (a) given or made under seal in connection with the land; and
  - (b) expressed to be given or made in pursuance of this section;shall be enforceable not only against the owner joining in the undertaking or agreement but also against the successors in title of any owner so joining and any person claiming through or under them.
- (2) Such an undertaking or agreement shall be treated as a local land charge for the purposes of the <sup>M1</sup>Land Charges Act 1925.
- (3) Any person against whom such an undertaking or agreement is enforceable shall be entitled to require a copy thereof from the local authority without payment.
- (4) Any charge on the land which by virtue of this section is enforceable in the manner described in subsection (1) of this section shall, for the purposes of subsection (1) of section 32 of the <sup>M2</sup>Building Societies Act 1962 (which prohibits advances by building societies on second mortgage), be deemed not to be a prior mortgage within the meaning of that subsection.
- (5) (a) The enactments specified in Part III of Schedule 2 to this Act are hereby repealed.

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**Changes to legislation:** There are currently no known outstanding effects for the Greater London Council (General Powers) Act 1974, Cross Heading: Miscellaneous. (See end of Document for details)

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- (b) The enactments specified in Part II of Schedule 3 to this Act are hereby repealed so far as they relate to any part of Greater London.
- (6) Any undertaking or agreement which by virtue of an enactment included in Part III of Schedule 2 or Part II of Schedule 3 to this Act was, immediately before the passing of this Act, binding on any successors in title of any owner joining in such undertaking or agreement and on any person claiming through or under them shall, notwithstanding the repeal of that enactment, continue to be so binding and enforceable as if such undertaking or agreement were expressed to be given or made in pursuance of this section.
- (7) In this section “local authority” means the Council or a borough council.

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**Editorial Information**

- X1** The text of s. 16 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991. This provision has been amended by [S.I. 1990/1765](#)
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**Marginal Citations**

- M1** 1925 c. 22  
**M2** 1962 c. 37.

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