



# London Government Act 1963

## 1963 CHAPTER 33

### PART I

#### LOCAL GOVERNMENT IN AND AROUND GREATER LONDON

#### **1 London boroughs**

- (1) There shall be established new administrative areas, to be known as London boroughs, which shall comprise the areas respectively described (by reference to existing administrative areas) in column 2 of Part I of Schedule 1 to this Act; and in this and any other Act—
  - (a) any reference to an inner London borough shall be construed as a reference to one of the London boroughs numbered from 1 to 12 in the said Part I;
  - (b) any reference to an outer London borough shall be construed as a reference to one of the London boroughs numbered from 13 to 32 in the said Part I.
- (2) If in the case of any London borough, on representations in that behalf made to the Privy Council by the Minister, Her Majesty by the advice of Her Privy Council thinks fit to grant a charter of incorporation of the inhabitants of that borough, Her Majesty may by that charter—
  - (a) make provision with respect to the name of the borough; and
  - (b) subject to the provisions of this Act, make any provision such as may be made by virtue of section 131 of the Local Government Act 1933 by a charter granted under Part VI of that Act;and any charter which purports to be granted in pursuance of the Royal prerogative and this subsection shall be deemed to be valid and within the powers of this Act and Her Majesty's prerogative and the validity thereof shall not be questioned in any legal proceeding whatever.
- (3) In the case of any London borough whose inhabitants are not incorporated by such a charter as is referred to in the last foregoing subsection, provision for their incorporation shall be made by the Minister by order (hereafter in this Act referred to as an "incorporation order") which may include any such provision as is mentioned in paragraph (a) or (b) of that subsection.

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- (4) The provisions of Part III of Schedule 1 to this Act shall have effect for the purpose of the revocation or alteration of the provisions with respect to the matters mentioned in paragraph 1 of the said Part III of any charter or incorporation order under subsection (2) or (3) of this section; but nothing in any such charter or order or in any order under the said Part III shall authorise the number of councillors of any London borough to exceed sixty.
- (5) Before the Minister makes as respects a London borough either representations under subsection (2) of this section for the grant of a charter or an incorporation order under subsection (3) thereof, the Minister or, as may be appropriate, the Secretary of State shall cause such notices to be given and such, if any, inquiries to be held with respect to the matters to be dealt with by the charter or order as may appear to the Minister or, as the case may be, the Secretary of State to be expedient.
- (6) The Municipal Corporations Act 1882 shall apply to every London borough and section 15 of the Interpretation Act 1889 shall have effect accordingly, that is to say, the expression "borough" when used in relation to local government in any enactment whether passed before or after this Act (and in particular, subject to section 8 (2) of this Act, in the Local Government Act 1933) shall except where the context otherwise requires (and except in particular in the expressions "county borough" and "non-county borough") include a London borough; and the council of a London borough shall be a local authority within the meaning of the said Act of 1933.
- (7) The first election of councillors of each London borough shall be held, under arrangements to be made by its charter or incorporation order, on the day in May 1964 fixed by the Secretary of State as the day of election of borough councillors in England and Wales; and the persons declared to be elected councillors at that election shall come into office on the fourth day after the day of election.

## **2 Greater London and the Greater London Council**

- (1) The area comprising the areas of the London boroughs, the City and the Temples shall constitute an administrative area to be known as Greater London.
- (2) There shall be established for Greater London a council consisting of a chairman, aldermen and councillors which shall be a body corporate under the name of the Greater London Council with perpetual succession and a common seal and shall have all such functions as are vested in that Council by this Act or otherwise.
- (3) Notwithstanding anything in subsection (1) or (2) of this section, the Greater London Council may with the consent of the Minister change the name of the Council or the name by which the area referred to in the said subsection (1) is to be known or both those names, or make provision as to the titles by which the chairman, vice-chairman and any deputy chairman of the Council are to be known, and any change of name made in pursuance of this subsection shall take effect as from such date as the Minister may by order appoint; and any such order—
  - (a) shall not affect any rights or obligations of any council, authority or person, and
  - (b) shall not be taken as invalidating any instrument (whether made before or after the date appointed by the order) which refers to the Council or the said area by the previous name,

but the new name shall be substituted for the previous name in all enactments relating to the Council or, as the case may be, that area and in all instruments and legal

proceedings made or commenced before the said date which refer to that previous name, so, however, that nothing in this subsection shall be construed as affecting the title of any Act or instrument.

- (4) The provisions of Schedule 2 to this Act shall have effect with respect to the constitution and general functions of the Greater London Council; and the first election of councillors of that Council shall be held on 9th April 1964, and the persons declared elected at that election shall come into office on the fourth day after the day of election.

### **3 Local government areas in and around Greater London**

- (1) As from 1st April 1965—
- (a) no part of Greater London shall form part of any administrative county, county district or parish;
  - (b) the following administrative areas and their councils (and, in the case of a borough, the municipal corporation thereof) shall cease to exist, that is to say, the counties of London and Middlesex, the metropolitan boroughs, and any existing county borough, county district or parish the area of which falls wholly within Greater London;
  - (c) the urban district of Potters Bar shall become part of the county of Hertfordshire ;
  - (d) the urban districts of Staines and Sunbury-on-Thames shall become part of the county of Surrey.
- (2) As from the passing of this Act, in the Local Government Act 1958—
- (a) in sections 17(1) and 53(1), for any reference to the metropolitan area there shall be substituted a reference to Greater London;
  - (b) section 53(2) shall cease to have effect;
  - (c) in section 28, subsection (6) shall cease to have effect, but—
    - (i) subsection (1) shall not apply to the county of London or of Middlesex ;
    - (ii) no county review under that section shall extend to any part of Greater London ;
    - (iii) subject to any order under section 23 or 24, any such review by the Hertfordshire county council shall extend to the urban district of Potters Bar and any such review by the Surrey county council shall extend to the urban districts of Staines and Sunbury-on-Thames;
  - (d) in relation to a county district to which Part III applies as from the date of the passing of this Act only by virtue of this subsection, that date shall be deemed to be specified in sections 47 (3) and 52 (2) as a further day on which the periods mentioned in those provisions may begin.

### **4 General provisions as to exercise in Greater London of existing local authority functions**

- (1) Subject to any provision to the contrary effect made by, or by any instrument made under, this Act or any other Act passed during the same session as this Act (and in particular any provision conferring functions on the Greater London Council), and without prejudice to any express provision so made, the provisions of this section (being provisions designed to confer on the councils of London boroughs as respects their boroughs and on the Common Council as respects the City the functions

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exercisable by the councils of county boroughs as respects their boroughs or by the existing London county council as respects the metropolitan boroughs or, as the case may be, the City) shall have effect as from 1st April 1965 as respects any enactment (hereafter in this section referred to as an "existing enactment") contained in any public general Act passed before this Act or in any other such Act passed during the same session as this Act.

- (2) Subject to subsection (7) of this section, where any existing enactment refers to, or to the councils of, county boroughs, then—
  - (a) if it also refers in the same context to, or to the councils of, metropolitan boroughs, any reference in that enactment in that context to, or to the council of, a metropolitan borough shall be construed as a reference to, or to the council of, a London borough;
  - (b) if it also refers (or, but for section 3(1)(b) of this Act, would have referred) in the same context to the London county council (whether expressly or by virtue of a reference to councils of counties) but not to councils of metropolitan boroughs, any reference in that enactment in that context to a county borough or the council thereof shall be construed as including a reference to a London borough or the council thereof and, where that enactment extends to the City but does not refer to the Common Council, as including also a reference to the City or the Common Council.
- (3) Any reference in any existing enactment which, by virtue of any other existing enactment passed subsequently thereto, falls to be construed as a reference to authorities of a particular class shall be deemed for the purposes of subsection (2) of this section to be a reference to authorities of that class.
- (4) Any existing enactment to the effect that any provision does not apply or refer, or applies or refers only, to the administrative county of London or to that county other than the City or other than the City and the Temples shall have effect as if it provided that the provision in question does not apply or refer, or, as the case may be, applies or refers only, to Greater London other than the outer London boroughs, or other than those boroughs and the City, or other than those boroughs, the City and the Temples, as the case may be.
- (5) Where, under any existing enactment which by virtue of subsection (4) of this section applies to Greater London other than the outer London boroughs or other than those boroughs and the City with or without the Temples, any functions were exercisable immediately before 1st April 1965 as respects a metropolitan borough by the London county council or by the council of that borough or as respects the City by the London county council, those functions shall be exercisable as respects an inner London borough by the council of that borough or, as the case may be, as respects the City by the Common Council.
- (6) In any existing enactment which by virtue of subsection (4) of this section applies to the outer London boroughs but not to the rest of Greater London, any reference to, or to the council of, a county borough shall be construed as including a reference to, or to the council of, an outer London borough.
- (7) Without prejudice to any exclusion by virtue of subsection (1) of this section and to any amendment of the enactment in question by or under any subsequent provision of this Act, subsection (2) of this section shall not apply to any existing enactment contained in—
  - (a) the Local Government Act of 1888, 1929, 1933 or 1958 ; or

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- (b) the enactments to which section 40 of this Act applies or would apply but for the proviso to subsection (4) of that section; or
  - (c) the Representation of the People Acts; or
  - (d) any enactment relating to rating and valuation in England and Wales ; or
  - (e) the Town and Country Planning Act 1962; or
  - (f) any of the Acts amended by Schedule 5, 6, 8 or 13 to this Act;
- and this section shall not apply to any enactment contained in an Act passed with respect only to the whole or part of the existing county of London.

## **5 Delegation of functions in Greater London**

- (1) Subject to any provision to the contrary effect made by, or by any instrument made under, this Act or any other Act passed during the same session as this Act, and without prejudice to any express provision so made, the Greater London Council may, with the concurrence of the council in question, delegate to any London borough council or to the Common Council, with or without restrictions or conditions as the Greater London Council think fit, any of the functions of the Greater London Council except—
- (a) functions for which the Greater London Council are required by any enactment for the time being in force to appoint a committee;
  - (b) functions in respect of which specific powers of delegation to that council are conferred by any enactment; and
  - (c) the power of borrowing money or issuing a precept for the levy of a rate ;
- and where any functions are delegated to a London borough council or the Common Council under this section, that council shall, in the discharge of those functions, act as agents for the Greater London Council.
- (2) The Common Council and the council of any London borough which is adjacent to the City may agree together for the discharge by that borough council, as agent for the Common Council, of such of the functions of the Common Council as may be specified in the agreement.
- (3) Without prejudice to any other provision of this or any other Act, any of the following councils, that is to say, the Greater London Council, the London borough councils and the Common Council, may, for the better performance of their respective functions, agree with any one or more of the others of those councils and any other local authority within the meaning of the Local Government Act 1933 whose area is contiguous with any part of Greater London for—
- (a) the undertaking by one party for another of any administrative, clerical, professional, scientific or technical services;
  - (b) the use or maintenance by one party of any vehicle, plant, equipment or apparatus of another party and, if it appears convenient, the services of any staff employed in connection therewith ;
  - (c) the carrying out of works of maintenance by one party in connection with land or buildings for the maintenance of which another party is responsible,
- on such terms as may be agreed between them; and in this subsection the expression " maintenance" includes minor renewals, improvements and extensions.

## **6 Alteration of boundaries of or within Greater London**

- (1) Section 140 of the Local Government Act 1933 shall not apply to the alteration of the boundary between a county or county borough and Greater London, and nothing in

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section 253 of that Act shall authorise any local authority within the meaning of that Act to include in any Bill promoted by them any provision making an alteration of the boundaries of any London borough or of Greater London ; but the following provision of this section shall have effect for the purposes of such an alteration.

- (2) If proposals are made to the Minister—
- (a) by the council of the London borough affected and the Greater London Council acting jointly, or by the council of the county or county borough affected, for the making of an alteration of the boundary of Greater London; or
  - (b) by the council of a London borough for the making of an alteration of the boundary between that and some other London borough; or
  - (c) by the council of the London borough affected or by the Common Council, for the making of an alteration of the boundary between a London borough and the City; or
  - (d) under subsection (4) of this section,
- the Minister shall, unless he is satisfied that the proposals ought not to be entertained, cause a local inquiry to be held, and may make an order giving effect to the proposals or making such other alteration of the boundary in question as he may deem expedient, or may refuse to make any such order; but no order shall be made under this subsection unless a draft thereof has been laid before, and approved by a resolution of, each House of Parliament.
- (3) If joint representations are made to the Minister—
- (a) by all or, as the case may be, both of the councils referred to in paragraph (a), (b) or (c) of subsection (2) of this section for the making of such an alteration as is mentioned in that paragraph ; or
  - (b) by the Common Council or the council of a London borough and the Honourable Society of the Inner Temple or of the Middle Temple for the making of an alteration of the boundary between the City or that borough and the Inner Temple or the Middle Temple, as the case may be,
- the Minister shall, unless he is satisfied that it is unnecessary so to do, cause a local inquiry to be held and, after considering the report of any such inquiry, may by order give effect to the representations.
- (4) In the case of a London borough contiguous with a county, at any time after 31st March 1965 and before 1st April 1970 proposals for the transfer from that borough to that county of a part of that borough which is so contiguous may be made to the Minister by any three hundred or more local government electors residing in that part of the borough and together constituting not less than ten per cent. of the total number of local government electors so residing.
- (5) Any order by the Minister under subsection (2) or (3) of this section shall be deemed for the purposes of sections 148 and 149 of the said Act of 1933 to be an order made in pursuance of powers conferred by Part VI of the said Act of 1933.

## **7 Promotion of Bills with respect to local government functions in Greater London**

- (1) The powers of the Greater London Council under section 253 of the Local Government Act 1933 shall include power subject to subsection (2) of this section to promote a Bill in Parliament for any purpose which is for the public benefit of the inhabitants of Greater London or of any part thereof; and without prejudice to the generality of those powers any provision included in a Bill promoted by that Council—

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- (a) for such a purpose as aforesaid ; or
- (b) subject to subsection (3) of this section, at the request of a London borough council or the Common Council,

may alter the functions of any London borough council or the Common Council or, as the case may be, of the council making the request notwithstanding that no alteration is made thereby in the functions of the Greater London Council.

- (2) Before the Greater London Council include in any Bill to be promoted by them any provision altering the functions of the Common Council or a London borough council, they shall consult with the Common Council or, as the case may be, with that borough council or, if the provision relates to all the London borough councils, with any association or committee which appears to the Greater London Council to be representative of those borough councils.

- (3) Where, in the case of any provision which, by virtue of subsection (1)(b) of this section, is or is proposed to be included at the request of a borough council or the Common Council in a Bill promoted or to be promoted by the Greater London Council, it is or will be a condition of the inclusion of that provision in the Bill that the borough council or, as the case may be, Common Council shall make a contribution towards the expenses incurred or to be incurred by the Greater London Council in connection with the promotion of the Bill, sections 254 and 255 of, and Schedule 9 to, the said Act of 1933 shall apply in relation to the making of the request aforesaid—

- (a) as if any reference in the said sections or Schedule to the promotion of, or of any provision of, a Bill were a reference to the making of the request aforesaid for the inclusion of, or, as the case may be, of any part of, that provision in the Bill in question and, in relation to the Common Council, as if the City were a borough and the Common Council the council of that borough;
- (b) as if the deposit of the Bill in question in Parliament by the Greater London Council were such a deposit of that Bill by the borough council or, as the case may be, Common Council;

and where the borough council or Common Council are required by either of the said sections as modified by this subsection to take all necessary steps to withdraw the Bill or some provision thereof, that council shall forthwith notify the Greater London Council to that effect and the Greater London Council shall thereupon take all necessary steps to withdraw the provision or part of a provision in question.

- (4) A London borough council or the Common Council may in compliance with any such condition as is referred to in subsection (3) of this section make such contribution towards the expenses incurred by the Greater London Council in connection with the promotion of the Bill in question as may be agreed between the councils concerned.

## **8 Supplementary provisions to Part I**

- (1) The provisions of Part I of Schedule 3 to this Act, being provisions necessary or expedient in consequence of the foregoing provisions of this Part of this Act, shall have effect with respect to parliamentary and local government elections in and around Greater London; and the Representation of the People Acts shall have effect subject to the modifications specified in Parts II and III of that Schedule, being modifications consequential on the provisions of the said Part I or modifications of those Acts in their application to Greater London; and the said Schedule 3 shall be included among the enactments which may be cited together as the Representation of the People Acts.

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- (2) The Local Government Act 1933 shall have effect subject to the modifications specified in Schedule 4 to this Act, being—
- (a) modifications consequential on other provisions of this Act; or
  - (b) modifications designed to assimilate the provisions of the said Act of 1933 to provisions for corresponding purposes contained in the London Government Act 1939 ; or
  - (c) modifications designed to make the said Act of 1933 apply in appropriate cases in relation to the Greater London Council as it applies in relation to a county council or in relation to a London borough as it applies in relation to a county borough or as it applies in relation to a metropolitan borough; or
  - (d) modifications of the said Act of 1933 in its application either to all London boroughs or to the inner London boroughs.

## PART II

### ROAD TRAFFIC, HIGHWAYS AND MOTOR VEHICLES

#### **9 General duty of Greater London Council with respect to road traffic and abolition of London Traffic Area and Traffic Advisory Committee**

- (1) The provisions of this Part of this Act shall have effect for the purpose of redistributing functions with respect to road traffic in Greater London and assimilating the law with respect to highways in Greater London to that in force in the rest of England and Wales.
- (2) It shall be the duty of the Greater London Council so to exercise the functions conferred on them by or by virtue of sections 10 to 19 of this Act as, so far as practicable having due regard to—
  - (a) the desirability of securing and maintaining reasonable access to premises;
  - (b) the effect on the amenities of any locality affected; and
  - (c) any other matters appearing to the Council to be relevant,
 to secure the expeditious, convenient and safe movement of vehicular and other traffic (including foot passengers) and the provision of suitable and adequate parking facilities on and off the highway ; and the Minister of Transport shall not—
  - (i) give any direction to the Council under section 10(7)(a) or (b), 11(7) or 13(2)(a) of this Act; or
  - (ii) exercise his power under section 10(2)(b), 11(2)(a) or 13 (2)(c) of this Act to revoke or vary any order made by the Council,
 unless he is satisfied, having regard to any matters appearing to him to be relevant, that the Council's duty aforesaid is not being satisfactorily discharged by the Council and that it is necessary for him so to do in order to secure compliance with that duty.
- (3) The Greater London Council shall before 1st April 1965 consult with the Minister of Transport with regard to the administrative arrangements to be made by the Council for the discharge of the Council's functions by virtue of sections 10 to 15 of this Act.
- (4) Any person appointed by the Greater London Council to hold a local inquiry for the purposes of any of the Council's functions by virtue of sections 10 to 15 of this Act shall have the like powers as a person appointed to hold an inquiry to which section 290 of the Local Government Act 1933 applies.



- (5) Without prejudice to any power of delegation conferred by or by virtue of the provisions of sections 10 to 20 of this Act, section 5 (1) of this Act shall not apply to any function conferred on the Greater London Council by or by virtue of those provisions.
- (6) The London Traffic Area and the London and Home Counties Traffic Advisory Committee shall cease to exist; and any reference in the Road Traffic Act 1960, the Road Traffic and Roads Improvement Act 1960 or the Road Traffic Act 1962—
- (a) to the London Traffic Area ; or
  - (b) except in sections 85 (1) and (8), 135 and 141 of the Road Traffic Act 1960, to an area comprising the metropolitan police district and the City of London, shall be construed as a reference to Greater London.

## **10 Traffic regulation in Greater London**

- (1) Subject to subsections (4) to (7) of this section, the Greater London Council (hereafter in this section referred to as " the Council") may by order make provision for controlling vehicular and other traffic (including foot passengers) on roads in Greater London, being—
- (a) roads other than trunk roads ; or
  - (b) trunk roads with respect to which the Minister of Transport has consented to the making of the order in question,
- and in particular, but without prejudice to the generality of the foregoing words, for any of the purposes, or with respect to any of the matters, mentioned in Schedule 4 to the Road Traffic Act 1960; but no such order shall contain any provision for regulating the speed of vehicles on roads, and paragraph 16 of the said Schedule 4 and section 62 of the London Passenger Transport Act 1933 shall cease to have effect.
- (2) The powers of the Minister of Transport under section 34 of the said Act of 1960 shall be exercisable only—
- (a) with respect to trunk roads in Greater London; or
  - (b) for the revocation or variation, after giving notice to the Council and, if he thinks fit, after holding a public inquiry, of any order by the Council under subsection (1) of this section ; or
  - (c) for securing the object of any direction with respect to any road other than a trunk road or a special road given by that Minister to the Council under subsection (7) of this section with which the Council have failed to comply,
- and shall be exercisable by order made by statutory instrument instead of by regulations; and the powers of the said Minister by virtue of this subsection to make orders under the said section 34 shall include power to make such an order varying or revoking any such order previously made by him; and so much of section 26 of the Road Traffic Act 1962 as limits the duration of the powers conferred thereby shall cease to have effect.
- (3) The provisions of subsections (2) to (4) and (7) to (9) of the said section 34 shall apply to an order made by the Council under subsection (1) of this section as they apply to an order made by the Minister of Transport under the said section 34 and, in relation to such an order by the Council, shall have effect as if in those provisions—
- (a) for any reference to that Minister there were substituted a reference to the Council;

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- (b) any reference to the said section 34 included a reference to subsection (1) of this section.
- (4) Before making any order under subsection (1) of this section otherwise than in pursuance of a direction given by the Minister of Transport under subsection (7) thereof, the Council shall consult with the appropriate commissioner of police and with any other council, being a London borough council or the Common Council, within whose area any road affected by the proposed order lies or whose area appears to the Greater London Council likely to be affected by that order.
- (5) Subject to the next following subsection, any order made by the Council under subsection (1) of this section may be revoked or varied by a subsequent order of the Council under that subsection.
- (6) If the provisions as respects any length of road of any order made by the Council under subsection (1) of this section are revoked or varied by an order of the Minister of Transport under the said section 34, then, except with the consent of that Minister, the Council shall not make any further order under the said subsection (1) as respects the same length of road within twelve months after the making of the Minister's order.
- (7) The Minister of Transport may after consultation with the Council give to the Council—
  - (a) a direction to make an order under subsection (1) of this section for a specified purpose and coming into force before the expiration of a specified period; or
  - (b) a direction prohibiting, either generally or except with the consent of that Minister or for a specified period, the making or bringing into force of such an order with respect to specified matters or a specified area,
 and may also give directions, either generally or with respect to any particular case or class of cases, as to the procedure to be followed in connection with any order under the said subsection (1).
- (8) The Greater London Council as well as the Minister of Transport shall have power to make an order under section 11 (1) of the Road Traffic Act 1962 (which relates to speed limits on roads other than restricted roads) as respects any road in Greater London other than a trunk road.

## **11 Experimental traffic schemes**

- (1) The Greater London Council as well as the Minister of Transport shall have power to make an experimental traffic order under section 28 of the Road Traffic Act 1962 with respect to any road in Greater London, being—
  - (a) a road other than a trunk road ; or
  - (b) a trunk road with respect to which that Minister has consented to the making of the order in question.
- (2) The Minister of Transport shall not make an order under the said section 28 with respect to any road in Greater London which is not a trunk road except for the purpose of—
  - (a) the revocation or variation, after giving notice to the Greater London Council, of any order by that Council under that section ; or
  - (b) securing the object of any direction given to that Council by that Minister by virtue of subsection (3) of this section with which that Council have failed to comply.

- (3) The provisions of section 10(6) and (7) of this Act shall have effect for the purposes of subsection (1) of this section as if—
- (a) any reference in those provisions to, or to an order made by the Greater London Council under, subsection (1) of that section were a reference to, or to an order made by that Council by virtue of, subsection (1) of this section;
  - (b) any reference to an order of the Minister of Transport under section 34 of the Road Traffic Act 1960 were a reference to an order of that Minister under the said section 28.
- (4) An order made by the Greater London Council under the said section 28 may include provision whereby a specified officer, or some person authorised in that behalf by a specified officer, of the Council may, if it appears to that officer or person essential in the interests of the expeditious, convenient and safe movement of traffic and after consulting with the appropriate commissioner of police and giving such public notice as the Minister of Transport may direct, modify or suspend the order or any provision thereof.
- (5) Before the Greater London Council make any order under the said section 28 they shall—
- (a) except where the order is made in pursuance of a direction by the Minister of Transport by virtue of subsection (3) of this section, consult with the appropriate commissioner of police ; and
  - (b) give such public notice as that Minister may direct.
- (6) The Minister of Transport may repay to the Greater London Council any expenses incurred by that Council in connection with any order made by them under the said section 28.
- (7) The powers with respect to the carrying out of experimental traffic schemes conferred by section 35 of the Road Traffic Act 1960 on the commissioner of police of the metropolis shall be exercisable only within Greater London; and the authority for the giving of any consent or direction under subsection (1) or (5) of that section shall be the Greater London Council instead of the Minister of Transport; but the Greater London Council shall not give their consent to any such scheme affecting a trunk road except with the agreement of that Minister ; and in the case of any particular scheme that Minister may after consultation with the Greater London Council direct that Council to consent thereto within a specified period or to withhold their consent therefrom.

## **12 Powers in respect of traffic signs, etc.**

- (1) The Minister of Transport or the Greater London Council may, to such extent as that Minister or Council may consider necessary in connection with any order under section 34 of the Road Traffic Act 1960, section 10 (1) of this Act or section 28 of the Road Traffic Act 1962 made or proposed to be made by that Minister or, as the case may be, that Council—
- (a) exercise as respects any road in Greater London which is not a trunk road any powers exercisable by the highway authority for that road in connection with the placing of traffic signs on or near that road in pursuance of section 52 of the said Act of 1960 and affix any such sign to any lamp-post or other structure in the highway, whether or not belonging to that Minister or Council;
  - (b) authorise or require the highway authority for any such road to place in the carriageway such bollards or other obstructions as that Minister or Council

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- may consider appropriate for preventing the passage of vehicles, or vehicles of any class or description, at any point at which their passage (whether in any direction or in one direction only) is prohibited by any such order as aforesaid and to maintain and light those obstructions;
- (c) authorise or require any highway authority to remove any obstruction placed by that authority in pursuance of an authorisation or requirement under the last foregoing paragraph.
- (2) To such extent as the Minister of Transport or, as the case may be, the Greater London Council may consider necessary in connection with any order such as is mentioned in subsection (1) of this section, whether made or proposed to be made by that Minister or by that Council, that Minister may do with respect to any trunk road, or as the case may be that Council may do with respect to any metropolitan road, anything which the authority making or proposing to make the order might under subsection (1)(b) of this section require to be done with respect to any other road by the highway authority therefor.
- (3) The Greater London Council or, to such extent as the Minister of Transport may consider necessary in connection with any order made or proposed to be made by him under the said section 34 or 28, that Minister may give to the highway authority for any road in Greater London which is not a trunk road such directions with respect to the adjustment, modification or replacement of, or of any part of, the mechanism of traffic signs, being light signals controlled by that authority, as that Council or Minister may consider expedient in the interests of the movement of traffic.
- (4) If a highway authority fail to comply with any requirement or direction under subsection (1) or (3) of this section the Minister of Transport or, as the case may be, the Greater London Council may carry out the work required by the requirement or direction, and the expense incurred by that Minister or Council in so doing shall be recoverable summarily as a civil debt from the authority.
- (5) As respects any traffic sign placed by the Minister of Transport or the Greater London Council in the exercise of the powers conferred by subsection (1)(a) of this section, it shall be the duty of that Council—
- (a) to take such steps to maintain, and to make such alteration of, that sign as may be necessary or expedient in connection with the order in connection with which it was placed ;
- (b) to remove that sign upon that order ceasing to have effect;
- and that Minister may recover from that Council summarily as a civil debt any expenses incurred by him by virtue of the said subsection (1)(a).
- (6) As respects any road in Greater London other than a trunk road the Greater London Council shall be the competent authority for the purposes of section 22 of the said Act of 1960 with respect to signs for indicating speed restrictions.
- (7) References in this section to a highway authority include references to any person who, not being a highway authority, is responsible for the maintenance of a road.
- (8) The power of the Minister of Transport under section 63 of the Road Traffic Act 1960 to make advances towards expenses incurred in relation to traffic signs shall be exercisable with respect to any expenses incurred by the Greater London Council in relation to the erection, maintenance, alteration or removal of traffic signs or by virtue of subsection (2) of this section; and the said section 63 shall apply in relation

to any such obstruction as is mentioned in subsection (1) of this section as it applies in relation to traffic signs.

### **13 Parking accommodation in Greater London**

- (1) Section 81 of the Road Traffic Act 1960 (which relates to the power of local authorities to provide parking places) shall extend to the whole of Greater London and to the use as a parking place of any place other than a road in Greater London ; and the Greater London Council as respects the whole of Greater London, the council of a London borough as respects the borough, and the Common Council as respects the City, shall be the local authority for the purposes of that section; but the Greater London Council shall not exercise their powers under that section—
- (a) as respects any London borough, without the consent of the council of that borough, or
  - (b) as respects the City, without the consent of the Common Council, except with the consent of the Minister of Transport.
- (2) The functions as respects Greater London conferred on the Minister of Transport by section 85 (1) and (2) of the said Act of 1960 (which relate to the designation on the application of local authorities of parking places on highways where charges are made), the functions of that Minister under section 85(5) of that Act (which relates to the designation of parking places without an application by the local authority) and, in respect of any site in Greater London, the supplementary functions of that Minister under sections 86 and 87 of that Act and section 3 of the Road Traffic and Roads Improvement Act 1960 shall be exercisable by the Greater London Council (hereafter in this section referred to as " the Council ") as well as by that Minister ; and that Minister—
- (a) subject to subsection (3) of this section, may after consultation with the Council direct the Council—
    - (i) to make under any provision of the said sections 85, 86, 87 and 3 (hereafter in this section referred to as " the relevant provisions ") such order as may be specified in the direction in respect of any site in Greater London so specified to come into force before the expiration of a period so specified, being in the case of an order under 'the said section 85 (1) an order either in the form applied for by the local authority or in that form with specified modifications ; or
    - (ii) not to make under any of the relevant provisions a particular order which has been applied for or proposed;
  - (b) shall not himself make an order under any of the relevant provisions except for the purpose of securing the object of any direction given to the Council under paragraph (a)(i) of this subsection with which the Council have failed to comply ;
  - (c) may, after giving notice of his intention to the Council and any other person appearing to that Minister to be likely to be concerned, by order revoke or vary any order made by the Council under any of the relevant provisions.
- (3) Before giving any direction under subsection (2)(a)(i) of this section—
- (a) in the case of a direction to make with or without modifications—
    - (i) an order applied for under the said section 85 (1); or
    - (ii) an order under the said section 85(5) or 3(4) which has already been proposed by the Council,

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the Minister of Transport shall consider any objections made to the order applied for or proposed;

- (b) in the case of a direction to make an order under the said section 85(5) or 3(4) which has not already been proposed by the Council, that Minister instead of the council shall comply with the requirements of Part II of Schedule 10 to the Road Traffic Act 1960 in like manner as if the order were to be made by him instead of by the Council;
  - (c) in the case of a direction to make any order in the form of an order applied for by a local authority or proposed by the Council but with modifications which appear to that Minister to affect substantially the character of the order, that Minister shall take such steps as appear to him to be sufficient and reasonably practicable for informing any local authority concerned and any other person likely to be concerned.
- (4) Any application by a local authority in Greater London for an order under the said section 85(1) shall be made to the Council and not to the Minister of Transport, but a London borough council shall not make such an application in respect of a site on a trunk road except with the consent of that Minister and, for the purposes of subsection (2)(b) of this section, any such application made to the Council shall be deemed to have been made to that Minister.
- (5) In relation to an order of the Council—
- (a) any reference in the relevant provisions or in the said Schedule 10 to the Minister of Transport (other than the reference in the said section 86(2)(a)) shall be construed as a reference to the Council;
  - (b) the said section 85 (5) shall have effect as if paragraph (a) and, in paragraph (b), the words " with the consent of the Treasury", the words from "or the" to " Council" where first occurring and the words " or Council " were omitted ; and
  - (c) the said section 3 (4) shall have effect as if the reference to section 90(3) and (5) of the Road Traffic Act 1960 were omitted;

and in relation to parking places designated by virtue of the said section 85(5) by an order of the Council, references in sections 85(3), 86 to 89 and 232(2)(a)(ii) of the Road Traffic Act 1960 and sections 6 and 15 of the Road Traffic and Roads Improvement Act 1960 to the local authority shall be construed as references to the Council.

- (6) Where—
- (a) the Council make an order under any of the relevant provisions in pursuance of a direction under subsection (2)(a)(i) of this section; or
  - (b) the Minister of Transport makes an order under any of the relevant provisions for the purpose specified in subsection (2)(b) of this section; or
  - (c) that Minister makes an order under subsection (2)(c) of this section ; or
  - (d) that Minister enters into an agreement under the said section 85(5)(b) for the transfer of a parking place designated by an order of that Minister,

the powers of the Council to vary or revoke orders made by them under the relevant provisions shall extend to the variation or revocation of any such order as aforesaid notwithstanding that it is made by, or by direction of, that Minister but, except with the consent of (that Minister—

- (i) any order such as is mentioned in paragraph (a), (b), (c) or (d) of this subsection shall not be revoked or varied by the Council, and

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- (ii) where an order of the Council under the said section 85 with respect to parking places on any length of highway has been varied or revoked by that Minister by virtue of the said subsection (2)(c), the Council shall not make a further order under the said section 85 as respects that length of highway, within twelve months of the making of the order referred to in paragraph (a), (b) or (c) or the transfer referred to in paragraph (d), as the case may be, of this subsection.
- (7) The Minister of Transport may give directions to the Council, either generally or with respect to any particular case or class of cases, as to the procedure to be followed in connection with—
- (a) any application to the Council for an order under the said section 85 (1);
  - (b) the making of any order by the Council under any of the relevant provisions, including directions modifying the provisions of the said Schedule 10 in their application to, or applying those provisions with modifications to, any such order of the Council; but, except in the case of an order revoking and re-enacting the provisions of a previous order, whether or not made by the same authority, no direction given by virtue of this subsection shall reduce the opportunities afforded by the said Schedule 10 to object to any application or proposal.
- (8) In the Road Traffic and Roads Improvement Act 1960, the following provisions shall cease to have effect, that is to say—
- (a) so much of section 4 (1) as limits the duration of the powers conferred by the said section 85 (5);
  - (b) so much of section 4 (2) as limits the duration of the power conferred thereby on the Minister of Transport to make grants towards the provision and maintenance of off-street parking places;
  - (c) section 10 (which relates to the provision by that Minister of temporary parking accommodation in Greater London).

#### **14 Other road traffic functions in Greater London**

- (1) The functions of the Minister of Transport under the following enactments shall, as respects Greater London, become functions of the Greater London Council, that is to say—
- (a) sections 137 and 138 of the Highways Act 1959 (which relate to half-yearly schemes of repair and improvement works);
  - (b) except as respects trunk roads, section 21 of the Road Traffic Act 1960 (which relates to directions with respect to speed limits on restricted roads);
  - (c) sections 49 and 50 of the Road Traffic Act 1960 (which relate to the use of roads as playgrounds);
  - (d) section 18 of the Road Traffic and Roads Improvement Act 1960 (which relates to road improvements),
- and so much of the said section 18 as restricts the duration thereof shall cease to have effect.
- (2) The Greater London Council shall have as respects Greater London the like powers as are conferred on the Minister of Transport by section 19 of the Road Traffic and Roads Improvement Act 1960 (which relates to road improvements) and so much of that section as restricts the duration thereof shall cease to have effect; and, without prejudice to the extent of the powers of the Greater London Council by virtue of the foregoing provisions of this subsection, that Minister shall exercise his powers under

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the said section 19 only if he considers it necessary in connection with any order made or proposed to be made by him under section 34 of the Road Traffic Act 1960 or section 28 of the Road Traffic Act 1962 for a purpose specified in section 10(2)(b) or (c) or, as the case may be, 11(2) of this Act.

- (3) In exercising their functions by virtue of subsection (1)(a) of this section, the Greater London Council, before drawing up a scheme under section 137 (3) of the said Act of 1959, shall instead of referring the statements mentioned in the said section 137 (3) to the body so mentioned consult with the appropriate commissioner of police and the London Transport Board; and no such scheme confirmed by that Council shall be binding on the Minister of Transport.
- (4) The consent of the Greater London Council for the purposes of section 138(2) of the said Act of 1959 shall not be unreasonably withheld, and any question whether the withholding of such consent is unreasonable shall be determined in like manner as any question arising under section 136(4) of that Act; and section 136(6) and (7) of the said Act of 1959 shall apply to a contravention of section 138(2) thereof as they apply to a contravention of section 136(1) thereof.
- (5) In the application to Greater London of section 44 of the Road Traffic Act 1960 (which relates to schemes for the establishment of pedestrian crossings on roads other than trunk roads) the expression " local authority " in that section shall mean—
  - (a) as respects a metropolitan road, the Greater London Council;
  - (b) as respects any other road in a London borough, the council of the borough ;
  - (c) as respects any other road in the City, the Common Council;but before the Greater London Council submit any scheme under that section with respect to a metropolitan road they shall consult with any other of the councils aforesaid within whose area that road is situated.
- (6) In the Road Traffic Act 1960—
  - (a) section 17 (which relates to the control of the use of footpaths and bridleways for motor-vehicle trials) shall apply to the council of a London borough as it applies to the council of a county borough;
  - (b) section 49 (which empowers local authorities to prohibit traffic on roads to be used as playgrounds) shall apply to the Common Council as it applies to the council of a borough;
  - (c) section 65(3) (which relates to the appointment of authorised examiners of vehicles) shall apply to the Greater London Council as it applies to the council of a county and to the Common Council as it applies to the council of a borough ;
  - (d) sections 135(8) and 141(2) to (6) (which relate respectively to road service licences and to the approval of routes in the London special area) shall apply to the Greater London Council as they apply to the commissioners of police therein mentioned ;
  - (e) section 202(2)(a) (which relates to the bodies excepted from the requirement of third-party insurance or security) and section 221(3) (which relates to the institution of proceedings for an offence under that section in respect of protective helmets for motor cyclists) shall apply to the Greater London Council as they apply to the council of a county.



## **15 Supplementary provisions as to road traffic**

- (1) The Road Traffic Act 1960, the Road Traffic and Roads Improvement Act 1960 and the Road Traffic Act 1962 shall have effect subject to the modifications specified in relation thereto in Parts I, II and III respectively of Schedule 5 to this Act, being modifications consequential on other provisions of this Act.
- (2) Any expression used in sections 10 to 14 of this Act which is also used in the Road Traffic Act 1960 shall have the same meaning as in that Act.

## **16 Highway authorities**

- (1) The Greater London Council shall be the highway authority for all metropolitan roads; and the council of a London borough or the Common Council shall be the highway authority for all highways in the borough or, as the case may be, in the City, whether or not maintainable at the public expense, which are not for the time being metropolitan roads or highways for which under section 1 (1) of the Highways Act 1959 the Minister of Transport is the highway authority.
- (2) The Highways Acts 1959 and 1961 shall extend to the whole of Greater London, and—
  - (a) the Highways Act 1959 shall have effect subject to the amendments specified in Schedule 6 to this Act, being amendments—
    - (i) consequential on other provisions of this Act; or
    - (ii) designed to apply in relation to highway authorities in Greater London, in appropriate cases and with appropriate modifications, provisions of that Act applicable to comparable authorities elsewhere;
  - (b) in section 2(2) of the Private Street Works Act 1961, the reference to a county borough shall include a reference to a London borough ;and in the application of section 153 of the Highways Act 1959 to Greater London the words " the carriageway of " in subsection (1) thereof shall be omitted.
- (3) The power conferred on a local highway authority by section 26 (2) of the Highways Act 1959 to construct new highways shall be exercisable by the Greater London Council for the purpose of constructing a new highway communicating with a metropolitan road notwithstanding that the new highway will not itself be such a road ; but before so exercising that power that Council shall give notice of their proposals for the construction of the new highway to, and consider any representations by, the council which will be the highway authority for that new highway.
- (4) Where a new highway to be constructed by virtue of the said section 26(2) by a London borough council or the Common Council will communicate with a metropolitan road, the communication shall not be made unless the manner in which it is to be made has been approved by the Greater London Council.
- (5) It shall be the duty of every London borough council and of the Common Council to furnish, and to instruct their officers to furnish, any information in their power which may reasonably be required by the Greater London Council for the purpose of enabling that Council to discharge their functions under or by virtue of this and the two next following sections.
- (6) Any expression used in this or the two next following sections which is also used in the Highways Act 1959 shall have the same meaning as in that Act.

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## 17 Metropolitan roads

- (1) The following shall be metropolitan roads, that is to say—
  - (a) subject to subsection (2) of this section, the highways specified in Schedule 7 to this Act;
  - (b) subject as aforesaid, any highway constructed or proposed to be constructed by the Greater London Council the construction of which as a metropolitan road has been approved by the Minister of Transport;
  - (c) any other highway or proposed highway which is for the time being designated as a metropolitan road by an order under subsection (2) of this section or by an order under section 7 of the Highways Act 1959 directing that the highway shall cease to be a trunk road.
- (2) Subject to subsection (3) of this section, the Minister of Transport may, on the application of the Greater London Council, a London borough council or the Common Council, by order designate as a metropolitan road any highway or proposed highway specified in the order or direct that any highway or proposed highway so specified which is for the time being a metropolitan road shall cease to be such a road.
- (3) The council by whom an application for an order under subsection (2) of this section is made shall send a copy of the application to any other council who, if the order were to be made, would become or cease to be the highway authority for the highway in question and, before determining whether or not to make the order, the Minister of Transport shall consider any representation which any such other council may make to him with reference to the making of the order and, if so requested by any such other council, shall hold a local inquiry.
- (4) Where a highway in a London borough or the City becomes (otherwise than by virtue of subsection (1)(a) of this section) or ceases to be a metropolitan road, the council of the borough or the Common Council, as the case may be, and the Greater London Council may agree for the transfer to the new highway authority for the highway of such property and liabilities relating thereto of the former highway authority therefor on such terms and conditions as may be specified in the agreement.
- (5) The drains belonging to a highway which is for the time being a metropolitan road shall vest in the Greater London Council and, where any other drain or sewer was, at the date when the highway became a metropolitan road, used for any purpose in connection with the drainage of that highway, that Council shall continue to have the right of using that drain or sewer for that purpose; and any difference arising under this subsection between the Greater London Council and a London borough council or the Common Council as to the council in whom a drain is vested, or as to the use of a drain or sewer, shall, if either council so elect, be referred to and determined by the Minister.
- (6) An order—
  - (a) under subsection (2) of this section ; or
  - (b) under section 7 of the Highways Act 1959 directing that a highway shall cease to be a trunk road and designating that highway as a metropolitan road,may be made before 1st April 1965 so as to come into force at any time not earlier than that date.

## 18 Delegation or transfer of functions with respect to metropolitan roads

- (1) The Greater London Council may agree with the council of any London borough or the Common Council for the delegation to the borough council or Common Council

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of any of the functions of the Greater London Council with respect to the maintenance and improvement of, and other dealing with—

- (a) the whole or any part of so much of any metropolitan road as lies within the borough or, as the case may be, the City;
  - (b) any land which does not form part of a metropolitan road but has been acquired by the Greater London Council in connection with such a road under section 214(5) or (6) or 215(2) of the Highways Act 1959.
- (2) A London borough council or the Common Council shall, in the discharge of any functions delegated by virtue of subsection (1) of this section, act as agents for the Greater London Council; and it shall be a condition of the delegation—
- (a) that the works to be executed and the expenditure to be incurred by the borough council or the Common Council in the discharge of the delegated functions shall be subject to the approval of the Greater London Council; and
  - (b) that the borough council or Common Council shall comply with any requirement of the Greater London Council as to the manner in which, and the persons by whom, any works are to be carried out, and with any general directions of the Greater London Council as to the terms of contracts to be entered into for the purposes of the discharge of the delegated functions; and
  - (c) that any such works shall be completed to the satisfaction of the Greater London Council;

and, if at any time the Greater London Council are satisfied on the report of some officer of the Council or other person appointed by them for the purpose that the road or land with respect to which the functions are delegated is not in proper repair or condition, they may give notice to the borough council or Common Council requiring them to place it in proper repair or condition and, if the notice is not complied with within a reasonable time, may themselves do anything which seems to them necessary to place it in proper repair or condition.

- (3) A delegation to a London borough council or the Common Council under subsection (1) of this section may be determined by notice given to that council by the Greater London Council, or the functions so delegated may be relinquished by notice given by the borough council or Common Council to the Greater London Council; but—
- (a) the determination or relinquishment shall not take effect until 1st April in the calendar year next following that in which the notice is given; and
  - (b) such a notice shall not be given during the last three months of a calendar year.
- (4) The Greater London Council may enter into an agreement with the council of a London borough or the Common Council for the construction of a metropolitan road in the borough or, as the case may be, in the City, or for the carrying out by the borough council or Common Council of any particular work of improvement of, or other dealing with, such a road or part thereof or such land as is mentioned in subsection (1) of this section; and subsection (2) of this section shall apply to the discharge of the functions of the borough council or Common Council under any such agreement and to the conditions to be included in the agreement as it applies to the discharge of functions delegated by virtue of the said subsection (1) and to the conditions to be attached to any such delegation.
- (5) The council of a London borough or the Common Council shall, if so required by the Greater London Council, undertake the maintenance of any metropolitan road within the borough or, as the case may be, within the City in consideration of such payments by the Greater London Council as may from time to time be agreed between them

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or, in default of such agreement, as may be determined by the Minister of Transport; and while that requirement remains in force the borough council or Common Council shall have the like powers and be subject to the like duties and liabilities with respect to the maintenance of that road as if they were the highway authority therefor.

- (6) Plant or materials belonging to a council by whom functions fall to be exercised by virtue of a delegation, agreement or requirement under this section may be used by them for the purposes of the exercise of those functions, subject to the terms of any delegation or of any agreement between that council and the Greater London Council.
- (7) Nothing in this section shall be construed as limiting the power of the Greater London Council to enter into and carry into effect agreements with any person for any purpose connected with the construction, improvement or maintenance of, or other dealing with, a metropolitan road or otherwise connected with any functions of that Council relating to metropolitan roads; but no such agreement shall provide for the delegation of any powers or duties of the Greater London Council except in accordance with the provisions of this section.

## **19 Modifications to Public Utilities Street Works Act 1950**

- (1) The Public Utilities Street Works Act 1950 shall have effect subject to the modifications hereafter specified in this section.
- (2) For the purposes of the operation of Part II in relation to a street in Greater London, the reference in section 21(1) to a county council shall be construed as including a reference to the Greater London Council.
- (3) In section 35(2), for the words " the administrative county of London" there shall be substituted the words " Greater London ",
- (4) In paragraph 1(b) of Schedule 7, for the words " conferred on the London County Council " there shall be substituted the words " in default of their execution by the undertakers conferred ",
- (5) In paragraph 5 of Schedule 7, for the words "in London" there shall be substituted the words " in Greater London ",
- (6) In paragraph 6 of Schedule 7, for the word " London " there shall be substituted the words " any part of London other than an outer London borough ",

## **20 Functions as to motor vehicles and driving licences**

- (1) The functions of a county council under the Vehicles (Excise) Act 1962 (being functions as to the collection of excise duties on, and the licensing and registration of, mechanically propelled vehicles) shall be exercised as respects Greater London by the Greater London Council; and accordingly, in section 24 (1) of that Act, for the definition of " county " there shall be substituted—
 

“ county ' includes a county borough and Greater London, and references to the council of a county shall be construed, in relation to a county borough, as references to the council of the borough and, in relation to Greater London, as references to the Greater London Council.”
- (2) The Greater London Council shall be the licensing authority for Greater London for the purposes of Part II of the Road Traffic Act 1960 (which relates to driving licences).

## 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—
  - (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—

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- “(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.

- (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—

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- (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.
- (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

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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 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

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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 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

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- (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.
- (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—

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- (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.

## **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 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



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- (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 ",

## PART IV

### EDUCATION AND YOUTH EMPLOYMENT SERVICE

#### 30 Local education authorities

- (1) As from 1st April 1965, any reference in the Education Acts 1944 to 1962 or in any other Act to the local education authority shall be construed—
  - (a) in relation to any outer London borough, as a reference to the council of that borough ;
  - (b) subject to subsections (6) and (7) of this section, in relation to the remainder of Greater London (which remainder shall be known as the Inner London Education Area) as a reference to the Greater London Council acting by means of a special committee thereof constituted as mentioned in subsection (2) of this section;and the Greater London Council, when acting as aforesaid as the local education authority for the said Area, shall, except for the purposes of any document of title, be known as the Inner London Education Authority, and any reference in this or any other Act to a member or officer of that Authority or, in relation to that Authority, to a member or officer of a local education authority shall be construed as a reference to a member of the special committee aforesaid or, as the case may be, an officer appointed for the purposes of the functions of the Greater London Council as a local education authority.
- (2) The special committee aforesaid shall consist of—
  - (a) such of the councillors of the Greater London Council as have been elected by local government electors for an inner London borough or the City;

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- (b) one representative of each inner London borough council appointed by that borough council from among the members thereof;
- (c) one representative of the Common Council appointed by the Common Council from among the members thereof;

and any person appointed in pursuance of paragraph (b) or (c) of this subsection shall, unless re-appointed, retire on the fourteenth day after the ordinary day of retirement of London borough councillors falling next after his appointment, but may resign his membership of the Inner London Education Authority at any time by notice in writing to the clerk of the council by whom he was appointed thereto.

- (3) The Greater London Council shall not act by means of the special committee aforesaid for the purpose of issuing any precept or borrowing any money, but shall so act for the purpose of determining—
  - (a) the amount for which the Council are to precept upon rating authorities in the Inner London Education Area in respect of expenditure of the Inner London Education Authority; and
  - (b) what amount, if any, is to be borrowed by the Council in respect of such expenditure,

and for the purpose of the making of the arrangements for the handling of receipts and payments required by section 58 of the Local Government Act 1958 so far as those arrangements relate to moneys paid or payable in connection with the functions of the Greater London Council as a local education authority, and shall also so act for the purpose of the appointment of any officer employed solely for the purposes of those functions, and in particular the appointment of the officer referred to in subsection (4) of this section.

- (4) The officers to be appointed by the Greater London Council under paragraph 12 of Schedule 2 to this Act shall include a chief education officer of the Inner London Education Authority ; and section 88 of the Education Act 1944 shall apply to the appointment of that officer as it applies to the appointment of any similar officer under the Local Government Act 1933.
- (5) Part II of Schedule 1 to the Education Act 1944 shall have effect in its application to the Inner London Education Area as if—
  - (a) paragraph 7 from " or has been " onwards and paragraph 11 were omitted ;
  - (b) in paragraph 8, the reference to the power to borrow money or to raise a rate included a reference to the power to make such a determination as is referred to in subsection (3) of this section ;

and Part III of the said Schedule 1 (which relates to the delegation of functions of local education authorities to divisional executives) shall not apply to Greater London.

- (6) The Minister of Education shall carry out, and not later than 31st March 1970 lay before Parliament a report on, a review of the administration of education in the Inner London Education Area for the purpose of determining whether, and if so to what extent, in what part or parts of that Area, and subject to what, if any, conditions, all or any of the functions of the local education authority relating to education should be transferred to, or to a body including a member or members appointed by, the appropriate council, that is to say, as respects the City the Common Council or as respects an inner London borough the council of that borough; and in the light of that review the Minister of Education may by regulations make provision for such a transfer as aforesaid of such of those functions, in such part of the Area aforesaid, and subject to such conditions, if any, as may be specified in the regulations; but no such

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regulations shall be made unless a draft thereof has been laid before, and approved by a resolution of, each House of Parliament.

- (7) Any regulations under subsection (6) of this section may include such incidental, consequential, transitional or supplementary provisions, including in particular provisions with respect to finance, the transfer and management or custody of property (whether real or personal) and the transfer of liabilities (but, without prejudice to sections 84(1) and 85 of this Act, excluding provisions with respect to the transfer of officers), as may appear to the Minister of Education to be necessary or proper for the purpose or in consequence of the regulations; and where any such regulations provide as respects any part of the Inner London Education Area for the transfer of all the functions of the local education authority relating to education to some authority other than the Inner London Education Authority, the regulations may also provide for that other authority to become, and for the Inner London Education Authority to cease to be, the local education authority for that part of that Area for the purposes of all enactments except (without prejudice to section 34 (4) of this Act) section 10 of the Employment and Training Act 1948.
- (8) In section 97 of the Children and Young Persons Act 1933, in proviso (b), for the words " London County Council as local authority" there shall be substituted the words " local education authority ",

### **31 Primary, secondary and further education in Greater London**

- (1) For the purposes of the Education Acts 1944 to 1962—
- (a) the development plan under section 11 of the Education Act 1944 in force for the county of London immediately before 1st April 1965, so far as it relates to the Inner London Education Area, shall continue on and after that date to be the development plan approved by the Minister of Education for that Area ;
  - (b) until replaced by a revised development plan submitted to and approved by the said Minister under subsection (2) of this section, any development plan under the said section 11 in force immediately before 1st April 1965 which relates, or so far as it relates, to the area of any outer London borough shall, or, if more than one, shall together, constitute as from that date the development plan approved by the said Minister for that borough;
  - (c) subject to subsection (4) of this section, any scheme of further education under section 42 of the said Act of 1944 in force immediately before 1st April 1965 which relates, or so far as it relates, to the Inner London Education Area or to the area of any outer London borough, shall, or, if more than one, shall together, continue to be, or, as the case may be, constitute, on and after that date the scheme of further education approved by the Minister of Education under the said section 42 for that Education Area or, as the case may be, that borough.
- (2) The council of each outer London borough shall, by 1st April 1966 or within such period thereafter as the Minister of Education may in any particular case allow, prepare and submit to that Minister a revised development plan for the borough for the purposes of the said Acts of 1944 to 1962 which shall be in such form and contain such particulars with respect to existing primary and secondary schools in their area and as to the action the authority propose to take to secure that there shall be sufficient schools available for their area as that Minister may require; and subsections (3) to (5) of section 11 of the said Act of 1944 shall apply to any revised development plan

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- submitted under this subsection as they apply to a development plan submitted under subsection (1) of that section.
- (3) Before preparing a revised development plan for their borough under subsection (2) of this section, the council of each outer London borough shall consult with any other local education authority whose area is contiguous with that borough with a view to ensuring that the revised plan has regard both to the use made of schools outside that borough by children resident therein and to the use of schools within that borough by children resident outside it.
- (4) Within such period as the Minister of Education may allow, the council of each outer London borough shall for the purposes of section 42 of the said Act of 1944 submit to that Minister a restatement of the scheme or schemes of further education referred to in subsection (1)(c) of this section so far as relating to that borough; and that restatement when submitted to that Minister shall be deemed for the purposes of the said section 42 to be a scheme of further education which has been submitted to that Minister under subsection (1) of that section.
- (5) As from 1st April 1965 it shall be the duty of the local education authority for any area in Greater London to maintain, and that authority shall not except in accordance with section 13 or 14 of the said Act of 1944 or subsection (6) of this section cease to maintain, any county or voluntary school maintained immediately before that date by the former local education authority for that area, being a school which is situated in that area or of which that former local education authority were, or in case of dispute are determined by the Minister of Education to have been, the main user immediately before that date.
- (6) Any authority who by virtue of section 30(1) of this Act are, or are to become, the local education authority for any area in Greater London may agree with any other local education authority for the maintenance by that other authority of any school which under subsection (5) of this section would otherwise fall to be maintained by the first-mentioned authority.
- (7) In the case of any school maintained immediately before 1st April 1965 by a local education authority who in consequence of this Act will not continue to maintain it on and after that date—
- (a) any instrument or rules of management or instrument or articles of government made by an order under section 17 of the said Act of 1944 and any arrangement made under section 20 of that Act, being an order or arrangement in force immediately before that date, shall continue in force on and after that date, subject to any further such order or arrangement and to any agreement under subsection (6) of this section, as if—
- (i) any reference therein to that local education authority were a reference to the authority by whom by virtue of subsection (5) or (6) of this section the school falls to be maintained on and after that date or, if there is no such authority or if there is any doubt as to the identity of that authority, such local education authority as the Minister of Education may direct;
- (ii) any reference therein to any other existing local authority, being the council of a metropolitan borough, non-county borough or urban district to whom section 3 (1) (b) of this Act applies, were a reference, if the school falls to be maintained by the council of a borough, to that council or, in any other case, to the council of the London borough which includes the area of that existing authority or, if different parts

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of that area are included in different London boroughs, the council of such of those boroughs (or, if more than one, the councils thereof acting jointly) as appears to the local education authority to be served by the school;

- (b) any direction of the local education authority under section 22 of the said Act of 1944 and any agreed syllabus of religious instruction under section 29 of that Act, being a direction or syllabus in force immediately before that date, shall continue in force on and after that date until replaced by a further direction under the said section 22 or, as the case may be, by the adoption of a new syllabus under the said section 29.

- (8) For the purposes of any duty imposed by or under the Education Acts 1944 to 1962 or section 3 (4) of the Local Government Act 1958 with respect to the admission of pupils to—
  - (a) county or voluntary schools; or
  - (b) institutions maintained or assisted by local education authorities for the purpose of providing further education,

it shall not be a ground for refusing a pupil admission to, or excluding a pupil from, any such school or institution maintained or assisted by a local education authority in Greater London that the pupil resides in the area of some other local education authority if that area is within, or is contiguous with any part of, Greater London; and where any provision for further education is made by a local education authority in Greater London in respect of a pupil who resides in Greater London, or in some other local education authority's area which is contiguous with any part of Greater London, but belongs to the area of a local education authority other than the providing authority, and the Minister of Education is satisfied that, having regard to all the circumstances of the case, it is right so to do, that Minister may on the application of the providing authority direct that section 7(1) of the Education (Miscellaneous Provisions) Act 1953 (which relates to the recoupment of the providing authority by the authority to whose area the pupil belongs) shall apply notwithstanding that the last-mentioned authority have not consented to the making of the provision.

- (9) Section 7(4) and (5) of the Education (Miscellaneous Provisions) Act 1953 (which relate to the determination of the local education authority to whose area any pupil belongs for the purposes of further education) shall apply for the purposes of subsection (8) of this section as they apply for the purposes of the said section 7.
- (10) In relation to any school maintained by the Inner London Education Authority, the expression "minor authority" in the said Act of 1944 shall be construed as a reference to any of the following councils whose area appears to that Authority to be served by the school, that is to say, the councils of the inner London boroughs and the Common Council; and before approving any proposals submitted to him under section 13 of the said Act of 1944 with respect to any school which is, or is to be, situated within the City or an inner London borough, the Minister of Education shall afford to the Common Council or, as the case may be, the borough council, an opportunity of making representations to him with respect to the proposal.

## **32 Co-ordination of school and other health services in inner London**

- (1) The Inner London Education Authority and each respectively of the following councils, that is to say, the councils of the inner London boroughs and the Common Council, shall as soon as may be jointly prepare and submit to the Minister of Education and the Minister of Health for their approval a scheme with respect to—

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- (a) the joint use of professional staff, premises and equipment for the purposes of the health services falling to be provided by the local education authority and the local health authority respectively; and
  - (b) consultation as to the qualifications, experience, conditions of service and appointment of professional staff concerned with both those health services.
- (2) If in the case of any of the councils aforesaid no such scheme as aforesaid has been submitted to the Ministers aforesaid under the foregoing subsection within such period as those Ministers think reasonable, those Ministers may themselves prepare such a scheme with respect to that council.
- (3) In the case of any of the councils aforesaid—
- (a) the Inner London Education Authority and the council concerned may from time to time jointly prepare and submit to the Ministers aforesaid for their approval, or
  - (b) the Ministers aforesaid may from time to time, after consultation with the said Authority and council, themselves prepare,
- a further scheme with respect to the matters mentioned in subsection (1) of this section, and any such further scheme may vary or revoke any scheme under subsection (1) or (2) of this section and any previous scheme under this subsection.
- (4) The Ministers aforesaid shall act jointly for the purpose of approving any scheme submitted to them under subsection (1) or (3)(a) of this section and may approve the scheme either without modification or with such modifications as, after consultation with the Inner London Education Authority and the council concerned, they consider necessary or expedient; and after the scheme has been so approved, then, while that scheme remains in force, no professional staff to whom the scheme applies shall be appointed or employed except in accordance therewith.
- (5) The Ministers aforesaid shall act jointly for the purpose of themselves preparing any scheme under subsection (2) or (3)(b) of this section, and the Inner London Education Authority and the council concerned shall comply with any such scheme while it remains in force.
- (6) In this section the expression " professional staff" in relation to any scheme thereunder means medical officers, dental officers, nurses, health visitors and such other specialist staff as may be specified in that scheme.
- (7) In its application to the Inner London Education Authority, section 54(4) of the Education Act 1944 shall have effect as if for the words " the council of any county district in the area of the authority " there were substituted the words " the council of any inner London borough or the Common Council of the City of London ",

### **33 Provision for continuance of existing educational grants**

- (1) Where, in the case of any grant made before 1st April 1965 under section 50, 61(2) or 81 of the Education Act 1944, section 6 of the Education (Miscellaneous Provisions) Act 1953 or section 1 or 2 of the Education Act 1962 in respect of a pupil who has not completed his course by that date, the local education authority by whom that grant was made—
- (a) cease on that date in consequence of this Act to be a local education authority ;
  - or

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(b) if the authority's area at the date of the making of the grant had been the same as on 1st April 1965, would not have been the appropriate authority to make it, it shall on and after 1st April 1965 be the duty of the authority specified in subsection (2) of this section to make the remaining payments in pursuance of that grant, subject to the same conditions, if any, as to satisfactory work, financial need or other matters as were attached to the grant or as would be attached to such a grant by the authority specified as aforesaid, whichever are the most favourable.

(2) The authority referred to in the foregoing subsection shall be—

- (a) the local education authority to whose area the pupil would have belonged (or, in the case of an award under section 1 of the Education Act 1962, in whose area he would have been ordinarily resident) at the date immediately before the grant was made if at that date the changes taking place under Parts I and IV of this Act on 1st April 1965 had already taken place; or
- (b) if there is no local education authority to whose area the pupil would have belonged (or, as the case may be, in whose area he would have been ordinarily resident) as aforesaid, then, without prejudice to any right to recoupment, such local education authority as the Minister of Education may determine ;

and section 6(2) to (4) of the Education (Miscellaneous Provisions) Act 1948 or section 7 (4) and (5) of the Education (Miscellaneous Provisions) Act 1953 (which relate to the determination of the local education authority to whose area any pupil belongs for the purposes of primary or secondary education or, as the case may be, further education) or Schedule 1 to the said Act of 1962 (which relates to the determination of ordinary residence for the purposes of the said section 1), as the case may be, shall apply for the purposes of this subsection as they apply for the purposes of the said Act of 1948, the said section 7 or the said section 1, as the case may be.

### **34 Youth employment service**

- (1) Subject to the provisions of this section, as from 1st April 1965 the local education authority for any area in Greater London shall undertake in that area, in accordance (subject to any necessary modification thereof in consequence of this Act) with any scheme in force immediately before that date under section 10 of the Employment and Training Act 1948 which relates, or so far as it relates, to that area, the functions with respect to the youth employment service to which the scheme relates; and for the purposes of any such modification as aforesaid the powers of the Minister of Labour upon the failure of the local education authority to comply with any direction with respect to the amendment of that scheme given by that Minister under section 12 (2) of the said Act of 1948 shall include power by a further direction to amend the scheme himself.
- (2) If before 1st January 1966 any authority who by virtue of section 30 (1) of this Act are, or are to become, the local education authority for any area in Greater London give notice in writing to the Minister of Labour that they wish this subsection to have effect, any such scheme as aforesaid, so far as it relates to that area, shall cease to be in force as from such date as that Minister may determine.
- (3) Any such authority as are mentioned in the last foregoing subsection who have not given such notice as is so mentioned shall, within such period as the Minister of Labour may allow, submit to that Minister for his approval under the said section 10 a revised scheme for the purposes of that section, and any such revised scheme shall be deemed for the purposes of the said Act of 1948 to be such an amending scheme as is mentioned in section 12(1) of that Act.

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- (4) Unless notice in respect of the Inner London Education Area has been given under subsection (2) of this section, the Minister of Labour shall, in conjunction with the review to be carried out by the Minister of Education under section 30(6) of this Act, carry out, and not later than 31st March 1970 lay before Parliament a report on, a review of the administration of the youth employment service in that Area for the like purpose as the Minister of Education's review aforesaid and shall have as respects the functions of the local education authority under the said section 10 the like power to make regulations in the light of that review as are conferred by section 30(6) and (7) of this Act on the Minister of Education as respects that authority's functions relating to education.
- (5) In paragraph 1(b) of Schedule 1 to the said Act of 1948 (which provides for the nomination by certain bodies of members of the National Youth Employment Council), for the words " The London County Council" there shall be substituted the words " The Inner London Education Authority ",

## PART V

### SEWERAGE AND TRADE EFFLUENTS

#### **35 Sewers and sewage disposal works**

- (1) On 1st April 1965 there shall vest in the Greater London Council all sewers and all sewage disposal works which immediately before that date were vested in the London or Middlesex county council, the Wandle Valley Main Drainage Authority, the North Surrey Joint Sewage Board or the Richmond Main Sewerage Board, and the said Authority and Boards shall cease to exist.
- (2) On 1st April 1965 there shall vest—
- (a) in the council of each London borough all sewers and sewage disposal works primarily serving an area in the borough which immediately before that date were vested in the council of a county borough, metropolitan borough or county district the area of which falls wholly or partly within the borough;
  - (b) in the council of a London borough all drains in the borough which immediately before that date fell within paragraph (a) or (b) of the definition of " drain " in section 81(1) of the Public Health (London) Act 1936.
- (3) As respects the sewerage area of the Greater London Council—
- (a) the provision of main sewers and of sewage disposal works shall be the function of the Greater London Council ; and
  - (b) the provision of public sewers other than main sewers shall, as respects a London borough, be the function of the council of the borough and, as respects a county district, be the function of the council of that district;
- and any power of the Common Council, the Sub-Treasurer of the Inner Temple or the Under-Treasurer of the Middle Temple to provide sewers (whether conferred by any enactment or otherwise) shall be exercisable subject to paragraph (a) of this subsection.
- (4) As respects a London borough which, or a part thereof which, falls outside the sewerage area of the Greater London Council the provision of all public sewers and sewage disposal works shall be the function of the council of the borough; but this



subsection shall have effect subject to any enactment or agreement with respect to such sewers and works and subject to the provisions of subsection (9) of this section.

- (5) It shall be the duty of the Greater London Council as soon as practicable after 1st April 1965 to take into consideration the public sewers and sewage disposal works primarily serving their sewerage area or (subject to subsection (9) of this section) any part of Greater London not forming part of that area, being sewers or works vested in some other local authority, with a view to determining whether a declaration should be made under this subsection, and if they are satisfied that any such sewer is or should become a main sewer or that any such works should be transferred to them, they shall, subject to the provisions of section 17(1) and (3) of the Public Health Act 1936 as applied by subsection (7) of this section, declare that that sewer or works shall as from such date as may be specified in the declaration vest in them, giving the requisite notice of their proposal to do so not later than 1st April 1970.
- (6) It shall be the duty of the Greater London Council to keep under consideration after 1st April 1970 the sewers and works mentioned in the last foregoing subsection, and if at any time they are satisfied that any such sewer constructed or acquired by any other local authority since that date should become a main sewer or that there has been a change of circumstances since that date affecting any other sewer so mentioned or any works so mentioned which makes it expedient that the sewer or works should be transferred to them, they shall, subject to the provisions of the said section 17(1) and (3), declare that the sewer or works shall as from such date as may be specified in the declaration vest in them.
- (7) The following provisions of section 17 of the Public Health Act 1936 (as amended by Schedule 9 to this Act) shall apply to a declaration under this section as they apply to a declaration under subsection (1) of that section, that is to say, subsections (1), (3), (5) and (6); and in deciding on an appeal under that section whether a declaration shall be made under this section, the Minister shall have regard to all the circumstances of the case and in particular to the considerations—
  - (a) whether or not the sewer or works in question primarily serves the sewerage area of the Greater London Council or a part of Greater London not forming part of that area; and
  - (b) whether or not the sewer in question is or should become a main sewer, or as the case may be, whether or not any machinery, equipment, pumping station, pipe or other thing is or should be used in connection with the works in question.
- (8) If any land used for the purposes of a sewage disposal works is vested by virtue of a declaration under this section in the Greater London Council and subsequently the land ceases to be used for that purpose the Greater London Council shall if so requested by the council in whom it was previously vested reconvey the land to that council on such terms as may be agreed between the two councils or in default of agreement as may be determined by the Minister.
- (9) Nothing in this section shall affect any sewer, sewage disposal works or other property, or any powers or duties, of the West Kent Main Sewerage Board.

## **36 Expenditure on sewerage**

- (1) The expenses incurred by the Greater London Council in the discharge of their functions relating to sewerage and sewage disposal shall be chargeable on the London boroughs and county districts falling wholly or partly within the sewerage area of the

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Greater London Council and on the City and the Temples, and where part only of such a borough or district falls within the said sewerage area those expenses shall be chargeable only on that part of the borough or district.

- (2) The expenses so incurred shall be expenses for special London purposes notwithstanding that those expenses are chargeable on areas outside Greater London ; and in relation to those expenses paragraph 19(2)(b) of Schedule 2 to this Act shall have effect as if the reference to part only of Greater London included a reference to the sewerage area of the Greater London Council.
- (3) Where any expenses so incurred are by virtue of subsection (1) of this section chargeable on part of a London borough or county district, any expenses incurred by the council of that borough or district in connection with main sewers or sewage disposal works primarily serving another part of the borough or district shall be chargeable only on that other part of the borough or district and, in the case of a rural district, notwithstanding anything in section 6 of the Rural Water Supplies and Sewerage Act 1944, shall not be general expenses.
- (4) The foregoing provisions of this section shall have effect subject to section 67 of this Act.
- (5) The Greater London Council shall reimburse to the council of a London borough or county district any expenses (including an appropriate proportion of administrative expenses) agreed by the two councils, or in default of agreement determined by the Minister, to have been reasonably incurred by the borough or district council in the discharge of their functions in connection with a main sewer which is vested in the borough or district council and primarily serves the sewerage area of the Greater London Council, and any sums reimbursed by the Greater London Council under this subsection shall be treated as expenses incurred by the Council in the discharge of their functions relating to sewerage and sewage disposal.

### **37 Application of enactments relating to sewerage and sewage disposal**

- (1) The following enactments relating to sewerage, drainage and sewage disposal, that is to say—
  - (a) the provisions of sections 14 to 42 and 330 of the Public Health Act 1936 and sections 1 (2) and 90 and Part XII of that Act so far as they relate to those provisions;
  - (b) section 13 of the Local Government (Miscellaneous Provisions) Act 1953 ; and
  - (c) sections 12 to 15 of, and Schedule 2 to, the Public Health Act 1961,shall, subject to the exceptions and modifications specified in Parts I and II of Schedule 9 to this Act, apply to all parts of the sewerage area of the Greater London Council and shall so apply instead of any other enactments in that behalf and, in particular in the case of the inner London boroughs, the City and the Temples, instead of any corresponding provisions contained in Parts II and XIV of the Public Health (London) Act 1936.
- (2) The provisions of Part III of the said Schedule 9 shall, except so far as the contrary intention appears, have effect in all parts of the sewerage area of the Greater London Council (being provisions reproducing, with modifications designed amongst other things to enable them to operate in that area or to bring them into conformity with this Act or the enactments mentioned in the foregoing subsection, provisions of Part II of the Public Health (London) Act 1936 and other enactments relating to sewerage,

sewage disposal and drainage in the administrative county of London which do not correspond to any enactments mentioned in that subsection but which it is expedient to apply to that area).

- (3) The enactments mentioned in subsection (1) of this section shall apply to any part of Greater London outside the sewerage area of the Greater London Council as they apply elsewhere in England and Wales, subject, however, in the case of section 21 of the Public Health Act 1936 to the modifications specified in paragraph 5 of Part II of Schedule 9 to this Act, and accordingly the local authority for the purposes of those enactments in their application to any such part of Greater London shall as respects a London borough be the council of the borough; but the foregoing provision shall not affect the application of any local statutory provision having effect in the district of the West Kent Main Sewerage Board.
- (4) Paragraphs 1 and 2 of Part I of the said Schedule 9 shall extend outside the sewerage area of the Greater London Council.

### **38 Trade effluents**

- (1) On and after 1st April 1965 the following enactments relating to trade effluents, that is to say, the Public Health (Drainage of Trade Premises) Act 1937, Part V of the Public Health Act 1961 and sections 1(2) and 90 and Part XII of the Public Health Act 1936 so far as they relate to the said Act of 1937 and the said Part V shall, without prejudice to section 37 of this Act but subject to the exceptions and modifications specified in Schedule 10 to this Act, apply to all parts of the sewerage area of the Greater London Council (including the City and the Temples) and to any part of Greater London which does not form part of that area, and shall so apply instead of Part II of the London County Council (General Powers) Act 1953 and Part II of the London County Council (General Powers) Act 1962 in the areas in which the two last mentioned Acts applied immediately before 1st April 1965.
- (2) The provision made by an order under section 84 of this Act may include—
  - (a) provision continuing in force any agreement, condition or liability to pay charges subsisting immediately before 1st April 1965 under Part II of the said Act of 1953 or Part II of the said Act of 1962 notwithstanding that 'the agreement could not have been made, the condition imposed or the liability incurred under the enactments relating to trade effluents specified in subsection (1) of this section;
  - (b) provision for varying or revoking any such agreement or condition or varying or abrogating any such liability, in either case to such extent as appears to the Minister to be necessary or proper to effect the transition from the provisions of the said Parts II to the said enactments relating to trade effluents ;
  - (c) provision exempting the owner or occupier of any premises with respect to which any such agreement or condition is in force from compliance with any requirement imposed by or by virtue of the said enactments to obtain the consent of the local authority with respect to all or any of the matters to which the agreement or condition relates or any other such requirement with respect to all or any of those matters.

### **39 Supplementary provisions relating to sewerage**

- (1) In this Part of this Act, except where the context otherwise requires—

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- (a) " main sewer " means a public sewer used for the general reception of sewage from other public sewers and not substantially used for the reception of sewage from private sewers and drains ;
  - (b) " sewerage area of the Greater London Council " means an area defined by an order made by the Minister as being the area drained by the sewers for the time being vested in the Council by virtue of section 35 of this Act and by any other sewers the sewage from which is directly or indirectly discharged into the sewers or sewage disposal works so vested in the Council, exclusive of any area in the district of the West Kent Main Sewerage Board and any area outside Greater London the sewage from which is so discharged in pursuance only of an agreement under section 28 of the Public Health Act 1936 ;
  - (c) any expression which is also used in Part II of the Public Health Act 1936 shall have the same meaning as in the said Part II.
- (2) An order under subsection (1)(b) of this section defining the sewerage area of the Greater London Council as constituted on 1st April 1965 shall be made so as to come into force on that date and subsequent orders redefining that area shall be made thereunder as occasion may require.
- (3) The Greater London Council shall keep, together with the documents relating to the business of the Council, a map or other document showing the extent for the time being of their sewerage area, and that map or other document shall be open to inspection by members of the public.
- (4) Any installation or equipment installed or used for the purpose of treating any overflow of sewage from a sewer caused by an excess of storm water shall be deemed for the purposes of this Part of this Act to form part of that sewer and not to be or form part of a sewage disposal works.
- (5) Any dispute between two authorities having functions with respect to sewers as to whether a sewer primarily serving the sewerage area of the Greater London Council is or is not a main sewer or whether or not a sewer or sewage disposal works primarily serves a part of that area or a part of Greater London not forming part of that area (other than a dispute which falls to be determined under section 17 of the Public Health Act 1936) shall in default of agreement be determined by the Minister.

## PART VI

### APPLICATION OF PUBLIC HEALTH ACTS AND RELATED ACTS

#### **40      General application of Public Health Acts**

- (1) The enactments to which this section applies shall apply or, as the case may be, continue to apply throughout Greater London as they apply elsewhere in England and Wales, but those enactments shall have effect subject to the provisions of subsection (2) of this section and to the modifications specified in Part I of Schedule 11 to this Act.
- (2) Subject to any provision to the contrary in the said Part I, and in particular the provisions of the said Part I conferring on the Greater London Council functions with respect to refuse disposal and other matters, the local authority and the urban sanitary authority for the purposes of the said enactments shall—
- (a) for a London borough, be the council of the borough;

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- (b) for the City, be the Common Council; and
  - (c) for the Inner Temple and the Middle Temple, be the Sub-Treasurer and the Under-Treasurer thereof respectively.
- (3) The provisions of Part II of Schedule 11 to this Act shall have effect in Greater London (being provisions reproducing, with modifications designed to bring them into conformity with this Act or the enactments to which this section applies, certain provisions of the Public Health (London) Act 1936 and certain other enactments having effect only in the administrative county of London).
- (4) This section applies to the following enactments:—
- (a) the Public Health Acts 1875 to 1925 ;
  - (b) the Public Health Act 1936;
  - (c) the Water Acts 1945 and 1948 and the Water Act 1958 ;
  - (d) sections 8 and 12 of the Local Government (Miscellaneous Provisions) Act 1953 ;
  - (e) the Clean Air Act 1956 ;
  - (f) sections 14 to 18 and 23 of the Mental Health Act 1959 ;
  - (g) the Noise Abatement Act 1960 ; and
  - (h) the Public Health Act 1961:

Provided that this section shall not apply to any enactment applied by or mentioned in section 37, 38, 44 or 58 of, or Schedule 9 or 10 to, this Act, except that it applies to sections 1 (2) and 90 and Part XII of the Public Health Act 1936 so far as relating to other enactments to which this section applies.

#### **41 Port health authority for Port of London**

- (1) For the purposes of the Public Health Act 1936 the Port of London shall be a port health district and the Common Council shall be the port health authority for that district; and the Minister of Health may by order—
- (a) confer on the said authority jurisdiction over all waters within the Port of London and also over the whole or part of the district of any riparian authority within the meaning of Part I of that Act as amended by subsection (3) of this section ;
  - (b) assign to the said port health authority any of the functions, rights and liabilities of a local authority under any of the enactments to which section 40 of this Act applies or would apply but for the proviso to subsection (4) of that section and under any provision of Part II of Schedule 11 to this Act or any local statutory provision continued in force by section 87 of this Act and any of the functions, rights and liabilities of a local authority or a food and drugs authority under any provision of the Food and Drugs Act 1955 ; and
  - (c) extend to all waters mentioned in paragraph (a) of this subsection and the whole or part of any district so mentioned any such provision as aforesaid or any instrument made under any such provision, being a provision or instrument which would not otherwise so extend.
- (2) In the foregoing subsection the references to a local authority and the district of an authority shall include references respectively to the Greater London Council and, in relation to that Council, Greater London.

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- (3) Part I of the Public Health Act 1936, so far as it relates to port health districts and authorities, shall have effect subject to the following modifications:—
- (a) references in sections 2 and 4 to a local authority and the district of an authority shall be construed in accordance with the last foregoing subsection;
  - (b) no order under the said Part I constituting a port health district shall include any part of the Port of London in that district or confer jurisdiction over any area for the time being subject to the jurisdiction of the port health authority for that port;
  - (c) section 9 shall apply to any order under subsection (1) of this section as it applies to an order under the said Part I constituting a port health district; and
  - (d) in Schedule 1, in its application to the Port of London, paragraphs 2 (1) and 3 and, in paragraph 4 (2), the words from " in respect of " to " foregoing paragraph " shall be omitted.

#### **42 Medical officers of health and public health inspectors for the City, etc.**

- (1) The provisions of sections 106, 108, 110, 115 and 116 of the Local Government Act 1933 relating to medical officers of health and public health inspectors shall apply to the City, the Inner Temple and the Middle Temple, and accordingly in those sections, so far as they apply to such officers and inspectors, references to a borough and to a borough council or a local authority shall be construed as including references to the City, the Inner Temple and the Middle Temple and to the Common Council, the Sub-Treasurer of the Inner Temple and the Under-Treasurer of the Middle Temple respectively.
- (2) The provisions of the said sections 106, 115 and 116 relating to medical officers of health and public health inspectors shall also apply to the port health district of the Port of London, and accordingly in those sections, so far as they apply to such officers and inspectors, references to a borough and to a borough council or a local authority shall also be construed as including references to that district and to the port health authority therefor respectively.

#### **43 Modifications of London Building Acts**

- (1) Without prejudice to the application to any part of Greater London by section 40 of this Act of any enactments relating to building control and to buildings and structures, but subject to any order under section 84 of this Act, the relevant provisions of the London Building Acts shall continue to have effect in Greater London other than the outer London boroughs, and Part II of the Act of 1939 and any regulations thereunder and any other relevant provisions of the London Building Acts which relate to the said Part II shall, notwithstanding anything in section 4 of the Act of 1930, extend to the outer London boroughs; and—
- (a) the Greater London Council shall have the functions of the London county council under all the aforementioned provisions; and
  - (b) the councils of the inner London boroughs and, in the case of provisions which extend to the outer London boroughs, the councils of the outer London boroughs shall have the functions of metropolitan boroughs under the said provisions.
- (2) In accordance with the foregoing subsection, in the relevant provisions of the London Building Acts and any byelaws and regulations made thereunder—

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- (a) for references to London or the administrative county of London there shall be substituted references to Greater London other than the outer London boroughs;
  - (b) for references to the London county council there shall be substituted references to the Greater London Council, except that for references to instruments of any description made by, or resolutions of, the London county council there shall be substituted references to instruments of that description made by, or resolutions of, that county council or the Greater London Council;
  - (c) for references to the council of a metropolitan borough there shall be substituted references to the council of an inner London borough or, in the case of a provision which extends to the outer London boroughs, references to the council of any London borough, and references to a local authority shall be construed accordingly;
  - (d) for references to the London Building Acts or the provisions of those Acts there shall be substituted references to the relevant provisions of those Acts, and for references to the Act of 1930, 1935 or 1939 (other than references to a specified provision thereof) there shall be substituted references to so much of the said relevant provisions as are contained in that Act.
- (3) If the Minister, after consultation with the Greater London Council and any other council concerned, so directs, the Greater London Council shall in the exercise of the power conferred on them by section 5(1) of this Act delegate such of their functions under the relevant provisions of the London Building Acts as the Minister may specify in the direction.
- (4) The expenses incurred by the Greater London Council in the discharge of their functions under the relevant provisions of the London Building Acts which do not extend to the outer London boroughs (including any expenses incurred by the council of an inner London borough or the Common Council as agent for the Greater London Council by virtue of section 5 (1) of this Act) shall be chargeable only on the inner London boroughs and the City.
- (5) In this section " the relevant provisions of the London Building Acts" means—
- (a) the London Building Acts 1930 to 1939, except the provisions repealed by the next following subsection;
  - (b) sections 6 and 7 of the London County Council (General Powers) Act 1954, and section 3 of that Act so far as it relates to those sections ;
  - (c) sections 5 to 13 of, and Schedules 1 and 2 to, the London County Council (General Powers) Act 1955, and section 3 of that Act so far as it relates to those sections and Schedules;
  - (d) section 62 of the London County Council (General Powers) Act 1956; and
  - (e) sections 15 to 17 of the London County Council (General Powers) Act 1958, and sections 3 and 13 of that Act so far as they relate to the said sections 15 to 17;
- and references to the Acts of 1930, 1935 and 1939 shall be construed as references respectively to the London Building Act 1930, the London Building Act (Amendment) Act 1935 and the London Building Acts (Amendment) Act 1939.
- (6) The following provisions of the London Building Acts 1930 to 1939 shall cease to have effect, that is to say—
- (a) Parts II and III and sections 51 to 53 of the Act of 1930;
  - (b) section 4 (1) (a) of the Act of 1935;

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- (c) sections 128 to 131 and 156 of the Act of 1939, and section 148 of that Act so far as it relates to other provisions of the London Building Acts 1930 to 193S repealed by this subsection.

#### **44 Cemeteries and crematoria**

- (1) The council of a London borough shall as respects the borough and the Common Council shall as respects the City be the local authority for the purposes of the Public Health (Interments) Act 1879 and the Cremation Acts 1902 and 1952, and—
  - (a) the powers conferred by the Burial Acts 1852 to 1906 to provide burial grounds shall not be exercisable by the council of any London borough or the Common Council; and
  - (b) any burial board constituted for an area wholly within Greater London shall cease to exist on 1st April 1965.
- (2) No new cemetery shall be provided in Greater London without the previous approval of the Minister.
- (3) Subsection (1) of this section shall not affect the power to make an Order in Council under section 1 of the Burial Act 1853 or section 1 of the Burial Act 1855 with respect to the discontinuance of burials; and—
  - (a) the power to make any such Order shall, notwithstanding anything in section 5 of the said Act of 1853 (which precludes the exercise of that power in the case of cemeteries provided under any Act of Parliament or with the approval of the Minister), be exercisable in relation to all cemeteries provided in or for an area in Greater London, whether provided by virtue of the Public Health (Interments) Act 1879 or otherwise ; and
  - (b) section 51 of the Burial Act 1852 shall apply to cemeteries in which burials are discontinued by virtue of this subsection as it applies to burial grounds in which interments are discontinued under that Act:

Provided that nothing in any such Order shall prevent the interment of the body of any person in the cathedral church of St. Paul's, London, or in the collegiate church of St. Peter's, Westminster, if Her Majesty signifies Her pleasure that the body be so interred.

- (4) In the Burial Acts 1852 to 1906 any reference to the Metropolis shall be construed as a reference to Greater London ; and in those Acts in their application to Greater London—
  - (a) any reference to a parish (not being a reference which is to be taken as a reference to an ecclesiastical parish) shall, without prejudice to section 68 (5) of the Rating and Valuation Act 1925, as amended by paragraph 13 of Schedule 15 to this Act, be construed as a reference to a London borough or the City, as the case may be ; and
  - (b) any reference to a burial board shall be construed as a reference to the council of a London borough or the Common Council, as the case may be.
- (5) Notwithstanding anything in section 7 of the Burial Act 1900 and without prejudice to section 3 of the Public Health (Interments) Act 1879, the provisions of sections 27 to 31 of the Cemeteries Clauses Act 1847 shall, so far as applicable, continue to apply to the City of London Cemetery, but the foregoing provisions of this subsection shall not affect the right of the incumbent of any ecclesiastical parish in the City to perform funeral services in respect of his own parishioners.



- (6) The provision made by an order under section 84 of this Act may include provision that a burial ground provided under the Burial Acts 1852 to 1906 for any area the whole or part of which is included in a London borough, or a cemetery provided by virtue of the said Act of 1879 for any such area, shall be treated as if it were provided for the whole of that borough or, if the area is included partly in one and partly in another borough, as if it were provided for the whole of one or both of those boroughs.
- (7) In this section "cemetery" includes a burial ground' or any other place for the interment of the dead.

## PART VII

### FUNCTIONS AS TO HEALTH AND WELFARE SERVICES AND OTHER MATTERS

#### 45 Local health authorities

- (1) Subject to section 19(2) and (3) of the National Health Service Act 1946 (which relate to joint boards and health committees of local health authorities) and subject to subsection (3) of this section, the local health authority for each London borough shall be the council of that borough and for the City shall be the Common Council.
- (2) It shall be the duty of every local health authority in Greater London (so far as concerns the functions conferred or imposed on them by virtue of subsection (1) of this section) to continue to provide for their area on and after 1st April 1965 the services corresponding (with any necessary modifications) with the services which were required or authorised to be provided for that area immediately before that date by the local health authority or authorities for the whole or any part of that area in pursuance of Part III of the said Act of 1946 and of any proposals or arrangements thereunder ; and—
- (a) any such proposals and arrangements in force immediately before that date shall continue in force accordingly until revoked or modified by further proposals or arrangements under the said Part III;
  - (b) such further proposals or, as the case may be, particulars of such further arrangements shall be submitted to the Minister of Health by each local health authority in Greater London within such period after 1st April 1965 as that Minister may direct.
- (3) In its application to Greater London, section 27 of the said Act of 1946 (which imposes a duty on local health authorities to provide ambulance services) shall have effect as if for any reference to the local health authority there were substituted a reference to the Greater London Council; and so far as concerns the duty imposed on that Council by virtue of this subsection—
- (a) subsection (2) of this section shall apply to that Council as it applies, so far as concerns functions conferred or imposed by virtue of subsection (1) of this section, to a local health authority;
  - (b) the following provisions shall apply to that council as if they were the local health authority for the whole of Greater London, that is to say—
    - (i) in the said Act of 1946, sections 2, 20, 57, 58, 63, 65, 66, 71, 72 and 74;
    - (ii) section 24 of the National Health Service (Amendment) Act 1949;
    - (iii) the National Health Service (Amendment) Act 1957.

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- (4) The Greater London Council shall have the like powers of contributing to voluntary organisations as are conferred on local health authorities by sections 22(5) and 28(3) of the said Act of 1946.
- (5) Section 55(1) of the said Act of 1946 (which relates to the accounts of local health authorities who are county borough councils) shall apply to the Common Council as it applies to a county borough council.
- (6) In section 79(1) of the said Act of 1946, in the definition of " local authority ", for the words " metropolitan borough " there shall be substituted the words " London borough, the Greater London Council "; and in section 20 (2) (c) of that Act and in paragraph 6 of Part II of Schedule 4 to that Act, for the words " forming part of " there shall be substituted the words " the whole or part of which is included in ",
- (7) In paragraph 2 of Part II of Schedule 4 to the said Act of 1946, any reference to the council of a county borough shall be construed as including a reference to the council of a London borough and to the Common Council.

#### **46 Accommodation and welfare of disabled and old persons, etc.**

- (1) The council of each London borough shall as respects the borough and the Common Council shall as respects the City—
  - (a) be the local authority for the purposes of the National Assistance Act 1948 (including Part III thereof);
  - (b) have the functions conferred by or by virtue of that Act on councils of county boroughs ;
  - (c) be the local authority for the purposes of section 3 of the Disabled Persons (Employment) Act 1958.
- (2) In accordance with the foregoing subsection, but subject to the subsequent provisions of this section, the following references, that is to say—
  - (a) references in any enactment to the local authority or registration authority within the meaning or for the purposes of either of the said Acts or any provision thereof;
  - (b) references to a local authority, so far as concerns the functions of such an authority under either of those Acts or any provision thereof;
  - (c) references in the said Act of 1948 to the council of a county borough,
 shall be construed in relation to Greater London as references to the council of a London borough or the Common Council, as the case may be; and references in any enactment to the area of any such authority, and references in the said Act of 1948 to a county borough, shall be construed accordingly.
- (3) The Greater London Council shall have the like powers of contributing to the funds of voluntary organisations as are conferred on the councils of London boroughs by sections 26(6), 30(2) and 31(3) of the said Act of 1948.
- (4) The functions of the council of a county borough under section 47 of the said Act of 1948 (which relates to the removal to suitable premises of persons in need of care and attention) and section 50 of that Act (which relates to the burial and cremation of the dead) shall, as respects the Inner Temple and the Middle Temple, be exercisable by the Sub-Treasurer and the Under-Treasurer thereof respectively, and those persons shall be included among the appropriate authorities specified in sections 47(12) and 50(2) of that Act.

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- (5) Without prejudice to paragraph 27(a) of Schedule 4 to this Act, section 59 of the said Act of 1948 (which relates to the accounts of county borough councils) shall not apply to the London borough councils.
- (6) It shall be the duty of each London borough council and of the Common Council to continue to provide for the area of the council on and after 1st April 1965 the accommodation and the services and facilities for disabled persons corresponding (with any necessary modifications) with those which were required or authorised to be provided for that area immediately before that date by the local authority or authorities for the whole or any part of that area in pursuance of the provisions of Part III of the said Act of 1948 or of section 3 of the said Act of 1958 and of any schemes made under those provisions ; and any such schemes in force immediately before that date shall continue in force until revoked or modified by further schemes under the relevant provisions of the next following subsection.
- (7) It shall be the duty of each London borough council and of the Common Council, within such period after 1st April 1965 as the Minister of Health may by directions specify, to submit schemes for the exercise of the council's functions with respect to the provision for the area of the council of accommodation and of services and facilities for disabled persons and section 34 of the said Act of 1948 shall apply to schemes under this section as it applies to schemes under sections 21 and 29 of that Act:

Provided that in relation to the provision of facilities for disabled persons this subsection shall have effect as if for the references therein and in the said section 34 to the Minister of Health there were substituted references to the Minister of Labour.

- (8) In this section—
- (a) references to accommodation provided under Part III of the said Act of 1948 and to a local authority providing accommodation shall be construed as if they were contained in the said Part III;
  - (b) references to services for disabled persons shall be construed as references to the services required or authorised to be provided under section 29 of that Act for persons who are substantially and permanently handicapped, including persons suffering from any form of mental disorder ; and
  - (c) references to facilities for disabled persons are references to facilities for employment for them or work on their own account, or for their training for such employment or work, required or authorised to be provided under section 3 of the Disabled Persons (Employment) Act 1958.

## **47 Children authorities**

- (1) Subject to subsection (2) of this section, the council of each London borough shall as respects the borough, and the Common Council shall as respects the City, have the functions of the council of a county borough under the enactments to which this section applies and be the local authority for the purposes of such of those enactments as refer to a local authority ; and accordingly references to the council of a county borough or a local authority in those enactments, in the amendment of section 96 of the Children and Young Persons Act 1933 made by Schedule 4 to the Acquisition of Land (Authorisation Procedure) Act 1946 and in the definition of " remand home " in any enactment shall, subject as aforesaid, be construed as including references to the council of a London borough and the Common Council.

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- (2) Section 96(4) of the Children and Young Persons Act 1933 shall not apply to expenses incurred by the Common Council, and, without prejudice to paragraph 27(d) of Schedule 4 to this Act, subsections (2) and (3) of section 49 of the Children Act 1948 shall not apply to the accounts kept by a London borough council under that section.
- (3) The enactments to which this section applies are—
- (a) Parts III, IV and V of the Children and Young Persons Act 1933 and Part VI of that Act so far as it relates to the said Parts III, IV and V ;
  - (b) the Children Act 1948 ;
  - (c) sections 48 and 49 of the Criminal Justice Act 1948;
  - (d) Part I of the Children Act 1958;
  - (e) the Adoption Act 1958;
  - (f) any other enactment conferring functions for the purposes of which a local authority are required to establish a children's committee under section 39 of the Children Act 1948.
- (4) The Greater London Council may make contributions to any voluntary organisation—
- (a) whose object or primary object is to promote the welfare of children ; or
  - (b) who are providing advice, guidance and assistance such as to promote the welfare of children by diminishing the need to receive children into or keep them in care under the Children Act 1948 or the Children and Young Persons Act 1933 or to bring children before a juvenile court.

#### **48 Fire authorities**

- (1) The Greater London Council shall be the fire authority for Greater London for the purposes of the Fire Services Acts 1947 to 1959, and accordingly—
- (a) references in those Acts to a county and to a county council shall be construed as including references to Greater London and the Greater London Council respectively;
  - (b) references in any other enactment to a fire authority or to a fire authority constituted by, or for the purposes of, the Fire Services Act 1947 shall, in the application of that enactment to Greater London, be construed as references to the Greater London Council.
- (2) Not later than the end of 1964, the Greater London Council shall prepare and submit to the Secretary of State for his approval an establishment scheme for a fire brigade for Greater London under section 19 of the Fire Services Act 1947 to come into force on 1st April 1965, and the Secretary of State shall not later than 15th March 1965 approve that scheme either as submitted or subject to such modifications as he may direct.
- (3) The Metropolitan Fire Brigade Act 1865 shall have effect as if references to the Metropolitan Board of Works were references to the Greater London Council and references to the metropolis were references to Greater London other than the outer London boroughs.

#### **49 Civil defence**

- (1) Subject to subsection (2) of this section, the functions conferred or imposed by or by virtue of any provision of the Civil Defence Acts 1937 and 1939 or of regulations

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under the Civil Defence Act 1948 on a local authority within the meaning of that provision or on a council of a specified description shall—

- (a) if expressed to be conferred or imposed on a fire authority or if relating to ambulance services or a service for the collection and removal of casualties or to the section of the Civil Defence Corps formed for stretcher bearing and giving first aid, be exercisable throughout Greater London by the Greater London Council;
- (b) if relating to the making and carrying out of plans for the dispersal of members of the civil population or for their maintenance and temporary accommodation when dispersed, be exercisable as respects a London borough or the City by the Greater London Council as well as by the council of the borough or the Common Council, as the case may be;
- (c) in any other case be exercisable as respects a London borough by the council of that borough and as respects the City by the Common Council;

and accordingly any reference in the said Acts of 1937 and 1939 and in those regulations to a local authority or a council of a specified description shall, so far as relates to the exercise of any such function in Greater London, be construed as a reference to the council or councils to whom the function is transferred by this subsection.

- (2) The foregoing subsection shall not apply to functions conferred or imposed on police authorities, statutory water undertakers or sewerage authorities.
- (3) For the purpose of determining whether any, and if so what, deduction should be made from grants payable in accordance with regulations under section 3 of the Civil Defence Act 1948 to a local authority to whom functions are transferred by subsection (1) of this section from another authority, any land or article acquired by, or article provided for, that other authority for the purposes of those functions shall be treated as having been acquired or, as the case may be, provided for the first-mentioned authority for those purposes.
- (4) Any power to vary or revoke regulations made under the Civil Defence Act 1948 shall include power to amend or repeal subsections (1) and (3) of this section so far as those subsections amend those regulations.
- (5) For section 58 (4) of the Civil Defence Act 1939 there shall be substituted the following subsection:—

“(4) The Greater London Council may be authorised by a scheme submitted by them under this section to exercise, for the purpose of securing supplies of water for extinguishing fires in Greater London caused by hostile attack, any powers exercisable under paragraph 1(1) of Part III of Schedule 9 to the London Government Act 1963 in connection with the functions there mentioned, and to exercise those powers in any part of Greater London, notwithstanding that it is outside the sewerage area of the Greater London Council as defined by section 39 of that Act, and without compliance with any requirement mentioned in paragraph 1(4) of the said Part III; and where they are authorised to exercise such powers paragraph 9 of the said Part III shall apply accordingly”;

and in section 58(5) of the said Act of 1939 for the reference to the London county council there shall be substituted a reference to the Greater London Council.

- (6) In section 33(4)(a) of the Civil Defence Act 1939 (as amended by Part III of Schedule 1 to the Public Health Act 1961) for the words " outside the administrative county of

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London " there shall be substituted the words " outside Greater London and in the outer London boroughs ",

## **50 Explosives and petroleum spirit**

- (1) Subject to subsection (3) of this section, the council of a London borough shall be the local authority for the borough for the purposes of the Explosives Acts 1875 and 1923 and the Fireworks Act 1951.
- (2) Subject to subsection (3) of this section, the Greater London Council shall be the local authority empowered to grant petroleum-spirit licences as respects Greater London under the Petroleum (Consolidation) Act 1928 ; and accordingly for section 2(1)(a) and (b) of that Act there shall be substituted—
  - “(a) in Greater London, the Greater London Council”.
- (3) Subsections (1) and (2) of this section shall not affect the jurisdiction exercisable in any harbour wholly or partly in Greater London by a harbour authority within the meaning of the Explosives Act 1875 or, as the case may be, the Petroleum (Consolidation) Act 1928.

## **51 Shops, etc.**

- (1) The council of a London borough shall as respects the borough, and the Common Council shall as respects the City, be the local authority for the purposes of the Offices, Shops and Railway Premises Act 1963, and the Greater London Council shall have the functions of the London county council under that Act; and accordingly—
  - (a) in the definition of " local authority " in section 90(1) of that Act, for the words " or a county district, the council of a metropolitan borough " there shall be substituted the words " a London borough or a county district "; and
  - (b) for the words " London County Council " wherever they occur in that Act there shall be substituted the words " Greater London Council ",
- (2) The said Act of 1963 shall be further amended as follows:—
  - (a) in section 41(1) for the words " administrative county of London " there shall be substituted the words " inner London boroughs, the City of London, the Inner Temple and the Middle Temple ";
  - (b) in section 41(3) for the words " administrative county of London " there shall be substituted the words " inner London boroughs, the City of London, the Inner Temple or the Middle Temple ";
  - (c) in section 52(3)(a) after the word " county " there shall be inserted the words " or the Greater London Council ";
  - (d) in section 52(5) for the words " administrative county of London " there shall be substituted the words " Greater London ",
- (3) No order shall be made under section 54 of the Shops Act 1950 other than an order revoking, either generally or as respects a specified area, a previous order under that section ; and, in relation to any area outside the City and the Temples, the power of making such an order under that section shall be exercisable by the council of the London borough in which that area falls, and references in subsections (2) to (4) of that section and in any order made thereunder to the London county council shall be construed as references to that borough council.

- (4) Until finally repealed as respects all classes of premises and for all purposes by the said Act of 1963—
- (a) section 72(2) of the Shops Act 1950 shall have effect throughout Greater London as originally enacted and not as amended by section 18 of the London County Council (General Powers) Act 1958 ;
  - (b) the definition of " sanitary authority " in section 74(1) of the Shops Act 1950 shall have effect as if for the words from " means " onwards there were substituted the words " means the council of a borough or an urban or rural district or, as respects the City of London, the Common Council ",

## **52 Licensing of theatres, public entertainments, etc.**

- (1) The authority under the Theatres Act 1843 for the licensing of houses or places for the public performance of stage plays in any part of Greater London in which the lord chamberlain of Her Majesty's household is not that authority shall be the Greater London Council.
- (2) The provisions of the Cinematograph Act 1909, except section 5 thereof, shall apply to Greater London as if it were a county and the Greater London Council were the council of that county; and section 1 of the Sunday Entertainments Act 1932 shall extend to the whole of Greater London and, in its application to Greater London, have effect as if subsection (5) were omitted.
- (3) Schedule 12 to this Act shall have effect with respect to the licensing of the public entertainments referred to in that Schedule in Greater London and with respect to the functions of the Greater London Council by virtue of subsections (1) and (2) of this section.

## **53 Licensing of tracks for betting**

- (1) The authority empowered to grant licences under Schedule 3 to the Betting, Gaming and Lotteries Act 1963 authorising the provision of betting facilities on tracks shall, in relation to Greater London, be the Greater London Council; but that Council may delegate their functions under that Schedule to a committee consisting of members thereof, and in that case—
- (a) if the committee are specially appointed for the purpose, the number and term of office of the members thereof shall be fixed by the Greater London Council; and
  - (b) subject to the provisions of that Schedule and to any directions given by the Greater London Council, the procedure of the committee shall be such as they may themselves determine;
- and section 5(1) of this Act shall not apply to any functions of the Greater London Council by virtue of this section.
- (2) Where, apart from this subsection, the betting days within the meaning of paragraph 14 of the said Schedule 3 for Greater London would fall to be fixed for the period of twelve months beginning with 1st July in any year in accordance with paragraph 15(4) of that Schedule, then, if within the period of one month from the date of the publication of the notice referred to in paragraph 15(2) of that Schedule the authority referred to in subsection (1) of this section receive written notice signed by all the holders of licences under that Schedule for the time being in force in respect of tracks in Greater London, being tracks—

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- (a) which, immediately before 1st April 1965, were in the same licensing area for the purposes of that Schedule; and
  - (b) in respect of which such licences were in force immediately before that date, stating that the signatories unanimously desire that the betting days for that period of twelve months for those tracks should be the days specified in the notice given under this subsection, and those days are days which might lawfully be fixed under that Schedule as the betting days for that period, that authority shall fix as the betting days for those tracks for that period the days so specified and the said paragraph 15(4) shall not apply thereto.
- (3) Where in the case of any particular track or group of tracks the betting days for any such period of twelve months as aforesaid are fixed by virtue of subsection (2) of this section, so much of paragraph 14(3) of the said Schedule 3 as requires, the betting days or, as the case may be, the four of those days fixed as special betting days for the purposes of section 7 (2) of the said Act of 1963 to be the same for the whole of Greater London shall be construed in relation to that period as a requirement that—
- (a) those of any betting days fixed by virtue of subsection (2) of this section which are fixed as special betting days shall be the same for all the tracks for which those betting days are fixed ;
  - (b) any betting days fixed otherwise than by virtue of subsection (2) of this section and those of them fixed as special betting days shall be the same for the whole of Greater London;

and unless the betting days fixed for that period are the same for the whole of Greater London, any reference in section 6(3) or 15(1)(a) of the said Act of 1963 to one of the betting days fixed as mentioned in that provision shall be construed in relation to any track in Greater London as a reference to one of the days fixed in accordance with that Schedule or subsection (2) of this section as the days on which betting facilities may be provided on that particular track.

#### **54 Food, drugs, markets and animals**

- (1) The council of a London borough shall, as respects that borough, be—
- (a) both the food and drugs authority and the local authority for the purposes of the Food and Drugs Act 1955 ;
  - (b) the authority responsible for enforcing section 31 of that Act (which prohibits the sale of milk from diseased cows); and
  - (c) the local authority for the purposes of the Slaughter-houses Act 1958 and the Slaughter of Animals Act 1958;

and the Common Council shall, as respects the City, be the authority responsible for enforcing the said section 31 and the local authority for the purposes of each of the said Acts of 1958 ; and in the said Act of 1955 Part III (which relates to the provision and regulation of markets) shall extend to all the London boroughs, Part IV (which relates to slaughterhouses, knackers' yards, and cold-air stores) shall extend to the whole of Greater London, and so much of section 15(2) as restricts the power of local authorities in London to make byelaws under that section shall cease to have effect.

- (2) Notwithstanding anything in subsection (1) of this section, neither the council of any London borough nor the Common Council shall be required to carry out a review of, or submit a report on, slaughterhouse facilities under section 3 of the Slaughterhouses Act 1958, and section 4(3) of that Act shall not apply to any such council; but—



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- (a) in relation to the council of an inner London borough or the Common Council, section 4 (1) and (2) of that Act shall have effect as if the following provisions thereof were omitted, that is to say—
    - (i) in the said section 4 (1), the words from the beginning to " last foregoing section" and paragraphs (a) and (b);
    - (ii) in the said section 4 (2), the words from " after " to " apply and " ;
  - (b) in relation to the council of an outer London borough, sections 4(1) and (2) and 6(1) of that Act shall have effect as if any report submitted under section 3 of that Act which relates, or so far as it relates, to the area of that borough had been submitted by that council and any application refused under the said section 6(1) by the authority by whom that report was submitted had been so refused by that council.
- (3) For the purposes of the Diseases of Animals Act 1950—
- (a) subject to paragraph (b) of this subsection, the council of a London borough shall be the local authority for the borough;
  - (b) for the purpose of the provisions of that Act relating to imported animals, the Common Council shall be the local authority in and for the whole of Greater London.
- (4) The Diseases of Animals Act 1950, the Food and Drugs Act 1955 and the Slaughter of Animals Act 1958 shall have effect subject to the modifications specified in relation thereto in Parts I, II and III respectively of Schedule 13 to this Act, being modifications consequential on the foregoing provisions of this section.

## **55 Smallholdings, allotments, etc.**

- (1) Part IV of the Agriculture Act 1947 (which relates to smallholdings) shall apply to the Greater London Council as it applies to a county council, and accordingly in section 47(1) of that Act (which makes it the duty of every county council other than the London county council to provide smallholdings) for the words " other than the London County Council " there shall be substituted the words " and of the Greater London Council ",
- (2) The Greater London Council shall have the like powers as a county council under section 12 of the Agricultural Land (Utilisation) Act 1931 with respect to the provision of cottage holdings; and any remaining functions under the provisions of the Small Holdings and Allotments Acts 1908 to 1931 repealed by the Small Holdings and Allotments Act 1926 or saved by proviso (a) to section 67 (2) of the Agriculture Act 1947 which, by virtue of section 19(1) of the said Act of 1926 or the said section 67(2), were exercisable immediately before 1st April 1965 by the Middlesex county council shall as from that date become functions of the Greater London Council.
- (3) Section 61(3) of the Agriculture Act 1947 (which relates to the matters which may be referred by a smallholdings authority to the smallholdings committee constituted by that authority under section 61 (1) of that Act) shall apply to the Greater London Council as it applies to the council of a county; and in section 71(8)(c) of that Act (which relates to the discharge of the functions of County Agricultural Executive Committees in the existing county of London) for the words " the county of London" there shall be substituted the words " Greater London ",
- (4) In its application to an inner London borough, section 23 of the Small Holdings and Allotments Act 1908 shall have effect as if—

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- (a) in subsection (1) for the word " shall" wherever it occurs there were substituted the word " may "; and
  - (b) subsection (2) were omitted ;
- and in section 20 of the Allotments Act 1922 for the words " Metropolitan borough " there shall be substituted the words " outer London borough ",

## **56 Library authorities**

- (1) The Public Libraries Act 1892 shall be deemed to have been adopted in every London borough and each London borough shall be a library district within the meaning of that Act; and—
  - (a) in section 13(2)(e) of that Act, for the words " the administrative county of London" there shall be substituted the words " Greater London ";
  - (b) section 20 of that Act, section 8 of the Public Libraries Act 1901 and section 3 of the Public Libraries Act 1919 shall not apply to any London borough;
  - (c) section 6 of the Public Libraries Act 1919 shall apply to a London borough council whether or not they are the local education authority.
- (2) In section 13 of the Public Libraries Act 1901, for the words " administrative county " there shall be substituted the word " City ",

## **57 Provision of entertainments, concert halls, museums, etc.**

- (1) The Greater London Council shall be a local authority for the purposes of section 132 of the Local Government Act 1948 (which relates to the powers of local authorities with respect to the provision of entertainments).
- (2) Any property (including the Royal Festival Hall) which immediately before 1st April 1965 was held by the London county council by virtue of any of the following enactments, that is to say—
  - (a) section 46 of the London County Council (General Powers) Act 1901 (which relates to the Horniman museum);
  - (b) the Iveagh Bequest (Kenwood) Act 1929 ;
  - (c) section 3 of the London County Council (General Powers) Act 1940 (which relates to certain ponds at Ken Wood, Hampstead Heath and Parliament Hill);
  - (d) section 4 of the London County Council (General Powers) Act 1947 (which relates to the provision of concert halls, etc.);
  - (e) the London County Council (Crystal Palace) Act 1951 ;
  - (f) section 29 of the London County Council (General Powers) Act 1959 (which relates to the Geffrye museum),

shall on that date vest in the Greater London Council; and the functions of the London county council by virtue of the enactments referred to in paragraph (a), (b), (e) or (f) of this subsection or by virtue of section 20 of the London County Council (General Powers) Act 1952 (which relates to the exhibition at Ken Wood of drawings from Sir John Soane's museum) shall on that date become functions of the Greater London Council.

## **58 Parks and open spaces**

- (1) The following provisions (being provisions relating to the powers of local authorities with respect to parks and open spaces), that is to say, section 164 of the Public Health

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Act 1875, the Open Spaces Act 1906 (other than section 14 thereof) and sections 52 to 54 of the Public Health Act 1961, and, for the purposes of the said section 54, the provisions therein mentioned of the Public Health Act 1936, shall have effect as if—

- (a) the London borough councils, and
- (b) for the purposes of any park or open space for the time being vested in the Greater London Council or of the provision of further parks or open spaces where that provision is—
  - (i) by way of the appropriation of land held for other purposes, being, notwithstanding anything in section 23 of the Town and Country Planning Act 1959, an appropriation made with the consent of the Minister; or
  - (ii) approved by the Minister as being for the benefit of an area of Greater London substantially larger than the London boroughs in or near which the park or open space is proposed to be provided,

the Greater London Council,

were included among the local authorities to whom the provision in question applies.

- (2) Any land which immediately before 1st April 1965 was vested in the London or Middlesex county council and used as a park or open space, not being land to which section 57(2) or 59(1) of this Act applies, shall on that date vest in the Greater London Council; but, not later than 31st March 1970 or such later date before 1st April 1975 as the Minister may direct, the Greater London Council shall, after consultation with the London borough councils, prepare and submit to the Minister a scheme with respect to that land—
  - (a) containing proposals as to what part, if any, of that land should, in the opinion of the Greater London Council, be retained by that Council and giving their grounds for that opinion;
  - (b) providing with respect to the remainder of that land for the transfer of any park or open space comprised therein to one, or to two or more jointly, of the London borough councils, and, in the case of a transfer to two or more councils jointly, providing for the management and control of the park or open space by a body representative of both or all of those councils ;
  - (c) in the case of any of that land proposed to be transferred, indicating any necessary modifications of any local Act or other instrument with respect to the land in question;

and the Minister may by order, after consultation with the Greater London Council and any London borough council to whom the order relates or in whose area any of the land is situated, give effect to the scheme without modification or with such modifications as the Minister thinks fit or make such other provision for the retention by the Greater London Council, or the transfer to one, or to two or more jointly, of the London borough councils, of any of that land as appears to the Minister appropriate; and any reference in this subsection to a London borough council shall be construed as including a reference to the Common Council and, in relation to any land outside Greater London, as including a reference to the council of any county or county district in whose area any of the land is situated.

- (3) Until the coming into operation of the Minister's order under subsection (2) of this section, one half of the expenditure of the Greater London Council in the exercise of functions with respect to parks and open spaces, being functions which immediately before 1st April 1965 were functions of the London county council, shall be treated as expenditure for special London purposes and be chargeable only on the inner London boroughs, the City and the Temples.

## 59 The Green Belt

- (1) Where, in the case of any Green Belt land within the meaning of the Green Belt (London and Home Counties) Act 1938, immediately before 1st April 1965—
- (a) that land, not being land to which section 81(1) of this Act applies, was vested in the London or Middlesex county council; or
  - (b) any functions, rights or liabilities were exercisable with respect to that land by either of those councils,
- then on that date that land shall vest in, or, as the case may be, those functions, rights and liabilities shall become functions, rights and liabilities of, the Greater London Council.
- (2) In the said Act of 1938—
- (a) in section 2 (1), in the definition of " the area ", for the words from " London " onwards there shall be substituted the words " and Surrey, and Greater London ";
  - (b) the expression " local authority " shall include the Greater London Council;
  - (c) the expression " contributing local authority " in relation to any land in relation to which, if this Act had not been passed, any existing council to whom section 3(1)(b) of this Act applies would have been such an authority, shall, if that existing council is the London or Middlesex county council, include the Greater London Council or, in any other case, include the London borough council whose area includes the whole or any part of the area of that existing council;
  - (d) in sections 5, 6, 12, 15 and 32, the expression " the county council " in relation to any land in Greater London shall mean the Greater London Council;
  - (e) in section 17 (7) for the words " county or borough or district or parish " there shall be substituted the word " area ",

## 60 Functions under National Parks and Access to the Countryside Act 1949

- (1) Subject to the provisions of this section, as respects any part of the existing county of Hertfordshire, Essex, Kent or Surrey which on 1st April 1965 ceases to be part of that county and as respects any part of the existing county of Middlesex, any functions under sections 27 to 34 of the National Parks and Access to the Countryside Act 1949 (which relate to the ascertainment of footpaths, bridleways and certain other highways) which on 31st March 1965 still remained to be discharged by the county council shall on 1st April 1965 become functions—
- (a) in the case of any area falling within a London borough, of the council of that borough ;
  - (b) in the case of any part of the urban district of Potters Bar, of the Hertfordshire county council;
  - (c) in the case of any part of the urban district of Staines or Sunbury-on-Thames, of the Surrey county council;
- and, in the case of an area mentioned in paragraph (b) or (c) of this subsection, the county council so mentioned shall not be required to discharge as respects that area any functions under the said sections 27 to 34 already discharged by the Middlesex county council.
- (2) As respects any part of a London borough to which the said sections 27 to 34 do not apply by virtue of subsection (1) of this section and as respects any part of the City,

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subsections (2), (3) and (5) of section 35 of the said Act of 1949 (which relate to the extension of the said sections 27 to 34 to county boroughs) and, as respects any part of any London borough or the City, subsection (4) of that section (which relates to the exclusion of parts of a county from the operation of those sections) shall apply in relation to that London borough and the council thereof or to the City and the Common Council, as the case may be, as they apply in relation to a county borough (or, in the case of the said subsection (4), a county) and the council thereof.

- (3) The London borough council to whom any functions of any county council other than the Middlesex county council are transferred by virtue of subsection (1) of this section may agree with the county council for the performance of any of those functions by that county council on behalf of the borough council; and where by virtue of subsection (1) or (2) of this section the said sections 27 to 34 for the time being apply to any part of any London borough or the City, the borough council or Common Council, as the case may be, may agree with the Greater London Council for the functions of the borough council or Common Council under the said sections 27 to 34 to be discharged by the Greater London Council, and while such an agreement with the Greater London Council is in force—
  - (a) references in Part IV of the said Act of 1949 to the surveying authority shall be construed accordingly ;
  - (b) section 28 (1) of the said Act of 1949 shall have effect in relation to a survey carried out by the Greater London Council as if the reference therein to the councils of county districts and parishes were a reference to the borough council or Common Council, as the case may be.
- (4) In section 23 of the said Act of 1949, the reference to the local planning authority shall be construed in relation to land in a London borough or the City as a reference to the borough council or, as the case may be, the Common Council.
- (5) The provisions of Part V of the said Act of 1949 with respect to access agreements and access orders and section 90 of that Act shall not apply to the inner London boroughs or the City; and in relation to land in an outer London borough references in sections 64 to 82 and 90 of that Act to the local planning authority shall be construed as references to the borough council.
- (6) In section 89 of the said Act of 1949 the expression " local planning authority ", and in section 99 of that Act the expression " local authority ", shall include the Greater London Council, a London borough council and the Common Council; and in section 102 of that Act—
  - (a) the expression " local planning authority " shall include the council of an outer London borough; and
  - (b) the expression " local authority " shall include the Greater London Council.

## **61 Functions under Town Development Act 1952**

- (1) As respects participation in town development within the meaning of the Town Development Act 1952, and as respects the power to contribute towards expenses of such development conferred by sections 4 and 10(3) of that Act on the council of a county borough, the Greater London Council shall be in the same position under that Act as the council of a county borough, and accordingly references in that Act to the council of a county borough as an authority participating or eligible to participate and the references to the council of a county borough in sections 4, 10(3) and 12(1) of that Act shall include references to the Greater London Council; and, for the purposes of

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any such development in respect of which the Greater London Council have power under the said section 4 to make a contribution to the council of any receiving district within the meaning of that Act, they shall also have power to make available to that council the services of any of their officers or servants.

- (2) In section 2(1)(b) of the said Act of 1952, for sub-paragraphs (ii) and (iii) there shall be substituted the following—

“(ii) Greater London; or  
 (iii) a county district in an area of continuous urban development adjacent to any big centre of population other than Greater London ; or”.

- (3) It shall be the duty of the Greater London Council—

- (a) to implement, or complete the implementation of, any undertaking given before 1st April 1965 with the approval of the Minister—
- (i) under section 4, 10(3) or 19(3) of the said Act of 1952 (including the said section 4 as extended by section 34(2) of the Housing Act 1961) by any council to whom section 3(1)(b) of this Act applies; or
- (ii) under the said section 4 (as extended as aforesaid) by the Hertfordshire, Essex, Kent or Surrey county council in a case where the undertaking was in respect of development relieving congestion in any area falling within Greater London;
- (b) to take or complete any action which was agreed to be taken by any council to whom section 3(1)(b) of this Act applies in pursuance of an agreement made before 1st April 1965, being an agreement made with the authority of the Minister under section 8(1) of the said Act of 1952 or an agreement such as is referred to in section 8(2) of that Act;

and the Greater London Council shall have the like rights under any agreement to which paragraph (b) of this subsection applies as the council whose liabilities thereunder they assume by virtue of that paragraph.

- (4) References in subsection (3) of this section to an undertaking given or action agreed to be taken by any council shall be construed as including references to any undertaking or action which, having regard to the established practice of that council, should properly be deemed to have been so given or to have been so agreed to be taken; and any dispute as to the existence or extent of any duty, right or liability of the Greater London Council by virtue of the said subsection (3) or as to whether or not any particular undertaking or action should properly be deemed as aforesaid shall be referred to and determined by the Minister.
- (5) Any action authorised by an order under section 9 of the said Act of 1952 to be taken by any council to whom section 3(1)(b) of this Act applies may be taken by the Greater London Council; and that Council shall have the like liabilities and rights in connection with any obligation with respect to that action imposed by the order as the council originally authorised by the order to take that action.

## 62 Miscellaneous local authority functions

- (1) The London borough councils and (where not already so) the Common Council shall be local authorities for the purposes of the following enactments—
- (a) the Canals Protection (London) Act 1898, which shall extend to the whole of Greater London;

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- (b) the Celluloid and Cinematograph Film Act 1922, which shall extend to the whole of Greater London ;
  - (c) the Pharmacy and Poisons Act 1933 ;
  - (d) section 17 of the Restriction of Ribbon Development Act 1935 ;
  - (e) the Riding Establishments Act 1939 ;
  - (f) the Schedule to the Consumer Protection Act 1961, including that Schedule as applied by section 6(3)(b) of that Act.
- (2) Schedule 14 to this Act shall have effect with respect to the discharge in Greater London and the adjoining areas of functions with respect to land drainage and flood prevention and other functions under the enactments therein mentioned.
- (3) Without prejudice to the operation in Greater London of the Places of Worship Registration Act 1855, nothing in this Act shall transfer to any local authority in Greater London any functions under the Places of Religious Worship Act 1812.
- (4) Unless provision for the purpose is made by some other Act passed during the same session as this Act, the Board of Trade may, as respects Greater London or any part thereof, by order make provision as to the authority by whom there shall be exercised on and after 1st April 1965 any function conferred on local authorities by the enactments relating to weights and measures.
- (5) The confirmation and record of the rules of loan societies under the Loan Societies Act 1840 shall as respects any such society formed in Greater London be functions of the Greater London Council; and accordingly in relation to that Act sections 3 and 78 of the Local Government Act 1888 shall have effect as if Greater London were a county and the Greater London Council were the council of that county.

## PART VIII

### RATING AND VALUATION AND ASSOCIATED MATTERS

#### 63 Rating and valuation

- (1) Each London borough shall be a rating area and the rating authority therefor shall be the council of the borough; and, subject to subsection (2) of this section, the Rating and Valuation Act 1925 shall apply in Greater London as it applies elsewhere in England and Wales.
- (2) The enactments relating to rating and valuation in England and Wales shall have effect subject to the modifications thereof specified in Schedule 15 to this Act, being—
- (a) modifications consequential on the foregoing subsection and other provisions of this Act; or
  - (b) modifications of the said Act of 1925 in its application to Greater London; or
  - (c) modifications extending to the whole of Greater London provisions applicable to the existing county of London.

#### 64 General grants

- (1) The authorities to whom general grants are payable under Part I of the Local Government Act 1958 shall include the London borough councils and the Common

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Council, and accordingly references in the said Part I to recipient authorities shall include references to those councils.

- (2) The expenditure which qualifies as relevant expenditure for the purposes of the said Part I shall include expenditure incurred by or on behalf of the Greater London Council in respect of the carrying out of that Council's functions by virtue of section 45(3) of this Act and any expenditure by way of contributions by that Council—
  - (a) by virtue of section 45(4) or 47(4) of this Act; or
  - (b) by virtue of section 46(3) of this Act so far as it relates to section 26(6) of the National Assistance Act 1948.
- (3) Where the provision of any service giving rise to relevant expenditure within the meaning of the said Part I as amended by the last foregoing subsection is a function of the Greater London Council or of a joint board whose district is wholly or partly comprised in a London borough or in the City, section 3(1) of the said Act of 1958 (which enables the Minister to reduce a general grant in the case of default by a recipient authority) shall in relation to that borough or the City, as the case may be, apply to a failure on the part of the Greater London Council or the joint board to achieve or maintain reasonable standards as it would apply if the failure were that of the council of that borough or the Common Council, as the case may be.
- (4) In its application to the council of an inner London borough or the Common Council, paragraph 4 of Part III of Schedule 1 to the said Act of 1958 shall have effect as if in sub-paragraph (1) thereof—
  - (a) for any reference to the local education authority there were substituted a reference to the Inner London Education Authority;
  - (b) the reference to the centres provided as mentioned in that sub-paragraph were a reference to such centres provided by the council of any of the inner London boroughs or the Common Council;
  - (c) for the first reference to the area of the authority there were substituted a reference to the Inner London Education Area and the second such reference were a reference to the inner London borough in question or, as the case may be, the City ;

and, for the purposes of sub-paragraph (2) (b) of that paragraph, as if the Inner London Education Area were the area of a single local health authority.
- (5) In paragraph 8 (3) of the said Part III, for the words " the administrative county of London" there shall be substituted the words " Greater London ",

## **65 Rate-deficiency grants**

- (1) The authorities to whom rate-deficiency grants under Part I of the Local Government Act 1948 may become payable shall include the London borough councils, and accordingly references to those councils shall be substituted for references to metropolitan borough councils in sections 5 and 6 of the Local Government Act 1958 (which regulate the cases in which and conditions subject to which such grants are payable).
- (2) For the purposes of the said section 5, sums payable by an authority by virtue of a precept issued by the Greater London Council, in so far as payable in respect of expenditure of that Council for general London purposes, shall not be treated as expenditure of the authority paying those sums.



- (3) Section 6 of the said Act of 1958 (which provides for disregarding the amount of abnormal expenditure in determining the amount of any rate-deficiency grant) shall not affect the payment of rate-deficiency grants to a London borough council or the Common Council for the years 1965-66, 1966-67 and 1967-68.

## **66 Equalisation of rates**

- (1) The Minister may, subject to and in accordance with the subsequent provisions of this section, make as respects the whole or any part or parts of Greater London a scheme or schemes for the purpose of reducing disparities in the rates levied in different rating areas of Greater London other than the Temples.
- (2) Any such scheme shall take the form of provision for the making of contributions by rating authorities in Greater London elsewhere than the Temples to other such authorities, either directly, or through the Greater London Council, or by means of adjustments by the Greater London Council in the amounts for which they precept on those rating authorities respectively, or, in the case of rating authorities in the Inner London Education Area, by a re-allocation between those authorities of the aggregate amount payable to them by virtue of section 64 of this Act, or by a combination of any two or more of those methods.
- (3) Rules made under section 9 of the Rating and Valuation Act 1925 and regulations made under section 15 of the Local Government Act 1948 may make the like provision for the purpose of schemes under this section as may be made by such rules or regulations for the purposes of the said section 9 or Part I of the said Act of 1948, as the case may be; and for the purposes of section 14 of the said Act of 1948 (which relates to investigations into the working of Part I of that Act) this section shall be deemed to be included in the said Part I and the expression " local authority " in the said section 14 shall include the Greater London Council.
- (4) Any scheme under this section may, subject to the next following subsection, be revoked or varied by any subsequent scheme under this section.
- (5) Before making a scheme under this section, the Minister shall consult with any association or committee which appears to him to be representative of the London borough councils and with the Common Council and the Greater London Council.
- (6) In section 5(6) of the Local Government Act 1958 (which, among other things, provides for disregarding payments under section 10 of the Local Government Act 1948 in determining the expenditure of an authority for the purpose of computing rate-deficiency grants) for the words "and, in the case of a local authority within the administrative county of London, no payments under section ten of the Act of 1948 were payable " there shall be substituted the words " were payable and, in the case of a local authority in Greater London, section 66 of the London Government Act 1963 had not been passed ",

## **67 Chargeability of part of rating area with expenses incurred for another part thereof**

- (1) Where, in the case of any rating area to which this section applies, different parts of that area would, apart from this section, be chargeable with expenses incurred by different authorities or bodies in the discharge of the like functions, then, if the rating authority so resolve, the aggregate of those expenses shall be chargeable on the whole

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of that area or, if those parts do not together comprise the whole of that area, on so much of that area as consists of those parts.

- (2) This section applies to any rating area in Greater London and to any other rating area which falls partly in—
- (a) the metropolitan police district; or
  - (b) the sewerage area of the Greater London Council; or
  - (c) some other area comprising the whole or part of Greater London prescribed for the purposes of this section by an order of the Minister.

## **68 Financial provisions applicable to the Common Council**

- (1) The Common Council may levy a general rate for the purpose of defraying any expenses incurred by them under any enactment, being expenses which do not fall to be defrayed out of the poor rate.
- (2) The Common Council may for the purposes of any enactment borrow money under the City of London Sewers Acts 1848 to 1897 in accordance with the provisions of those Acts or of any other Acts regulating the mode of borrowing money by the Council.
- (3) In any enactment passed after 1st August 1958 and applying or subsequently applied to the Common Council any reference to the general rate fund of a local authority or any description of local authority shall, except where the context otherwise requires, be construed in relation to the Council as a reference to the general rate of the City.
- (4) The foregoing provisions of this section apply to the Common Council as local authority, as police authority and as port health authority.
- (5) In this section any reference to any enactment includes a reference to any instrument made under an enactment and any reference to any enactment or instrument includes a reference to any enactment or instrument contained in or made under this Act, or passed or made after this Act.

## **69 Initial expenses of new authorities**

- (1) As soon as may be after the first election of councillors of the Greater London Council or, as the case may be, of any London borough, each existing rating authority whose area, or part of whose area, falls within Greater London or, as the case may be, that London borough shall, in accordance with arrangements made by the Minister by regulations, cause the appropriate contribution to be paid into the general fund of the Greater London Council or, as the case may be, the general rate fund of that London borough.
- (2) In the foregoing subsection, the expression " the appropriate contribution" in relation to any existing rating area or any part of such an area means an amount equal to the product of a rate of a penny in the pound levied in that rating area or, as the case may be, that part thereof for the year 1964-65, being—
  - (a) in the case of the area of a county borough, that product ascertained in accordance with the rules for the time being in force under section 16 of the Local Government Act 1958;
  - (b) in a case where that product has been estimated by the rating authority for the purposes of section 9(2)(d) of the Rating and Valuation Act 1925, that product as so estimated;

- (c) in any other case, that product estimated by the rating authority in like manner as it would fall to be estimated for the purposes of the said section 9(2)(d).
- (3) Any expenses incurred by any returning officer in relation to the holding of the first election of councillors of the Greater London Council or, as the case may be, of any London borough which, apart from this subsection, would under paragraph 19 of Schedule 3 to this Act fall to be paid by the Greater London Council or, as the case may be, the council of that London borough shall be paid by the existing rating authorities whose areas fall wholly or partly within Greater London or, as the case may be, that London borough, the amount payable by each of those authorities being an amount bearing the same proportion to the aggregate amount of those expenses as the appropriate contribution of that authority to the general fund of the Greater London Council or, as the case may be, the general rate fund of that London borough under the foregoing provisions of this section bears to the aggregate amount of the appropriate contributions so payable to the fund in question.
- (4) The Greater London Council and the London borough councils may borrow for the purpose of meeting any expenditure incurred by them before 1st April 1965.

## **70 Transitional assistance to certain counties**

- (1) If the county of Essex, Hertfordshire, Kent or Surrey incurs an additional rate burden consequential on this Act which exceeds the estimated product of a rate of fivepence in the pound for the county for the year 1965-66, the Greater London Council shall pay as part of their expenditure for general London purposes to the council of that county as part of their receipts for general county purposes—
  - (a) in the year 1965-66, an amount equal to that excess ;
  - (b) in the year 1966-67, an amount equal to seven-eighths of that excess;
  - (c) in the year 1967-68, an amount equal to three-quarters of that excess;
  - (d) in the year 1968-69, an amount equal to five-eighths of that excess;
  - (e) in the year 1969-70, an amount equal to half that excess ;
  - (f) in the year 1970-71, an amount equal to three-eighths of that excess;
  - (g) in the year 1971-72, an amount equal to a quarter of that excess;
  - (h) in the year 1972-73, an amount equal to one-eighth of that excess.
- (2) The provisions of Schedule 16 to this Act shall have effect for the purpose of determining whether any, and if so what, additional rate burden consequential on this Act has been incurred by any of the counties aforesaid.
- (3) Any payments made by the Greater London Council under this section shall be disregarded in ascertaining the expenditure of any county council for the purposes of section 5 of the Local Government Act 1958.

## **PART IX**

### MISCELLANEOUS AND GENERAL

#### *Common services*

#### **71 Research and information on matters concerning Greater London**

- (1) The Greater London Council shall establish an organisation for the purpose of conducting, or assisting in the conducting of, investigations into, and the collection of information relating to, any matters concerning Greater London or any part thereof and making, or assisting in the making of, arrangements whereby any such information and the results of any such investigation are made available to any authority concerned with local government in Greater London, any government department or the public; and without prejudice to the foregoing provisions of this subsection the Greater London Council shall be a local authority for the purposes of sections 134 and 135 of the Local Government Act 1948 (which relate respectively to information centres and to instruction and information on questions relating to local government).
- (2) The appropriate Minister with respect to any matter may require the Greater London Council to provide him with any information with respect to that matter which is in the possession of, or available to, that Council, any London borough council or the Common Council in consequence of the exercise of any power conferred by or under any enactment; and where such a requirement is made in respect of any information which is so in the possession of, or available to, any London borough council or the Common Council but not the Greater London Council, the Greater London Council may require that borough council or, as the case may be, the Common Council to furnish the Greater London Council with that information.

#### **72 Supply of goods to authorities in Greater London**

- (1) The Greater London Council may purchase and store and supply to any authority such as is mentioned in subsection (2) of this section any goods or materials required for the discharge of the functions of that authority, and that Council and any such authority may enter into and carry into effect agreements and do all such other acts as may be necessary or convenient for the purpose of any such purchase, storage or supply.
- (2) The authorities referred to in the foregoing subsection are—
  - (a) any of the following, and any joint committee appointed by any two or more of the following, that is to say, the London borough councils, the Common Council and, in relation to any functions exercisable by them which are exercisable elsewhere in Greater London by the said councils, the Sub-Treasurer of the Inner Temple and the Under-Treasurer of the Middle Temple;
  - (b) any body of persons discharging functions relating to education or public health in Greater London and receiving financial aid in relation to those functions from any of the councils aforesaid or from the Greater London Council or the Inner London Education Authority;
  - (c) any person or body of persons responsible for the management or government of any school or other educational institution in Greater London in the case of which the fees or expenses of any person receiving education, instruction or training thereat are wholly or partly defrayed by a local education authority in Greater London;

- (d) any voluntary organisation with which a local authority in Greater London have made such arrangements as are referred to in section 26 of the National Assistance Act 1948 ;
- (e) any body of persons concerned with the promotion of the welfare of persons ordinarily resident in Greater London who are aged or to whom section 29 of the said Act of 1948 applies ;
- (f) any of the following bodies constituted under the National Health Service Act 1946, that is to say, any Regional Hospital Board or Executive Council constituted for an area which falls wholly or partly within Greater London, and any Hospital Management Committee appointed by, and the Board of Governors of any teaching hospital situated in the area of, any such Regional Hospital Board;
- (g) the British Postgraduate Medical School.

### **73 Publicity for amenities of Greater London**

- (1) Subject to subsection (2) of this section the Greater London Council may, for the purpose of giving publicity to the amenities and advantages of Greater London—
  - (a) enter into and carry into effect agreements for the purpose with any person approved by the Minister;
  - (b) make reasonable contributions towards the expenses incurred by any such person in giving effect to any such agreement;
  - (c) incur reasonable expenditure on the use of suitable media of advertising;
  - (d) incur reasonable expenditure on the establishment and maintenance of office accommodation for the dissemination of information relating to Greater London.
- (2) Nothing in the foregoing subsection shall authorise the Greater London Council to give publicity in the United Kingdom, whether by advertising or otherwise, to the commercial and industrial advantages of Greater London; and nothing in paragraph (c) or (d) of that subsection shall authorise the publication of any advertisement, or the establishment or maintenance of office accommodation, by the Greater London Council themselves in any place outside the United Kingdom.

### *Miscellaneous*

### **74 Borough architects**

- (1) Without prejudice to section 106 of the Local Government Act 1933, the officers of each London borough council and the Common Council shall as soon as reasonably practicable, and in any event not later than 1st April 1968, include an architect for the borough or, as the case may be, the City.
- (2) The architect aforesaid shall be appointed from among fit persons by, and hold office during the pleasure of, the borough council or Common Council and shall perform such duties as that council may direct, and shall be paid such reasonable remuneration as that council may determine.

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## **75 Compensation for injury to or death of officers**

- (1) Any of the following councils, that is to say, the Greater London Council, the London borough councils and the Common Council, may pay compensation—
  - (a) to any of their officers who sustains an injury in the course of his employment; or
  - (b) to the widow or widower or child of any of their officers who, in the course of his employment, dies or sustains an injury resulting in death.
- (2) Any compensation payable under this section may be paid either—
  - (a) by way of a lump sum ; or
  - (b) by way of periodical payments of such amounts and payable at such times and for such periods as the council in question may from time to time determine having regard to all the circumstances of the case.
- (3) The payment of compensation under this section shall not affect any right or claim to damages or compensation which an officer of any of the councils aforesaid or his widow or widower or child may have against any person other than that council or, except so far as may be agreed when the compensation is granted, against that council.

## **76 Adjustment to metropolitan police district**

- (1) As from 1st April 1965, the metropolitan police district shall consist of the following areas, that is to say—
  - (a) Greater London, excluding the City of London, the Inner Temple and the Middle Temple;
  - (b) in the county of Essex, the urban districts of Chigwell and Waltham Holy Cross;
  - (c) in the county of Hertfordshire, the urban districts of Bushey, Cheshunt and Potters Bar, the rural district of Elstree, and the parishes of Northaw in the rural district of Hatfield and Aldenham in the rural district of Watford;
  - (d) in the county of Surrey, the borough of Epsom and Ewell, and the urban districts of Banstead, Esher, Staines and Sunbury-on-Thames,and section 16 of, and Schedule 4 to, the Police Act 1946 shall cease to have effect.
- (2) This section and the Metropolitan Police Acts 1829 to 1959 may be cited together as the Metropolitan Police Acts 1829 to 1963 and this section shall be construed as one with those Acts.

## **77 Application of Local Government Superannuation Acts**

- (1) In the Local Government Superannuation Act 1937—
  - (a) in section 1 (which relates to the local authorities who are required to maintain superannuation funds under Part I of that Act), in subsection (1)(a), for the words " metropolitan borough " there shall as from 1st April 1965 be substituted the words " London borough and the Greater London Council ";
  - (b) in section 40(1), in the definition of " local authority ", after the word " district" there shall be inserted the words " the council of a London borough, the Greater London Council ";
  - (c) in Part I of Schedule 1 (which relates to the local authorities whose whole-time officers are to be compulsorily superannuable), after the paragraph beginning " The council" there shall be inserted the following paragraphs—

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“The council of a London borough.  
The Greater London Council.”.

- (2) For the purpose of the making before 1st April 1965 under section 2 of the said Act of 1937 of a combination scheme to come into force on or after that date, the Greater London Council or a London borough council shall be deemed to be an administering authority notwithstanding that they are not for the time being required to maintain a superannuation fund under Part I of that Act.
- (3) Notwithstanding anything in section 4 of the said Act of 1937 (which relates to the funds to which contributions are payable), if in the case of any contributory employee or class of contributory employees of the Greater London Council or a London borough council it appears to the Minister expedient so to do, the Minister may by order, which shall be subject to annulment in pursuance of a resolution of either House of Parliament, provide that for the purposes of that Act the appropriate superannuation fund in relation to that employee or class shall be such fund as may be specified in or determined under the order; and any such order may make such incidental, consequential, transitional or supplementary provision as may appear to the Minister to be necessary or proper for the purposes or in consequence of the order and for giving full effect thereto.

## 78 Coroners

- (1) Subject to the following provisions of this section, the enactments relating to coroners, and in particular the Coroners Act 1844 and the Coroners Acts 1887 to 1954, shall apply in relation to Greater London (exclusive of the City and the Temples) as if that area were a county and the Greater London Council were the council of that county, and references in those enactments to a county alderman or a county councillor shall be construed accordingly.
- (2) In their application to the said area of Greater London, the said enactments shall have effect subject to the following modifications:—
  - (a) the requirements as to residence contained in section 5 of the Coroners Act 1844 shall not apply;
  - (b) any sum required by section 27(2) of the Coroners Act 1887 to be paid out of the local rate and any salary or pension required by section 8 of the Coroners (Amendment) Act 1926 to be defrayed as expenses for special county purposes, shall in the first instance be defrayed by the Greater London Council and shall be charged on the London boroughs ;
  - (c) any provision of the said enactments defining a county shall not apply.
- (3) The Greater London Council may provide and maintain proper accommodation for the holding of inquests.
- (4) It shall be the duty of the Greater London Council as respects the area of Greater London mentioned in subsection (1) of this section, and of the council of each county adjoining Greater London as respects their county review area, to take into consideration the division of that area into coroners' districts and, unless they consider it inexpedient to do so, to exercise before the end of 1964 the power conferred on them by section 12 of the Coroners (Amendment) Act 1926 of submitting a draft order providing for the division, or alteration of any division, of that area into coroners' districts; and the Greater London Council shall not later than 1st April 1965 appoint a sufficient number of coroners for the said area of Greater London and section 2 of

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the said Act of 1926 shall apply to any such appointment as if a vacancy had occurred in the office of coroner for that area.

- (5) This section, except so far as it relates to the appointment of coroners and to coroners' districts, shall not come into force until 1st April 1965 ; and until that date the fact that any powers relating to the appointment of coroners and coroners' districts are exercisable by the Greater London Council shall not prevent the exercise of the like powers by the authorities by whom they were exercisable immediately before the passing of this Act.

## **79 Registration of local land charges**

Subject to any order under section 84 of this Act, as respects any local land charge within the meaning of section 15 of the Land Charges Act 1925 which affects land situated in any London borough or in the City, the proper officer to act as local registrar under that section shall, as from 1st October 1964, be the clerk, or the person for the time being authorised to act as clerk, of the council of that London borough or, as the case may be, the town clerk, or the person for the time being authorised to act as town clerk, of the City.

## **80 Compulsory registration of title in and around Greater London**

- (1) Notwithstanding anything in section 120 of the Land Registration Act 1925, the registration of title to land shall continue at all times on and after 1st April 1965 to be compulsory on sale—
- (a) in any part of Greater London in which immediately before that date such registration was so compulsory; and
  - (b) in the areas comprised in the existing urban districts of Potters Bar, Staines and Sunbury-on-Thames.
- (2) Her Majesty may by Order in Council declare as respects any other part of Greater London specified in the Order that registration of title to land is to be compulsory on sale on and after such date as may be so specified; and nothing in section 122 of the said Act of 1925 shall apply to the making of an Order under this subsection.
- (3) Nothing in any Order under subsection (2) of this section shall render compulsory the registration of the title to an incorporeal hereditament or to mines and minerals apart from the surface, or to corporeal hereditaments parcel of a manor and included in the sale of a manor as such.
- (4) As soon as the registration of title to land has become compulsory on sale in the whole of Greater London as for the time being constituted at any time on or after 1st April 1965, any area which subsequently becomes part of Greater London shall be deemed to be included in an Order under subsection (2) of this section.
- (5) The registration of title to land shall continue to be compulsory on sale in any area by virtue of subsection (1)(a), (2) or (4) of this section notwithstanding that the area in question ceases to be part of Greater London.
- (6) Section 123 of the said Act of 1925 (which relates to the effect of that Act in areas where registration is compulsory) shall have effect as if the provisions of subsection (1) of this section were contained in an Order in Council; and section 124 of that Act (which provides that Part XI of that Act shall bind the Crown) shall have effect as if this section were included in the said Part XI.



## 81 Charities in Greater London

- (1) Where immediately before 1st April 1965 any property (not being property to which section 57 (2) of this Act applies) was held exclusively for charitable purposes by the London or Middlesex county council as sole trustee, that property shall on that date vest in the Greater London Council for the like purposes, so, however, that where that property was so held by the London county council for the purposes of a charity registered in the register established under section 4 of the Charities Act 1960 in any part of that register which is maintained by virtue of section 2 of that Act by the Minister of Education, the charity trustees on and after that date shall be the Inner London Education Authority.
- (2) Where immediately before 1st April 1965 any property was held exclusively for charitable purposes as sole trustee by any existing council to whom section 3(1)(b) of this Act applies other than the London or Middlesex county council, that property shall on that date vest for the like purposes in the council of the appropriate London borough, that is to say, the London borough whose area includes the whole or the greater part of the area of the existing council in question.
- (3) Where immediately before 1st April 1965 any power with respect to any charity, not being a charity incorporated under the Companies Acts or by charter, was under the trusts of the charity or by virtue of section 37(5)(c) of the said Act of 1960 vested in, or in the holder of any office connected with, any such existing council as aforesaid, that power shall at that date vest in, or in the holder of the corresponding office connected with, the council of the appropriate London borough aforesaid.
- (4) Where under the trusts of any charity established for purposes which are by their nature or by the trusts of the charity directed wholly or mainly to the benefit of an area which falls wholly or mainly within Greater London, not being a charity incorporated as aforesaid, any power with respect to that charity was immediately before 1st April 1965 vested in, or in the holder of any office connected with, the London, Middlesex, Essex, Hertfordshire, Kent or Surrey county council, then, if the conditions specified in paragraph (a) or (b) of this subsection are satisfied, that power shall on that day vest in, or in the holder of the corresponding office connected with, the authority specified in that paragraph, that is to say—
  - (a) if that area falls wholly or mainly within a single London borough and, where that borough is an inner London borough, the charity was immediately before that date registered in the register aforesaid in any part thereof which is maintained by the Charity Commissioners but not in any part thereof which is maintained as aforesaid by the Minister of Education, the council of (that borough;
  - (b) if the conditions specified in the foregoing paragraph are not satisfied but that area falls wholly or mainly within the Inner London Education Area, and subject to the next following subsection, the Inner London Education Authority.
- (5) Where under subsection (4)(b) of this section any power vests or is to vest in, or in the holder of any office connected with, the Inner London Education Authority, that Authority or, as the case may be, the holder of that office may, with the consent of the Charity Commissioners and of the council or office-holder nominated, nominate for the purposes of this subsection the council of any inner London borough or, as the case may be, the holder of the corresponding office connected with any such council, and thereupon, or, if the nomination is made before 1st April 1965, on that date, that power

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shall vest in that council or, as the case may be, in the holder of that corresponding office.

- (6) Where under the trusts of any charity, not being a charity incorporated as aforesaid, any power with respect to that charity was immediately before 1st April 1965 vested in, or in the holder of any office connected with, the London or Middlesex county council and neither paragraph (a) nor paragraph (b) of subsection (4) of this section applies, that power shall vest in, or in the holder of the corresponding office connected with, such of the following authorities, that is to say, the councils of the London boroughs, the Greater London Council and the Inner London Education Authority, as the charity trustees may not later than 1st April 1967 with the consent of that council or, as the case may be, of the holder of that corresponding office appoint or, in default of such appointment, as may be appointed by the Charity Commissioners or, in the case of an exempt charity, by the Minister.
- (7) References in the foregoing provisions of this section to a power with respect to a charity shall not include references to any power of any person by virtue of being a charity trustee thereof; but where under the trusts of any charity, not being a charity incorporated as aforesaid, the charity trustees immediately before 1st April 1965 included the holder of an office connected with any council to whom section 3(1)(b) of this Act applies, then, as from that date, those trustees shall instead include the holder of such office connected with such of the following authorities, that is to say, the councils of the London boroughs, the Greater London Council and the Inner London Education Authority, as the Charity Commissioners may appoint.
- (8) Nothing in the foregoing provisions of this section shall affect any power of Her Majesty, the court or any other person to alter the trusts of any charity.
- (9) As from 1st April 1965—
- (a) sections 6, 10, 11 and 12 of the said Act of 1960 shall apply to the Greater London Council and to the Inner London Education Authority as if Greater London or, as the case may be, the Inner London Education Area were a county and that Council or, as the case may be, Authority were the council of that county and, for the purposes of subsection (4) of the said section 10, as if for the reference to any county district there were substituted a reference to any London borough;
  - (b) the said sections 10 and 11 shall apply to the City as if it were a London borough and the Common Council were the council of that borough;
  - (c) in Schedule 3 to that Act any reference to the county of London shall be construed as a reference to Greater London.
- (10) In this section, the expressions "charitable purposes", "charity", "charity trustees", "exempt charity", "court" and "trusts" have the same meanings respectively as in the said Act of 1960.

### *General*

## **82 Exercise of functions as respects the Temples**

- (1) Her Majesty may at any time, whether before or after 1st April 1965, by Order in Council coming into force not earlier than that date provide that any functions exercisable as respects a London borough by the council of that borough, not being functions for the exercise of which as respects the Temples specific provision is

made elsewhere in this Act and, without prejudice to the foregoing provision, not being functions for which provision is made by Part V or VI of this Act, shall be exercisable—

- (a) as respects the Inner Temple by the Sub-Treasurer thereof and as respects the Middle Temple by the Under-Treasurer thereof; or
  - (b) as respects both the Temples by the Common Council.
- (2) Any Order in Council under this section may make such incidental, consequential, transitional or supplementary, provision as appears to Her Majesty to be necessary or proper for the purposes or in consequence of any of the provisions of the Order, including provision—
- (a) applying any enactment relating to the functions in question (including any enactment in this Act or in any other Act passed during the same session as this Act) to the Inner Temple or the Middle Temple;
  - (b) modifying any such enactment in its application thereto;
  - (c) excluding the application of any such enactment thereto;
  - (d) repealing any such enactment applying thereto.
- (3) Any Order in Council under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) Any expenses incurred by the Sub-Treasurer of the Inner Temple or the Under-Treasurer of the Middle Temple under this Act or any enactment applied to the Temples by or under this Act may be defrayed out of a rate in the nature of a general rate levied in the Inner Temple or the Middle Temple, as the case may be.

### **83 Other adaptations of enactments**

- (1) As from 1st April 1965, the enactments specified in Schedule 17 to this Act shall have effect subject to the provisions of that Schedule, being provisions necessary or expedient in consequence of other provisions of this Act.
- (2) Her Majesty may at any time, whether before or after 1st April 1965, in any case where it appears to Her appropriate in consequence of the provisions of this Act, by Order in council coming into force not earlier than 1st April 1965 make such further modifications of any enactment contained in any other public general Act passed before 1st April 1965 (not being an Act passed with respect only to the whole or part of the existing county of London) as may appear to Her to be necessary to make that enactment apply—
- (a) in relation to Greater London or the Greater London Council as it applies in relation to, or to the council of, a county (or a particular county to which section 3(1)(b) of this Act applies); or
  - (b) in relation to a London borough or the council thereof or, as the case may be, in relation to the City or the Common Council, as it applies in relation to, or to the council of, a county borough (or a particular county borough to which the said section 3 (1)(b) applies); or
  - (c) in relation to a London borough or the council thereof as it applies in relation to, or to the council of, a metropolitan borough (or a particular metropolitan borough),

or, in the case of an enactment conferring on the London county council power to appoint members of any body, to make that power exercisable by some body appearing to Her to be representative of all or any of the councils of-.the London boroughs and

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the Common Council or by the Inner London Education Authority; but no such Order shall be made unless a draft thereof has been laid before, and approved by a resolution of, each House of Parliament.

#### **84 Supplementary and transitional provision**

- (1) The Minister or any appropriate Minister may at any time, whether before or after 1st April 1965, by order, which shall be subject to annulment in pursuance of a resolution of either House of Parliament, make such incidental, consequential, transitional or supplementary provision as may appear to him—
- (a) to be necessary or proper for the general or any particular purposes of this Act or in consequence of any of the provisions thereof or for giving full effect thereto; or
  - (b) to be necessary or proper in consequence of such of the provisions of any other Act passed in the same session as this Act as apply to Greater London or any authority therein or any other area or authority affected by Part I of this Act;
- and nothing in any other provision of this Act shall be construed as prejudicing the generality of this subsection.
- (2) Any such order may in particular include provision—
- (a) with respect to the transfer and management or custody of property (whether real or personal) and the transfer of rights and liabilities ;
  - (b) with respect to the membership of any body so far as that membership consists of persons elected by, or appointed by or on the nomination of—
    - (i) any council affected by Part I of this Act; or
    - (ii) any two or more bodies who include such a council;
  - (c) for applying, amending or repealing or revoking, with or without savings, any Act passed or any instrument under an Act made before 1st April 1965;
  - (d) for requiring the council of any London borough, with a view to securing that the introduction of a general rate of uniform amount per pound of rateable value throughout the borough is gradual, to make and levy during a limited period beginning on 1st April 1965 differential rates determined by reference to the circumstances of the existing rating areas and parts of such areas included in the borough;
  - (e) for any of the matters specified in section 148(1)(a) to (h) and (2) of the Local Government Act 1933 ;
  - (f) for anything duly done before 1st April 1965 by any authority in the exercise of functions which on and after that date became functions of some other authority to be deemed as from that date to have been duly done by that other authority, and for any instrument made before that date, if or so far as it was made in the exercise of those functions, to continue in force on and after that date until varied or revoked in the exercise of those functions by that other authority.
- (3) The provision which may be made by virtue of paragraph (e) of the last foregoing subsection shall include the making, in relation to any association mentioned in section 2 of the Auxiliary Forces Act 1953, of the like provision as may be made in relation to a public body under section 148(1)(a) to (h) of the Local Government Act 1933, including provision for continuing in existence any such association and the area for which it is established or authorising the establishment of any such association

under the said Act of 1953 for the whole or any part of Greater London and in either case for the appointment of a president and vice-president of any such association.

- (4) Notwithstanding anything in the foregoing provisions of this section, the Minister shall not make an order under this section (or this section as extended by section 87 of this Act) affecting any Act or instrument applying only to the City (with or without the Temples) or to things or persons connected therewith except after consultation with the Common Council.
- (5) Section 151 of the said Act of 1933 (which relates to financial adjustments by agreement between public bodies affected by any alteration of areas or authorities made by an order under Part VI of that Act) shall apply for the purposes of this Act as if the reference to such an order included a reference to any provision of, or of any instrument made under, this Act.
- (6) The provisions of Part I of this Act shall not affect the liability of any person whose name was immediately before 1st April 1965 included in a jurors book for any county or other area to serve on a jury for that area, and any such person (unless duly exempted or excused) shall, so long as the jurors book in which his name was then included remains in force for any area affected by the said Part I, continue to be liable to serve on a jury for that area.

## **85 Transfer and compensation of officers**

- (1) Any order under section 6 or 84 of this Act may contain provisions as to the transfer of any person who is, on such date as may be specified in relation to him in the order, the holder of any place, situation or employment and who is affected by any provision of, or of any instrument made under, this Act, and shall contain provisions for the protection of the interests of such persons.
- (2) In the case of any person who on 31st March 1965 is in the employment of one or more local authorities who are or include a council to whom section 3(1)(b) of this Act applies, being employment which, or which in the aggregate, is whole-time employment, the Minister shall by order make such provision as is necessary to ensure that, to the extent, if any, to which, by reason only of the said section 3(1)(b), that person would apart from the order cease on 1st April 1965 to be in employment which, or which in the aggregate, would be whole-time employment by one or more local authorities, that person is transferred on 1st April 1965 to the employment of such local authority as may be specified in or determined under the order.
- (3) The provision required by subsection (1) or (2) of this section or by section 24(7) of this Act shall include such provision with respect to any person who is transferred under this Act (or, as the case may be, in pursuance of any agreement under the said section 24(7)) from the employment of one authority to that of another as to secure that—
  - (a) so long as he continues in the employment of that other authority by virtue of the transfer and until he is served with a statement in writing of new terms and conditions of employment, he enjoys terms and conditions of employment not less favourable than those he enjoyed immediately before the date of transfer; and
  - (b) the said new terms and conditions are such that—
    - (i) so long as he is engaged in duties reasonably comparable to those in which he was engaged immediately before the date of transfer, the scale of his salary or remuneration, and

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- (ii) the other terms and conditions of his employment,  
are not less favourable than those he enjoyed immediately before the date of transfer.
- (4) The appropriate Minister shall by regulations make provision for the payment by such authority as may be prescribed by or determined under the regulations, but subject to such exceptions or conditions as may be so prescribed, of compensation to or in respect of persons who are, or who but for any such service by them as may be so prescribed would be, the holders of any such place, situation or employment as may be so prescribed and who suffer loss of employment or loss or diminution of emoluments which is attributable to any provision of this Act or of any instrument (including any agreement under section 24(7)) made under this Act; and any such regulations—
- (a) may include provision as to the manner in which and the person to whom any claim for compensation is to be made, and for the determination of all questions arising under the regulations; and
  - (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) The Minister, after consulting with such bodies representative of local authorities or of staff employed by local authorities as appear to him to be concerned and with any local authority with whom consultation appears to him to be desirable, shall not later than one month after the passing of this Act establish a staff commission for the purpose of—
- (a) considering and keeping under review the arrangements for the recruitment of staff by the Greater London Council and the London borough councils and for the transfer in consequence of the provisions of this Act or any instrument made thereunder of staff employed by other local authorities affected by Part I of this Act;
  - (b) considering such staffing problems arising in consequence of, and such other matters relating to staff employed by any body affected by, any provision of, or of any instrument made under, this Act as may be referred to the commission by the Minister; and
  - (c) advising the Minister on the steps necessary to safeguard the interests of such staff ;
- and the Minister may give directions to the commission as to their procedure and to any local authority (including any existing local authority) in Greater London with respect to the furnishing of any information requested and the implementation of any advice given by the commission and with respect to the payment by such authorities of any expenses incurred in connection with the commission.

## **86 Joint committees of existing councils for consideration of certain matters**

- (1) In the case of any London borough other than the borough numbered 29 in Part I of Schedule 1 to this Act, for the purpose of the consideration of the matters to be included in the borough's charter or incorporation order or to be dealt with under section 84, 85(5) or 87(2) of this Act, the councils of the existing boroughs, metropolitan boroughs or urban districts which, or parts of which, are to be included in that London borough, and the council of any existing county in which the whole or any part of the area of that London borough is situated, may, and within four weeks of being so required by the Minister shall, appoint such number of representatives respectively to a joint committee for the purpose as may be agreed between those councils, or, in default of such agreement, determined by the Minister.

- (2) For the purpose of the consideration of the matters in connection with the establishment of the Greater London Council to be dealt with under section 84, 85(5) or 87(2) of this Act the councils of the existing counties and county boroughs whose areas lie wholly or partly within Greater London may, and within four weeks of being so required by the Minister shall, appoint such number of representatives respectively to a joint committee for the purpose as may be agreed between those councils or, in default of such agreement, determined by the Minister.
- (3) Any expenses incurred by any joint committee established under this section shall be defrayed by the councils represented thereon in such proportions respectively as may be agreed between them, or in default of such agreement, determined by the Minister.

## **87 Local Acts and instruments in and around Greater London**

- (1) Subject to the provisions of this Act and any Act passed after this Act and before 1st April 1965 and of any order under section 84 of this Act or this section, any local statutory provision to which this section applies and which is not continued in force by any other provision of this Act shall—
  - (a) notwithstanding the changes of administrative areas and abolition of local authorities effected by Part I of this Act and, in the case of an instrument made under any enactment, notwithstanding the repeal of that enactment, continue to apply on and after that date to, but only to, the area, things or persons to which or to whom it applies before that date ;
  - (b) have effect subject to any necessary modifications, including in particular—
    - (i) in the case of a Greater London statutory provision, the substitution for any reference to an existing county borough, metropolitan borough or county district situated wholly or partly within Greater London or the council thereof of a reference to so much of the London borough or boroughs as comprise that existing borough or district or any part thereof or, as the case may be, the council of that London borough or the councils of those London boroughs;
    - (ii) in the case of an urban district statutory provision, the substitution for any reference to the county of Middlesex or the council thereof of a reference to the county in which the district in question is included by virtue of this Act or, as the case may be, the council of that county ;but the continuation by this subsection of an instrument made under any enactment shall not be construed as prejudicing any power to vary or revoke the instrument which is exercisable apart from this subsection.
- (2) An order made under section 84 of this Act by any Minister may—
  - (a) repeal or revoke any Greater London statutory provision which appears to that Minister to have become spent, obsolete or unnecessary or to have been substantially superseded by any enactment or instrument which applies or may be applied to the area, persons or things to which or to whom that provision applies ;
  - (b) transfer to any authority appearing to that Minister to be appropriate any functions of an existing local authority under a Greater London statutory provision which are not to become functions of some other authority under any provision of this Act except section 84 and this section, or under any other instrument made under this Act, being functions exercisable by any existing local authority abolished by this Act or exercisable in, or with respect

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- to things or persons connected with, the relevant area by any other existing local authority;
- (c) without prejudice to the last foregoing paragraph, make such modifications of any Greater London statutory provision in its application to any part of the relevant area as appears to that Minister to be expedient;
  - (d) extend any such provision, with or without further modifications, to a part of the relevant area to which it did not previously extend.
- (3) For the purpose of securing uniformity in the law applicable with respect to any matter in different parts of the relevant area, or in the relevant area or any part thereof and other parts of England and Wales, any appropriate Minister may, after consultation with such of the appropriate councils as appear to the Minister to be interested, by provisional order made after 1st April 1965 amend, repeal or revoke any Greater London statutory provision and extend it, with or without modifications, to a part of the relevant area to which it did not previously extend; and any such order may include such incidental, consequential, transitional or supplementary provision as may appear to the Minister to be necessary or proper for the purposes of the order or in consequence of any provisions thereof.

The appropriate councils for the purposes of this subsection are—

- (a) in relation to sewerage and sewage disposal so far as they concern the sewerage area of the Greater London Council, the Common Council and the councils of the London boroughs and county districts wholly or partly within that area;
  - (b) in relation to land drainage, flood prevention and the like matters so far as they concern the London excluded area within the meaning of Schedule 14 to this Act, the Common Council and the councils of the London boroughs and county districts wholly or partly within that area;
  - (c) in relation to any matters not falling within paragraphs (a) and (b) of this subsection, the Common Council and the councils of the London boroughs;
- and also, in relation to any matter with respect to which the Greater London Council have functions, that Council.
- (4) Where any Greater London statutory provision is continued in force in any area by subsection (1) of this section or is amended or modified in its application, or extended, to any area by an order under section 84 of this Act or subsection (3) of this section, any appropriate Minister may by that order or, in the case of a provision continued as aforesaid, by an order under this subsection provide that that provision as so continued, amended, modified or extended shall have effect in that area to the exclusion of any enactment for corresponding purposes (including any enactment contained in or applied by this Act), or may make such modifications of any such enactment in its application to that area as will secure that the enactment will operate harmoniously with the said provision in that area.
- (5) Any appropriate Minister may by order provide that any Greater London statutory provision continued in force by subsection (1) of this section, being a provision of an instrument made under an enactment, shall cease to have effect, either generally or as respects any area, persons or things specified in the order, at the end of a period so specified.
- (6) Any order under subsection (4) or (5) of this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.



- (7) No order shall be made as respects any part of Greater London after the passing of this Act under section 303 of the Public Health Act 1875 or any other enactment which authorises the making in relation to any local statutory provision of provision corresponding to that which may be made in relation thereto by an order under section 84 of this Act or this section:

Provided that the foregoing provisions of this subsection shall not affect—

- (a) any order made under any such enactment before the passing of this Act; or
  - (b) the power of the Minister to make an order under section 82 of the Public Health Act 1961 with respect to any provision which appears to him to be inconsistent with, or unnecessary in consequence of, any provision of Part II of that Act as regards building regulations.
- (8) This section applies to any local statutory provision in force immediately before 1st April 1965 and not expressly repealed or revoked by this Act, being a provision—
- (a) applying to any part of the relevant area or to things or persons connected with a part of the relevant area; or
  - (b) conferring on an existing local authority abolished by this Act functions the exercise of which is not restricted to a part of Greater London or to things or persons connected therewith; or
  - (c) applying to the urban district of Potters Bar, Staines or Sunbury-on-Thames or to things or persons connected with one of those districts.

- (9) In this section—

" the relevant area " means Greater London except that—

- (a) in relation to sewerage and sewage disposal, it includes so much of any county district as is in the sewerage area of the Greater London Council;
- (b) in relation to land drainage, flood prevention and the like matters, it includes so much of any county district as is in the London excluded area within the meaning of Schedule 14 to this Act;

" Greater London statutory provision " means any statutory provision to which this section applies, being a provision mentioned in subsection (8)(a) or (b) of this section;

" local authority " means the council of a county, county borough, metropolitan borough or county district or the Common Council or any joint committee, joint board, joint authority or other combined body all the members of which are representatives of any such council;

" urban district statutory provision " means any statutory provision to which this section applies, being a provision mentioned in subsection (8)(c) of this section.

## **88 General provision as to inquiries**

- (1) Any Minister may cause a local inquiry to be held for the purpose of any of his functions under this Act in any case where there is no duty and no power apart from this section to hold an inquiry.
- (2) Section 290 (2) to (5) of the Local Government Act 1933 (which subsections relate to the giving of evidence at inquiries and the payment of costs) shall apply to any local inquiry caused to be held for the purposes of this Act by any Minister as if that Minister were a department for the purposes of that section, but shall not apply to any

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such inquiry so far as some other provision with respect to the subject-matter of those subsections is applicable to that inquiry by virtue of any other enactment.

## 89 Interpretation

(1) In this Act, except where the context otherwise requires, the following expressions have the following meanings respectively, that is to say—

" appropriate Minister ", in relation to the making of an order or regulation with respect to any matter, means 'the Minister in charge of any government department concerned with that matter; but the validity of any order or regulation purporting to be made by any Minister by virtue of a power conferred on the appropriate Minister by this Act shall not be affected by any question as to whether or not that Minister was the appropriate Minister for the purpose;

" the City " means the City of London ;

" the Common Council " means the Common Council of the City of London ;

" county " means an administrative county ;

" county review area " in relation to the county of Essex, Hertfordshire, Kent or Surrey, means the area with respect to which, by virtue of section 3 (2) of this Act, a county review by the council of that county under section 28 of the Local Government Act 1958 may for the time being be made ;

" existing " in relation to a local government area or authority, means that area or authority as it existed immediately before the passing of this Act;

" functions " includes powers and duties ;

" Inner London Education Area " and " Inner London Education Authority " have the meanings respectively assigned to them by section 30 (1) of this Act;

" land " includes land covered by water and any interest or right in, to or over land;

" local statutory provision " means a provision of a local Act (including an Act confirming a provisional order) or a provision of a public general Act passed with respect only to the whole or part of the existing county of London or a provision of an instrument made under any such local or public general Act or of an instrument in the nature of a local enactment made under any other Act;

" metropolitan road " means a road for the time being designated by or under section 17 of this Act as a metropolitan road;

" Minister " includes the Board of Trade ;

" the Minister " means the Minister of Housing and Local Government;

" Port of London " means the port of that name established for the purposes of the enactments relating to customs or excise;

" relevant year of election " means the first year of election occurring after the first Order in Council is made after the passing of this Act under the House of Commons (Redistribution of Seats) Act 1949 giving effect to a report of the Boundary Commission for England under that Act with respect to the parliamentary constituencies situated wholly or partly in Greater London; and for the purposes of this definition " year of election " means the year 1967 or any third year thereafter;

" sewerage area of the Greater London Council " has the meaning assigned to it by section- 39 of this Act;

" the Temples " means the Inner Temple and the Middle Temple.

- (2) In this Act, except where the context otherwise requires, references to any enactment shall be construed as references to that enactment as amended, extended or applied by or under any other enactment, including any enactment contained in this Act.
- (3) References in any other Act to any enactment modified by this Act shall, except when the context otherwise requires, be construed as a reference to that enactment as so modified.

## **90 Orders, rules and regulations**

Any power to make orders, rules or regulations conferred by this Act on any Minister shall be exercisable by statutory instrument, and any power to make an order under any provision of this Act shall include power to make an order varying or revoking any order previously made under that provision.

## **91 Expenses**

- (1) There shall be defrayed out of moneys provided by Parliament—
  - (a) any expenses incurred by any Minister under this Act; and
  - (b) any increase attributable to the provisions of this Act in the sums payable out of moneys so provided under any other enactment.
- (2) Any sums received by any Minister under this Act shall be paid into the Exchequer.

## **92 Amendment of House of Commons Disqualification Act 1957**

- (1) The House of Commons Disqualification Act 1957 shall be amended in accordance with the following provisions of this section.
- (2) In Part II of Schedule 1, in its application to the House of Commons of the Parliament of the United Kingdom, after the entry relating to the South of Scotland Electricity Board there shall be inserted the words " The Staff Commission established under section 85(5) of the London Government Act 1963 ",
- (3) In Part III of Schedule 1, both in its application to the House of Commons of the Parliament of the United Kingdom and in its application to the Senate and House of Commons of Northern Ireland, in the entry relating to local government officers—
  - (a) after the words " England and Wales " where they first occur there shall be inserted the words " of the Greater London Council ";
  - (b) the words " of a metropolitan borough " shall cease to have effect; and
  - (c) the words " outside London " shall cease to have effect:

Provided that the repeal made by paragraph (b) of this subsection shall not take effect until 1st April 1965.

## **93 Repeals and savings**

- (1) In addition to the repeals by virtue of paragraph 70 of Schedule 6 to this Act, the enactments specified in Schedule 18 to this Act are hereby repealed to the extent mentioned in the third column of that Schedule—

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- (a) in the case of the enactments specified in Part I of that Schedule, as from the passing of this Act;
- (b) in the case of the enactments specified in Part II of that Schedule, as from 1st April 1965:

Provided that the repeal of any enactment specified in the said Part I shall not affect the operation of that enactment in relation to an election held on or after the date of the passing of this Act to fill a casual vacancy occurring before that date.

- (2) Without prejudice to section 38(1) of the Interpretation Act 1889, where this Act repeals any enactment making provision with respect to a particular matter or particular matters and either makes, or applies some other enactment making, corresponding or different provision with respect to that matter or those matters, then, unless the contrary intention appears and, in particular, subject to any order under section 82, 83, 84, 85 or 87 of this Act, references in any enactment other than this Act, or in any instrument made under any enactment other than this Act, to the repealed enactment shall be construed as references to the enactment contained in or applied by this Act which makes the corresponding or different provision.
- (3) Nothing in this Act shall affect the boundary of the area for the supply of electricity or gas of any Area Board within the meaning of the Electricity Act 1947 or the Gas Act 1948.
- (4) Nothing contained in, or done by virtue of, any provision of this Act other than section 84(2)(b) or paragraph 35 of Schedule 4 shall affect the functions of the conservators of any common.
- (5) Any enabling provision contained in this Act shall be deemed to be in addition to, and not in derogation of, any powers exercisable by Her Majesty by virtue of Her Royal prerogative.

#### **94 Short title, commencement and extent**

- (1) This Act may be cited as the London Government Act 1963.
- (2) The following provisions of this Act shall not come into force until 1st April 1965, that is to say, Parts II, III, and V to VIII other than sections 17(6), 48(2), 62(4), 66, 69, and 70.
- (3) Except for section 4(4) and section 92 of this Act and the repeals made by this Act in the House of Commons Disqualification Act 1957, the provisions of this Act other than this subsection shall not extend to Scotland; and as from 1st April 1965 in paragraph 8 of Schedule 6 to the Valuation and Rating (Scotland) Act 1956 for the words "the Administrative County of London" there shall be substituted the words " Greater London other than the outer London boroughs ",
- (4) Except for the said section 92 and the said repeals, the provisions of this Act other than this subsection shall not extend to Northern Ireland.