

ELIZABETH II



1965 CHAPTER XX

An Act to confer further powers on the Greater London Council ; and for other purposes.

[5th August 1965]

WHEREAS—

(1) Provision is made by the London Government Act 1963 1963 c. 33. (hereinafter referred to as “ the Act of 1963 ”) for the establishment of an administrative area known as Greater London and of a council therefor under the name of the Greater London Council and provision is further made by the Act of 1963 that as from 1st April, 1965, the administrative county of London and the London County Council shall cease to exist:

(2) The Minister of Housing and Local Government may, under the Act of 1963, by order apply, amend, repeal or revoke, with or without savings, any Act passed before 1st April, 1965, and may transfer to any authority appearing to that Minister to be appropriate certain functions of local authorities in Greater London existing before that date and by virtue of the Local Law (Greater London Council and Inner London Boroughs) Order S.I. 1965 No. 540. 1965 made by the said Minister certain functions of the London County Council have been transferred to the Greater London Council, including those relating to powers for the compulsory acquisition of lands, the execution of works and the control of Blackwall Tunnel:

(3) Provision is made by the Act of 1963 for the transfer to the Greater London Council as from 1st April, 1965, of the functions of the London County Council under certain provisions of the London Building Acts 1930 to 1939 and other enactments:

(4) The times limited by certain enactments for the compulsory purchase of lands and the completion of certain works by the London County Council will shortly expire and it is expedient that the times so limited should be extended as by this Act provided:

(5) It is expedient that further powers should be conferred on the Greater London Council for the closing of Blackwall Tunnel as by this Act provided:

(6) It is expedient that the London Building Acts 1930 to 1939, as amended by subsequent Acts, together with certain other relevant enactments, should be amended as respects the fees payable for certain services rendered by district surveyors under those Acts:

(7) It is expedient that the Act of 1963 should be amended as by this Act provided:

(8) It is expedient that the other provisions contained in this Act should be enacted:

(9) The objects aforesaid cannot be attained without the authority of Parliament:

1933 c. 51.

(10) In relation to the promotion of the Bill for this Act the requirements of Part XIII of the Local Government Act 1933 have been observed:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows, that is to say:—

Short title.

1. This Act may be cited as the Greater London Council (General Powers) Act 1965.

Interpretation.

2.—(1) In this Act except as otherwise expressly provided or unless the context otherwise requires—

1939 c. xcvi.

“the Act of 1939” means the London Building Acts (Amendment) Act 1939;

1955 c. xxix.

“the Act of 1955” means the London County Council (General Powers) Act 1955;

1956 c. lxxvii.

“the Act of 1956” means the London County Council (General Powers) Act 1956;

1963 c. 33.

“the Act of 1963” means the London Government Act 1963;

“ borough ” means a London borough;

“ the Council ” means the Greater London Council.

(2) Any reference in this Act to an enactment shall be construed as a reference to that enactment as applied, extended, amended or varied by, or by virtue of, any subsequent enactment, including this Act.

3.—(1) The period limited by the London County Council (Improvements) Act 1962 for the exercise of powers for the compulsory purchase of lands in the boroughs of Tower Hamlets, Newham, Hammersmith, Kensington and Chelsea and Lambeth for the purposes of section 5 (Power to acquire lands) of that Act is hereby extended until 1st October, 1968.

Extension of time for compulsory purchase of lands by Council.
1962 c. xlix.

(2) Notwithstanding anything in subsection (1) of this section, if, at any time before 1st January, 1968, the owner or lessee of any land to which that subsection relates gives to the Council notice in writing requiring them forthwith to decide whether or not they will proceed with the purchase of his estate or interest in any such land which is specified in the notice, the powers referred to in the said subsection shall not extend so as to enable the Council to purchase compulsorily the estate or interest of such owner or lessee in the land so specified, or in any part of such land, in pursuance of a notice to treat served later than six months after the receipt by the Council of the first-mentioned notice.

(3) If the Council give notification in writing to the owner or lessee of any land, being land to which this section relates and which is specified in the notification, that they do not intend to proceed with the purchase of the estate or interest of such owner or lessee in the land so specified, the powers referred to in this section, so far as they authorise the compulsory purchase of such estate or interest, shall cease forthwith.

4. The period now limited by the London County Council (General Powers) Act 1960 for the exercise of powers conferred by the London County Council (Improvements) Act 1939 for the execution of works in the borough of the City of Westminster authorised by the said Act of 1939 is hereby further extended until 1st October, 1970.

Extension of time for completion of works.
1960 c. xxix.

5.—(1) In this section “ the tunnel and the tunnel approaches ” means the tunnel or subway under the river Thames with the roads and approaches thereto authorised by the Thames Tunnel (Blackwall) Act 1887.

Additional powers as respects Blackwall Tunnel.
1887 c. clxxii.

(2) In addition to, and without derogating from, the powers conferred by any other Act, the Council may, at such times and for such periods as they may think proper, close wholly or in part the tunnel and the tunnel approaches for the purposes of maintaining, repairing, draining, cleansing, ventilating or lighting the tunnel and the tunnel approaches or for preserving and improving the tunnel and the tunnel approaches and the works connected therewith or otherwise for the safety of the public.

Amendment of provisions relating to fees payable in respect of services of district surveyors.

6.—(1) In relation to any building, structure or work in respect of which on or after the commencement of this Act a building notice within the meaning of the Act of 1939 is, or is required to be, served on the district surveyor under that Act, the Act of 1939, the Act of 1955 and the Act of 1956 shall have effect subject to the amendments mentioned in the following provisions of this section.

(2) (a) For section 84 (Contents of building notices information as to cost &c.) of the Act of 1939 there shall be substituted the following section:—

* Contents of building notices information as to cost, &c.

84.—(1) Every building notice shall state—

- (a) the situation, area, height, number of storeys and proposed use of the building or structure;
- (b) the number of buildings or structures, if more than one;
- (c) the particulars of the proposed work; and
- (d) in addition to the name and address of the builder, those of the owner then in possession of and the occupier of the building or structure or of its site or proposed site.

(2) Every building notice shall be accompanied by an estimate of the cost of the building or structure or carrying out the work and the builder shall within fourteen days after the receipt of a request therefor in writing from the district surveyor give to him such information and evidence with reference to such estimate as he may reasonably require, but any estimate, information or evidence given to the district surveyor in pursuance of this subsection shall not be used for any purpose other than a purpose of this Act.

(3) The builder shall, within fourteen days after the completion of the building, structure or work, give to the district surveyor a statement in writing of the cost thereof and shall, within fourteen days after the receipt of a request in writing from the district surveyor, give to him such information and evidence as he may reasonably require with reference to such

cost, but any statement, information or evidence given to the district surveyor in pursuance of this subsection shall not be used for any purpose other than a purpose of this Act.

(4) If any proceedings are taken for the recovery of any fees in respect of any building, structure or work and the court before which the proceedings are taken is of opinion that any information or evidence as to cost which should have been given or furnished under subsection (3) of this section has not been given or furnished or that any such information or evidence is in any respect erroneous, the court may determine the cost of the building, structure or work and the appropriate fee payable to the Council in respect thereof under the London Building Acts or under any byelaws made in pursuance of those Acts or of section 11 (Power to Council to make byelaws as to fees) of the London County Council (General Powers) Act 1955, and that determination shall be final and the court may make an order for the payment of the fee so determined without any further proceedings for the purpose. 1955 c. xxix.

(5) For the purposes of this section where the erection of any building or structure or the carrying out of any work has been suspended the building, structure or work shall be deemed to have been completed if the circumstances are such that the service of a building notice under the last preceding section would be required before any further work could be carried out in connection with such building, structure or work.

(6) Nothing in subsections (2) to (5) of this section shall apply to any building, structure or work to which section 149 (Buildings exempt from provisions of Parts III and IV, &c.) of this Act applies.”.

(b) In section 92 (Fees payable by builders or by owners or occupiers to Council) of the Act of 1939 paragraph (c) shall be omitted.

(c) In section 93 (Calculation of amount of fees) of the Act of 1939—

- (i) in subsection (1) for the words “ Part IV ” there shall be substituted the words “ Part II ”;
- (ii) in subsection (2) for the definition of “ cost ” there shall be substituted the following definition:—

“ ‘ cost ’ in relation to any building, structure or work means the cost of and incidental to the

building, structure or work exclusive of any fees payable to an architect or a quantity surveyor in respect thereof, or of the cost of such decorations, fittings and other matters as are not subject to the supervision of the district surveyor; ”

and the definition of “ cubical extent ” shall be omitted.

(d) In subsection (2) of section 148 (Offences against the Act) of the Act of 1939 for paragraph (xxiii) there shall be substituted the following paragraph:—

<p>“ (xxiii) To fail to give to the district surveyor an estimate of the cost of any building, structure or work or a statement in writing of such cost or to fail to give him any information and evidence with reference to such estimate or cost after being requested so to do by the district surveyor in pursuance of this Act</p>	20	5 ”.
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(e) For Schedule 2 to the Act of 1939 (which schedule specifies the fees payable by builders, owners or occupiers to the Council in respect of services rendered by district surveyors) there shall be substituted the schedule to this Act.

(3) In subsection (3) of section 12 (Payment of fees on submission of calculations) of the Act of 1955 the words from the beginning to “ then ” shall be omitted.

(4) Paragraph (b) of section 62 (Amendment of London Building Acts (Amendment) Act 1939) of the Act of 1956 shall be omitted.

Amendment
of Act of
1963.

7. The Act of 1963 shall have effect subject to the following amendments:—

(1) After paragraph 1 of Schedule 2 there shall be inserted the following sub-paragraph:—

“ (4) The Council may pay to the vice-chairman and the deputy chairman such remuneration as the Council think reasonable and section 3 (4) of the said Act of 1933 shall accordingly apply in relation to the vice-chairman and deputy chairman as it applies in relation to the chairman of the Council.”.

1933 c. 51.

(2) In paragraph 11 (2) of Schedule 2 after sub-paragraph (c) there shall be inserted the following sub-paragraph:—

“(cc) in paragraph 2 (5) of Part I after the word ‘council’ where it first occurs there shall be inserted the words ‘or except in the case of a matter of urgency brought before a meeting in accordance with any standing order made by the Council’;”.

(3) After paragraph 9 of Schedule 4 there shall be inserted the following paragraph:—

“9A. In its application to the Greater London Council section 59 (1) (a) shall have effect as if after the word ‘chairman’ there were inserted the words ‘vice-chairman, deputy chairman’;”.

(4) In paragraph 10 (a) of Schedule 4 after the word “chairman” there shall be inserted the words “vice-chairman, deputy chairman”.

(5) After paragraph 17 of Schedule 4 there shall be inserted the following paragraph:—

“17A. In its application to the Greater London Council section 122 shall have effect as if after the word ‘chairman’ there were inserted the words ‘vice-chairman, deputy chairman’.”.

8. All costs and expenses of the Council in the execution of Costs of Act this Act shall be defrayed, as the Council may decide, as—

- (a) expenditure for general London purposes; or
- (b) expenditure for special London purposes chargeable on such part of Greater London as the Council may determine.

SCHEDULE

PROVISIONS TO BE SUBSTITUTED FOR SCHEDULE 2 TO THE
ACT OF 1939

PART I

FEES PAYABLE BY BUILDER, OWNER OR OCCUPIER TO COUNCIL IN RESPECT
OF SERVICES RENDERED BY DISTRICT SURVEYOR

(a) In respect of buildings, structures or works to which the provisions of the London Building Acts and any byelaws made in pursuance of those Acts apply (except buildings, structures and works exempt by virtue of section 149 (Buildings exempt from provisions of Parts III and IV, &c.) of this Act)—

	£	s.	d.
When the cost does not exceed £15—			
the sum of	1	0	0
When the cost exceeds £15 but does not exceed £50—			
the sum of	2	0	0
When the cost exceeds £50 but does not exceed £100—			
the sum of	3	0	0
When the cost exceeds £100 but does not exceed £1,000—			
(i) the sum of	3	0	0
and (ii) for every £100 (or fractional part thereof) by which the cost exceeds £100—			
the sum of		15	0
When the cost exceeds £1,000 but does not exceed £5,000—			
(i) the sum of	9	15	0
and (ii) for every £100 (or fractional part thereof) by which the cost exceeds £1,000—			
the sum of		5	0
When the cost exceeds £5,000 but does not exceed £1,000,000—			
(i) the sum of	20	0	0
and (ii) for every £100 (or fractional part thereof) by which the cost exceeds £5,000—			
the sum of		3	0

£ s. d.

When the cost exceeds £1,000,000 but does not exceed
£2,000,000—

(i) the sum of 1,512 10 0
and (ii) for every £100 (or fractional part thereof)
by which the cost exceeds £1,000,000—
the sum of 2 0

When the cost exceeds £2,000,000 but does not
exceed £3,000,000—

(i) the sum of 2,512 10 0
and (ii) for every £100 (or fractional part thereof)
by which the cost exceeds £2,000,000—
the sum of 1 0

When the cost exceeds £3,000,000—

(i) the sum of 3,012 10 0
and (ii) for every £100 (or fractional part thereof)
by which the cost exceeds £3,000,000—
the sum of 6

Provided that—

- (1) when the work is done as the result of a notice served under section 62 (Certification of dangerous structures) of this Act without the necessity of a complaint being made to a magistrates' court and the cost thereof does not exceed £15 no fee shall be payable in respect thereof;
- (2) when the work is done as the result of a notice served under the said section 62 or an order of a magistrates' court and the cost thereof exceeds £15, the fee payable shall be reduced by the amount of the fee payable under item 2 of paragraph (i) of heading (b) of Part I of Schedule 1 to this Act for an inspection and report as to the completion of the works when such inspection is coincident with any other inspection made by the district surveyor in connection with his supervision of work under the London Building Acts and any byelaws made in pursuance of those Acts.

(b) In respect of structures to which Part IV (Special and temporary buildings and structures) of this Act applies the same amount as for a building to which heading (a) of this Part of this schedule applies:

Provided that this paragraph shall not apply in any case in which the local authority, being a London borough council, is the authority to grant consent under the said Part IV for the setting up, erection or retention of the structure.

(c) In respect of public buildings the same amount as for a building to which heading (a) of this Part of this schedule applies with the addition of 50 per centum of the amount of such fee, except that the addition shall not be charged after the first £1,000,000 of cost.

(d) For attending at a court when an order is made for complying with a notice of irregularity—£1 0s. 0d.

PART II

RULES

1. Any fees payable in respect of works to a party wall comprise the fees payable in respect of both sides of the wall.
2. No fee shall be payable in respect of the fixing of a chimney pot.
3. No fee shall be payable in respect of the repairing of a chimney top unless the top has been pulled down to a greater extent than twelve inches.
4. No fee shall be payable in respect of the repairing of a parapet unless the parapet has been pulled down to a greater extent than twelve inches.

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Greater London Council (General Powers) Act 1965

CHAPTER XX

ARRANGEMENT OF SECTIONS

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