



Covent Garden Market Act 1969

CHAPTER ii

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ELIZABETH II



1969 CHAPTER II

to confer further powers on the Covent Garden Market Authority; to amend the provisions of the Covent Garden Market Acts 1961 and 1966; and for other purposes.
[6th March 1969]

WHEREAS—

Under the Covent Garden Market Acts 1961 and 1966 the Covent Garden Market Authority (hereinafter referred to as "the Authority") are authorised and required to provide facilities for the conduct of a market for dealing in bulk in horticultural produce and other commodities (hereinafter referred to as "market facilities") within an area at Covent Garden in the City of Westminster and the London Borough of Camden and, in relation to the market facilities, the dates determined under the Covent Garden Market Act 1966 (hereinafter referred to as "the Act of 1966"), they are 1966 c. i.

authorised and required to provide market facilities within
at Nine Elms in the London Boroughs of Lambeth
Wandsworth:

(2) It is expedient that the powers contained in this Act
be conferred upon the Authority and that the other provisions
of this Act should be enacted:

(3) The purposes aforesaid cannot be effected without the
authority of Parliament:

May it therefore please Your Majesty that it may be enacted,
and be it enacted, by the Queen's most Excellent Majesty
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:—

Citation.

1.—(1) This Act may be cited as the Covent Garden
Act 1969.

(2) The Covent Garden Market Acts 1961 and 1966 and
this Act may be cited together as the Covent Garden Market
Acts 1961 to 1969.

Interpretation.

2.—(1) In this Act, unless the subject or context otherwise
requires—

1961 c. 49.

1966 c. i.

“ the Act of 1961 ” and “ the Act of 1966 ” mean respectively
the Covent Garden Market Act 1961 and the Covent
Garden Market Act 1966;

“ the Authority ” means the Covent Garden
Authority;

“ the Minister ” means the Minister of Agriculture,
Fisheries and Food;

and other words and expressions to which meanings are assigned
in the Act of 1961 or the Act of 1966 have the same meanings.

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

Commence-
ment of use
of Nine Elms
lands for
various
purposes.

3.—(1) The Authority may appoint different days for
the commencement of the use of land within the Nine Elms
for different purposes of, or connected with, dealing in
horticultural produce or any description of horticultural
produce, but there shall be one day so appointed for the com-

the use of such land as a market for dealing in bulk in fruit and vegetables, and one day so appointed for the commencement of use of such land as a market for dealing in bulk in flowers, and the later of the days so appointed for the commencement of use of land as a market for dealing in bulk in fruit and vegetables, or as a market for dealing in bulk in flowers, shall be the appointed day for the purposes of the Act of 1966.

Accordingly section 5 (The appointed day) of the Act of 1966 shall have effect as if, in subsection (1) thereof, the words "a market for dealing in bulk in horticultural produce" were deleted and after the words "Nine Elms lands" there were inserted the words "as a market for dealing in bulk in fruit and vegetables or as a market for dealing in bulk in flowers (whichever shall be the later)", and references in the said section 5 to the appointed day shall be construed accordingly.

A day appointed under this section for the commencement of use of land within the Nine Elms lands for any purpose other than use as a market for dealing in bulk in fruit and vegetables or as a market for dealing in bulk in flowers (whichever shall be the later) shall be such day, not being later than 31st January, 1972, as the Authority may determine:

Provided that a day later than the 1st January, 1972, may be appointed—

(a) by the Authority with the consent of the Minister;

(b) by the Authority in pursuance of an agreement under subsection (4) of this section or by the Minister under the said subsection (4).

(c) The Authority shall give to the Greater London Council and each of the councils of the London boroughs of Islington and Wandsworth not less than six months' notice in writing of their intention to appoint a day for the commencement of use of land within the Nine Elms lands for any purpose of, or connected with, dealing in bulk in horticultural produce (other than use as a market for dealing in bulk in fruit and vegetables or as a market for dealing in bulk in flowers, whichever shall be the later) and of the day which they propose so to appoint.

Within two months after the giving of the notice referred to in paragraph (c) of this subsection, the Greater London Council and each of the councils of the said London boroughs shall serve a notice in writing on the Authority objecting to the day so appointed to be appointed, the Authority shall appoint a day for the commencement of use of land within the Nine Elms lands in accordance with the agreement between them and the Greater London Council and each of the councils of the said London boroughs, or, in default of such agreement, the day appointed for such purpose as aforesaid shall be the day as the Minister may appoint.

(c) Not later than one month before the day appointed for such purpose as aforesaid, the Authority shall publish in the London Gazette, and in such other manner as in the opinion of the Authority is necessary or convenient for the purpose of informing persons likely to be affected thereby, a notice of the day so appointed and of the purpose for which it is so appointed.

(5) For subsection (4) of section 21 (Repeal of section 21 of Act of 1961 and new provisions as to duty of Authority to provide market facilities, etc.) of the Act of 1966 there shall be substituted the following:—

“(4) (a) Until the day appointed for the commencement of the use of land within the Nine Elms lands for any purpose of, or connected with, dealing in horticultural produce, or any description of other produce, it shall be the duty of the Authority to provide on the 1961 lands market facilities appropriate for that purpose.

(b) On the day so appointed for the commencement of the use of land within the Nine Elms lands for any purpose as aforesaid the duty of the Authority to provide on the 1961 lands market facilities for that purpose shall cease and determine but on that date, until the day of discontinuance, the Authority may provide on the 1961 lands market facilities for that purpose.

(c) In the discharge of their duty under paragraph (a) of this subsection the Authority shall so far as is reasonably practicable, the avoidance of traffic congestion in the Covent Garden Area”.

Orders for amendment of enactments.

4.—(1) The Minister may, on the application of the Authority, by order alter the constitution of the Market Traffic Advisory Committee constituted by section 34 of the Act of 1961.

(2) An order made under this section may contain incidental, consequential and supplementary provisions, and may provide for the amendment or repeal of any enactment, in so far as it applies to the Authority, as the Minister thinks necessary or expedient.

(3) Without prejudice to the generality of subsections (1) and (2) of this section, an order made under subsection (1) of this section may contain provisions for—

(a) the enlargement of the Market Traffic Advisory Committee by the appointment by the Authority of persons to be nominated by such persons or bodies as may be specified in the order, being persons or bodies other than those specified in section 34 (2) of the Act of 1961 (as amended by section 38 of the Act of 1966);

(b) the reduction of the number of members nominated by persons or bodies by the deletion from section 34 (2) of the Act of 1961 (as so amended or as amended by a previous order under this section, as the case may be) of reference to such persons or bodies as may be specified in the order; or

(c) increasing from fourteen to such larger number as may be specified in the order the maximum number of members who are not officers of the Authority.

Before making or withdrawing an application to the Minister for an order under this section the Authority shall, in pursuance of section 33 (3) of the Act of 1961, seek the advice of the Market Management Advisory Committee (Fruit and Vegetables) and the Market Management Advisory Committee (Meat and Poultry) and, in pursuance of section 34 (4) of the Act of 1961, the advice of the Market Traffic Advisory Committee.

In making application to the Minister for an order under this section the Authority shall take such steps as may be directed by the Minister for the purpose of notifying persons who may be affected by the proposed order, other than persons who are, or are represented by, members of any such committee as is mentioned in subsection (4) of this section, of the general effect of the order.

(9) An order made under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Notwithstanding anything in paragraph 9 of Schedule 1 to the Act of 1961, the application of the seal of the Authority to documents which may from time to time be described in a resolution of the Authority shall be duly authenticated if it is authenticated by the signatures of—

Sealing of documents by Authority.

(a) the general manager of the Authority, or some person authorised by the Authority to act in his stead in that behalf, not being any such person as is referred to in paragraph (b) of this section; and

(b) the secretary of the Authority, or some person authorised by the Authority to act in his stead in that behalf, not being any such person as is referred to in paragraph (a) of this section.

(10) In this section—

“market road” means any road which is for the time being vested in, or the property of, the Authority or any land accessible to motor vehicles which is for the time being vested in, or the property of, the Authority, not being a road to which the Road Traffic Act 1960 applies;

Traffic offences on market roads.

1960 c. 16.

1960 c. 16. "motor vehicle" has the same meaning as in the Traffic Act 1960.

1967 c. 30.
1967 c. 76. (2) The Road Traffic Act 1960, the Road Safety Act 1967 and the Road Traffic Regulation Act 1967 shall have effect in the sections thereof mentioned in subsection (1) of this section as if the expressions "road" and "highway" included any highway and any person who commits an offence under any of those sections, as extended by this section, shall be liable to be dealt with as if the offence had been committed under those sections as defined by section 257 of the said Act of 1960 and subject to the provisions of this section, all the provisions of the said Acts as applicable (including, without prejudice to the generality of the foregoing, sections 241 and 250 of the said Act of 1960, sections 1 and 2 of the Road Safety Act 1967 and section 79 of the Road Traffic Regulation Act 1967), shall apply accordingly.

(3) (a) The sections of the Road Traffic Act 1960 referred to in subsection (2) of this section are—

- Section 1 (Causing death by reckless or dangerous driving);
- Section 2 (Reckless, and dangerous, driving generally);
- Section 3 (Careless, and inconsiderate, driving);
- Section 4 (Speeding);
- Section 5 (Driving under age);
- Section 6 (Driving, or being in charge, when under the influence of drink or drugs);
- Section 8 (Restriction on carriage of persons on cycles);
- Section 9 (Reckless, and dangerous, cycling);
- Section 10 (Careless, and inconsiderate, cycling);
- Section 11 (Cycling when under influence of drink or drugs);
- Section 13 (Restriction on carriage of persons on motor cycles);
- Section 14 (Drivers to comply with traffic directions);
- Section 15 (Pedestrians to comply with directions given by constables regulating traffic);
- Section 16 (Leaving vehicles in dangerous positions);
- Section 77 (Duty to stop, and furnish particulars, of accident);
- Section 97 (Minimum age for driving);
- Section 98 (Drivers of motor vehicles to have licences);

- Section 110 (Offence of applying for or obtaining licence, or driving, while disqualified);
- Section 201 (Users of motor vehicles to be insured or secured against third-party risks);
- Section 218 (Penalisation of tampering with motor vehicles);
- Section 219 (Penalisation of holding or getting on to vehicle in order to be towed or carried);
- Section 225 (Power of police constables to require production of driving licences);
- Section 226 (Power of police constables to obtain names and addresses of drivers, and others, and to require production of evidence of insurance or security and test certificates);
- Section 228 (Penalisation of failure to give name and address, and power of arrest, in case of reckless or careless driving or cycling);
- Section 229 (Pedestrians to give names and addresses in certain cases);
- Section 230 (Duty of driver, in case of accident involving injury to another, to produce evidence of insurance or security or to report accident);
- Section 231 (Duty of owner of motor vehicle to give information for verifying compliance with requirement of compulsory insurance or security).

The sections of the Road Safety Act 1967 referred to in 1967 c. 30. subsection (2) of this section are—

- Section 1 (Driving or being in charge with blood-alcohol concentration above the prescribed limit);
- Section 2 (Breath tests);
- Section 3 (Laboratory tests);
- Section 4 (Detention of persons while affected by alcohol);
- Section 5 (Consequences of conviction of certain offences of driving or being in charge);
- Section 30 (Arrest without warrant of persons driving while disqualified).

The sections of the Road Traffic Regulation Act 1967 1967 c. 76. subsection (2) of this section are—

- Section 54 (Traffic signs);
- Section 55 (Powers and duties of highway authorities as to placing of traffic signs);
- Section 58 (Emergency traffic signs);
- Section 61 (Removal of traffic signs, etc.).

1962 c. 13.

(4) If no duty is chargeable under the Vehicle Excise (Excise) Act 1962 in respect of a motor vehicle—

(a) by virtue of the provisions of section 60 of that Act;
or

(b) by reason only that the vehicle is used exclusively on roads which are not public roads within the meaning of that Act;

1960 c. 16.

the said sections 5, 97, 98, 110, 225, 230 and 231 of the Road Traffic Act 1960 shall not apply in respect of that vehicle while it is being driven, or to any person while driving that vehicle on a market road.

(5) Any speed limit which has for the time being been fixed by byelaws made under section 29 of the Act of 1960 in respect of a market road for the purposes of section 4 of the Road Traffic Act 1960 shall not be treated as having been fixed by an enactment passed after the commencement of the said Act of 1960.

(6) Regulations or orders made under section 64 of the Road Traffic Act 1960 and from time to time in force shall continue to apply to market roads as they apply to roads as defined in section 257 of that Act, and section 64 (2) and section 259 of that Act shall apply accordingly:

Provided that, if no duty is chargeable under the Vehicle Excise (Excise) Act 1962 in respect of a motor vehicle—

(a) by virtue of the provisions of section 60 of that Act;
or

(b) by reason only that the vehicle is used exclusively on roads which are not public roads within the meaning of that Act;

the said regulations shall not apply in respect of that vehicle while it is being driven, or to any person while driving that vehicle on a market road.

1967 c. 30.

1967 c. 76.

(7) (a) For the purposes of the Road Traffic Act 1960, the Road Safety Act 1967 and the Road Traffic Regulation Act 1967 as extended and applied by this section, the expressions "highway authority" and "police officer" shall respectively mean the Authority and any person appointed by the Authority under section 7 (Appointment of law enforcement officers) of this Act and any person appointed by the Authority for such officers.

(b) For the purposes of sections 14 (1), 15, 226 (1) and (2) and 229 of the Road Traffic Act 1960 and section 58 (1) of the Road Traffic Regulation Act 1967 as so extended and applied, 1967 c. 76.

The expressions "police constable" or "constable" shall also include any officer of the Authority being, in the case of the sections 14 (1) and 15, an officer in uniform:

Provided that, when acting in pursuance of the said sections (1) or (2) or 229, any such officer who is not in uniform shall, if required, produce evidence of his authority.

(1) The Authority may appoint persons to be market law enforcement officers in accordance with this section.

Appointment of market law enforcement officers.

A market law enforcement officer shall have all such powers, privileges and, subject to subsection (4) of this section, all duties and responsibilities as are provided in other enactments in the Covent Garden Market Acts 1961 to 1969 and all such other powers, privileges, duties and responsibilities as shall from time to time be determined by the Secretary of State by means of an order made under this section.

Without prejudice to the generality of subsection (2) of this section, it shall be the duty of every officer appointed under this section to secure the observance and enforcement of all regulations and byelaws made by the Authority and having effect within the market area in which he is acting as a market law enforcement officer.

Every officer appointed under this section shall obey such orders and commands as may from time to time be given to him by the Authority.

The Authority may suspend or terminate the appointment of an officer appointed under this section.

A market law enforcement officer shall not act as such if he is in uniform or is bearing written authority to act as such.

An order made under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(1) Section 18 of the Act of 1961 shall be amended as follows:—
Amendment and repeal of provisions of Acts of 1961 and 1966.
subsection (2), for the words "under the provisions of the Covent Garden Market Acts 1961 and 1966" there shall be substituted the words "under the enactments from time to time relating to the Authority".

Section 34 of the Act of 1961 shall be amended as follows:—

(a) In subsection (1), for the word "nine" there shall be substituted the word "eleven";

(b) In subsection (2), for the word "seven" there shall be substituted the word "nine" and for the words "British Transport Commission" there shall be substituted the words "the British Railways Board".

(3) Section 25 (Cesser of power to provide market lands) of the Act of 1966 shall be amended as follows:

In subsection (1), for the words "(not being later than three months after the appointed day)" there shall be substituted the words "(not being earlier than one day later than three months, after the appointed day)".

(4) Section 29 (Market byelaws) of the Act of 1966 shall be amended as follows:—

In subsection (1), after paragraph (q) there shall be inserted the following paragraph:—

"(qq) for prohibiting or restricting access to any part of any market area".

(5) Section 31 (Regulation of traffic in market area) of the Act of 1966 shall be amended as follows:—

In subsection (2), for the words "five pounds" there shall be substituted the words "fifty pounds".

(6) Section 41 (Traffic offences on market roads) of the Act of 1966 is hereby repealed.

(7) (a) Part I (Constitution of the Market Management Advisory Committee (Fruit and Vegetables)) of Schedule 2 to the Act of 1966 shall be amended as follows:

In paragraph 1 thereof, for the words "and eight persons appointed by the Authority" there shall be substituted the words "such number of persons appointed by the Authority, being officers of the Authority, as may from time to time be determined by the Authority and eighteen other persons so appointed".

In paragraph 2 (1) thereof, for the words "and other officers" there shall be substituted the words "the secretary and other officers".

(b) Part II (Constitution of the Market Management Advisory Committee (Flowers)) of Schedule 3 to the Act of 1966 shall be amended as follows:—

In paragraph 1 thereof, for the words "and ten persons appointed by the Authority" there shall be substituted the words "and such number of persons appointed by the Authority, being officers of the Authority, as may from time to time be determined by the Authority and ten other persons so appointed".

In paragraph 2 (1) thereof, for the words "and other officers" there shall be substituted the words "the secretary and other officers".

Section 5 (The appointed day) of the Act of 1966, as amended by subsection (2) of section 3 (Commencement of use of Nine Elms lands for various purposes) of this Act, and subsection (1) of section 25 (Cesser of power to provide market facilities on 1961 lands) of the Act of 1966, as amended by subsection (3) of section 8 (Amendment and repeal of provisions Acts of 1961 and 1966) of this Act, shall have effect as set out in the Schedule to this Act.

(1) The costs, charges and expenses preliminary to, and incidental to, the preparing, applying for, obtaining and carrying out of this Act or otherwise in relation thereto shall be paid by the Authority.

(2) The payment of the costs, charges and expenses referred to in subsection (1) of this section shall be a purpose for which the Authority may borrow or raise money, and sections 38, 39, 40 and 41 of the Act of 1961 shall accordingly apply as if that purpose had been one of the purposes mentioned in subsection (2) of the said section 38.

SCHEDULE

Section 9.

SECTIONS 5 AND 25 (1) OF ACT OF 1966 AS AMENDED BY THE

The appointed day

5.—(1) Subject to the provisions of subsection (2) of this section, the appointed day for the purposes of this Act shall be such day, not later than 1st January, 1972, as the Authority may appoint for the commencement of the use of land within the Nine London Market for dealing in bulk in fruit and vegetables or as a market for dealing in bulk in flowers (whichever shall be the later).

Provided that a day later than the 1st January, 1972, may be appointed as the appointed day—

- (a) by the Authority with the consent of the Minister;
- (b) by the Authority in pursuance of an agreement under subsection (2) of this section, or by the Minister under subsection (3) of this section.

(2) (a) The Authority shall give to the council and each of the councils of the London boroughs of Lambeth and Wandsworth not less than six months' notice in writing of their intention to appoint a day for the purpose of subsection (1) of this section and of the day which they propose so to appoint.

(b) If, within two months after the giving of the notice under paragraph (a) of this subsection, the council or either of the councils of the said London boroughs serve a counter-notice in writing on the Authority objecting to the day so proposed to be appointed, the Authority shall appoint a day to be agreed between the council and the councils of the said London boroughs, or in default of such agreement, the appointed day shall be such day as the Minister may appoint.

(3) Not later than one month before the appointed day, the Authority shall publish in the London Gazette, and in such other manner as in the opinion of the Authority is necessary, notice for the purpose of informing persons likely to be affected of the day appointed for the purposes of this section.

Cesser of power to provide market facilities

25.—(1) On such day (in this Act referred to as "the day of cesser") as may be appointed for the purpose by an order made by the Minister by statutory instrument (not being an order made in pursuance of a resolution of the Authority) on or after the appointed day, the power of the Authority under this Act to provide market facilities shall cease and determine.

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