



London Government Act 1963

1963 CHAPTER 33

PART VII

FUNCTIONS AS TO HEALTH AND WELFARE SERVICES AND OTHER MATTERS

- 45
- (1) F1
- (3) F2
- (4) F3
- (5) F4
- ^{XI}(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”; . . . F5
- (7) F6

Editorial Information

- X1** The text of s. 45(6) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

- F1** Ss. 44(1)–(3)(7), 45(1)(2) repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)
- F2** S. 45(3) repealed by [National Health Service Reorganisation Act 1973 \(c. 32\)](#), s. 57, [Sch. 5](#)
- F3** S. 45(4) repealed and superseded by [Health Service and Public Health Act 1968 \(c. 46\)](#), s. 65(1)–(4), [Sch. 4](#)
- F4** S. 45(5) repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)
- F5** Words repealed by [National Health Service Reorganisation Act 1973 \(c. 32\)](#), s. 57, [Sch. 5](#)
- F6** Ss. 45(7), 46(1)(2) repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

Status: Point in time view as at 26/08/1994.

Changes to legislation: There are currently no known outstanding effects for the London Government Act 1963, Part VII. (See end of Document for details)

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

- (1) F7
- (3) F8
- (4) The functions of the council of a [^{F9}London 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) . . . ^{F10} 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) . . . ^{F10} of that Act.
- (5) F11

Textual Amendments

- F7** Ss. 45(7), 46(1)(2) repealed by Local Government Act 1972 (c. 70), **Sch. 30**
- F8** S. 46(3) repealed and superseded by Health Services and Public Health Act 1968 (c. 46), s. 65(1)–(4), **Sch. 4**
- F9** Words substituted by Local Government Act 1972 (c. 70), **Sch. 29 para. 44(3)**
- F10** Words repealed Public Health (Control of Disease) Act 1984 (c. 22, SIF 100:1), ss. 78, 79, **Sch. 3**
- F11** Ss. 46(5)–(8), 47(1)(3) repealed by Local Government Act 1972 (c. 70), **Sch. 30**

47 Children authorities.

- (1) F12
- (2) Section 96 (4) of the ^{M1}Children and Young Persons Act 1933 shall not apply to expenses incurred by the Common Council . . . ^{F13}
- (3) F12
- (4) F14

Textual Amendments

- F12** Ss. 46(5)–(8), 47(1)(3) repealed by Local Government Act 1972 (c. 70), **Sch. 30**
- F13** Words repealed by Local Authority Social Services Act 1970 (c. 42), **Sch. 3**
- F14** S. 47(4) repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102, **Sch. 17**

Marginal Citations

- M1** 1933 c. 12.

48 Fire authorities.

- (1) F15
- (3) The ^{M2}Metropolitan Fire Brigade Act 1865 shall have effect as if references to the Metropolitan Board of Works were . . . ^{F16} references to the metropolis were references to Greater London other than the outer London boroughs.

Status: Point in time view as at 26/08/1994.

Changes to legislation: There are currently no known outstanding effects for the London Government Act 1963, Part VII. (See end of Document for details)

Textual Amendments

F15 S. 48(1)(2) repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, [Sch. 17](#)

F16 Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, [Sch. 17](#)

Marginal Citations

M2 [1865 c. 90.](#)

49 **F17**

Textual Amendments

F17 S. 49 repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, [Sch. 17](#)

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 ^{M3}Explosives Acts 1875 ^{M4} and 1923 and the ^{M5}Fireworks Act 1951.

(2) **F18**

(3) Subsections (1) . . . ^{F19} 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.

Textual Amendments

F18 S. 50(2) repealed by [London Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, [Sch. 17](#)

F19 Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, [Sch. 17](#)

Marginal Citations

M3 [1875 c. 17.](#)

M4 [1923 c. 17.](#)

M5 [195 c. 58.](#)

51 ^{F20}(1)

^{F20}(2)

^{F21}(3)

^{F20}(4)

Textual Amendments

F20 S. 51(1)(2)(4) repealed (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), [Sch. 1 Pt. X](#) Group 1.

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F21 S. 51(3) repealed (26.8.1994) by 1994 c. 20, s. 9(2), **Sch. 5**; S.I. 1994/1841, **art. 2**

52 ^{X2}Licensing of theatres, public entertainments etc.

(1) **F22**

(2) **F23**

(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 . . . **F24**

Editorial Information

X2 Unreliable margin note

Textual Amendments

F22 S. 52(1) repealed by **Theatres Act 1968 (c. 54), Sch. 3**

F23 S. 52(2) repealed by **Cinemas Act 1985 (c. 13, SIF 45A), ss. 24, Sch. 3**

F24 Words repealed by **Cinemas Act 1985 (c. 13, SIF 45A), s. 24, Sch. 3**

Modifications etc. (not altering text)

C1 **S. 52:** functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of **S.I. 2000/2853, reg. 2(1), Sch. 1**

53

(1) **F25**

(2) **F26**

Textual Amendments

F25 S. 53(1) repealed by **Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102, Sch. 17**

F26 S. 53(2)(3) repealed by **Betting, Gaming and Lotteries (Amendment) Act 1971 (c. 26), Sch.**

54 Food, drugs, markets and animals.

(1) **F27**

(2) **F28**

(3) For the purposes of the [^{F29}Animal Health Act 1981]—

(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) **F30**

Status: Point in time view as at 26/08/1994.

Changes to legislation: There are currently no known outstanding effects for the London Government Act 1963, Part VII. (See end of Document for details)

Textual Amendments

- F27** S. 54(1) repealed by [Food Safety Act 1990 \(c. 16, SIF 53:1, 2\)](#), ss. 54, 59(1)(4), Sch. 3 para. 2, **Sch. 5**
- F28** S. 54(2) repealed by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\)](#), **Sch. 6**
- F29** Words substituted by [Animal Health Act 1981 \(c. 22, SIF 4:4\)](#), s. 96(1), **Sch. 5 para. 5**
- F30** S. 54(4) repealed by [Food Act 1984 \(c. 30, SIF 53:1\)](#), ss. 134, 136, **Sch. 11**

55 Smallholdings, allotments, etc.

- (1) **F31**
- (2) **F32**
- (3) **F33**

(4) In its application to an inner London borough, section 23 of the ^{M6}Small Holdings and Allotments Act 1908 shall have effect as if—

- (a) in subsection (1) for the word “shall” wherever it occurs there were substituted the word “may”; and
- (b) subsection (2) were omitted;

F34 . . .

Textual Amendments

- F31** S. 55(1) repealed by [Agriculture Act 1970 \(c. 40\)](#), **Sch. 5 Pt. III**
- F32** S. 55(2) repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, **Sch. 17**
- F33** S. 55(3) repealed by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\)](#), **Sch. 6**
- F34** Words in s. 55(4) repealed (5.11.1993) by c. 50, s. 1(1), Sch. 1 Pt.III.

Marginal Citations

M6 1908 c. 36.

56 **F35**

Textual Amendments

- F35** S. 56 repealed by [Public Libraries and Museums Act 1964 \(c. 75\)](#), **Sch. 3**

- 57** (1) **F36**
- (2) **F37**

Textual Amendments

- F36** Ss. 57(1), 58(2)(3) repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**
- F37** S. 57(2) repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, **Sch. 17**

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- 58** [^{F38}(1) The Open Spaces Act 1906, except section 14, shall have effect as if the London borough councils . . . ^{F39}were included among the local authorities to whom it applies.]
- (2) ^{F40}

Textual Amendments

- F38** S. 58(1) substituted by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1, 2\)](#), s. 1(3), [Sch. 3 para. 11](#)
- F39** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, [Sch. 17](#)
- F40** Ss. 57(1), 58(2)(3) repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

59 The Green Belt.

- (1) ^{F41}
- (2) In the said Act of 1938—
- ^{X3}(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) ^{F41}
- (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, . . . ^{F42}, include the London borough council whose area includes the whole or any part of the area of that existing council;
- (d) ^{F43}
- ^{X3}(e) in section 17(7) for the words “county or borough or district or parish” there shall be substituted the words “area”.

Editorial Information

- X3** The text of s. 59(2)(a)(e) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

- F41** S. 59(1)(2)(b) repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, [Sch. 17](#)
- F42** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, [Sch. 17](#)
- F43** S. 59(1)(d) repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, [Sch. 17](#)

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

- (1) ^{F44}
- (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; . . . ^{F45}
- (6) ^{F46}

Status: Point in time view as at 26/08/1994.

Changes to legislation: There are currently no known outstanding effects for the London Government Act 1963, Part VII. (See end of Document for details)

Textual Amendments

- F44** S. 60(1)–(4) repealed by [Wildlife and Countryside Act 1981 \(c. 69, SIF 4:5\)](#), s. 74(3), **Sch. 17 Pt. II**
- F45** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, **Sch. 17**
- F46** S. 60(6) repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, **Sch. 17**

61 Functions under Town Development Act 1952. ^{X4}

(1) ^{F47}

(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 ^{M7}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.

Editorial Information

- X4** S. 61: "the said Act of 1952" means [Town Development Act 1952 \(c. 54\)](#)

Textual Amendments

- F47** Ss. 61(1)(2), 62(1)(b)(f)(4) repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

Status: Point in time view as at 26/08/1994.

Changes to legislation: There are currently no known outstanding effects for the London Government Act 1963, Part VII. (See end of Document for details)

Marginal Citations

M7 1961 c. 65.

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 ^{M8}Canals Protection (London) Act 1898, which shall extend to the whole of Greater London;
 - (b) F48
 - (c) F49
 - (d) F50
 - ^{F51}(e) F48
 - (f) F48
- (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) F52
 - (4) F48
 - (5) F53

Textual Amendments

- F48** Ss. 61(1)(2), 62(1)(b)(f)(4) repealed by Local Government Act 1972 (c. 70), **Sch. 30**
- F49** S. 62(1)(c) repealed by Poisons Act 1972 (c. 66), s. 13(1), **Sch. 2**
- F50** S. 62(1)(d) repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. VII**
- F51** S. 62(1)(e) repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. X** Group1.
- F52** S. 62(3) repealed by Statute Law (Repeals) Act 1978 (c. 45), s. 1(1), **Sch. 1 Pt. XII**
- F53** S. 62(5) repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102, **Sch. 17**

Marginal Citations

M8 1898 c. 16.

Status:

Point in time view as at 26/08/1994.

Changes to legislation:

There are currently no known outstanding effects for the London Government Act 1963, Part VII.