

Status: Point in time view as at 01/02/1991.

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

SCHEDULES

SCHEDULE 11

MODIFICATION AND RE-ENACTMENT AS FROM 1ST APRIL 1965 OF PROVISIONS OF PUBLIC HEALTH ACTS

PART I

MODIFICATIONS

Modifications etc. (not altering text)

C1 Sch. 11 Pt. I saved by [Local Government Act 1972 \(c. 70\)](#), s. **180(1)**

GENERAL MODIFICATIONS

- 1 Subject to the provisions of this Schedule, any reference in the enactments to which section 40 of this Act applies to the council of a county borough shall be construed as including a reference to the council of a London borough, the Common Council, the Sub-Treasurer of the Inner Temple and the Under-Treasurer of the Middle Temple.
- 2 Subject as aforesaid, and without prejudice to the foregoing paragraph, any reference in the said enactments to the district of a local authority or urban authority shall be construed as including a reference to a London borough, the City, the Inner Temple and the Middle Temple and any reference to a borough or urban district shall be construed as including a reference to the City, the Inner Temple and the Middle Temple.
- 3—10. ^{F1}

Textual Amendments

F1 Sch. 11 Pt. I paras. 3–10, 15 repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

^{M1}THE PUBLIC HEALTH ACT 1936

Marginal Citations

M1 1936 c. 49.

- 11 Subject to the provisions of the Public Health Act 1936 . . . ^{F2} and this Schedule, in any district in Greater London the duty imposed by section 1(1) of carrying the

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said Act of 1936 into execution shall, so far as relating to the enactments to which section 40 of this Act applies, be the duty of the local authority for that district.

Textual Amendments

F2 Words repealed (E.W.) by [Public Health \(Control of Disease\) Act 1984 \(c. 22, SIF 100:1\)](#), s. 78, [Sch. 3](#) and also expressed as repealed by [Building Act 1984 \(c. 55, SIF 15\)](#), ss. 133(2), 134, 135, [Sch. 7](#)

12 F3

Textual Amendments

F3 [Sch. 11 Pt. I para. 12](#) repealed by [Building Act 1984 \(c. 55, SIF 15\)](#), ss. 133(2), 134, 135, [Sch. 7](#)

13 Section 51 shall in its application to Greater London have effect as if any reference to a water closet included a reference to a urinal and as if that section required the occupier of every building in or in connection with which a urinal is provided to cause the urinal to be supplied with flushing apparatus.

14 F4

Textual Amendments

F4 [Sch. 11 Pt. 1 paras. 14, 16](#) repealed by [Control of Pollution Act 1974 \(c. 40\)](#), s. 109(2), [Sch. 4](#)

15 F5

Textual Amendments

F5 [Sch. 11 Pt. I paras. 3–10, 15](#) repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

16 F6

Textual Amendments

F6 [Sch. 11 Pt. 1 paras. 14, 16](#) repealed by [Control of Pollution Act 1974 \(c. 40\)](#), s. 109(2), [Sch. 4](#)

17 Byelaws made under section 81 with respect to Greater London may include provision for preventing the occurrence of nuisances from ice, salt, offal, carrion, fish or other matter as well as nuisance from the matters therein mentioned.

18 (1) Byelaws made under section 82(1) with respect to Greater London may make the like provision for the removal or carriage by water of faecal or offensive or noxious matter or liquid as may be made with respect to the removal or carriage thereof through the streets and may provide that any receptacle or any ship or other vessel used for the purpose shall be properly constructed and covered so as to prevent the escape of any such matter or liquid and so as to prevent any nuisance arising therefrom.

^{x1}(2) In section 82(2) for the words from “a regulation” onwards there shall be substituted the words “an order under section 34 of the Road Traffic Act 1960 or section 10 (1) of the London Government Act 1963, and the order shall prevail”.

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Editorial Information

- X1** The text of Sch. 11 Pt. I paras. 18(2), 27, 31, 33 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.

19 F7

Textual Amendments

- F7** Sch. 11 Pt. I para. 19 repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102, Sch. 17

20 F8

Textual Amendments

- F8** Sch. 11 Pt. I para. 20 repealed by Environmental Protection Act 1990 (c. 43, SIF 46:4), s. 162(2), Sch. 16 Pt. III

21 F9

Textual Amendments

- F9** Sch. 11 Pt. I para. 21 repealed by Building Act 1984 (c. 55, SIF 15), ss. 133(2), 134, 135, Sch. 7

22 F10

Textual Amendments

- F10** Sch. 11 Pt. I paras. 22, 25 repealed by Public Health (Control of Disease) Act 1984 (c. 22, SIF 100:1), ss. 78, 79, Sch. 3

23 In section 266(1)(i) the references to a land drainage authority shall include references to the Greater London Council.

24 In Part XII—

- (a) any reference to the Public Health Act 1936 shall include a reference to section 41 of this Act and this Schedule;
- (b) any reference to a council shall be construed as including a reference to the Sub-Treasurer of the Inner Temple and the Under-Treasurer of the Middle Temple, except that any reference in any provision of Part XII to the clerk or any officer or authorised officer of the council shall, in relation to the Inner Temple or the Middle Temple, be construed as a reference to an officer authorised by the Sub-Treasurer or the Under-Treasurer, as the case may be, to act for the purposes of that provision;
- (c) any reference to a local authority or the district of a local authority shall, so far as relating to any enactment under which the Greater London Council has functions, be construed as a reference to that Council or Greater London as the case may be.

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25 F11

Textual Amendments

F11 Sch. 11 Pt. I paras. 22, 25 repealed by Public Health (Control of Disease) Act 1984 (c. 22, SIF 100:1), ss. 78, 79, Sch. 3

M2 THE WATER ACT 1945

Marginal Citations

M2 1945 c. 42.

26 F12

Textual Amendments

F12 Sch. 11 Pt. I para. 26 repealed by Water Act 1989 (c. 15, SIF 130), ss. 58(7), 101(1), 141(6), 160(1)(2) (4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58, Sch. 27 Pt. I

- 27 In section 59 (1)—
- (a) at the end of the definition of “district” there shall be inserted the words “and includes the Inner Temple and the Middle Temple”;
 - (b) in the definition of “local authority” after the words “county borough” there shall be inserted the words “London borough” and for the words “or the council of a metropolitan borough” there shall be substituted the words “the Sub-Treasurer of the Inner Temple or the Under-Treasurer of the Middle Temple” ; and
 - (c) in the definition of “local enactment” for the word “London” there shall be substituted the words “Greater London and the surrounding area”.

Modifications etc. (not altering text)

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28 F13

Textual Amendments

F13 Sch. 11 Pt. I para. 28 repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102, Sch. 17

29 F14

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Textual Amendments

F14 Sch. 11 Pt. I para. 29 repealed by Water Act 1989 (c. 15, SIF 130), ss. 58(7), 101(1), 141(6), 160(1)(2) (4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58, **Sch. 27 Pt. I**

M³THE CLEAN AIR ACT 1956

Marginal Citations

M3 1956 c. 52.

30 Any reference to building byelaws and building regulations shall, in relation to Greater London other than the outer London boroughs, be construed as a reference to byelaws made by the Greater London Council or the London county council under the ^{M⁴}London Building Act (Amendment) Act 1935.

Marginal Citations

M4 1935 c. xcii.

31 In section 10 (1), for the words “the administrative county of London” there shall be substituted the words “Greater London or in an outer London Borough”.

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C3 The text of Sch. 11 Pt. I paras. 18(2), 27, 31, 33 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.

32 **F15**

Textual Amendments

F15 Sch. 11 para. 32 repealed by Control of Pollution Act 1974 (c. 40), s. 109(2), **Sch. 4**

M⁵THE PUBLIC HEALTH ACT 1961

Marginal Citations

M5 1961 c. 64.

^{x2}33 In section 2 (3) after the word “district” there shall be inserted the words “the Common Council, the Sub-Treasurer of the Inner Temple or the Under-Treasurer of the Middle Temple”.

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34—36. **F16**

Textual Amendments

F16 Sch. 11 Pt. I paras. 34–36 repealed by Building Act 1984 (c. 55, SIF 15), ss. 133(2), 134, 135, **Sch. 7**

37 **F17**

Textual Amendments

F17 Sch. 11 Pt. I para. 37 repealed by Highways Act 1980 (c. 66, SIF 59), s. 43(3), **Sch. 25**

38 **F18**

Textual Amendments

F18 Sch. 11 Pt. I para. 38 repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102, **Sch. 17**

39 **F19**

Textual Amendments

F19 Sch. 11 Pt. I para. 39 repealed by Local Government Act 1972 (c. 70), **Sch. 30**

40 **F20**

Textual Amendments

F20 Sch. 11 Pt. I para. 40 repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102, **Sch. 17**

41 **F21**

Textual Amendments

F21 Sch. 11 Pt. I para. 41 repealed by Statute Law (Repeals) Act 1977 (c. 18), s. 1(1), **Sch. 1 Pt. XI**

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