

1966 No. 1250

LONDON GOVERNMENT

The Local Law (Further Provisions) Order 1966

<i>Made</i>	- - -	30th September 1966
<i>Laid before Parliament</i>		7th October 1966
<i>Coming into Operation</i>		8th October 1966

The Minister of Housing and Local Government, in exercise of his powers under section 84, as extended by section 87(2), and section 90 of the London Government Act 1963(a) and of all other powers enabling him in that behalf (and after consultation with the Common Council in accordance with section 84(4) of the said Act), hereby makes the following order:—

1. This order may be cited as the Local Law (Further Provisions) Order 1966 and shall come into operation on 8th October 1966.

2. The Interpretation Act 1889(b) applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

3.—(1) In Schedule 1 to the Local Law (Greater London Council and Inner London Boroughs) Order 1965(c)—

(a) for paragraph 12 there shall be substituted the following paragraph—

“ 12. In the Wandsworth Common Act 1871(d)—

(a) in sections 4 and 37, for the words ‘deposited plan’ there shall be substituted the words ‘plan deposited for the purposes of this Act with the clerk of the peace for the county of Surrey’; and

(b) in section 44, for references to the Conservators there shall be substituted references to the Greater London Council.”;

(b) in paragraph 44 (which relates to the London County Council (General Powers) Act 1907(e)), in sub-paragraph (a), for the words “in section 9” there shall be substituted the words “in sections 7 and 9”;

(c) in paragraph 58 (which relates to the London County Council (General Powers) Act 1925(f)), sub-paragraph (a)(i) shall be omitted;

(d) for paragraph 69 there shall be substituted the following paragraph—

“ 69. In the London County Council (General Powers) Act 1935(g)—

(a) in section 42(1), in proviso (ii), after the words ‘one acre’ there shall be inserted the words ‘or one-tenth of the area of the open space whichever is the greater’;

(a) 1963 c. 33.

(c) S.I. 1965/540 (1965 I, p. 1597).

(e) 7 Edw. 7. c. clxxv.

(b) 52 & 53 Vict. c. 63.

(d) 34 & 35 Vict. c. clxxxi.

(f) 15 & 16 Geo. 5. c. cxix.

(g) 25 & 26 Geo. 5. c. xxxiii.

- (b) for section 52 there shall be substituted the following section—
 ‘ 52. The powers conferred upon a local authority by or in pursuance of this Part of this Act shall be in addition to and not in derogation of any other powers possessed by any such authority independently of this Act.’;
- (c) in section 68, for the words ‘Arbitration Acts 1889 to 1934’ there shall be substituted the words ‘Arbitration Act 1950’^(a);
- (d) for section 75 there shall be substituted the following section—
 ‘ 75. All costs and expenses of the Greater London Council in the execution of this Act shall be defrayed, as the Council may decide—
 as expenditure for general London purposes, or
 as expenditure for special London purposes chargeable on such part of Greater London as the Council may determine.’; and
- (e) in section 76, for references to the Commissioners of Crown Lands there shall be substituted references to the Crown Estate Commissioners.”;
- (e) in paragraph 72 (which relates to the London County Council (General Powers) Act 1937^(b)), in sub-paragraph (g), for the words “the reference” and “a reference” there shall be substituted the word “references”;
- (f) in paragraph 77 (which relates to the Middlesex County Council Act 1944^(c)), for head (i) of sub-paragraph (g) there shall be substituted—
 “ (i) in subsection (1), for the words from the beginning to ‘by such agreement’ there shall be substituted—
 ‘ (1) It shall be lawful for the owner of land (not being the council of any county or county borough or London borough or county district or a joint committee of two or more such councils) to enter into agreement with the Greater London Council that in the event of such owner or any of his successors in title desiring to sell his estate or interest in any such land or any part thereof he or his successor in title (as the case may be) shall first offer such estate or interest to the said Council for the purpose of providing a park or open space or for the purposes of the Physical Training and Recreation Act 1937^(d) at a price to be determined by or in manner provided by such agreement.’ ”;
- (g) in paragraph 78 (which relates to the London County Council (General Powers) Act 1947^(e)), in section 8(3) as substituted by sub-paragraph (d), for the words “one-twentieth” there shall be substituted the words “one-tenth”;
- (h) in paragraph 81 (which relates to the London County Council (General Powers) Act 1949^(f)), in sub-paragraph (d), for the words “the council” there shall be substituted the words “the Council”;
- (i) in paragraph 90 (which relates to the London County Council (General Powers) Act 1954^(g)), in sub-paragraph (a), before the words “Greater London” there shall be inserted the words “a public street in”;
- (j) in paragraph 93 (which relates to the Middlesex County Council Act 1956^(h)), in sub-paragraph (a), the reference to section 81 of the said Act shall be omitted;

(a) 14 Geo. 6. c. 27.

(c) 7 & 8 Geo. 6. c. xxi.

(e) 10 & 11 Geo. 6. c. xlvi.

(g) 2 & 3 Eliz. 2. c. xxiv.

(b) 1 Edw. 8 & 1 Geo. 6. c. xci.

(d) 1 Edw. 8 & 1 Geo. 6. c. 46.

(f) 12 & 13 Geo. 6. c. lv.

(h) 4 & 5 Eliz. 2. c. xc.

- (k) after paragraph 97 there shall be inserted the following paragraph—
 “ 97A. In the Surrey County Council Act 1958(a), section 30 shall apply in the London boroughs of Croydon, Kingston upon Thames, Merton and Sutton and, in such application, for references to the county council of the county of Surrey there shall be substituted references to the Greater London Council.”;
- (l) in paragraph 100 (which relates to the City of London (Various Powers) Act 1961(b)), sub-paragraph (b) shall be omitted; and
- (m) in paragraph 103 (which relates to the River Ravensbourne, &c. (Improvement and Flood Prevention) Act 1961(c)), in sub-paragraph (a), for the words “ Kent on ” and, in sub-paragraph (g), for the expression “ ‘ council ’ ” there shall be substituted the words “ Kent or ” and the expression “ ‘ Council ’ ” respectively.
- (2) In Schedule 2 to the said order, the entry relating to the London County Council (General Powers) Act 1907 shall be omitted.
- (3) In Schedule 3 to the said order—
- (a) in the entry relating to the London Council (General Powers) Act 1890(d), in the first column, for the expression “ c. ccxlii.” there shall be substituted the expression “ c. ccxliii.”;
- (b) in the entry relating to the London County Council (Lambeth Bridge) Act 1924, in the third column, after the words “ In section 41, the words from ‘ the council of ’ ” there shall be inserted the words “ where first occurring ”;
- (c) in the entry relating to the London and Middlesex (Improvements, &c.) Act 1936(e), in the third column, the words from “ Subject to the provisions ” onwards shall be omitted; and
- (d) in the entry relating to the River Ravensbourne, &c. (Improvement and Flood Prevention) Act 1961, in the third column, after the words “ In section 23(1), the words from ‘ in the case of ’ ” there shall be inserted the words “ where first occurring ”.
4. In the application of the enactments to which this article applies to the Strand subways as defined by section 3(1) of the London County Council (General Powers) Act 1957(f), for any reference to the Greater London Council (as substituted by article 4(1) of and Schedule 2 to the Local Law (Greater London Council and Inner London Boroughs) Order 1965) there shall be substituted a reference to the highway authority.
- This article applies to the following enactments—
- In the London County Council (General Powers) Act 1957, Parts II and III and sections 84 to 89;
- In the London County Council (General Powers) Act 1958(g), section 11; and
- In the London County Council (General Powers) Act 1962(h), section 27.
5. In Schedule 1 to the Local Law (City of London) Order 1965(i), in paragraph 5 (which relates to the City of London (Various Powers) Act 1949(j)), for the words “ in section 12 ” there shall be substituted the words “ in sections 12 and 13 ”.

(a) 6 & 7 Eliz. 2. c. xlii.
 (c) 9 & 10 Eliz. 2. c. xlvi.
 (e) 26 Geo. 5 & 1 Edw. 8. c. cviii.
 (g) 6 & 7 Eliz. 2. c. xxi.
 (i) S.I. 1965/508 (1965 I, p. 1264).

(b) 9 & 10 Eliz. 2. c. xxviii.
 (d) 53 & 54 Vict. c. ccxliii.
 (f) 5 & 6 Eliz. 2. c. xxxv.
 (h) 10 & 11 Eliz. 2. c. xlv.
 (j) 12 & 13 Geo. 6. c. xiv.

6.—(1) In Schedule 1 to the Local Law (London Borough of Newham) Order 1965(a), in paragraph 10 (which relates to the East Ham Corporation Act 1957(b))—

(a) for sub-paragraph (c) there shall be substituted—

“(c) in section 21—

(i) after subsection (4) there shall be inserted—

‘(4A) Where the street referred to in subsection (1) of this section is a metropolitan road the Corporation before giving their approval under this section shall confer with the Greater London Council.’; and

(ii) in subsection (5)(a), for the reference to the Minister of Transport and Civil Aviation there shall be substituted a reference to the Minister of Transport’;

(b) for sub-paragraph (f) there shall be substituted—

“(f) in section 36(3), for the words ‘consent of the Minister of Transport and Civil Aviation’ there shall be substituted the words ‘consent of the Minister of Transport or in a metropolitan road without the consent of the Greater London Council’”; and

(c) after sub-paragraph (m) there shall be inserted—

“(mm) in section 114(5), for the words ‘consent of the Minister of Transport and Civil Aviation’ there shall be substituted the words ‘consent of the Minister of Transport or in relation to a metropolitan road without the consent of the Greater London Council’”.

(2) In Schedule 2 to the said order, in the entry relating to the East Ham Corporation Act 1957, in the third column there shall be inserted “Section 114”.

7. In Part I of Schedule 2 to the Local Law (North East London Boroughs) Order 1965(c), in paragraph 2 (which relates to the Essex County Council Act 1952(d)), after sub-paragraph (h) there shall be inserted—

“(hh) in section 37, after subsection (2) there shall be inserted—

‘(2A) Where the street referred to in subsection (1) of this section is a metropolitan road the local authority before giving their approval under this section shall confer with the Greater London Council.’”.

8.—(1) In Part I of Schedule 2 to the Local Law (South East London Boroughs) Order 1965(e), in paragraph 1 (which relates to the Kent County Council Act 1958(f)), before the existing sub-paragraph (a) there shall be inserted—

“(a) in section 4(2), in the definition of ‘highway authority’, for paragraph (b) there shall be substituted—

“(b) in the case of a metropolitan road in the London borough of Bexley or Bromley the Greater London Council; and”;

and the said existing sub-paragraph (a) shall be relettered “(aa)”.

(2) In Part II of the said Schedule 2, in paragraph 4 (which relates to the Orpington Urban District Council Act 1954(g)), for sub-paragraph (a)(v) there shall be substituted—

“(v) in paragraph (d), for the added subsection there shall be substituted:—

‘(6) This section shall not apply or shall cease to apply in a case where an agreement has been made before or within four months after the service of a notice under subsection (1) of section 193 of this Act by any person with the street works authority under

(a) S.I. 1965/509 (1965 I, p. 1270).

(c) S.I. 1965/510 (1965 I, p. 1285).

(e) S.I. 1965/531 (1965 I, p. 1404).

(b) 5 & 6 Eliz. 2. c. xxxvii.

(d) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 1.

(f) 7 Eliz. 2. c. vi.

(g) 2 & 3 Eliz. 2. c. xlvi.

section 40 of this Act providing for the carrying out at the expense of that person of street works in the street or a part thereof comprising the whole of the part on which the frontage of the building will be and for securing that the street or part thereof on completion of the works will become a highway maintainable at the public expense.’”

9. In Part I of Schedule 3 to the Local Law (South West London Boroughs) Order 1965(a), in the entry relating to the Surrey County Council Act 1958, in the third column, for the expression “ Part IV ” there shall be substituted the expression “ Part IV other than section 30 ”.

10.—(1) In article 4(1) of the Local Law (North West London Boroughs) Order 1965(b), at the end there shall be added—

“ Provided that nothing in this article shall apply to a metropolitan watercourse in a north west London borough.”

(2) In Part I of Schedule 1 to the said order, in head II (which relates to the Middlesex County Council Act 1944), for paragraph 10 there shall be substituted the following paragraph:—

“ 10. In the application of section 214 to the council of a north west London borough—

(1) In subsection (1), for the words ‘ a local authority as defined in the last foregoing section ’ and ‘ for any of the purposes mentioned in the last preceding section ’ there shall be substituted respectively the words ‘ the council of any county or county borough or London borough or county district or the Greater London Council or a joint committee of two or more such councils ’ and ‘ for the purpose of providing an open space playing field recreation or pleasure ground or public walk or for the purposes of the Physical Training and Recreation Act 1937 or for the purposes of cricket, football or other games or recreations ’.

(2) For subsection (4) there shall be substituted—

‘ (4) The powers of this section shall not be exercised in respect of any land outside the north west London borough except with the consent of the council of the county or London borough in which the land is situate but this provision shall not apply to any piece of land in one ownership which is partly within and partly without the borough and at least one-half of which is within the borough.’ ”.

(3) In Part II of Schedule 2 to the said order, in the entry relating to the Brentford and Chiswick Corporation Act 1936(c), the reference to section 39 of the said Act shall be omitted.

(4) In Schedule 3 to the said order:—

(a) in the entry relating to the Edmonton Urban District Council Act 1929(d), in the third column, for the expression “ In section 89 ” there shall be substituted the expression “ In section 39 ”; and

(b) in the entry relating to the Brentford and Chiswick Corporation Act 1936, in the third column, for the expression “ In section 48, the words from ‘ except ’ to ‘ signs; ’ ” there shall be substituted the expression “ In section 48, the words from ‘ except ’ to ‘ Projecting signs; ’ ”.

11. The enactments specified in Schedule 1 to this order are hereby repealed.

12. The instruments specified in Schedule 2 to this order are hereby revoked.

(a) S.I. 1965/532 (1965 I. p. 1417).
(c) 26 Geo. 5 & 1 Edw. 8. c. lxiii.

(b) S.I. 1965/533 (1965 I. p. 1444).
(d) 20 Geo. 5. c. xxix.

Article 11

SCHEDULE 1
REPEAL OF ENACTMENTS

Chapter	Short Title	Extent of Repeal
9 Edw. 7. c. cxxx.	The London County Council (General Powers) Act 1909	Sections 2 and 4
24 & 25 Geo. 5. c. xl.	The London County Council (General Powers) Act 1934	Section 74
26 Geo. 5 & 1 Edw. 8. c. lxiii.	The Brentford and Chiswick Corporation Act 1936	Sections 39 and 40
2 & 3 Geo. 6. c. c.	The London County Council (General Powers) Act 1939	Section 67(3) and (5)
3 & 4 Geo. 6. c. xv.	The London County Council (General Powers) Act 1940	Section 10
11 & 12 Geo. 6. c. liii.	The London County Council (General Powers) Act 1948	Section 54(2) and (3)

Article 12

SCHEDULE 2
REVOCATION OF INSTRUMENTS

S.I. Number	Short Title	Extent of Revocation
1955/112	The Tottenham (Drainage of Trade Premises) Order 1955	The whole order
1955/113	The Wood Green (Drainage of Trade Premises) Order 1955	The whole order
1955/452	The Acton (Drainage of Trade Premises) Order 1955	The whole order
1957/1834	The Croydon (Drainage of Trade Premises) Order 1957	The whole order
1958/507	The Penge (Drainage of Trade Premises) Order 1958	The whole order
1965/211	The Beckenham Borough Council Superannuation Scheme Approval Instrument 1965	The whole instrument together with the scheme approved thereby

Given under the official seal of the Minister of Housing and Local Government on 30th September 1966.

(L.S.)

Anthony Greenwood,
Minister of Housing and Local Government.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order makes further modifications to local enactments which apply to the Greater London Council, the London borough councils and the Common Council and repeals and revokes certain further enactments which are spent, obsolete or substantially superseded.