

ELIZABETH II



1977 CHAPTER xv

An Act to make further provision for the regulation of the exercise of commoners' rights in Epping Forest; the administration of Epping Forest and other open spaces and the provision of facilities for the public therein; finance and administration of the Corporation of London; the exercise of functions of the port health authority of the Port of London; traffic safety at Blackfriars Underpass; and for other purposes.

[22nd July 1977]

WHEREAS—

(1) The open waste lands of Epping Forest are vested in the Corporation of London as the Conservators of Epping Forest and, under the Epping Forest Act 1878, the Conservators are 1878 c. ccxiii. required to keep the forest unenclosed as an open space for the recreation and enjoyment of the public:

(2) In pursuance of rights of common of pasture reaffirmed and regulated by the said Act of 1878, commoners of the forest are entitled to turn out cattle and other animals to depasture the open waste lands of the forest in accordance with the provisions of that Act, and the regulations and byelaws of the Conservators thereunder, but it has long been recognised that animals so turned out or left to roam the forest in the winter months when the grazing is inadequate for their needs may cause serious nuisance and inconvenience to persons resident in and near to the forest, as well as danger to road traffic upon the highways traversing the forest:

(3) It is accordingly expedient that provision be made for the further regulation of the exercise of commoners' rights of pasturage in the forest and for the closure of the pasturage in winter, subject to the payment of compensation by the Conservators to those commoners who may suffer loss by reason of such restriction as provided in this Act:

(4) It is expedient that further and better provision be made with respect to the provision of facilities for the public resorting to Epping Forest and other open spaces owned and managed by the Corporation and for the restriction of public access to parts of Epping Forest where necessary for the preservation of the natural aspect of the forest or the protection of places of special attraction to the public:

(5) It is expedient that further and better provision should be made with respect to finance and administration, including amendment of enactments consequential upon the passing of the Local Government Act 1972 and other legislation:

1972 c. 70.

(6) In accordance with the International Health Regulations the Corporation have the function, as port health authority for the Port of London, of ascertaining the sufficiency and wholesomeness of water supplies for use on premises or vessels within the Port and it is expedient to confer upon the Corporation the powers provided in this Act to enable them to discharge this function effectively:

(7) It is further expedient to impose on the Corporation as port health authority for the Port the duty of enforcement under the Medicines Act 1968 of provisions concerning animal feeding stuffs in which medical products are incorporated, such duties being so imposed in manner similar to the duty of enforcement within the Port of provisions concerning animal feeding stuffs under the Agriculture Act 1970:

1968 c. 67.

1970 c. 40.

(8) It is expedient that provision be made for the safety of traffic and the prevention of danger to persons using the highways

provided by the Corporation forming part of, or connected with, the Blackfriars Underpass, and that the other provisions of this Act should be enacted:

(9) The objects of this Act cannot be attained 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, 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:—

PART I

PRELIMINARY

1. This Act may be cited as the City of London (Various Short title. Powers) Act 1977.

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

“ city ” means the city of London;

“ contravene ” includes fail to comply;

“ Corporation ” means the mayor and commonalty and citizens of the city acting by the common council;

“ daily fine ” means a fine for each day or part of a day on which an offence is continued after conviction thereof;

“ enactment ” includes an enactment in this Act or in any general or local Act and any order, byelaw, regulation, rule, scheme or other instrument made under any Act for the time being in force;

“ functions ” includes powers and duties;

“ statutory undertakers ” means any electricity undertakers, the British Gas Corporation, the Thames Water Authority and the Post Office, or any of them;

“ town clerk ” means the town clerk of the city and includes any person duly appointed to discharge temporarily the duties of that officer;

“ undertakers' apparatus ” means—

(a) electric lines or works (as respectively defined in the Electric Lighting Act 1882) belonging to, or 1882 c. 56. maintained by, electricity undertakers;

(b) mains, pipes or other apparatus belonging to, or maintained by, the British Gas Corporation;

(c) mains, sewers or other apparatus belonging to, or maintained by, the Thames Water Authority;

PART I
—cont.
1878 c. 76.

(d) any telegraphic line (as defined in the Telegraph Act 1878) belonging to, or used by, the Post Office; and includes any structure constructed so that apparatus may be lodged in it.

(2) Where any instrument or document refers, either expressly or by implication, to a provision repealed by, or ceasing to have effect by virtue of, this Act, the reference shall, unless the context otherwise requires, be construed as, or as including, a reference to the corresponding provision in any enactment in, or having effect by virtue of, this Act.

(3) Except where the context otherwise requires, any reference in this Act to any enactment shall be construed as a reference to that enactment as applied, extended or amended by, or by virtue of, any subsequent enactment including this Act.

PART II

EPPING FOREST AND OPEN SPACES

Interpretation
for Part II.
1878 c. ccxiii.

3. In this Part of this Act—

“ Act of 1878 ” means the Epping Forest Act 1878;

“ the appointed day ” means 1st October 1977;

“ the winter season ” means a period beginning on 18th November in any year and ending on 15th April in the next following year;

“ common rights ” means all such rights of common of pasture and of common of mast or pannage as are referred to in section 5 (Rights of common of pasture and pannage to continue) of the Act of 1878;

“ Conservators ” means the Corporation acting as the Conservators of Epping Forest, and includes the Corporation so acting by the Epping Forest Committee under section 31 (Epping Forest Committee) of the Act of 1878;

“ the open waste ” means the open waste lands of Epping Forest as defined in section 10 (Lands forming Epping Forest) of the City of London (Various Powers) Act 1956, as having effect in accordance with section 26 (Lands forming Epping Forest) of the City of London (Various Powers) Act 1967;

“ superintendent ” means the officer appointed by the Conservators as the superintendent of Epping Forest, and includes any person duly authorised to discharge temporarily the duties of that officer.

1956 c. 1.

1967 c. xlii.

Rights of common in Epping Forest

PART II
—cont.

Rights of
common to
continue
subject to
restriction.

4.—(1) As from the appointed day common rights, as they exist at that date, shall be subject to the provisions of this section.

(2) No animal shall be turned out or kept on the open waste in pursuance of common rights at any time within the winter season.

(3) There shall be excepted from the provisions of subsection (2) above any commonable animal so long as it is tethered in such manner as to be prevented from wandering from the place in which it is turned out.

5.—(1) Any person who—

Compensation.

(a) at the appointed day is entitled to turn out and keep cattle on the open waste in pursuance of common rights appurtenant to land in which he has an interest, and in exercise of those rights has turned out or kept cattle on the open waste at any time within the winter seasons between 18th November 1966 and 15th April 1976; and

(b) within two months from the appointed day submits a claim for compensation in accordance with subsection (2) below;

shall be entitled to compensation payable by the Conservators in accordance with the following provisions of this section in respect of the loss of the right to pasturage during the winter season, such loss being assessed in accordance with subsection (4) below.

(2) All claims for compensation under this section shall be submitted in writing in the form prescribed in Schedule 1 to this Act, or in a form to the like effect, setting out the particulars which are therein referred to, and shall be addressed to the town clerk.

(3) Unless within six months from the appointed day the Conservators accept all claims for compensation duly submitted under this section and not withdrawn, and give notice of their acceptance to all persons by whom such claims have been submitted (hereafter in this section referred to as "claimants"), all such claims shall be referred to an arbitrator to be appointed, on the application of the Conservators after notice to all claimants, by the President of the Royal Institution of Chartered Surveyors.

PART II
—cont.

(4) The arbitrator so appointed shall determine in relation to each claimant—

- (a) the nature and extent of the claimant's entitlement to turn out and keep cattle on the open waste in pursuance of common rights appurtenant to the land in which he has an interest; and
- (b) the degree to which the claimant's entitlement has been properly exercised in respect of the common rights appurtenant to that land by turning out or keeping cattle on the open waste within the winter seasons between the said 18th November 1966 and 15th April 1976 or would have been so exercised but for his observance of a request made to him by or on behalf of the Conservators to restrict the exercise of that entitlement;

and, in determining the extent of any claimant's entitlement and any loss of pasturage affecting the land in respect of which the claimant's common rights are exercisable, the arbitrator shall have regard to the total value attributable to all interests in land to which common rights are appurtenant immediately before the appointed day in respect of entitlements to turn out and keep cattle on the open waste during the winter season if all those entitlements were to be exercised at the same time.

Amendment
of Epping
Forest Act
1878.

6.—(1) As from the appointed day—

- (a) section 5 (Rights of common of pasture and pannage to continue) of the Act of 1878 shall have effect as if, after the words "this Act" where they secondly occur, there were inserted the words "and of Part II of the City of London (Various Powers) Act 1977";
- (b) subject to subsection (2) below, section 33 (General powers of Conservators) of the Act of 1878 shall have effect as if in subsection (1) thereof—
 - (i) in paragraph (viii), references to rent, rental or actual or rateable annual value were limited to the rent, rental or actual or rateable annual value (as the case may be) of open land and land used for the purposes of keeping commonable animals; and
 - (ii) in paragraph (xii), after the words "this Act", there were inserted the words "or Part II of the City of London (Various Powers) Act 1977"; and
- (c) section 36 (Power to make byelaws) of the Act of 1878 shall have effect as if, in paragraph (xii), after the words "this Act", there were inserted the words "or Part II of the City of London (Various Powers) Act 1977".

(2) (a) Notwithstanding subsection (1) (viii) of the said section 33 of the Act of 1878, the Conservators may direct the reeves to mark for any person who, in the exercise of an entitlement to do so, has turned out or kept cattle on the open waste at any time between 18th November 1966 and 27th November 1976, for such time as he is so entitled, such number of cattle as was taken to be the appropriate number in respect of that entitlement immediately before the appointed day.

(b) A direction may be given by the Conservators under this subsection in any case where, in the opinion of the Conservators, loss would be suffered by any such person as is mentioned in paragraph (a) above by reason of the disturbance of his trade or business, and the reeves shall give effect to any such direction.

Miscellaneous

7.—(1) For so long as the Conservators consider it necessary to do so for the purposes of the regeneration of any part or parts of Epping Forest to preserve the natural aspect thereof, or of the protection of the Forest as an open space for the recreation and enjoyment of the public, the Conservators may from time to time—

Regulation of
public access
in areas of
Epping
Forest.

(a) by notices posted at such places in the Forest as they think fit, restrict or prohibit access to any such part or parts of the Forest;

(b) enclose such part or parts of the Forest and suspend the rights of common over the lands enclosed and all other rights the exercise of which will in their judgement be inconsistent with the objects of such enclosures.

(2) The total area of the part or parts of the Forest to which access is restricted or prohibited, or which are enclosed, under subsection (1) above shall not at any time exceed 100 acres.

(3) (a) Before restricting or prohibiting access to, or enclosing, under subsection (1) above, any part of the Forest exceeding 2½ acres, the Conservators shall—

(i) publish notice of the proposal in a local newspaper circulating in the area affected stating the general effect of the proposal and the address to which, and the period (not less than 21 days from first publication) during which, representations about the proposal may be made to the Conservators; and

(ii) before first publication send a copy of the notice to the council of any district or London Borough in which any part of the said area is situated.

(b) If any person makes representations in writing to the Conservators that any proposal referred to in paragraph (a) above

PART II
—cont.

ought not to be implemented, the Conservators shall, before determining whether to implement the proposal, consider his representations and inform him of their decision.

(c) If any person makes representations in writing to the Conservators that any restriction or prohibition of access to, or any enclosure of, any part of the Forest under subsection (1) above ought to be removed or modified, the Conservators shall consider his representations and inform him of their decision.

(4) For the purpose of preserving or protecting places in Epping Forest which, in the opinion of the Conservators, are of special attraction to the public, the Conservators may from time to time, by notices or direction signs posted in, or in the vicinity of, such places, regulate or restrict access by the public to or within such places.

(5) (a) The Conservators may authorise the superintendent to exercise any of their functions under subsections (1) and (4) above in accordance with such directions as they may give.

(b) An authorisation under this subsection shall be made by resolution and may be given subject to such restrictions or conditions as may be specified in the resolution, and any such authorisation may be withdrawn at any time by the Conservators without prejudice to anything previously done by the superintendent thereunder.

(6) If any person, without the authority of the Conservators or reasonable excuse, contravenes a notice posted in pursuance of subsection (1) above, or a notice or direction sign posted in pursuance of subsection (4) above, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding £50.

1949 c. 97. (7) Nothing in this section shall authorise the Conservators to interfere with the lawful use of any footpath or bridleway to which Part IV of the National Parks and Access to the Countryside Act 1949 applies shown on the definitive or revised map (as the case may be) operative under that Part of the said Act of 1949 for any area; and if, in exercise of the powers of subsection (1) above, the Conservators prevent access along a way designated under section 9 (Regulation of horse-riding in Epping Forest) of the City of London (Various Powers) Act 1971 they shall, for such time as the riding or exercising of horses is restricted under the said section 9 to any such way, provide an alternative way in substitution for the part of the way so affected.

1971 c. lxi.

(8) The exercise by the Conservators of their powers under this section shall not prejudice or affect any right of statutory undertakers with respect to undertakers' apparatus.

8.—(1) In its application to Epping Forest, section 4 (Application of certain sections of Public Health Acts to certain open spaces) of the City of London (Various Powers) Act 1933 shall have effect as if, for any reference therein to the Corporation, there were substituted reference to the Conservators.

PART II
—cont.

Provision of facilities for public in Epping Forest.

1933 c. xxiii.

(2) Subject to the functions and obligations of the Conservators under the Act of 1878, including in particular their obligation to preserve the natural aspect of Epping Forest, the Conservators may, for the purpose of providing or improving opportunities for the enjoyment of the Forest by the public and in the interests of persons resorting to the Forest, provide such facilities, services and works as may appear to them to be necessary or expedient, including meals and refreshments, parking places for vehicles, shelters and lavatory accommodation.

(3) The Conservators shall not under subsection (2) above provide accommodation, meals or refreshments except in so far as it appears to them that the facilities therefor in the neighbourhood of the Forest are inadequate or unsatisfactory, either generally or as respects any description of accommodation, meals or refreshments, as the case may be.

(4) The Conservators shall have power to make reasonable charges for any facilities, services or works granted or provided by them in Epping Forest, and may make arrangements for any such facilities, services or works which they have power to provide to be provided by some other person, including arrangements authorising that person to make reasonable charges.

(5) Subsections (2) to (4) above shall have effect without prejudice to the provisions of the said section 4 of the City of London (Various Powers) Act 1933.

(6) Nothing in subsection (4) above shall be taken to authorise the making of charges for the use of any way designated for the riding or exercising of horses within the meaning of section 9 (Regulation of horse-riding in Epping Forest) of the City of London (Various Powers) Act 1971.

1971 c. lxi.

9.—(1) In this section “the open space” means any of the following commons, common lands or open spaces managed or controlled by the Corporation:—

Provision of facilities for public in other open spaces.

- Burnham Beeches;
- Coulsdon Commons;
- Spring Park, West Wickham; and
- West Wickham Common.

PART II
—cont.

(2) For the purpose of providing or improving opportunities for the enjoyment of the open space by the public and in the interests of persons resorting to the open space, the Corporation may provide such facilities, services and works as may appear to them to be necessary or expedient, including meals and refreshments, parking places for vehicles, shelters and lavatory accommodation.

(3) The Corporation shall not under subsection (2) above provide accommodation, meals or refreshments except in so far as it appears to them that the facilities therefor in the neighbourhood of the open space are inadequate or unsatisfactory, either generally or as respects any description of accommodation, meals or refreshments, as the case may be.

(4) The Corporation shall have power to make reasonable charges for any facilities, services or works granted or provided by them in the open space, and may make arrangements for any such facilities, services or works which they have power to provide to be provided by some other person, including arrangements authorising that person to make reasonable charges.

(5) In exercise of their powers under subsection (2) above the Corporation shall have regard to the character and appearance of the open space and of the locality in which it is situated.

(6) Subsections (2) to (4) above shall have effect without prejudice to the provisions of section 4 (Application of certain sections of Public Health Acts to certain open spaces) of the City of London (Various Powers) Act 1933 and the functions and obligations of the Corporation under the Corporation of London (Open Spaces) Act 1878.

1933 c. xxiii.

1878 c. cxxvii.

Increase of
fines.

10.—(1) The enactments specified in columns (1) and (2) of Part I of Schedule 2 to this Act shall each have effect as if the maximum fine which may be imposed on summary conviction of an offence specified in that enactment were a fine not exceeding the amount specified in column (4) of that schedule instead of a fine of, or not exceeding, the amount specified in column (3) of that schedule.

(2) The enactments specified in columns (1) and (2) of Part II of the said Schedule 2 shall each have effect as if the maximum amount of the fine which may be imposed by any provision in any byelaws made under that enactment for any offence under the byelaws so made were that specified in column (4) of that schedule instead of that specified in column (3) of that schedule.

(3) The byelaws in force immediately before the commencement of this Act under each of the enactments specified in Part III of the said Schedule 2 shall have effect as if the maximum fine which may be imposed on summary conviction of an offence

under those byelaws were a fine not exceeding £50 and, in the case of a continuing offence, a further fine of £5 for each day on which the offence is continued after conviction thereof.

PART II
—cont.

(4) In Schedule 2 to this Act references to sections 11 and 17 of the Corporation of London (Open Spaces) Act 1878 include references to those sections as having effect in accordance with sections 8 and 9 respectively of the Highgate and Kilburn Open Spaces Act 1886.

1878 c. cxxvii.

1886 c. ii.

(5) Nothing in subsection (3) above shall affect the power to impose a fine greater or less than that specified in that subsection by any provision in, or any amendment of any provision in, any byelaws made under any enactment referred to in subsection (2) above.

11.—(1) In the enactments specified in subsection (2) below, as having effect in accordance with the Decimal Currency Act 1969, for the words in each such enactment so specified there shall be substituted the words “at a reasonable price”.

Publication
of byelaws.
1969 c. 19.

(2) The enactments and words referred to in subsection (1) above are the following:—

- (a) in section 8 (Printing of byelaws) of the City of London (Various Powers) Act 1877, the words “at a price not exceeding 5p a copy”;
- (b) in section 13 (Byelaws to be printed for sale) of the Corporation of London (Open Spaces) Act 1878, (including that section as having effect in accordance with section 8 (Corporation may make and alter byelaws) of the Highgate and Kilburn Open Spaces Act 1886), the words “at a price not exceeding 2½p for every copy”;
- (c) in subsection (2) of section 37 (Allowance and publication of byelaws) of the Act of 1878, the words “at a price not exceeding 2½p a copy”.

1877 c. vii.

12. The enactments specified in Part I of Schedule 4 to this Act are hereby repealed.

Repeals for
Part II.

PART III

FINANCE AND ADMINISTRATION

Financial provisions

13. The Local Authority (Stocks and Bonds) Regulations 1974, and any regulations made under paragraph 4 of Schedule 13 to the Local Government Act 1972 for, or relating to, the purposes specified in sub-paragraph (1) (b) and (c) thereof amending or replacing those regulations, (regulation of the issue of stocks or

Stock
Regulations.
S.I. 1974/519.
1972 c. 70.

PART III
—cont.

1972 c. 70.

bonds and the manner of transfer, dealing with and redeeming of stocks and bonds), shall extend and apply to the Corporation as if they were a local authority within the meaning of the Local Government Act 1972.

Loans fund.

14.—(1) So long as there is in force a scheme made by the Corporation under paragraph 15 of Schedule 13 to the Local Government Act 1972 for the establishment and operation of a loans fund the Corporation shall not be required to provide or maintain sinking funds or to keep separate accounts which would be inconsistent with the scheme under any of the enactments specified in subsection (2) below, or under any other statutory provision.

(2) The enactments referred to in subsection (1) above are the following:—

1848 c. clxiii.

(a) in the City of London Sewers Act 1848—

Section 221 (A sinking fund to be formed to pay off monies borrowed on the credit of the sewer rate);

Section 222 (A sinking fund to be formed to pay off monies borrowed on the credit of the consolidated rate);

1937 c. xlv.

(b) in the City of London (Various Powers) Act 1937—

Section 29 (Service of loan to be charged to particular account);

Section 32 (Adjustments of sinking fund);

Section 34 (As to interest on sinking fund investments).

S.I. 1976/359.

(3) The City of London Loans Fund Order 1976 shall cease to have effect.

Saving for the
Tithe stock.

1947 c. xxxi.

15. Nothing in the last two foregoing sections of this Act shall affect the operation of section 4. (Compensation arrangements) of the City of London (Tithes) Act 1947.

Power to
create and
issue stock.

16. Subsection (1) of section 28 (Power to create and issue stock) of the City of London (Various Powers) Act 1937 shall have effect as if, for the words “ the Regulations set forth in the Second Schedule to this Act ”, there were substituted the words “ regulations having effect by virtue of section 13 (Stock Regulations) of the City of London (Various Powers) Act 1977 ”.

17. Section 11 (Power to re-borrow) of the City of London (Various Powers) Act 1926 shall have effect as if, at the end of subsection (1), there were inserted the following:—

PART III
—cont.

Re-borrowing.
1926 c. vii.

“ Provided that—

- (i) the power to borrow for the purpose of paying off moneys previously borrowed shall not be exercised so that the total of moneys borrowed exceeds the amount which the Corporation are for the time being authorised to borrow except during an interval of three months between the borrowing for the purpose aforesaid and the payment off of the moneys previously borrowed; and
- (ii) during such interval as aforesaid the moneys borrowed for the purpose aforesaid shall, for the purposes of any enactment regulating the borrowing of moneys by the Corporation, be deemed not to have been borrowed.”

18. For section 33 (Application of provisions of Local Government (Financial Provisions) Act 1963) of the City of London (Various Powers) Act 1965, as having effect in accordance with section 272 of the Local Government Act 1972, there shall be substituted the following:—

Suspension of annual provision for repayment, etc., and temporary borrowing.

“Application of Schedule 13 of Local Government Act 1972.

33.—(1) Paragraphs 9 and 10 of Schedule 13 to the Local Government Act 1972 (which respectively empower local authorities to suspend annual provision for repayment of, and to borrow for payment of interest on, borrowed moneys and to borrow by way of temporary loan or overdraft pending receipt of revenues) shall apply to the Corporation as if they were a local authority within the meaning of the Local Government Act 1972, and for that purpose shall have effect subject to the necessary modifications, including the modifications specified in subsections (2) and (3) below.

1963 c. 46.
1965 c. xxxix.
1972 c. 70.

(2) In the application of the said paragraph 9 to the Corporation—

- (a) for the references to 31st July, 1963 (the commencement of the Local Government (Financial Provisions) Act 1963) there shall be substituted references to 5th August, 1965 (the commencement of this Act);
- (b) for the purposes of sub-paragraph (1) the expression “undertaking” shall mean any

PART III
—cont.

public service which the Corporation are authorised to undertake; and

(c) sub-paragraph (9) shall be omitted.

(3) In the application of the said paragraph 10 to the Corporation the words “without the approval of the Secretary of State under paragraph 1(b) above” in sub-paragraph (1) thereof, and sub-paragraph (2) thereof, shall be omitted.

(4) Nothing in the said paragraph 10, as having effect in accordance with this section, shall prejudice or affect subsection (3) of section 12 (Security for borrowing and ranking of securities) of the City of London (Various Powers) Act 1946.”

1946 c. xxix.

Administration

Application
of provisions
of Local
Government
Act 1972.

1972 c. 70.

19. The following provisions of the Local Government Act 1972 shall extend and apply to the Corporation as if they were a local authority within the meaning of that Act:—

section 112 (appointment of staff);

section 113 (agreements with other local authorities for making the services of staff available);

section 140 (insurance against accidents to members).

Miscellaneous
amendments
and repeals.

20.—(1) The enactments mentioned in Schedule 3 to this Act shall have effect subject to the amendments there specified, being amendments consequential on the provisions of the Local Government Act 1972 and of this Act.

(2) The enactments specified in Part II of Schedule 4 to this Act are hereby repealed, these repeals being consequential on the provisions of the Local Government Act 1972 and of this Act.

PART IV

PORT HEALTH

Interpretation
for Part IV.

1963 c. 33.

1965 c. xxxix.

21. In this Part of this Act—

“port health district” means the Port of London defined in section 89 (1) of the London Government Act 1963, as amended by section 31 (Extension of port health district for port of London) of the City of London (Various Powers) Act 1965 and construed in accordance with section 8 (Jurisdiction of Port Health Authority)

of the City of London (Various Powers) Act 1973, and the whole of any wharf, and of the area within the gates of any dock, and the buildings therein respectively, which form part of, or abut on, the port as so defined;

PART IV
—cont.

“premises” has the same meaning as in the Public Health Act 1936; 1973 c. xx.
1936 c. 49.

“ship” includes any boat or craft and any hovercraft within the meaning of the Hovercraft Act 1968. 1968 c. 59.

22.—(1) In the exercise of the functions of the common council as port health authority for the port health district with respect to the taking of steps for ascertaining the sufficiency and wholesomeness of water provided for consumption in ships within the port health district, any person authorised in writing in that behalf by the common council shall, on producing, if so required, some duly authenticated document showing his authority, have the right to enter at any reasonable time upon any ship or premises within the port health district, and to carry out such inspections, measurements and tests on the ship or premises, or of any article thereon, and take away such samples of the article, as he considers appropriate. Supplementary powers of entry for purposes of International Health Regulations.

(2) Subsections (2) to (4) of section 100 of the Food and Drugs Act 1955, as having effect in accordance with section 101 (2) of that Act, shall apply for the purpose of the powers of entry conferred by this section. 1955 c. 16
(4 & 5 Eliz. 2).

23. The provisions of section 108 (8) of the Medicines Act 1968 shall apply in relation to the port health district as if the duty (concurrently with the appropriate Minister) to enforce in that district the statutory provisions relating to animal feeding stuffs therein referred to were imposed upon the common council as port health authority for that district, which district shall be treated for the purpose of those provisions in the same manner as it is treated in subsection (1) of section 67 of the Agriculture Act 1970 for the purpose of that subsection. Animal feeding stuffs.
1968 c. 67.
1970 c. 40.

PART V

MISCELLANEOUS

24.—(1) In this section—

“the specified roads” means the following roads or any part thereof:— Blackfriars Underpass: traffic safety.

(a) Blackfriars Underpass between a point 42 feet west of the point at which a line drawn due south from the western kerbline of Carmelite Street at its junction with Victoria Embankment intersects the centre line of

PART V
—cont.

Blackfriars Underpass and a point 1,056 feet (measured along the centre line of the road) east of that first-mentioned point;

(b) so much of Upper Thames Street as lies between its junction with Blackfriars Underpass and a point 1,200 feet (measured along the centre line of the road) from that junction;

(c) so much of Puddle Dock as lies between its junction with Blackfriars Underpass and a point 165 feet (measured along the centre line of the road) north of that junction;

(d) so much of White Lion Hill as lies between its junction with Upper Thames Street and a point 495 feet (measured along the centre line of the road) east of that junction;

1967 c. 76.

“ traffic sign ” has the same meaning as in the Road Traffic Regulation Act 1967, being a traffic sign which complies with the requirements therefor in section 54 of that Act.

(2) For the purpose of facilitating the movement of vehicular traffic along, or the safety of the public on, the specified roads the Corporation may, by order, prohibit the use of the specified roads by foot passengers and animals (except animals conveyed in, or drawing, a vehicle).

(3) An order under this section shall not apply to—

- (a) any person entering or using the specified roads for, or in connection with, the performance of work, duties or services relating to the specified roads or undertakers' apparatus therein;
- (b) any police officer acting in the execution of his duty;
- (c) any person entering the specified roads in or on a vehicle who, in consequence of a mechanical or other breakdown of that vehicle or in any other case of emergency, uses the specified roads on foot in a reasonable and proper manner having regard to the circumstances of the case.

(4) Where an order is in force under this section the Corporation shall, at or near the ends of the specified roads or part thereof to which it relates, place traffic signs in accordance with section 55 of the Road Traffic Regulation Act 1967, and may within the specified roads erect or remove walls, barriers or kerbs for the prevention or limitation of access thereto in accordance with the order.

(5) The Corporation may withdraw, suspend or revoke an order under this section, either permanently or temporarily and

whether as respects particular use of the specified roads or generally.

PART V
—cont.

(6) If any person contravenes an order under this section without reasonable excuse, he shall be liable on summary conviction to a fine not exceeding £50 and, in the case of a second or subsequent conviction, to a fine not exceeding £200.

25. For the purposes of the provisions mentioned in Building section 76 (1) (a) to (c) of the Health and Safety at Work etc. Act regulations. 1974 (construction of provisions relating to building regulations), 1974 c. 37. the expression "local authority" shall include the common council.

26. The costs, charges and expenses preliminary to, and of Costs of Act. and incidental to, the preparing, obtaining and passing of this Act shall be paid by the Corporation out of the city's cash and out of the general rate of the city in such proportions as the Corporation may deem just.

SCHEDULES

Section 5.

SCHEDULE 1

FORM OF CLAIM FOR COMPENSATION

Epping Forest

1. Full names and address of claimant
2. Description of land in respect of which common rights are claimed
3. Area of such land
4. Whether owner or tenant of same.
If tenant, state name and address of owner
5. Terms of lease or tenancy of the land (if applicable)
6. The current rent of the land or, if owned, the actual or rateable annual value
7. Date from which ownership or occupation of the land commenced
8. The number of untethered animals (if any) turned out or left on the open waste by claimant between 18th November and 15th April in each of the following winter periods: if any such animals were so turned out or left on the open waste in any such period, state also the number of weeks between 18th November and 15th April in each such period when they were so turned out or left on the open waste

Winter periods

Number of
animalsNumber of
weeks

1966/67
1967/68
1968/69
1969/70
1970/71
1971/72
1972/73
1973/74
1974/75
1975/76

9. Details (including amount) of claim in respect of restriction of common rights
10. Name and address of agent (if any) acting for claimant

Dated

Signed.....

SCHEDULE 2

Section 10.

INCREASE OF FINES

PART I (ENACTMENTS SPECIFYING OFFENCES)

Act (1)	Section and marginal note (2)	Former maximum fine (3)	New maximum fine (4)
Corporation of London (Open Spaces) Act 1878.	Section 17 (Penalty for assaulting officers).	£5.	£200.
Epping Forest Act 1878.	Section 44 (Penalty for assaulting constables).	£20.	£200.
City of London (Various Powers) Act 1971.	Section 9 (Regulation of horse-riding in Epping Forest), subsection (5).	£20.	£200.

1878 c. cxxvii.

1878 c. ccxiii.

1971 c. lxi.

PART II (ENACTMENTS AUTHORISING PENALTIES UNDER BYELAWS)

Act (1)	Section and marginal note (2)	Former maximum fine (3)	New maximum fine (4)
City of London (Various Powers) Act 1877.	Section 7 (Penalties to be imposed by byelaws).	£10 and a daily fine of £5.	£200 and a daily fine of £20.
Corporation of London (Open Spaces) Act 1878.	Section 11 (Corporation may make and alter byelaws).	£10 and a daily fine of £5.	£200 and a daily fine of £20.
Epping Forest Act 1878.	Section 36 (Power to make byelaws), paragraph (xiii).	£20 and a daily fine of £5.	£200 and a daily fine of £20.

1877 c. vii.

PART III (ENACTMENTS UNDER WHICH BYELAWS IN FORCE)

Act (1)	Section and marginal note (2)
City of London (Various Powers) Act 1877.	Section 5 (Byelaws as to West Ham Park).
Corporation of London (Open Spaces) Act 1878.	Section 11 (Corporation may make and alter byelaws).
Epping Forest Act 1878.	Section 36 (Power to make byelaws).
City of London (Various Powers) Act 1959.	Section 17 (Byelaws for protection of deer).

1959 c. xlix.

Section 20 (1).

SCHEDULE 3

CONSEQUENTIAL AMENDMENTS

1957 c. x.

CITY OF LONDON (VARIOUS POWERS) ACT 1957

1. In subsection (1) of section 13 (Travelling and subsistence allowances and expenses of certain meetings) of the City of London (Various Powers) Act 1957—

1948 c. 26.

(a) for the words “in any case in which the rates which would be payable under subsection (1) of section 113 of the Local Government Act 1948 by a body to which Part VI of that Act applies are prescribed by the Secretary of State the rates so prescribed” there shall be substituted the words “in the case of expenditure on travel within the United Kingdom, such rates as may be specified by the Secretary of State under section 174 (1) of the Local Government Act 1972”;

1972 c. 70.

(b) for the words “referred to in paragraph (a) of subsection (1) of section 111 of the Local Government Act 1948” there shall be substituted the words “to which section 175 (1) of the Local Government Act 1972 applies”; and

(c) for the words “Part VI of the Local Government Act 1948 applies” there shall be substituted the words “sections 173 to 175 of the Local Government Act 1972 apply”.

1963 c. xxxiv.

CITY OF LONDON (VARIOUS POWERS) ACT 1963

1933 c. 8.

2. In subsection (2) (d) of section 33 (Prevention or restriction of vehicular access to and from streets) of the City of London (Various Powers) Act 1963, for the words “Subsections (2) to (5) of section 290 of the Local Government Act 1933” there shall be substituted the words “Subsections (2) to (5) of section 250 of the Local Government Act 1972”.

1965 c. xxxix.

CITY OF LONDON (VARIOUS POWERS) ACT 1965

3. In subsection (4) of section 21 (Byelaws as to street trading) of the City of London (Various Powers) Act 1965, for the words “section 250 of the Local Government Act 1933” there shall be substituted the words “section 236 of the Local Government Act 1972”.

1967 c. xlii.

CITY OF LONDON (VARIOUS POWERS) ACT 1967

4. In subsection (4) (e) of section 6 (Declaration of city walkway) of the City of London (Various Powers) Act 1967, for the words “subsections (2) to (5) of section 290 of the Local Government Act 1933” there shall be substituted the words “subsections (2) to (5) of section 250 of the Local Government Act 1972”.

1971 c. lxi.

CITY OF LONDON (VARIOUS POWERS) ACT 1971

5. In subsection (1) (d) of section 11 (Tower Bridge) of the City of London (Various Powers) Act 1971, for the words “subsections (2) to (5) of section 290 of the Local Government Act 1933” there shall be substituted the words “subsections (2) to (5) of section 250 of the Local Government Act 1972”.

CITY OF LONDON (VARIOUS POWERS) ACT 1973

SCH. 3
—cont.

6. In section 11 (Power to borrow by means of bonds) of the City of London (Various Powers) Act 1973—

1973 c. xx.

(a) for the words “section 7 of the Local Government (Financial Provisions) Act 1963 and of Schedule 1 to that Act” there shall be substituted the words paragraphs 2 (1) (d) and 6 of Schedule 13 to the Local Government Act 1972”; and

1963 c. 46.

1972 c. 70.

(b) for the words “Local Government Act 1933” there shall be substituted the words “said Act of 1972”.

1933 c. 8.

SCHEDULE 4

ENACTMENTS REPEALED

PART I (ENACTMENTS RELATING TO OPEN SPACES)

Section 12.

Act (1)	Section and marginal note (2)
City of London (Various Powers) Act 1963.	Section 34 (Amendment of section 36 of Epping Forest Act 1878). Section 35 (Amendment of section 7 of City of London (Various Powers) Act 1877).
	1963 c. xxxiv. 1878 c. ccxiii. 1877 c. vii.
City of London (Various Powers) Act 1971.	Section 10 (Penalties under enactments relating to Epping Forest).
	1971 c. lxi.

PART II (MISCELLANEOUS ENACTMENTS)

Section 20 (2).

Act (1)	Section and marginal note (2)
City of London (Various Powers) Act 1937.	Section 31 (As to application of section 199 of Local Government Act 1933). Schedule 2.
	1937 c. xlv. 1933 c. 8.
City of London (Various Powers) Act 1944.	Section 3 (Transfer of inscribed stock). Section 4 (Stock Regulations). Section 5 (Extension of application of Stock Regulations). Schedule.
	1944 c. iv.
City of London (Various Powers) Act 1949.	Section 14 (As to powers of Corporation with respect to entertainments).
	1949 c. xiv.

LONDON: PUBLISHED BY HER MAJESTY'S STATIONERY OFFICE

45p net

ISBN 0 10 511577 0



City of London (Various Powers) Act 1977

CHAPTER XV

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

1. Short title.
2. Interpretation.

PART II

EPPING FOREST AND OPEN SPACES

3. Interpretation for Part II.

Rights of common in Epping Forest

4. Rights of common to continue subject to restriction.
5. Compensation.
6. Amendment of Epping Forest Act 1878.

Miscellaneous

7. Regulation of public access in areas of Epping Forest.
8. Provision of facilities for public in Epping Forest.
9. Provision of facilities for public in other open spaces.
10. Increase of fines.
11. Publication of byelaws.
12. Repeals for Part II.

PART III

FINANCE AND ADMINISTRATION

Financial provisions

Section

13. Stock Regulations.
14. Loans fund.
15. Saving for the Tithe stock.
16. Power to create and issue stock.
17. Re-borrowing.
18. Suspension of annual provision for repayment, etc., and temporary borrowing.

Administration

19. Application of provisions of Local Government Act 1972.
20. Miscellaneous amendments and repeals.

PART IV

PORT HEALTH

21. Interpretation for Part IV.
22. Supplementary powers of entry for purposes of International Health Regulations.
23. Animal feeding stuffs.

PART V

MISCELLANEOUS

24. Blackfriars Underpass: traffic safety.
25. Building regulations.
26. Costs of Act.

SCHEDULES:

Schedule 1—Form of claim for compensation.

Schedule 2—Increase of fines—

Part I—(Enactments specifying offences).

Part II—(Enactments authorising penalties under byelaws).

Part III—(Enactments under which byelaws in force).

Schedule 3—Consequential amendments.

Schedule 4—Enactments repealed—

Part I—(Enactments relating to open spaces).

Part II—(Miscellaneous enactments).