

**ELIZABETH II**



**1979 CHAPTER xxiii**

An Act to confer further powers upon the Greater London Council and other authorities; and for other purposes.

[20th December 1979]

**W**HEREAS—

(1) It is expedient that further and better provision should be made for the improvement and development of local government services in Greater London and for the safety and convenience of persons residing therein and that the powers of the Greater London Council (hereinafter called "the Council") and of the London borough councils and the Common Council of the City of London should be extended and amended as provided in this Act:

(2) It is expedient that the Council be empowered to remunerate the chairman of the users' consultative body established under section 14 of the Transport (London) Act 1969:

1969 c. 35.

(3) It is expedient that certain local statutory provisions in force in Greater London which are no longer of practical utility should be repealed:

1963 c. 33. (4) It is expedient that the Secretary of State should establish a staff commission to consider various matters arising from the transfer and recruitment of staff in connection with the transfer under section 23 of the London Government Act 1963 of housing accommodation and land owned by the Council and that the Secretary of State should have power to give directions to the said staff commission and to remunerate its members:

(5) It is expedient that the other provisions contained in this Act should be enacted:

(6) The purposes of this Act cannot be effected without the authority of Parliament:

1972 c. 70. (7) In relation to the promotion of the Bill for this Act the Council have complied with the requirements of section 239 of the Local Government Act 1972:

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, that is to say:—

## PART I

### PRELIMINARY

Short title. 1. This Act may be cited as the Greater London Council (General Powers) Act 1979.

Interpretation. 2. In this Act, except as otherwise expressly provided or unless the context otherwise requires—

1936 c. 49. "the Act of 1936" means the Public Health Act 1936;

1959 c. 25. "the Act of 1959" means the Highways Act 1959;

"the Act of 1963" means the London Government Act 1963;

1971 c. 78. "the Act of 1971" means the Town and Country Planning Act 1971;

"borough council" means London borough council and includes the Common Council of the City of London; and "borough" shall be construed accordingly;

"the Council" means the Greater London Council.

PART II

PROVISIONS RELATING TO THE COUNCIL

3. The Act of 1963 shall have effect subject to the following amendments:—

Amendments  
of Schedule 12  
to Act of 1963.

(a) for paragraph 10 (2) of Schedule 12, there shall be substituted the following:—

“ (2) Subject to paragraph 11 of this Schedule, if—

(a) any person is the holder of a licence granted under the said paragraph 1 or 4, under section 21 (Licensing of public exhibitions, etc.) of the Greater London Council (General Powers) Act 1966 or under section 5 (Licensing of entertainments booking offices) of the Greater London Council (General Powers) Act 1978 in respect of any premises which have been used in contravention of any term, condition or restriction on or subject to which the licence is held; or

1966 c. xxviii.

1978 c. xiii.

(b) any other person who, knowing or having reasonable cause to suspect that the premises would be so used—

(i) allowed the premises to be so used;  
or

(ii) let the premises, or otherwise made the premises available, to any person who so used the premises;

he shall be guilty of an offence in respect of the contravention of each such term, condition or restriction.”; and

(b) in paragraph 10 (3) of the said Schedule, for the words “two hundred pounds” there shall be substituted the words “five hundred pounds”.

4. The following subsection shall be inserted after subsection (5) of section 14 of the Transport (London) Act 1969 (establishment and constitution of consultative body to consider matters affecting services provided by London Transport Executive):—

Salary of  
chairman of  
London  
Transport  
Passengers'  
Committee.

1969 c. 35.

“ (6) The Council may, instead of paying the chairman of the body aforesaid allowances under the last foregoing subsection in respect of attendance or financial loss, pay to him such remuneration as the Council may from time to time determine.”.

## PART III

PROVISIONS RELATING TO THE COUNCIL AND TO BOROUGH  
COUNCILS

Power to  
provide  
advertise-  
ment units,  
show cases,  
etc

5.—(1) In this section “owner” has the meaning assigned to it in section 290 of the Act of 1971 and “street” has the meaning assigned to it in the Act of 1959.

(2) The Council or a borough council may provide in any street in their area or, with the consent of the owner of such land, on land abutting on such a street, advertisement units, show cases, information boards and other similar structures and may let any such structure on such terms and conditions as they think fit:

Provided that the Council or a borough council shall not exercise any powers of this section unless they have obtained the consent of—

- (a) the highway authority for the street in question (in a case where that street is a highway and they themselves are not that authority); or
- (b) the British Railways Board or the London Transport Executive, as the case may be, in the case of any street which belongs to or is repairable by that board or executive.

(3) For the purposes of this section, section 213 (3) of the Act of 1971 (restriction of access to highways) shall apply subject to the following modifications:—

- (a) the substitution in paragraph (a), for the words “the order under section 212 of this Act was made”, of the words “the powers were exercised”;
- (b) the substitution for paragraph (d) of the following:—  
“ (d) to obstruct any use of vehicles which is lawful;  
or ”;
- (c) the substitution for the word “highway” wherever it occurs of the word “street”.

(4) The powers exercisable by the Council or a borough council under subsection (2) above to provide and let advertisement units, show cases, information boards or other similar structures include power, where the street in question is a highway for which they are the highway authority, to permit the provision and letting of such structures by any person on such terms and conditions as the Council or the borough council, as the case may be, think fit.

(5) Where the Council or a borough council propose to exercise the powers of subsection (2) above for the provision of a structure in any street, they shall give notice of their proposals, specifying

the structures and the places where they would be provided, and stating the period, being not less than 28 days from the giving of the notice, during which representations regarding the proposals may be made to them.

PART III  
—cont.

(6) Notice for the purpose of subsection (5) above shall be given by serving the notice on the occupier of any premises appearing to the Council or, as the case may be, the borough council to be likely to be affected by the provision of any structure, addressed to him by name or, if his name is not known, by delivering the notice at the premises addressed to him as "The Occupier".

(7) The Council or, as the case may be, the borough council shall not proceed with any proposal to exercise any such powers as are mentioned in subsection (5) above until they have taken into consideration all representations made in accordance with that subsection.

6.—(1) The enactments specified in columns (1) and (2) of Part I of Schedule 1 to this Act are hereby repealed to the extent specified in column (3) of that Part.

Repeal of certain enactments of no practical utility.

(2) The statutory instruments specified in columns (1) and (2) of Part II of Schedule 1 to this Act are hereby revoked to the extent specified in column (3) of that Part.

(3) The enactments specified in columns (1) and (2) of Part III of Schedule 1 to this Act, so far as they apply to any part of Greater London are hereby repealed to the extent specified in column (3) of that Part.

7.—(1) In this section—

Commission for transfer of Council's housing staff.

"staff transfer order" means an order made under section 84 of the Act of 1963 (supplementary and transitional provisions) which makes provision for the transfer of staff consequent upon the transfer of housing accommodation or land by order made after 1st January 1979 under subsection (3) of section 23 of the Act of 1963 (transfer of land held for housing purposes);

"transferee authority" means a borough council or a district council to which housing accommodation or land has been, or is likely to be, transferred by order under the said subsection (3);

(2) The Secretary of State shall, as soon as may be after the passing of this Act and before the earliest date prescribed for the transfer of staff pursuant to a staff transfer order, establish a staff commission (hereafter in this section called "the Commission") for the purposes specified in subsection (3) below.

PART III  
—cont.

(3) The said purposes are—

- (a) considering and keeping under review the arrangements for the recruitment of staff by the Council or a transferee authority for the purpose of the management of housing accommodation or land and for the transfer of staff pursuant to a staff transfer order;
- (b) considering such staffing problems arising in consequence of a staff transfer order and such other matters so arising and relating to staff employed by the Council or a transferee authority as may be referred to the Commission by the Secretary of State; and
- (c) advising the Secretary of State on the steps necessary to safeguard the interests of staff affected, or likely to be affected, by a staff transfer order.

(4) If the Secretary of State accepts any advice given to him by the Commission under this section which he thinks should be brought to the attention of the Council or a transferee authority, he shall notify the Commission of his acceptance and shall direct them to take such steps as they consider appropriate to bring the advice and its acceptance to the attention of the Council or the transferee authority, as the case may be.

(5) The Secretary of State may—

- (a) give directions to the Commission with respect to their procedure;
- (b) give directions to the Council or a transferee authority with respect to the furnishing of any information requested by the Commission;
- (c) give directions to the Council or a transferee authority whose attention has been drawn to any advice under subsection (4) above, requiring them to take such steps as may be specified in the directions to implement any of that advice so specified;
- (d) pay any member of the Commission such remuneration as the Secretary of State may determine with the approval of the Minister for the Civil Service;
- (e) give directions to the Council or a transferee authority as to the payment of any expenses incurred by the Commission in the performance of their functions;
- (f) defray any expenses incurred with the approval of the Secretary of State by the Commission in the performance of their functions; and
- (g) wind up the Commission in such manner and at such time as the Secretary of State thinks fit.

(6) In Part II of Schedule 1 to the House of Commons Disqualification Act 1975 (bodies of which all members are disqualified under that Act) the following entry shall be inserted at the appropriate point in alphabetical order:—

PART III  
—cont.

1975 c. 24.

“ the staff commission established under section 7 of the Greater London Council (General Powers) Act 1979.”.

#### PART IV

##### PROVISIONS RELATING TO BOROUGH COUNCILS

8.—(1) In this section “ the moth ” means the brown tail moth (*Euproctis chrysorrhoea* L.) and includes the eggs, caterpillars and webs or nests thereof.

Control of  
brown tail  
moth.

(2) If it appears to a borough council that steps should be taken for the destruction of the moth on any land in their area they may serve on the occupier of the land a notice requiring him to take such reasonable steps for the destruction of the moth as may be specified in the notice.

(3) Subsections (2), (3) (except paragraphs (e) and (f)), (4), (6) and (7) of section 290 of the Act of 1936 (appeals against, and the enforcement of, certain notices under that Act) shall apply to any notice served under subsection (2) above as they apply in relation to the notices mentioned in subsection (1) of that section and as if—

- (a) the taking of steps for the destruction of the moth were the execution of works; and
- (b) the following paragraphs were inserted at the end of subsection (3):—

“(g) that the taking of the steps required by the notice would be ineffective for the purposes of destruction of the moth in the area in which the land in question is situated;

(h) that, having regard to the expense of taking any steps required by the notice, the borough council have unreasonably refused to assist in taking those steps or to contribute the whole or part of the cost thereof.”.

(4) The sections of the Act of 1936 referred to in Schedule 2 to this Act shall have effect as if any reference therein to that Act included a reference to this section:

Provided that, before entry on any operational railway line of the British Railways Board in pursuance of section 287 of the Act of 1936 as it has effect by virtue of this section, not less than twenty-four hours' notice of intended entry shall, except in case of

PART IV  
—cont.

emergency, be given to that board and any person entering on any such railway line in pursuance of that notice or in any such emergency shall comply with the reasonable requirements of that board for the protection of their undertaking.

Highway  
amenities.

9.—(1) Subject to the modifications specified in subsection (2) below, section 213 of the Act of 1971 (provision of amenities on certain highways) shall in Greater London apply to—

- (a) any footway within the meaning of the Act of 1959 in so far as it is designated in accordance with subsections (4) and (5) below;
- (b) footpaths within the meaning of the Act of 1959;
- (c) subways constructed under section 69 of the Act of 1959;
- (d) bridges constructed under section 69A of the Act of 1959; and
- (e) roads the use of which by vehicular traffic is prohibited by a traffic regulation order made under section 6 of the Road Traffic Regulation Act 1967 (traffic regulation orders in Greater London);

1967 c. 76.

as it applies to a highway in relation to which an order has been made under section 212 (2) of the Act of 1971.

(2) The modifications referred to in subsection (1) above are—

- (a) the omission from section 213 (1) of the words from the beginning to “ Act ” and of the words “ giving effect to the order or of ”;
- (b) the substitution in section 213 (3) (a), for the words “ the order under section 212 of this Act was made ”, of the words “ the powers were exercised ”;
- (c) the substitution for paragraph (d) of section 213 (3) of the following:—
  - “ (d) to obstruct any use of vehicles which is lawful; or ”;
- (d) the omission from section 213 (5) (b) of the words “ the Greater London Council and ”.

(3) For the purpose of subsection (1) (e) above, use by vehicular traffic is prohibited where the prohibition applies to the whole width of the road and is so prohibited notwithstanding that the traffic regulation order permits certain vehicles or classes of vehicle to use the road or permits vehicles or classes of vehicle to use the road at certain times or on certain days or during certain periods.



(4) Subject to subsection (5) below, a borough council, on the application of any person or without receiving such application, may, for the purposes of paragraph (a) of subsection (1) above, by resolution designate any part of any footway in their area where they are satisfied that the powers in section 213 of the Act of 1971, as they have effect by virtue of this section, may be exercised in relation to that footway without detriment to the safe movement of vehicles on the adjoining carriageway and of foot passengers on the footway.

(5) Before resolving to designate any part of a footway under subsection (4) above, a borough council shall—

- (a) consult the appropriate commissioner of police; and
- (b) give notice that they propose to consider the designation of that part of the footway for the purposes of this section by fixing in a conspicuous position on or near the footway, and by publishing in a local newspaper circulating in the area in which the footway is situated, a notice containing the following particulars, that is to say:—
  - (i) a brief description of the part of the footway to which the proposed designation relates;
  - (ii) a brief statement as to the general effect of the proposed designation; and
  - (iii) a statement of the address to which, and the period (such period being not less than twenty-eight days from the date of the giving of the notice) during which representations regarding the proposed designation may be made.

(6) In section 213 (2) of the Act of 1971, as it has effect in Greater London, the power to provide facilities for recreation or refreshment shall include power, subject to subsections (7) and (8) below, to permit the provision of such facilities by any person on such conditions as the borough council think fit:

Provided that, except where such facilities are provided on land belonging to or maintained by the borough council, the borough council shall only make such charge for permission to provide such facilities as will reimburse the borough council for their reasonable expenses in connection with granting their permission; but this provision shall not prejudice the right of the borough council to require payment in respect of, or indemnities against, claims, liabilities and obligations arising by reason of—

- (a) the provision of such facilities and costs incurred by the borough council in connection therewith; and

PART IV  
—cont.

- (b) the removal or alteration of such facilities when required by the borough council.

(7) Where a borough council propose—

- (a) to exercise the powers of section 213 of the Act of 1971 to provide facilities in any such footway, footpath or road as is mentioned in subsection (1) (a), (b) or (e) above; or
- (b) to consider an application for permission to provide facilities for recreation or refreshment pursuant to subsection (6) above for more than twenty-eight days in a calendar year;

they shall give notice of their proposal or, as the case may be, the application specifying the nature of the facilities and the place where it is proposed that they be provided and the period, being not less than six weeks from the giving of the notice, during which representations regarding their proposal or, as the case may be, the application may be made to them:

Provided that notice shall not be required where the application is for renewal of permission previously given.

(8) Notice for the purpose of subsection (7) above shall be given—

- (a) by fixing the notice in a conspicuous position at or near the place where it is proposed to provide the facilities; and
- (b) by serving the notice on the occupier of any premises appearing to the borough council to be likely to be affected by the facilities, addressed to him by name or, if his name is not known, by delivering the notice at the premises addressed to him as “The Occupier”:

Provided that, where the borough council are required by subsection (7) above to give notice of their proposal or, as the case may be, an application to provide facilities for recreation or refreshment and propose to consider that proposal or application on the same occasion as they consider the designation, for the purposes of paragraph (a) of subsection (1) above, of any part of any footway on which the said facilities are to be provided, the requirements of this subsection shall be satisfied by the incorporation of the notice to be given under subsection (7) above in the particulars of the notice given by the borough council under paragraph (b) of subsection (5) above and by delivering the last-mentioned notice to the premises referred to, and in the manner specified in, paragraph (b) of this subsection.

(9) A borough council shall not proceed—

- (a) with any proposal to designate any part of a footway for the purposes of this section; or
- (b) with any proposal to exercise any such power, or to grant any such permission, as is mentioned in subsection (7) above;

until they have taken into consideration all representations made in accordance with subsection (5) or, as the case may be, subsection (7) above.

(10) A borough council shall not exercise the powers of section 213 of the Act of 1971, as it has effect by virtue of this section, in relation to any highway, road, bridge or tunnel which is situate on land belonging to, or which is maintainable by, the British Airports Authority, the British Railways Board or the London Transport Executive except with the consent of that authority, board or executive, as the case may be.

#### PART V

#### SUPPLEMENTAL

10. Subject to the provisions of any enactment requiring or enabling expenses in connection with any function of the Council to be chargeable otherwise than as general expenses chargeable on the whole of Greater London, all expenses of the Council in the execution of this Act shall be defrayed as the Council may decide as—

- (a) general expenses chargeable on the whole of Greater London; or
- (b) special expenses chargeable only on such part of Greater London as the Council may determine.

PART IV  
—cont.

## Section 6.

## SCHEDULES

## SCHEDULE 1

MISCELLANEOUS LOCAL ENACTMENTS REPEALED AND STATUTORY  
INSTRUMENTS REVOKED

## PART I

## ENACTMENTS REPEALED

| Chapter<br>(1)                      | Short title<br>(2)   | Extent of repeal<br>(3)   |
|-------------------------------------|--|---|
| 3 Edw. 7.<br>c. ccl.                | Erith Tramways and Improvement Act<br>1903.                | Section 191.  |
| 4 & 5 Geo. 5.<br>c. iii.            | East Ham Corporation Act 1914.                             | Section 63.   |
| 5 & 6 Geo. 5.<br>c. ciii.           | London County Council (General Powers)<br>Act 1915.        | The whole Act.  |
| 14 & 15 Geo. 5.<br>c. lvii.         | London County Council (General Powers)<br>Act 1924.        | Section 49.   |
| 15 & 16 Geo. 5.<br>c. cxii.         | West Ham Corporation Act 1925.                             | Section 93.   |
| 16 & 17 Geo. 5.<br>c. xiv.          | Hackney Borough Council Act 1926.                          | Section 73.   |
| 17 & 18 Geo. 5.<br>c. xxii.         | London County Council (General Powers)<br>Act 1927.        | Part III.   |
| 18 & 19 Geo. 5.<br>c. lxxvii.       | London County Council (General Powers)<br>Act 1928.        | The whole Act.  |
| 19 & 20 Geo. 5.<br>c. lxxxvii.      | London County Council (General Powers)<br>Act 1929.        | In section 4 the defini-<br>tion of "the tram-<br>ways", Part II and<br>Schedule 1. |
| 23 & 24 Geo. 5.<br>c. lxxxvii.      | The Maldens and Coombe Urban District<br>Council Act 1933. | Sections 86 and 104.  |
| 24 & 25 Geo. 5.<br>c. xl.           | London County Council (General Powers)<br>Act 1934.        | Section 64.   |
| 25 & 26 Geo. 5.<br>c. xcvi.         | Beckenham Urban District Council Act<br>1935.              | Section 111.  |
| 26 Geo. 5 &<br>1 Edw. 8.<br>c. cxv. | Merton and Morden Urban District<br>Council Act 1936.      | Sections 158 and 161.   |
| 1 Edw. 8 &<br>1 Geo. 6.<br>c. xci.  | London County Council (General Powers)<br>Act 1937.        | Schedule 3.   |
| 10 & 11 Geo. 6.<br>c. xlvi.         | London County Council (General Powers)<br>Act 1947.        | Section 62.   |
| 14 Geo. 6.<br>c. lxi.               | Ilford Corporation (Drainage) Act 1950.                    | Section 57.   |
| 14 & 15 Geo. 6.<br>c. xxxviii.      | Sutton and Cheam Corporation Act 1951.                     | Sections 36 and 117.  |
| 2 & 3 Eliz. 2.<br>c. xxiv.          | London County Council (General Powers)<br>Act 1954.        | Section 17.   |
| 4 & 5 Eliz. 2.<br>c. lxxxiv.        | Walthamstow Corporation Act 1956.                          | Sections 9, 16 and 55.  |
| 5 & 6 Eliz. 2.<br>c. xxxvii.        | East Ham Corporation Act 1957.                             | Sections 12, 30, 36, 47<br>and 156.   |
| 6 & 7 Eliz. 2.<br>c. xxi.           | London County Council (General Powers)<br>Act 1958.        | Sections 33 and 34.   |
| 10 & 11 Eliz. 2.<br>c. xlv.         | London County Council (General Powers)<br>Act 1962.        | Section 28.   |
| 1967 c. xx.                         | Greater London Council (General Powers)<br>Act 1967.       | Section 13.   |
| 1968 c. xxviii.                     | Hounslow Corporation Act 1968.                             | Section 64.   |
| 1971 c. xxviii.                     | Greater London Council (General Powers)<br>Act 1971.       | Section 6.  |
| 1972 c. xxxiii.                     | Kensington and Chelsea Corporation Act<br>1972.            | Section 15.   |

*Greater London Council (General Powers)  
Act 1979*

c. xxiii

13

PART II  
STATUTORY INSTRUMENTS REVOKED

SCH. 1  
—cont.

| Number<br>(1)  | Short title<br>(2)   | Extent of revocation<br>(3)   |
|----------------|--|---|
| S.I. 1965/509. | The Local Law (London Borough of Newham) Order 1965.                         | In sub-paragraph (e) of paragraph 10 of Schedule 1 the figures "30(1)". |
| S.I. 1965/540. | The Local Law (Greater London Council and Inner London Boroughs) Order 1965. | Sub-paragraph (b) of paragraph 97 of Schedule 1.                        |

PART III  
ENACTMENTS REPEALED IN GREATER LONDON

| Chapter<br>(1)                           | Short title<br>(2)                                   | Extent of repeal<br>(3)        |
|--|--|--------------------------------|
| 21 & 22 Geo. 5.<br>c. ci.                | Surrey County Council Act 1931.                      | Section 162.                   |
| 1 Edw. 8 &<br>1 Geo. 6.<br>c. xcvi.      | Coulsdon and Purley Urban District Council Act 1937. | Section 134.                   |
| 7 & 8 Geo. 6.<br>c. xxi.                 | Middlesex County Council Act 1944.                   | Sections 315 and 457.          |
| 15 & 16 Geo. 6.<br>& 1 Eliz. 2.<br>c. l. | Essex County Council Act 1952.                       | Sections 172, 218 (2) and 220. |
| 1 & 2 Eliz. 2.<br>c. xiv.                | Bromley Corporation Act 1953.                        | Section 32.                    |
| 4 & 5 Eliz. 2.<br>c. xc.                 | Middlesex County Council Act 1956.                   | Sections 24 and 96(1).         |
| 6 & 7 Eliz. 2.<br>c. xlii.               | Surrey County Council Act 1958.                      | Section 64.                    |
| 7 & 8 Eliz. 2.<br>c. vi.                 | Kent County Council Act 1958.                        | Sections 16 and 140.           |
| 9 & 10 Eliz. 2.<br>c. xxxvii.            | Middlesex County Council Act 1961.                   | Section 49.                    |
| 10 & 11 Eliz. 2.<br>c. xli.              | Orpington Urban District Council Act 1962.           | Section 8.                     |

SCHEDULE 2  
SECTIONS OF ACT OF 1936 APPLIED

Section 8.

| Section | Marginal note   |
|---------|---|
| 275     | Power of local authority to execute certain work on behalf of owners or occupiers.                              |
| 283     | Notices to be in writing; forms of notices, &c.   |
| 287     | Power to enter premises.  |
| 288     | Penalty for obstructing execution of Act.   |
| 291     | Certain expenses recoverable from owners to be a charge on the premises: power to order payment by instalments. |
| 293     | Recovery of expenses, &c.   |
| 296     | Summary proceedings for offences.   |
| 297     | Continuing offences and penalties.  |
| 299     | Inclusion of several sums in one complaint, &c.   |
| 300     | Appeals and applications to courts of summary jurisdiction.   |
| 304     | Judges and justices not to be disqualified by liability to rates.   |
| 328     | Powers of Act to be cumulative.   |
| 341     | Power to apply provisions of Act to Crown property.   |

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# Greater London Council (General Powers) Act 1979

## CHAPTER xxiii

### ARRANGEMENT OF SECTIONS

#### PART I

##### PRELIMINARY

Section

1. Short title.
2. Interpretation.

#### PART II

##### PROVISIONS RELATING TO THE COUNCIL

3. Amendments of Schedule 12 to Act of 1963.
4. Salary of chairman of London Transport Passengers' Committee.

#### PART III

##### PROVISIONS RELATING TO THE COUNCIL AND TO BOROUGH COUNCILS

5. Power to provide advertisement units, show cases, etc.
6. Repeal of certain enactments of no practical utility.

c. xxiii *Greater London Council (General Powers)  
Act 1979*

Section

7. Commission for transfer of Council's housing staff.

PART IV

PROVISIONS RELATING TO BOROUGH COUNCILS

8. Control of brown tail moth.  
9. Highway amenities.

PART V

SUPPLEMENTAL

10. Costs of Act.

SCHEDULES:

Schedule 1—Miscellaneous local enactments repealed and statutory instruments revoked.

Schedule 2—Sections of Act of 1936 applied.