

ELIZABETH II



1982 CHAPTER i

An Act to confer further powers upon the Greater London Council and other authorities; and for other purposes.  
[2nd February 1982]

**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 and the inner London borough councils be empowered to make charges for the issue of certain consents and waivers under the London Building Acts 1930 to 1978 in order to cover in whole or in part the costs of dealing with applications for such consents and waivers:

(3) It is expedient that provision be made for the more effective regulation of the carrying out of repairs and other works to vehicles and trailers on highways in Greater London:

1851 c. cxvi.

(4) It is expedient that the limit should be removed on the amount of the special rate that may be levied under the Kensington Improvement Act 1851 in respect of the care, maintenance and improvement of certain enclosed gardens in the Royal Borough of Kensington and Chelsea:

(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 and the council of the Royal Borough of Kensington and Chelsea 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 1982.

Interpretation.

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

1972 c. xl.

“ the Act of 1972 ” means the Greater London Council (General Powers) Act 1972;

“ 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;

“ the Kensington and Chelsea Council ” means the council of the Royal Borough of Kensington and Chelsea; and

“ local authority ” means the Council or a borough council.

PART II

PROVISIONS RELATING TO THE COUNCIL AND TO BOROUGH COUNCILS

3.—(1) The Council or an inner London borough council may make charges in respect of applications under the London Building Acts 1930 to 1978—

Charges for London Building Acts consents, etc.

- (a) for any consent of the Council or the inner London borough council thereunder; or
- (b) for the waiver by the Council or the inner London borough council of any requirement of, or made under, any byelaws made in pursuance of those Acts;

and the charges shall be of such amounts, not exceeding in aggregate the reasonable costs incurred in dealing with such applications, as the Council or inner London borough council shall from time to time determine to be appropriate.

(2) Not less than two months before determining any charges under the foregoing subsection, the Council or an inner London borough council shall publish in at least one local newspaper circulating in the area in which the proposed charges will apply a notice containing the following particulars, that is to say:—

- (a) a statement that the Council or the inner London borough council, as the case may be, propose to determine charges for the purposes of this section;
- (b) a brief statement of the general effect of the proposed charges;
- (c) a statement specifying a place where a document showing the proposed charges may be inspected at all reasonable hours without charge; and
- (d) a statement of the address to which, and the period (such period being not less than 28 days from the date of publication of the notice) during which, representations regarding the proposed charges may be made.

(3) Any charge authorised by this section shall be payable when the consent or waiver is applied for and, notwithstanding any provision in the London Building Acts 1930 to 1978 or in the byelaws made in pursuance of those Acts, and subject to the provisions of subsection (4) of this section, the Council or an inner London borough council shall not be required to deal with an application, and the application shall be deemed not to have been made, until they have received the appropriate charge.

(4) The Council or an inner London borough council may remit or abate the amount of any charge payable to them under this section.

(5) In this section—

“application” includes a deposit of a notice and plans pursuant to subsection (2) of section 34 (Protection

## PART II

—cont.

1939 c. xcvi.

against fire in certain new buildings) of the London Building Acts (Amendment) Act 1939;

“consent” includes—

(a) a determination, sanction, licence, approval, acceptance, permission or allowance;

(b) the agreement of the Council that it is satisfied as to the securing of an open space in accordance with paragraph (v) (i) of subsection (1) of section 44 (Space at rear of domestic buildings) of the London Building Act 1930; and

(c) the specification of requirements under subsection (1) of section 38 (Parts of buildings used for storage of inflammable liquid) of the said Act of 1939;

“inner London borough council” means the council of an inner London borough; and

“waiver” includes a modification, dispensation, relaxation or exemption.

(6) The London Building Acts 1930 to 1978 and this section may be cited together as the London Building Acts 1930 to 1982.

Removal of  
vehicles  
illegally parked  
on housing  
estates.

1957 c. 56.

1975 c. xxx.

4.—(1) The powers of a local authority under subsection (1) of section 112 (which relates to the making of byelaws for the regulation of an authority’s houses) of the Housing Act 1957, as extended by section 7 (Byelaws as to parking, etc., on housing estates) of the Greater London Council (General Powers) Act 1975, to make byelaws prohibiting or regulating the parking or use of vehicles on any land held by them for the purposes of Part V of the said Act of 1957, not being a highway, shall include power to make byelaws with respect to—

(a) the removal from any place on such land (whether to any other such place or to some other place) of any vehicle left there in contravention of the byelaws;

(b) the safe custody of any such vehicle so removed;

(c) the taking of such steps as are reasonable to find a person appearing to them to be the owner of the vehicle;

(d) following the taking of such steps, the disposal (which may include the destruction in the case of a vehicle which in the opinion of the local authority is in such a condition that it ought to be destroyed) of any such vehicle which appears to the local authority to be abandoned in such circumstances as may be prescribed in the byelaws;

(e) the imposition of charges for such removal, safe custody or disposal and the recovery of those charges from any person responsible; and

(f) the payment to the owner of the vehicle of the balance, if any, of the proceeds of such disposal after deduction of the charges imposed in respect of such removal, safe custody and disposal.

(2) While a vehicle is in the custody of a local authority in pursuance of byelaws made under the said section 112, other than a vehicle which in their opinion is in such a condition that it ought to be destroyed, it shall be their duty to take such steps as are reasonably necessary for the safe custody of the vehicle.

(3) In this section—

“ person responsible ” in relation to a vehicle means—

(a) the owner of the vehicle at the time when it was put in the place from which it was removed, unless he shows that he was not concerned in, and did not know of, its being there;

(b) any person by whom it was put in the place aforesaid; and

“ vehicle ” has the same meaning as in section 17 of the Act of 1972.

5.—(1) Subject to the provisions of this section, a person who carries out any of the works to which this section applies to a motor vehicle or a trailer on any highway in Greater London shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £200. Repair, etc., of vehicles on highways.

(2) The preceding subsection shall not apply to the carrying out of works by or on behalf of any person to a motor vehicle or trailer which is kept by him—

(a) if those works are carried out so as not to give reasonable cause for annoyance to persons in the vicinity; and

(b) if the person carrying out those works does so otherwise than—

(i) in the course of, or for the purposes of, a business; or

(ii) for gain or reward.

(3) The works to which this section applies are—

(a) works for the repair, maintenance, servicing, improvement or dismantling of, or of any part of or accessory to, a motor vehicle or trailer; or

(b) works for the installation, replacement or renewal of any such part or accessory.

PART II  
—cont.

(4) A person shall not be convicted of an offence under this section with respect to a motor vehicle or a trailer if he proves to the satisfaction of the court that the works carried out to that motor vehicle or trailer were works of repair which—

- (a) arose from an accident or breakdown in circumstances where repairs on the spot or elsewhere on the highway were necessary; and
- (b) were carried out either within seventy-two hours of the occurrence of such accident or breakdown or, with the permission of a police constable in uniform or of the highway authority for the highway in question, at some later time.

(5) Where an offence under this section committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence.

(6) In this section “motor vehicle” and “trailer” have the meanings assigned to them in section 99 of the Road Traffic Regulation Act 1967.

1967 c. 76.

## PART III

## PROVISIONS RELATING TO BOROUGH COUNCILS

Modification of enactments relating to street trading licence applications.

6. The enactments specified in column (1) of Schedule 1 to this Act (being enactments relating to the making of applications for street trading licences) shall each have effect so far as they relate to any part of Greater London subject to the amendments specified in column (2) of that Schedule.

Modifications of Greater London Council (General Powers) Act 1968.  
1968 c. xxxix.

7. Part VIII (Night cafés) of the Greater London Council (General Powers) Act 1968 shall apply and have effect in a borough subject to the following amendments:—

- (a) in paragraph (a) of subsection (8) of section 49 (Registration of premises) the words from “and any person” to the end of the paragraph shall be deleted;
- (b) in the said subsection (8) immediately before paragraph (b) there shall be inserted the following paragraph:—

“ (aa) An application for registration or renewal of registration of any premises under this section shall not be entertained by the borough council unless they are satisfied that the person applying for registration or

renewal of registration has complied with paragraph (a) of this subsection with respect to his application."

PART III  
—cont.

8. The enactments specified in column (1) of Schedule 2 to this Act (being enactments providing for penalties for offences connected with unregistered food hawking) shall each have effect so far as they relate to any part of Greater London subject to the amendments specified in column (2) of that Schedule.

Alteration of penalties for unregistered food hawking.

#### PART IV

##### PROVISIONS RELATING TO THE KENSINGTON AND CHELSEA COUNCIL

9. The Kensington Improvement Act 1851 shall have effect as from 1st April 1982 subject to the following amendments:—

Garden squares in Kensington and Chelsea.

(a) in section 40, the words "not exceeding in any one year the sum of one shilling and threepence in the pound of the annual rateable value" shall be deleted;

1851 c. cxvi.

(b) in section 41, the words "(not exceeding in the whole for any one year the sum of one shilling and threepence in the pound, except as to Norland Square, St. James's Square, and the Royal Crescent, the rates for which shall not exceed in the whole for any one year the sum of sixpence in the pound,)" shall be deleted; and

(c) in section 43—

(i) the word "male" shall be deleted;

(ii) after the words "care and management thereof," there shall be inserted the words "and their spouses,"; and

(iii) after the words "Thirty Pounds per Annum" there shall be inserted the words "or the spouse of such a householder".

#### PART V

##### SUPPLEMENTAL

10.—(1) 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—

Costs of Act.

(a) general expenses chargeable on the whole of Greater London; or

PART V  
—cont.

(b) special expenses chargeable only on such part of Greater London as the Council may determine.

(2) So much of the costs, charges and expenses preliminary to and of and incidental to the preparing, applying for and obtaining of this Act as may be incurred in respect of or in connection with the provisions contained in Part IV (Provisions relating to the Kensington and Chelsea Council) of this Act shall be paid by the Kensington and Chelsea Council.



SCHEDULES

SCHEDULE 1

Section 6.

LOCAL ENACTMENTS MODIFIED IN GREATER LONDON IN RELATION TO STREET TRADING

Enactment (1)	Amendment (2)	
West Ham Corporation Act 1931 Section 26 ... ..	<p>After subsection (1) insert—</p> <p>“ (1A) Any person who—</p> <p>(a) makes application for the grant of a licence under this Part of this Act; or</p> <p>(b) being a licensee at the date of the enactment of the Greater London Council (General Powers) Act 1982, makes application for the first time thereafter for the renewal of his licence;</p> <p>shall with his application supply two identical copies of a current full-face photograph of himself:</p> <p>Provided that the borough council shall not require the display of any copy of the photograph so supplied.”</p>	1931 c. lx.
Section 28 ... ..	For “ five shillings ” substitute “ five pounds ”.	
Dagenham Urban District Council Act 1931 Section 114 ... ..	<p>After subsection (1) insert—</p> <p>“ (1A) Any person who—</p> <p>(a) makes application for the grant of a licence under this Part of this Act; or</p> <p>(b) being a licensee at the date of the enactment of the Greater London Council (General Powers) Act 1982, makes application for the first time thereafter for the renewal of his licence;</p> <p>shall with his application supply two identical copies of a current full-face photograph of himself:</p> <p>Provided that the borough council shall not require the display of any copy of the photograph so supplied.”</p>	1931 c. xcv.
Section 116 ... ..	For “ five shillings ” substitute “ five pounds ”.	

SCH. 1 —cont.	Enactment (1)	Amendment (2)
1933 c. lxvii.	Wimbledon Corporation Act 1933 Section 93 ... ..	<p>After subsection (2) insert—</p> <p>“(2A) Any person who—</p> <p>(a) makes application for the grant of a licence under this Act; or</p> <p>(b) being a licensee at the date of the enactment of the Greater London Council (General Powers) Act 1982, makes application for the first time thereafter for the renewal of his licence;</p> <p>shall with his application supply two identical copies of a current full-face photograph of himself:</p> <p>Provided that the borough council shall not require the display of any copy of the photograph so supplied.”</p>
	Section 95 ... ..	For “five shillings” substitute “five pounds”.
1933 c. lxviii.	Barking Corporation Act 1933 Section 193 ... ..	<p>After subsection (2) insert—</p> <p>“(2A) Any person who—</p> <p>(a) makes application for the grant of a licence under this Part of this Act; or</p> <p>(b) being a licensee at the date of the enactment of the Greater London Council (General Powers) Act 1982, makes application for the first time thereafter for the renewal of his licence;</p> <p>shall with his application supply two identical copies of a current full-face photograph of himself:</p> <p>Provided that the borough council shall not require the display of any copy of the photograph so supplied.”</p>
	Section 195 ... ..	For “five shillings” substitute “five pounds”.
1936 c. cxv.	Merton and Morden Urban District Council Act 1936 Section 102 ... ..	<p>After subsection (2) insert—</p> <p>“(2A) Any person who—</p> <p>(a) makes application for the grant of a licence under this Part of this Act; or</p> <p>(b) being a licensee at the date of the enactment of the Greater London</p>

Enactment (1)	Amendment (2)	
Section 104 ... ..	<p>Council (General Powers) Act 1982, makes application for the first time thereafter for the renewal of his licence; shall with his application supply two identical copies of a current full-face photograph of himself: Provided that the borough council shall not require the display of any copy of the photograph so supplied.” For “five shillings” substitute “five pounds”.</p>	
Coulsdon and Purley Urban District Council Act 1937		1937 c. xcvi.
Section 76 ... ..	<p>After subsection (2) insert— “(2A) Any person who— (a) makes application for the grant of a licence under this Part of this Act; or (b) being a licensee at the date of the enactment of the Greater London Council (General Powers) Act 1982, makes application for the first time thereafter for the renewal of his licence; shall with his application supply two identical copies of a current full-face photograph of himself: Provided that the borough council shall not require the display of any copy of the photograph so supplied.” For “five shillings” substitute “five pounds”.</p>	
Section 78 ... ..		
Middlesex County Council Act 1944		1944 c. xxi.
Section 321 ... ..	<p>After subsection (2) insert— “(2A) Any person who— (a) makes application for the grant of a licence under this Part of this Act; or (b) being a licensee at the date of the enactment of the Greater London Council (General Powers) Act 1982, makes application for the first time thereafter for the renewal of his licence; shall with his application supply two identical copies of a current full-face photograph of himself: Provided that the borough council shall not require the display of any copy of the photograph so supplied.” For “five shillings” substitute “five pounds”.</p>	
Section 323 ... ..		

SCH. 1 —cont.	Enactment (1)	Amendment (2)
1947 c. xlvi.	London County Council (General Powers) Act 1947 Section 21 ... ..	After subsection (1) insert— “ (1A) Any person who— (a) makes application for the grant of an annual licence; or (b) being a licensee at the date of the enactment of the Greater London Council (General Powers) Act 1982, makes application for the first time thereafter for the renewal of his annual licence; shall with his application supply two identical copies of a current full-face photograph of himself: Provided that the borough council shall not require the display of any copy of the photograph so supplied.” For “ten shillings” substitute “five pounds”.
1956 c. lxxxiv.	Walthamstow Corporation Act 1956 Section 29... ..	After subsection (1) insert— “ (1A) Any person who— (a) makes application for the grant of a street trading licence; or (b) being a licensee at the date of the enactment of the Greater London Council (General Powers) Act 1982, makes application for the first time thereafter for the renewal of his street trading licence; shall with his application supply two identical copies of a current full-face photograph of himself: Provided that the borough council shall not require the display of any copy of the photograph so supplied.” For “such fee not exceeding one pound as the Corporation may prescribe” substitute “ a fee of five pounds ”.
1956 c. xc.	Middlesex County Council Act 1956 Section 58 ... ..	After subsection (1) insert— “ (1A) Any person who— (a) makes application for the grant of an annual licence; or (b) being a licensee at the date of the enactment of the Greater London Council (General Powers) Act 1982, makes application for the first time thereafter for the renewal of his annual licence;

SCH. 1  
—cont.

Enactment (1)	Amendment (2)
Section 60 (1) ... ..	shall with his application supply two identical copies of a current full-face photograph of himself: Provided that the borough council shall not require the display of any copy of the photograph so supplied.” For “five shillings” substitute “five pounds”.
Croydon Corporation Act 1960 Section 141 ... ..	After subsection (1) insert— “ (1A) Any person who— (a) makes application for the grant of a licence under this Part of this Act; or (b) being a licensee at the date of the enactment of the Greater London Council (General Powers) Act 1982, makes application for the first time thereafter for the renewal of his licence; shall with his application supply two identical copies of a current full-face photograph of himself: Provided that the borough council shall not require the display of any copy of the photograph so supplied.”
Section 142 ... ..	For “five shillings” substitute “five pounds”.

1960 c. xl.

SCHEDULE 2

Section 8.

LOCAL ENACTMENTS MODIFIED IN GREATER LONDON IN RELATION TO  
FOOD HAWKING OFFENCES

Enactment (1)	Amendment (2)
West Ham Corporation Act 1937, section 66 (3)	For the words from “forty shillings” to the end of the subsection there shall be substituted the words “£200”. 1937 c. xxxv.
Middlesex County Council Act 1950, section 11 (3)	For the words from “two pounds” to the end of the subsection there shall be substituted the words “£200”. 1950 c. lii.
Essex County Council Act 1952, section 103 (2)	For the words from “forty shillings” to the end of the subsection there shall be substituted the words “£200”. 1952 c. l.

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