



# London Government Act 1963

## 1963 CHAPTER 33

### PART I

#### LOCAL GOVERNMENT IN AND AROUND GREATER LONDON

##### Modifications etc. (not altering text)

C1 Pt. I (ss. 1-4) applied (18.12.1996) by 1996 c. 61, s. 3, Sch. 3 para. 4(5)

#### 1 London boroughs.

- (1) There shall be established new administrative areas, to be known as London boroughs, which shall comprise the areas respectively described (by reference to existing administrative areas) in column 2 of Part I of Schedule 1 to this Act; and in this . . .  
<sup>F1</sup> Act—
- (a) any reference to an inner London borough shall be construed as a reference to one of the London boroughs numbered from 1 to 12 in the said Part I;
  - (b) any reference to an outer London borough shall be construed as a reference to one of the London boroughs numbered from 13 to 32 in the said Part I.
- (2) If in the case of any London borough, on representations in that behalf made to the Privy Council by the Minister, Her Majesty by the advice of Her Privy Council thinks fit to grant a charter of incorporation of the inhabitants of that borough, Her Majesty may by that charter—
- (a) make provision with respect to the name of the borough; and
  - (b) subject to the provisions of this Act, make any provision such as may be made by virtue of section 131 of the <sup>M1</sup>Local Government Act 1933 by a charter granted under Part VI of that Act;

and any charter which purports to be granted in pursuance of the Royal prerogative and this subsection shall be deemed to be valid and within the powers of this Act and Her Majesty's prerogative and the validity thereof shall not be questioned in any legal proceeding whatever.

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- (3) In the case of any London borough whose inhabitants are not incorporated by such a charter as is referred to in the last foregoing subsection, provision for their incorporation shall be made by the Minister by order (hereafter in this Act referred to as an “incorporation order”) which may include any such provision as is mentioned in paragraph (a) or (b) of that subsection.
- (4) ..... F2
- (5) Before the Minister makes as respects a London borough either representations under subsection (2) of this section for the grant of a charter or an incorporation order under subsection (3) thereof, the Minister or, as may be appropriate, the Secretary of State shall cause such notices to be given and such, if any, inquiries to be held with respect to the matters to be dealt with by the charter or order as may appear to the Minister or, as the case may be, the Secretary of State to be expedient.
- (6) The <sup>M2</sup>Municipal Corporations Act 1882 shall apply to every London borough . . . F1, the expression “borough” when used in relation to local government in any enactment whether passed before or after this Act . . . F3 shall except where the context otherwise requires (and except in particular in the expressions “county borough” and “non-county borough”) include a London borough; . . . F3
- (7) ..... F2

**Textual Amendments**

F1 Words repealed by Interpretation Act 1978 (c. 30, SIF 115:1), s. 25(1), **Sch. 3**

F2 Ss. 1(4)(7), 2(2)(3), 3, 6 repealed by Local Government Act 1972 (c. 70), **Sch. 30**

F3 Words repealed by Statute Law (Repeals) Act 1978 (c. 45), s. 1(1), **Sch. 1 Pt. XII**

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**Modifications etc. (not altering text)**

C2 Pt. I (ss. 1-4) applied (18.12.1996) by 1996 c. 61, s. 3, **Sch. 3 para. 4(5)**

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**Marginal Citations**

M1 1933 c. 51.

M2 1882 c. 50.

**2 Greater London and the Greater London Council.**

- (1) The area comprising the areas of the London boroughs, the City and the Temples shall constitute an administrative area to be known as Greater London.
- (2) ..... F4
- (4) ..... F5

**Textual Amendments**

F4 Ss. 1(4)(7), 2(2)(3), 3, 6 repealed by Local Government Act 1972 (c. 70), **Sch. 30**

F5 S. 2(4) repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102, **Sch. 17**

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**Modifications etc. (not altering text)**

C3 Pt. I (ss. 1-4) applied (18.12.1996) by 1996 c. 61, s. 3, **Sch. 3 para. 4(5)**

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3 ..... F6

**Textual Amendments**

F6 Ss. 1(4)(7), 2(2)(3), 3, 6 repealed by Local Government Act 1972 (c. 70), Sch. 30

**4 General provisions as to exercise in Greater London of existing local authority functions.**

- (1) Subject to any provision to the contrary effect made by, or by any instrument made under, this Act or any other Act passed during the same session as this Act . . .<sup>F7</sup>, and without prejudice to any express provision so made, the provisions of this section (being provisions designed to confer on the councils of London boroughs as respects their boroughs and on the Common Council as respects the City the functions exercisable by the councils of county boroughs as respects their boroughs or by the existing London county council as respects the metropolitan boroughs or, as the case may be, the City) shall have effect as from 1st April 1965 as respects any enactment (hereafter in this section referred to as an “existing enactment”) contained in any public general Act passed before this Act or in any other such Act passed during the same session as this Act.
- (2) Subject to subsection (7) of this section, where any existing enactment refers to, or to the councils of, county boroughs, then—
  - (a) if it also refers in the same context to, or to the councils of, metropolitan boroughs, any reference in that enactment in that context to, or to the council of, a metropolitan borough shall be construed as a reference to, or to the council of, a London borough;
  - (b) if it also refers (or, but for section 3 (1) (b) of this Act, would have referred) in the same context to the London county council (whether expressly or by virtue of a reference to councils of counties) but not to councils of metropolitan boroughs, any reference in that enactment in that context to a county borough or the council thereof shall be construed as including a reference to a London borough or the council thereof and, where that enactment extends to the City but does not refer to the Common Council, as including also a reference to the City or the Common Council.
- (3) Any reference in any existing enactment which, by virtue of any other existing enactment passed subsequently thereto, falls to be construed as a reference to authorities of a particular class shall be deemed for the purposes of subsection (2) of this section to be a reference to authorities of that class.
- (4) Any existing enactment to the effect that any provision does not apply or refer, or applies or refers only, to the administrative county of London or to that county other than the City or other than the City and the Temples shall have effect as if it provided that the provision in question does not apply or refer, or, as the case may be, applies or refers only, to Greater London other than the outer London boroughs, or other than those boroughs and the City, or other than those boroughs, the City and the Temples, as the case may be.
- (5) Where, under any existing enactment which by virtue of subsection (4) of this section applies to Greater London other than the outer London boroughs or other than those boroughs and the City with or without the Temples, any functions were exercisable

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immediately before 1st April 1965 as respects a metropolitan borough by the London county council or by the council of that borough or as respects the City by the London county council, those functions shall be exercisable as respects an inner London borough by the council of that borough or, as the case may be, as respects the City by the Common Council.

- (6) In any existing enactment which by virtue of subsection (4) of this section applies to the outer London boroughs but not to the rest of Greater London, any reference to, or to the council of, a county borough shall be construed as including a reference to, or to the council of, an outer London borough.
- (7) Without prejudice to any exclusion by virtue of subsection (1) of this section and to any amendment of the enactment in question by or under any subsequent provision of this Act, subsection (2) of this section shall not apply to any existing enactment contained in—
  - (a) the <sup>M3</sup>Local Government Act of 1888, <sup>M4</sup>1929, <sup>M5</sup>1933 or <sup>M6</sup>1958; or
  - (b) the enactments to which section 40 of this Act applies or would apply but for the proviso to subsection (4) of that section; or
  - (c) . . . . . <sup>F8</sup>
  - (d) any enactment relating to rating and valuation in England and Wales; or
  - (e) the <sup>M7</sup>Town and Country Planning Act 1962; or
  - (f) any of the Acts amended by Schedule 5, 6, 8 or 13 to this Act;

and this section shall not apply to any enactment contained in an Act passed with respect only to the whole or part of the existing county of London.

**Textual Amendments**

**F7** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, **Sch. 17**

**F8** [S. 4\(7\)\(c\)](#) repealed by [Parliamentary Constituencies Act 1986 \(c. 56, SIF 89\)](#), ss. 8, 9(2), **Sch. 4**

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**Modifications etc. (not altering text)**

**C4** [Pt. I \(ss. 1-4\)](#) applied (18.12.1996) by [1996 c. 61, s. 3, Sch. 3 para. 4\(5\)](#)

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**Marginal Citations**

**M3** 1888 c. 41.

**M4** 1929 c. 17.

**M5** 1933 c. 51.

**M6** 1958 c. 55.

**M7** 1962 c. 38.

**5 Delegation of functions in Greater London.**

- (1) . . . . . <sup>F9</sup>
- (2) The Common Council and the council of any London borough which is adjacent to the City may agree together for the discharge by that borough council, as agent for the Common Council, of such of the functions of the Common Council as may be specified in the agreement.
- (3) Without prejudice to any other provision of this or any other Act, any of [<sup>F10</sup>the following authorities], that is to say, . . . <sup>F11</sup> the London borough councils [<sup>F10</sup>the Common Council, . . . <sup>F12</sup><sup>F13</sup>, an authority established by Part I, II, III, IV, or V of the

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Waste Regulation and Disposal (Authorities) Order 1985] and the <sup>F14</sup>London Fire and Emergency Planning Authority]] may, for the better performance of their respective functions, agree with any one or more of the others of <sup>F10</sup>those authorities] and any other local authority within the meaning of the <sup>M8</sup>Local Government Act 1933 whose area is contiguous with any part of Greater London for—

- (a) the undertaking by one party for another of any administrative, clerical, professional, scientific or technical services;
- (b) the use or maintenance by one party of any vehicle, plant, equipment or apparatus of another party and, if it appears convenient, the services of any staff employed in connection therewith;
- (c) the carrying out of works of maintenance by one party in connection with land or buildings for the maintenance of which another party is responsible,

on such terms as may be agreed between them; and in this subsection the expression “maintenance” includes minor renewals, improvements and extensions.

**Textual Amendments**

- F9** S. 5(1) repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102, **Sch. 17**
- F10** Words substituted by Local Government Act 1985 (c. 51, SIF 81:1), s. 84, **Sch. 14 Pt. II para. 40(a)**
- F11** Words repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102, **Sch. 17**
- F12** Words repealed by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(2), **Sch. 13 Pt. I**
- F13** Words inserted by virtue of S.I. 1985/1884, art. 10, **Sch. 3 para. 5** which provides that s. 5(3) of the London Government Act 1963 (c. 33) shall have effect as if after the words “the Inner London Education Authority” the following words were inserted “, an authority established by Part I, II, III, IV or V of the Waste Regulation and Disposal (Authorities) Order 1985”
- F14** Words in s. 5(3) substituted (3.7.2000) by 1999 c. 29, s. 328(8), **Sch. 29 Pt. I para. 4** (with Sch. 12 para. 9(1)); S.I. 2000/1094, **art. 4(a)(h)**

**Modifications etc. (not altering text)**

- C5** S. 5 saved by Local Government Act 1972 (c. 70), **ss. 101(14), 112(6), 201(5)**
- C6** S. 5(3) restricted by Local Government Act 1985 (c. 51, SIF 81:1), s. 91, **Sch. 15 para. 1**
- C7** S. 5(3) extended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 16**

**Marginal Citations**

- M8** 1933 c.51.

6 ..... <sup>F15</sup>

**Textual Amendments**

- F15** Ss. 1(4)(7), 2(2)(3), 3, 6 repealed by Local Government Act 1972 (c. 70), **Sch. 30**

7 ..... <sup>F16</sup>

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**Textual Amendments**

**F16** S. 7 repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102, **Sch. 17**

**8**

(1) ..... **F17**

(2) ..... **F18**

**Textual Amendments**

**F17** S. 8(1) repealed by [Parliamentary Constituencies Act 1986 \(c. 56, SIF 89\)](#), ss. 8, 9(2), **Sch. 4**

**F18** S. 8(2) repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), s. 1(1), **Sch. 1 Pt. XII**

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**Changes to legislation:**

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