
STATUTORY INSTRUMENTS

1965 No. 654

The London Government Order 1965

Private street works

27.—(1) The provisions of this article shall have effect in relation to any streets as respects which, as the result of the Act, the council of an outer London borough (in the article referred to as “the new street works authority”) become the street works authority under Part IX of the Highways Act 1959 in place of the council of any county borough or county district (in this article referred to as “the former street works authority”).

(2) In relation to any sum paid or secured under section 192 of the Highways Act 1959 before 1st April 1965 the new street works authority shall be the street works authority for the purposes of sections 192 to 198 of the said Act.

(3) Any notices given or proceedings taken by, or on behalf of, the former street works authority under the appropriate private street works code (as defined in section 213(3) of the said Act) in relation to the street shall not be affected by reason of the Act, and such proceedings, and any works commenced under the said code, may be continued and completed, in accordance with the provisions of the said code, by the new street works authority as if the said code had applied to them and they had given the notices, taken the proceedings or commenced the works.

(4) Where, at 1st April 1965, any works under the said code have been commenced but not completed in the street the new street works authority shall be entitled to recover—

- (a) such of the expenses incurred by the former street works authority as that authority could have recovered under the said code, and
- (b) such of the expenses incurred by themselves as the said authority could have recovered under the said code had they completed the works:

and the new street works authority shall have all such powers for the recovery of such expenses as they would have had if the said code had applied to them and they had executed the whole of the works, and all the provisions of the said code shall apply accordingly.

(5) Where, at 1st April 1965, any works under the said code have been completed in the street the new street works authority shall have all such powers for the recovery of the expenses incurred in the execution of the works as they would have had if the said code had applied to them and they had undertaken the works, and all the provisions of the said code shall apply accordingly.