



# London Local Authorities and Transport for London Act 2013

## 2013 CHAPTER v

An Act to confer further powers upon local authorities in London and upon Transport for London; and for related purposes. [18th December 2013]

### WHEREAS—

- (1) It is expedient that the law relating to the attachment of street lamps and signs to buildings in London should be altered:
- (2) It is expedient that provision should be made about damage caused to highways by persons carrying out development in London:
- (3) It is expedient that the London authorities should have further powers to control builders' skips placed on the highway:
- (4) It is expedient that provision be made in London in relation to gates placed in roads by London authorities:
- (5) It is expedient that London authorities have power to provide charging points for electric vehicles on the highway:
- (6) It is expedient that the other provisions contained in this Act should be enacted:
- (7) The objects of this Act cannot be attained without the authority of Parliament:
- (8) In relation to the promotion of the Bill for this Act the Westminster City Council have complied with the requirements of section 239 of the Local Government Act 1972 and the other London borough councils have complied with the requirements of section 87 of the Local Government Act 1985:
- (9) In relation to the promotion of the Bill for this Act Transport for London have complied with the requirements of section 167 of and Schedule 13 to the Greater London Authority Act 1999:
- (10) In relation to the promotion of the Bill the London borough councils have acted through their representation in London Councils, a statutory joint committee whose membership is made up from members of all the London borough councils:

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,

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and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

## PART 1

### PRELIMINARY

#### 1 Citation and commencement

- (1) This Act may be cited as the London Local Authorities and Transport for London Act 2013.
- (2) This Act, except the provisions mentioned in subsection (3) shall come into operation at the end of the period of two months beginning with the date on which it is passed.
- (3) The following provisions shall come into operation on the appointed day—
  - (a) sections 4 (except subsection (13)) and 5;
  - (b) Part 3.

#### 2 Interpretation

- (1) In this Act—
  - “the 1980 Act” means the Highways Act 1980;
  - “borough council” means London borough council and includes the Common Council of the City of London in its capacity as a local authority;
  - “joint committee” means, except in section 4, any joint committee established under section 101(5) of the Local Government Act 1972 and comprising at least one member from each borough council and at least one person appointed by Transport for London;
  - “London authority” means a borough council or Transport for London, as the case may be;
  - “relevant highway authority” means—
    - (a) a borough council, as respects highways for which they are the highway authority;
    - (b) Transport for London, as respects highways for which they are the highway authority.

#### 3 Appointed day

- (1) In section 1(3) “the appointed day” means such day as may be fixed as regards the provisions mentioned in that section—
  - (a) by a decision of Transport for London; or
  - (b) by resolution of a borough council,as the case may be, subject to and in accordance with the provisions of this section.
- (2) Different days may be fixed under this section for the purpose of the application of the provisions mentioned in section 1(3) to different areas.

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- (3) Different days may be fixed under this section for the purpose of the application of the provisions mentioned in section 1(3) to an area.
- (4) The London authority in question shall cause to be published in a local newspaper circulating in their area and in the London Gazette, notice—
  - (a) of the passing of any such resolution or taking of any such decision under this section and of the day fixed by the resolution or decision; and
  - (b) of the general effect of the provisions coming into operation on that day, and the day so fixed shall not be earlier than the expiration of one month from the publication of the notice in the London Gazette.
- (5) A document certified by the officer appointed for that purpose by the London authority in question to be a true reproduction of a page or part of a page of any such newspaper or London Gazette—
  - (a) bearing the date of its publication; and
  - (b) containing any such notice,shall be evidence of the publication of the notice and of the date of publication.

## PART 2

### HIGHWAYS: MISCELLANEOUS

#### 4 Attachment of street lamps and signs to buildings

- (1) In its application to the area of any borough council except the Common Council of the City of London (“the Common Council”), section 45 of the Public Health Act 1961 (attachment of street lamps to buildings) shall be modified by the omission of subsections (2), (3) and (8).
- (2) In its application to the areas of the London authorities except the Common Council, section 74 of the Road Traffic Regulation Act 1984 (affixing of traffic signs to walls) shall be modified by—
  - (a) the omission of subsections (3) and (4);
  - (b) the substitution for subsection (6) of—
    - “(6) If the owner of a building suffers damage by, or in consequence of, the affixing to the building of a traffic sign by a council, or by or in consequence of the exercise of the rights conferred by subsection (5) (a) of this section, he shall be entitled to be paid by the council compensation to be determined in case of dispute by the Upper Tribunal, and, so far as the compensation is properly to be calculated by reference to the depreciation of the value of his interest in the building, Rules 2 to 4 of the Rules set out in section 5 of the [Land Compensation Act 1961 \(c. 33\)](#), shall apply.”;
  - (c) the omission of the definition of “appropriate authority” in subsection (9).
- (3) Under the said section 45 or the said section 74 as modified by this section a London authority shall not affix anything to a building that does not form part of the operational land of a statutory undertaker unless they have complied with the requirements of subsections (4) to (8).

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- (4) Not less than 56 days before the London authority propose to begin the work to affix an attachment or a traffic sign to a building they shall serve notice in writing on the relevant owner of the building of their proposal to affix it.
- (5) The notice shall—
- (a) state that the authority propose to affix an attachment or a traffic sign to the building;
  - (b) describe the attachment or traffic sign, giving its approximate dimensions;
  - (c) specify where on the building the authority propose to affix it and the means by which it is to be fixed;
  - (d) specify the date, or the earliest date, on which the authority propose to begin the work;
  - (e) specify a period of not less than 42 days from the date of service of the notice during which the relevant owner may make representations to the authority about the proposal;
  - (f) inform the relevant owner of his rights to compensation for damage which might be suffered by or in consequence of the affixing of the attachment or traffic sign;
  - (g) inform the relevant owner that if no representations are made within the period specified in the notice for doing so the authority may proceed with their proposal without further notice.
- (6) If a notice specifies an earliest date under subsection (5)(d), the authority may not begin the work after the expiry of four months beginning with that date (but that does not prevent the authority from serving a fresh notice).
- (7) The London authority shall, having considered any representations made by the relevant owner within the period specified in the notice served under subsection (4), decide—
- (a) to proceed with their proposal;
  - (b) to proceed with their proposal modified to take account of any representations made;
  - (c) not to proceed with their proposal.
- (8) If the relevant owner has made representations the London authority shall serve notice on him of its decision.
- (9) Under the said section 45 or the said section 74 as modified by this section a London authority shall not affix anything to a building that forms part of the operational land of a statutory undertaker without the written consent of the statutory undertaker in question.
- (10) Consent may be given subject to reasonable conditions (including the payment of reasonable expenses in dealing with the request for the consent, but no other payment) and shall not be unreasonably withheld.
- (11) Where—
- (a) a London authority serves on a statutory undertaker a notice requesting that undertaker's consent under subsection (9) to the affixing of anything to a building; and

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- (b) the statutory undertaker does not within the period of 56 days beginning with the date upon which the notice is served give their consent unconditionally or give it subject to conditions or refuse it,  
the consent shall be deemed to have been withheld.
- (12) Where, in the opinion of a London authority, a consent required under subsection (9) for the affixing of anything to a building is unreasonably withheld or given subject to unreasonable conditions, the London authority may apply to the magistrates' court, who may either—
  - (a) allow the thing in question to be affixed subject to such conditions, if any, as it thinks fit; or
  - (b) disallow the application.
- (13) A London authority may not, under section 3, appoint a day for the purposes of this section until a code of practice dealing with the exercise of the powers of the said section 45 and the said section 74 as modified by this section has been published by a joint committee.
- (14) This section and section 5 shall not apply in respect of a theatre.
- (15) In this section—
  - “attachment” has the same meaning as in section 45 of the Public Health Act 1961;
  - “building” includes any structure and a bridge or aqueduct;
  - “joint committee” means any joint committee established under section 101(5) of the Local Government Act 1972 and comprising at least—
    - (a) one person appointed by Transport for London; and
    - (b) one member of each borough council other than the Common Council (and for the purposes of this section, the joint committee may include a member of the Common Council, but that member shall not be entitled to a vote);
  - “operational land” has the same meaning as in the Town and Country Planning Act 1990;
  - “relevant owner”—
    - (a) in relation to a building occupied by a person under a lease or tenancy having an unexpired term of five years or more, means that person; or
    - (b) in relation to any other building, means the person for the time being receiving the rack rent of the building whether on his own account or as agent or trustee for any other person, or who would so receive it if the building were let at a rack rent;
  - “statutory undertaker” has the same meaning as in section 262(1) of the Town and Country Planning Act 1990;
  - “theatre” means any building or part of a building used wholly or mainly for the public performance of plays and “public performance” and “play” have the same meanings as in the Theatres Act 1968, but with the words “dance performance” substituted for “ballet”;
  - “traffic sign” has the same meaning as in section 74 of the Road Traffic Regulation Act 1984.