

**ELIZABETH II**



**1987 CHAPTER xv**

An Act to confer powers on the Corporation of London for adjustment of the site of Billingsgate Market and to make further provision with respect to the market; to make new provision for the control of street trading and related activity in Middlesex Street; to confer powers for the making of drainage byelaws and charges on the submission of plans; to amend provisions relating to city walkways, Bank Underground Station, the register of commoners of Epping Forest and other enactments; and for other purposes. [15th May 1987]

**WHEREAS—**

(1) The development of London's docklands adjoining the site of Billingsgate Market makes it desirable to provide for adjustment of the boundaries of the market site and the existing boundaries of the site are inconvenient; it is accordingly expedient to authorise their adjustment so as to provide a compact market site:

(2) In order to provide for the continuation of street trading in a part of Middlesex Street in the city of London it is expedient to make further provision for the grant of street trading licences and with respect to street trading in the city:

(3) It is further expedient to authorise the making of drainage byelaws and charges on submission of plans for approval under such byelaws or byelaws made under the City of London (Various Powers) Act 1900 or the City of London (Various Powers) Act 1926:

1900 c.  
ccxxviii.  
1926 c. vii.  
1878 c. ccxiii.

(4) It is expedient to amend the Epping Forest Act 1878 to provide for equal treatment of married women entitled to be entered on the register of commoners, to make further provision with respect to city walkways under the City of London (Various Powers) Act 1967 and for the policing of entrances to Bank Underground Station:

1967 c. xlii.

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

(6) The objects of this Act cannot be attained without the authority of Parliament:

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:—

## PART I

### PRELIMINARY

Short title. 1. This Act may be cited as the City of London (Various Powers) Act 1987.

Interpretation. 2.—(1) In this Act, unless the subject or context otherwise requires—

“city” means the City of London;

“Commissioner of Police” means the Commissioner of Police for the city;

“Corporation” means the mayor and commonalty and citizens of the city acting by the common council;

“the market” means Billingsgate Market.

(2) Any reference in this Act to a Part not otherwise identified is a reference to that Part of this Act.

## PART II

### BILLINGSGATE MARKET

Billingsgate  
Market:  
exchange of  
land.

3.—(1) Subject to subsections (2) and (6) below, the Corporation may lease or otherwise dispose of any part of the

site of the market to the London Docklands Development Corporation for any purpose other than as a market.

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—cont.

(2) The Corporation may not exercise the powers of subsection (1) above unless on such disposal they acquire by way of exchange from the London Docklands Development Corporation an equivalent area of other land contiguous with the site and suitable for the purposes of the market.

(3) Nothing in subsection (1) above shall authorise the breach of any covenant, condition or agreement subject to which any land is held and which binds the Corporation except so far as may be agreed in writing by any person who has the benefit of such covenant, condition or agreement.

(4) Lands leased or disposed of under subsection (1) above shall on such lease or disposition be released from any restriction on their use which attaches to them, by virtue of any enactment or otherwise, by reason of their use for the market.

(5) Lands acquired under subsection (2) above shall for all purposes form part of the site of the market.

(6) The powers of subsection (1) above shall cease to have effect one year after the date of the passing of this Act.

(7) In consequence of subsections (1) and (2) above, in section 10 (Interpretation of Part III) of the City of London (Various Powers) Act 1979, at the end of the definition of “the new site” there shall be added the words “together with such lands as may be acquired for the purposes of the market under subsection (2) of section 3 (Billingsgate market: exchange of land) of the City of London (Various Powers) Act 1987, but not including any lands leased or otherwise disposed of under subsection (1) of the said section 3”.

4.—(1) Subsection (5) of section 3 (Alteration of site of Billingsgate Market) of the City of London (Various Powers) Act 1973 shall have effect as if the power to lease thereby conferred were a power to grant leases—

Billingsgate  
market:  
leases.  
1973 c. xx.

- (a) for the purposes of the market or ancillary purposes for any period not exceeding 99 years;
- (b) for other purposes, for any period not exceeding 21 years.

(2) In consequence of subsection (1) above the following enactments shall have effect subject to the following amendments:—

In the City of London (Various Powers) Act 1973 (which, as amended by section 12 (4) of the City of London (Various Powers) Act 1979, empowers the Corporation to lease or license the occupation of land in the market for any purpose for a term not exceeding 21 years), in subsection

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—cont.

(5) of section 3 (Alteration of site of Billingsgate Market), the words “and whether for the purposes of the market or other purposes” shall be omitted, and for the words “for any period not exceeding 21 years” there shall be substituted the words—

“(a) for the purposes of the market or for ancillary purposes, for any period not exceeding 99 years so far as they have sufficient rights or interests in the property demised;

(b) for other purposes, for any period not exceeding 21 years;”;

1979 c. xxiv.

In the City of London (Various Powers) Act 1979, in subsection (4) of section 12 (Alteration of site of Billingsgate Market) the second amendment to subsection (5) of section 3 of the City of London (Various Powers) Act 1973 shall be omitted.

1973 c. xx.

Road traffic  
offences on  
market roads.  
1972 c. 20.  
1984 c. 27.

5.—(1) In this section—

“the Act of 1972” means the Road Traffic Act 1972;

“the Act of 1984” means the Road Traffic Regulation Act 1984;

“market road” means any road or any land accessible to motor vehicles, in either case situated within the limits of the market, which is managed or controlled by the Corporation or in which the Corporation have any estate or interest;

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

(2) (a) The provisions of the Act of 1972 and the Act of 1984 hereinafter mentioned, and all related provisions of those Acts, shall have effect in relation to anything done or omitted on any market road as though any such road were a road for the purposes of those Acts.

(b) Where any such provision confers power to make regulations the reference to that provision is a reference to any regulations thereunder from time to time in force.

(3) The provisions referred to in subsection (2) above are—  
The Act of 1972—

Section 1 (Causing death by reckless driving);

Section 2 (Reckless driving);

Section 3 (Careless, and inconsiderate driving);

Section 5 (Driving, or being in charge, when under influence of drink or drugs);

Section 6 (Driving or being in charge of a motor vehicle with alcohol concentration above prescribed limit);

- Section 7 (Breath tests);  
Section 16 (Restriction on carriage of persons on motor cycles);  
Section 17 (Reckless cycling);  
Section 18 (Careless, and inconsiderate cycling);  
Section 19 (Cycling when under influence of drink or drugs);  
Section 21 (Restriction on carriage of persons on bicycles);  
Section 22 (Drivers to comply with traffic directions);  
Section 23 (Pedestrians to comply with directions to stop given by constables regulating vehicular traffic);  
Section 24 (Leaving vehicles in dangerous positions);  
Section 25 (Duty to stop, and furnish particulars, in case of accident);  
Section 29 (Penalisation of tampering with motor vehicles);  
Section 30 (Penalisation of holding or getting on to vehicle in order to be towed or carried);  
Section 32 (Wearing of protective headgear);  
Section 33A (Wearing of seat belts);  
Section 33B (Restrictions on carrying children in the front of motor vehicles);  
Section 40 (Regulation of construction, weight, equipment and use of vehicles);  
Section 44 (Obligatory test certificates for vehicles other than goods vehicles to which s. 45 applies);  
Section 53 (Testing of condition of vehicles on roads);  
Section 66 (Regulation of brakes, bells, etc., on pedal cycles);  
Section 84 (Drivers of motor vehicles to have driving licences);  
Section 99(b) (Offence of driving while disqualified);  
Section 100 (Arrest without warrant of persons driving while disqualified);  
Section 143 (Users of motor vehicles to be insured or secured against third-party risks);  
Section 159 (Power of police to stop vehicles);  
Section 161 (Power of constables to require production of driving licences and in certain cases statement of date of birth);

PART II  
—cont.

PART II  
—cont.

Section 162 (Power of constables to obtain names and addresses of drivers, and others);

Section 164 (Penalisation of failure to give name and address, and power of arrest, in case of reckless or careless driving or cycling, etc.);

Section 165 (Pedestrian contravening constable's direction to stop to give name and address);

Section 166 (Duty of driver, in case of accident, involving injury to another, to produce evidence of insurance or security or to report accident);

Section 168 (Duty to give information as to identity of driver, etc., in certain cases);

## The Act of 1984—

Section 64 (General provisions as to traffic signs);

Section 65 (Powers and duties of highway authorities as to placing of traffic signs);

Section 67 (Emergencies and temporary obstructions);

Section 99 (Removal of vehicles in certain cases);

Section 102 (Charges for removal, storage and disposal of vehicles);

1971 c. 10. Provided that, if no duty is chargeable under the Vehicles (Excise) Act 1971 in respect of a motor vehicle—

(a) by virtue of the provisions of subsection (1) of section 7 of that Act; or

(b) by reason only that the vehicle is used exclusively on roads which are not public roads within the meaning of that Act;

the said sections 32, 33A, 40, 44, 84, 143, 161 and 166 of the Act of 1972 shall not apply in respect of the driving, use or presence of that vehicle on a market road, or to any person driving or riding on or in it on such a road.

(4) For the purpose of the Act of 1972 and the Act of 1984, as extended and applied by this section—

(a) the expression “chief officer of police” where used in those Acts includes the Clerk and Superintendent of Billingsgate Market;

(b) the expressions “constable” and “constable in uniform” includes any officer of the Corporation being an officer within the meaning of section 16(1) of the City of London (Various Powers) Act 1979 and in the case of sections 7, 22, 23, 100 and 159 of the Act of 1972, being an officer in uniform.

1979 c. xxiv.

- (c) the expression "highway authority" means the Corporation in relation to any market road.

PART II  
—cont.

### PART III

#### STREET TRADING

6. In this Part, unless the subject or context otherwise requires— Interpretation of Part III.

- "article or thing" includes any living thing;
- "licensed street trader" means a person licensed to engage in street trading by a licence granted under this Part;
- "receptacle" includes a vehicle or stall and any basket, bag, box, vessel, stand, easel, board, tray or other structure or thing which is used (whether or not constructed or adapted for such use) as a container for, or for the display of, any article or thing;
- "street trading" means the selling or exposing or offering for sale of any article or thing in a street;
- "street trading licence" means a licence to engage in street trading granted under this Part.

7. As from the commencement of this Act a person who holds a street trading licence may, subject to the provisions of this Part, in that part of Middlesex Street in the city which lies between the junctions of that street with Widegate Street and Sandys Row engage in street trading at any time between the hours of 9 a.m. and 2 p.m. on Sundays other than Christmas Day when that day falls on a Sunday. Street trading in Middlesex Street market.

8.—(1) An application for a street trading licence or the renewal of such a licence shall be made in writing to the Corporation and in any such application the applicant shall state— Street trading licences in Middlesex Street.

- (a) his full name, address and date of birth;
- (b) the nature of the articles or things which he intends to sell or expose or offer for sale under the authority of the licence if granted or renewed;
- (c) the nature and type of any receptacle or equipment which he intends to use in connection with any sale or exposure or offer for sale;
- (d) the place or places, if any, at which—
  - (i) the articles or things; and
  - (ii) the receptacle or equipment;

PART III  
—cont.

will be stored by him at all times while they are not exposed or offered for sale or being used in connection with street trading; and

- (e) such other particulars as the Corporation may reasonably require.

(2) An application for the renewal of a street trading licence shall be made not later than two months or earlier than three months before the date on which that licence, unless revoked or surrendered, will cease to be valid:

Provided that nothing in this section shall prevent the Corporation from renewing a street trading licence notwithstanding that application has been made for such renewal at a later date than aforesaid if they consider it reasonable in the circumstances so to do.

(3) As soon as reasonably practicable after the receipt of an application under this section, the Corporation shall (save as provided by subsections (4) and (5) below) grant a street trading licence to the applicant or renew his street trading licence.

(4) A street trading licence shall not be granted to a person under the age of 17 years.

(5) The Corporation may refuse to grant or renew a street trading licence or may at any time revoke or vary a street trading licence granted by them if—

- (a) the applicant or licensee is unsuitable to hold such licence by reason of having been convicted of an offence which is in the opinion of the Corporation material to his conduct as a street trader or for any other sufficient reason; or
- (b) the space available in Middlesex Street to which the application relates or which is prescribed by the licence is, at the date of such application, or becomes at any time after the grant of such licence, insufficient to permit of the applicant or licensee engaging therein in any street trading, or in the particular street trading proposed to be or actually carried on by him, without causing undue interference with, or inconvenience to, traffic in that street; or
- (c) there are in the opinion of the Corporation already enough traders trading in Middlesex Street from shops or otherwise in the articles or things in which the applicant desires to trade; or
- (d) the place or places identified by the applicant pursuant to subsection (1) (d) above are in the opinion of the Corporation unsuitable or inadequate; or



- (e) the licensee has persistently failed, when not carrying on street trading, to remove any receptacle or equipment to the place or places identified pursuant to subsection (1) (d) above; or
- (f) the applicant or licensee has persistently refused or neglected to pay any charges due from him to the Corporation under this Part; or
- (g) the licensee personally has for a period of not less than four weeks not exercised, or not fully exercised, his rights under the licence:

PART III  
—cont.

Provided that—

(i) the Corporation shall not refuse to grant or renew, and shall not revoke, a street trading licence on the ground only that the applicant or licensee does not reside in the city;

(ii) the Corporation shall not refuse to renew, and shall not revoke or vary, a street trading licence unless they shall have given to the applicant or licensee not less than seven days' previous notice in writing that objection has been or will be taken to such renewal or that such a revocation or variation is proposed, and (if so required by him in writing within three days after the receipt of such notice) they shall have afforded him an opportunity of being heard against such refusal, revocation or variation.

(6) If the Corporation consider that grounds for refusing, failing to renew or revoking a street trading licence exist under subsection (5) (c) above they may, instead of doing so, grant, renew or vary the terms of the licence so as to permit the licensee to trade only in one or more of the descriptions of articles or things specified in the application or (as the case may be) the existing licence.

(7) If the Corporation refuse to grant or renew a street trading licence or revoke or vary a street trading licence they shall, if required by the applicant or licensee, deliver to him within seven days after the receipt of such requirement, particulars in writing of the ground or grounds for such refusal, revocation or variation.

(8) A licensee may at any time surrender his licence to the Corporation and it shall then cease to be valid.

(9) A street trading licence shall, unless revoked or surrendered, be valid for a period expiring on the 31st December next following the date of the grant or renewal of the licence.

PART III  
—cont.  
Prescriptions  
attached to  
street trading  
licences.

9.—(1) A street trading licence shall prescribe—

- (a) the position or place in Middlesex Street in the city at which the licensee may sell or expose or offer for sale articles or things under the authority of the licence;
- (b) the class or classes of articles or things which the licensee may so sell or expose or offer for sale;
- (c) the nature and type of any receptacle or equipment which may be used by the licensee in connection with any sale or exposure or offer for sale and the number of such receptacles which may be so used;
- (d) the form and content of a plaque to be displayed on any receptacle used by the licensee to provide means of identifying the licensee;
- (e) whether the licensee may employ any other person to assist him in the conduct of his business authorised by the licence.

(2) On any occasion of the renewal of a street trading licence the Corporation may vary the prescriptions made under this section.

Fees for street  
trading  
licences.

10.—(1) Any person making application for the grant or renewal of a street trading licence shall, when making the application, pay to the Corporation in respect thereof a fee of £5.

(2) Where the Corporation refuse to grant or renew a street trading licence, they shall repay to the person who made the application therefor the amount of the fee paid by him on making such application.

Appeals.

11.—(1) Any person aggrieved by the refusal of the Corporation to grant or renew a street trading licence, or by the revocation or variation by the Corporation of a street trading licence, or by any prescription made by the Corporation under section 9 (Prescriptions attached to street trading licences) of this Act may appeal to the magistrates' court, and on any such appeal the court may confirm, reverse or vary the decision of the Corporation and may award costs:

Provided that any such appeal shall be brought within 14 days from the date on which the refusal, revocation, variation or prescription which is the subject of the appeal is notified to such person as aforesaid by the Corporation.

(2) When any decision of the Corporation under this Part is notified to any person and that person has a right to appeal to the magistrates' court against that decision by virtue of this section, the Corporation shall at the same time notify that person in writing—

- (a) that if he is aggrieved by the decision he may appeal to the magistrates' court; and
- (b) of the effect of the provisions relating to any such appeal contained in the proviso to subsection (1) above.

PART III  
—cont.

**12.** The Corporation may make and recover from licensed street traders charges—

Charges to licensed street traders.

- (a) for the removal of refuse or other services rendered by them to such licensees; and
- (b) in respect of the expenses incurred by them in the administration of this Part and in the cleansing of that part of Middlesex Street in the city in which street trading takes place:

not exceeding the amounts which may be prescribed in relation to those matters respectively by byelaws made under this Part.

**13.** The Corporation may sell or let on hire to licensed street traders containers for the deposit of refuse arising in the course of street trading.

Power to provide containers for refuse.

**14.** The Corporation may make byelaws relating to the carrying on of street trading by licensed street traders for regulating the following matters, that is to say:—

Byelaws as to street trading.

- (a) the storage and the sanitary supervision (while at the place of intended sale or exposure or offering for sale) of articles or things intended to be sold or exposed or offered for sale;
- (b) the deposit and removal of refuse and the containers to be used for the deposit of such refuse pending its removal;
- (c) the allocation, maximum dimensions and arrangement of receptacles;
- (d) any other conditions under which articles or things may be sold or exposed or offered for sale;
- (e) the manner in which street trading is carried on;
- (f) the charges which may be made under section 12 (Charges to licensed street traders) of this Act; and
- (g) the wearing of street traders' badges and the production, when required to do so, of street trading licences.

**15.** As from the commencement of this Act, notwithstanding the provisions of section 24 (Street trading) of the City of London (Various Powers) Act 1911 or anything done thereunder, it shall be unlawful for any person to engage in

Prohibition of unauthorised street trading.  
1911 c. lxxxiv.

PART III  
—cont.  
1965 c. xxxix.

Offences,  
penalties,  
etc.

street trading in the city except as provided in this Part or in Part III of the City of London (Various Powers) Act 1965.

**16.**—(1) Any person who contravenes the provisions of section 15 (Prohibition of unauthorised street trading) of this Act or who, being authorised to engage in street trading by a street trading licence, engages in street trading contrary to any prescription of the licence, shall be guilty of an offence.

(2) Any person who in support of, or in opposition to—

- (a) an application for the grant or renewal of a street trading licence; or
- (b) a refusal of the Corporation to grant or renew a street trading licence;

makes a statement which he knows to be false in a material particular, shall be guilty of an offence.

(3) Every person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Suspension of  
proceedings  
pending  
appeal.

**17.** On any appeal under section 11 (Appeals) of this Act against the decision of the Corporation—

- (a) to refuse to renew a street trading licence; or
- (b) to revoke or vary a street trading licence; or
- (c) on the renewal of a street trading licence, to vary any prescription made under section 9 (Prescriptions attached to street trading licences) of this Act;

then, until the time for appealing has expired or, if an appeal is lodged, until it is disposed of or withdrawn or fails for want of prosecution, the licence shall be deemed to have been renewed, or not to have been revoked or varied, or to have been renewed without any variation of the prescriptions attached to it, as the case may be.

Evidence  
of street  
trading in  
proceedings.

**18.** In any proceedings for an offence under section 16 (Offences, penalties, etc.) of this Act, where it is shown that any article or thing was displayed in or on any receptacle in a stationary position in any street, that article or thing shall be presumed to have been exposed or offered for sale (at such time and in such position at which it was so displayed) by the person in charge, or appearing to be in charge, thereof unless it is shown to the satisfaction of the court that the article or thing was brought into that street for some purpose other than for the purpose of selling it or exposing or offering it for sale in a street.

Saving for  
newsvendors  
and itinerant  
traders.

**19.**—(1) Nothing in this Part applies to a person who sells or exposes or offers for sale newspapers or periodicals in a street unless he uses for that purpose a receptacle which occupies a stationary position in a street and, in a case where he sells or

exposes or offers for sale only daily, weekly or Sunday newspapers, such receptacle— PART III  
—cont.

- (a) exceeds 3 feet in height; or
- (b) occupies a position extending over a portion of the footway of the street measuring more than 2 feet 6 inches in any direction or exceeding 3 square feet in area; or
- (c) occupies a position extending over a portion of the carriageway of the street.

(2) Nothing in this Part applies to a trader who is for the time being carrying on business with persons residing or employed in premises in, or abutting on, a street in respect of any street trading conducted by him in the course of that business unless he permits any receptacle used by him to occupy a stationary position in the street for an unreasonable time.

20. Nothing in this Part exempts any person from, or shall alter or affect the operation of, the provisions of any enactment relating to the obstruction of traffic in highways. Saving for general enactments.

21. In the case of any market or fair held in pursuance of any statute, royal licence, royal charter or letters patent, or as of right from time immemorial, nothing in this Part shall affect the sale or exposure or offer for sale of goods in any such market or fair by any person who has paid a toll to, or is acting under the written authority of, a person holding or entitled to hold such market or fair or entitled to receive tolls in respect of sales made or stalls or stands occupied in such market or fair. Saving for sales in legal markets or fairs.

22. As from the commencement of this Act subsection (1) of section 24 (Street trading) of the City of London (Various Powers) Act 1911 shall have effect as if after “1965” there were inserted the words “or section 15 (Prohibition of unauthorised street trading) of the City of London (Various Powers) Act 1987”. Amendment of City of London (Various Powers) Act 1911.  
1911 c. lxxxiv.

23. As from the commencement of this Act the City of London (Various Powers) Act 1965 shall have effect subject to the following amendments:— Amendment of City of London (Various Powers) Act 1965.  
1965 c. xxxix.

In subsection (1) of section 13 (Prohibition of unauthorised street trading), at the end of the subsection there shall be inserted the words “or section 7 (Street trading in Middlesex Street market) of the City of London (Various Powers) Act 1987”;

In subsection (1) of section 17 (Fees on licences), for the words “ten shillings” there shall be substituted the words “five pounds”.

PART III  
—cont.

Saving for  
existing  
licensees and  
their  
nominees.  
1965 c. xxxix.  
1970 c. lxi.

Repeal of  
provisions  
as to  
registered  
street traders,  
etc.

24. Nothing in this Part shall prejudice or affect the rights of any person who holds a street trading licence granted under Part III of the City of London (Various Powers) Act 1965 or the nominee, specified in accordance with subsection (2) of section 16 (Street trading licences) of that Act or section 10 (Street trading in Middlesex Street) of the City of London (Various Powers) Act 1970, of any such person.

25.—(1) The provisions of Part III of the City of London (Various Powers) Act 1965 specified in Part I of the Schedule to this Act (provisions concerning registered street traders which are now spent) are hereby repealed.

(2) The provisions of the said Part III specified in Part II of the Schedule to this Act and the related enactments there specified (which include sections 23 and 24 of this Act) are hereby repealed as from such date as the Corporation may appoint.

(3) The Corporation shall not appoint a day under subsection (2) above earlier than the date of the death of the last person entitled to the grant of a licence pursuant to the said Part III (as having effect by virtue of section 10 of the City of London (Various Powers) Act 1970), and as soon as may be after appointing a day under that subsection the Corporation shall publish notice thereof in the London Gazette and in a newspaper circulating in the city.

Photographing,  
etc.

26.—(1) The Corporation may designate, in accordance with subsection (6) below, any of the following places, or any part of such places, in the city as places to which this section applies:—

- (a) a public off-street car park, garden or other park or open space under the management and control of the Corporation;
- (b) a street, parade or way to which the public commonly have access, whether or not as of right; and
- (c) any road or any unenclosed land adjacent to, and within 15 metres of, any road;

being in any case within, or within 45 metres of any part of, that part of Middlesex Street which lies within the city.

(2) Any person who in a place designated under subsection (1) above, without the written consent of the Corporation, or in breach of any condition subject to which the Corporation's consent is given, photographs, or purports to photograph, any person by way of trade or business shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(3) (a) In proceedings for an offence under subsection (2) above it shall be a defence for the person charged to prove that

he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

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— cont.

(b) If in any case the defence provided by paragraph (a) above involves the allegation that the commission of the offence was due to the act or default of another person, the person charged shall not, without leave of the court, be entitled to rely on that defence unless, within a period of 7 clear days before the hearing, he has served on the prosecutor a notice in writing giving such information as was then in his possession identifying, or assisting in the identification of, that other person.

(4) The conditions of consent referred to in subsection (2) above include conditions as to the times or period for which the consent is valid and the payment for the consent of such reasonable fee as the Corporation may by resolution prescribe to cover their expenses in dealing with applications for such consents.

(5) Subject to any conditions as to the period for which the consent is valid, any such consent may be revoked by notice to the person to whom the consent was given under this subsection.

(6) (a) A person aggrieved by—

- (i) the withholding by the Corporation of consent referred to in subsection (2) above;
- (ii) the refusal by the Corporation to renew such consent;
- (iii) the conditions subject to which the Corporation give such consent; or
- (iv) the revocation of such consent under subsection (4) above;

may appeal to a magistrates' court and section 11 (Appeals) and section 17 (Suspension of proceedings pending appeal) of this Act shall apply in respect of any such appeal as those sections apply in respect of appeals in respect of street trading licences.

(b) In its application to appeals under this section the said section 17 shall have effect as if the reference to a refusal to renew included the withholding by the Corporation of a consent under subsection (2) above and as if the reference to the variation of any prescription included the imposition of any condition subject to which the Corporation give such consent, whether on its grant or renewal.

(7) (a) Before designating any place as a place to which this section applies the Corporation shall give notice of their proposal by advertisement in a newspaper circulating in the city, and by posting it in the places to which it relates, stating that objections to the proposal may be made to the proper

PART III  
— cont.

officer of the Corporation within a time, not less than 28 days after the giving of the notice, specified in the notice.

(b) After taking into consideration any objections made in accordance with paragraph (a) above and after consulting the Commissioner of Police, the Corporation may by resolution designate as places to which this section applies all or any, or any part, of the places specified in the notice given under that paragraph.

(8) A resolution under subsection (7) (b) above shall come into force on such day as shall be specified by a notice given in the same manner as a notice given under subsection (7) (a) above, being a day not less than 28 days after the day on which the notice is given under this subsection.

(9) This section shall not prohibit—

(a) the doing of anything on land by the owner or occupier of the land, or by any person with the consent of the owner or occupier, or the doing of anything on land forming part of a highway by the owner or occupier of land fronting that part;

(b) the taking of a photograph for the purpose of making it available for publication in a newspaper or periodical if the photographer is employed as such by or on behalf of the owner or publisher of a newspaper or periodical, or carries on or is employed in a business which consists in, or includes, selling or supplying photographs for such publication.

(10) Byelaws made under subsection (g) of section 14 (Byelaws as to street trading) of this Act may include provision requiring the production of any consent given under this section.

## PART IV

## DRAINAGE AND SANITATION

Drainage  
byelaws.

27.—(1) The Corporation may make byelaws—

(a) for regulating the dimensions, form and mode of construction, and the maintenance, cleansing and repair in the city of pipes, drains and other means of communication with sewers (whether or not such sewers are in the city), and the traps and apparatus connected therewith, and for prescribing the levels at which such means of communication, traps and apparatus are to be laid;

(b) prohibiting any person from constructing, reconstructing or altering pipes, drains or other means



of communication with a sewer or the traps or apparatus connected therewith without first giving to the Corporation not less than 7 days' notice together with such plans, sections and particulars of the proposed work as may be necessary for the purpose of ascertaining whether it will comply with the requirements of the enactments mentioned in section 14(2) of the Water Act 1973, of the City of London Sewers Act 1848 and of any byelaws under this section.

PART IV  
—cont.

1973 c. 37.  
1848 c. clxiii.

(2) Byelaws made under subsection (1) above—

- (a) shall not require the deposit of plans or sections in the case of any repair which does not involve the alteration or entire reconstruction of any such means of communication as aforesaid or of the traps or apparatus connected with a sewer; and
- (b) in a case where the alteration of a drain must be carried out at once, shall not require the deposit of plans, sections and particulars of the proposed work before it is begun, but may require the deposit thereof within such period after the commencement of the work as may be specified in the byelaws.

(3) A person who contravenes any byelaw made under this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale and to a daily fine not exceeding one-tenth of level 3 on the standard scale.

28.—(1) The Corporation may make charges in respect of the submission to them of such plans, sections and particulars as may be required by any byelaw made under section 54 (Byelaws as to waterclosets etc.) of the City of London (Various Powers) Act 1900, section 6 (Bye-laws as to sanitary appliances etc.) of the City of London (Various Powers) Act 1926, or subsection (1) (b) of section 27 (Drainage byelaws) of this Act to be deposited.

Charges in respect of drainage works and sanitary accommodation.  
1900 c. ccxxviii.  
1926 c. vii.

(2) The charges authorised by this section shall be such charges as the Corporation shall from time to time determine to be appropriate, being such as to secure, so far as possible, that taking one year with another the aggregate amount raised by such charges is equivalent to the reasonable costs incurred by the Corporation in—

- (a) dealing with the submissions referred to in subsection (1) above; and
- (b) satisfying themselves that any works approved pursuant to any such submission are executed in accordance with the approval.

PART IV  
— cont.

(3) Not less than 56 days before determining any charges under this section, the Corporation 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:—

- (a) a statement that the Corporation 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.

(4) Any charge authorised by this section shall be payable when a submission is made and, subject to the provisions of subsection (5) below, the Corporation shall not be required to deal with a submission until they have received the appropriate charge.

(5) The Corporation may remit or abate the amount of any charge payable to them under this section.

Drainage and sanitation byelaws: increase of fines.  
1972 c. 70.

29.—(1) Byelaws made under the enactments to which this section applies may provide that persons contravening the byelaws shall (in place of the penalties specified in section 237 of the Local Government Act 1972) be liable on summary conviction to a fine not exceeding level 3 on the standard scale and, in the case of a continuing offence, a daily fine of one-tenth of level 3 on the standard scale.

1900 c. ccxxviii.  
1926 c. vii.

(2) The enactments to which this section applies are section 54 (Byelaws as to waterclosets etc.) of the City of London (Various Powers) Act 1900 and section 6 (Bye-laws as to sanitary appliances etc.) of the City of London (Various Powers) Act 1926.

## PART V

## MISCELLANEOUS AND GENERAL

Animal Quarantine Station, Heathrow: charges.  
1981 c. 22.

30. Byelaws made by the Corporation under subsection (4) of section 54 of the Animal Health Act 1981 (provision of accommodation for imported animals, etc.) in respect of the Animal Quarantine Station, Heathrow, shall not require the approval of the appropriate Minister as defined in section 86 (1) (b) of that Act:

Provided that the charges imposed by such byelaws shall be such as to secure, so far as possible, that taking one year with another the aggregate amount raised by such charges is equivalent to the reasonable costs incurred by the Corporation in operating the Animal Quarantine Station.

PART V  
— cont.

31. Section 12 (Penalties under market byelaws) of the City of London (Various Powers) Act 1971 shall have effect as if in subsection (1) thereof for the words “the words ‘twenty pounds’” there were substituted the words “, in the case of the first mentioned enactment, the words ‘level 3 on the standard scale’ and, in the case of the other enactments, the words ‘level 2 on the standard scale’”.

Market  
byelaws:  
increase of  
fines.  
1971 c. lxi.

32.—(1) As from the appointed day the husband of a married woman shall cease to be entitled to be entered in place of his wife on the register of commoners kept for the purposes of section 30 (Verderers of the Forest) of the Epping Forest Act 1878 and accordingly in paragraph 5 of the Fourth Schedule to that Act—

Amendment  
of Epping  
Forest Act  
1878.

1878 c. ccxiii.

- (a) the words “or a married woman,” shall be omitted; and
- (b) for the words “guardian, committee or husband” there shall be substituted the words “guardian or committee”.

(2) In this section “the appointed day” means 1st September 1991.

33. Section 6 (Declaration of city walkways) of the City of London (Various Powers) Act 1967 shall have effect as if—

Amendment  
of City of  
London -  
(Various  
Powers) Act  
1967.

1967 c. xlii.

- (a) after subsection (1) there were inserted the following subsection:—

“(1A) A resolution declaring a city walkway may specify such limitations and conditions, if any, affecting the public right of way and of access thereon as may be required to give effect to—

- (a) any reservations, limitations, or conditions specified in any such agreement as is referred to in paragraph (b) of subsection (1) of this section in pursuance of which the walkway is provided; or
- (b) any conditions attached to any such planning permission as is referred to in paragraph (c) of the said subsection (1) or in paragraph (b) of subsection (3) of this section in pursuance of which the land has been developed:

PART V  
—cont.

Provided that nothing in this subsection shall prejudice or affect any powers exercisable by the London Electricity Board in any city walkway, or part of a city walkway, to which section 19 (1) of this Act relates.”;

(b) after subsection (3) there were inserted the following subsection:—

“(3A) (a) Any covenant (whether positive or restrictive) contained in any such agreement as is referred to in paragraph (b) of subsection (1) of this section and entered into by a person having an interest in any land affected by the agreement shall be binding upon persons deriving title to the land under the covenantor to the same extent as it is binding upon the covenantor notwithstanding that it would not have been binding upon those persons apart from the provisions of this subsection, and shall be enforceable against those persons by the Corporation.

(b) Any such covenant as is referred to in paragraph (a) of this subsection is a local land charge.”.

Bank  
Underground  
Station.  
1892 c. ccxli.

34. The powers of the Corporation and the Commissioner of Police under paragraph (5) of section 28 (Provision as to central station at Mansion House) of the Central London Railway Act 1892 shall extend to all entrances to and subways connected with Bank Underground Station and accordingly in the said paragraph (5) the words “Except as regards any entrances facing the Royal Exchange” shall cease to have effect.

Amendment  
of City of  
London Ballot  
Act 1887.  
1887 c. xiii.

35. Section 2 (Poll when demanded to be taken by Ballot) of the City of London Ballot Act 1887 shall have effect as if the word “Chamberlains” were omitted.

Repeals.

36. The enactments specified in columns (1) and (2) of Parts III and IV of the Schedule to this Act are hereby repealed to the extent mentioned in column (3) of that schedule.

Costs of Act.

37. The costs, charges and expenses preliminary to, and of and incidental to, the preparing, obtaining and passing of this Act shall be paid by the Corporation out of the city’s cash and out of the general rate of the city in such proportions as the Corporation may deem just.

## SCHEDULE

Sections 25 and  
36.

## ENACTMENTS REPEALED

## PART I

## SECTION 25 (1) REPEALS

(1) Chapter	(2) Short title	(3) Extent of repeal
1965 c. xxxix.	City of London (Various Powers) Act 1965.	<p>In section 12, the definitions of "registered street trader" and "street traders' certificate".</p> <p>In section 13 (1), the words "or subsection (3)".</p> <p>Section 13 (3).</p> <p>Section 14.</p> <p>In section 18 (1), paragraph (a), and in the proviso, the word "cancellation".</p> <p>In section 20, the words "registered street traders and".</p> <p>In section 21 (1), the words "registered street traders and" and in section 21 (1) (g) the words "street traders' certificates or".</p> <p>In the proviso to section 22 (1), the words "against the decision of the Corporation to cancel a street traders' certificate, or" and the words "not to have been cancelled or".</p> <p>Section 21 (2).</p> <p>Section 22 (3).</p> <p>Section 28.</p>

SCH.  
—cont.PART II  
SECTION 25 (2) REPEALS

(1) Chapter	(2) Short title	(3) Extent of repeal
1911 c. lxxxiv.	City of London (Various Powers) Act 1911.	In section 24 (11), the words "section 13 (Prohibition of unauthorised street trading) of the City of London (Various Powers) Act 1965 or".
1965 c. xxxix.	City of London (Various Powers) Act 1965.	Part III, except the provisions specified in Part I of this schedule.
1970 c. lxix.	City of London (Various Powers) Act 1970.	Section 10.
1987 c. xv.	City of London (Various Powers) Act 1987.	Section 23. Section 24.

PART III  
REPEAL CONSEQUENTIAL ON SECTION 34

(1) Chapter	(2) Short title	(3) Extent of repeal
55 & 56 Vict. c. ccxli.	Central London Railway Act 1892.	In paragraph (5) of section 28, the words "Except as regards any entrances facing the Royal Exchange".

PART IV  
REPEAL CONSEQUENTIAL ON SECTION 35

(1) Chapter	(2) Short title	(3) Extent of repeal
50 & 51 Vict. c. xiii.	City of London Ballot Act 1887.	In section 2, the word "Chamberlains".

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# City of London (Various Powers) Act 1987

## CHAPTER xv

### ARRANGEMENT OF SECTIONS

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Section

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2. Interpretation.

#### PART II

##### BILLINGSGATE MARKET

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4. Billingsgate Market: leases.
5. Road traffic offences on market roads.

#### PART III

##### STREET TRADING

6. Interpretation of Part III.
7. Street trading in Middlesex Street market.

## Section

8. Street trading licences in Middlesex Street.
9. Prescriptions attached to street trading licences.
10. Fees for street trading licences.
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12. Charges to licensed street traders.
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15. Prohibition of unauthorised street trading.
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18. Evidence of street trading in proceedings.
19. Saving for newsvendors and itinerant traders.
20. Saving for general enactments.
21. Saving for sales in legal markets or fairs.
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23. Amendment of City of London (Various Powers) Act 1965.
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## DRAINAGE AND SANITATION

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## MISCELLANEOUS AND GENERAL

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31. Market byelaws: increase of fines.
32. Amendment of Epping Forest Act 1878.
33. Amendment of City of London (Various Powers) Act 1967.
34. Bank Underground Station.
35. Amendment of City of London Ballot Act 1887.
36. Repeals.
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SCHEDULE—Enactments repealed.