



# Greater London Authority Act 1999

## 1999 CHAPTER 29

### PART X

#### CULTURE, MEDIA AND SPORT

### CHAPTER II

#### TRAFALGAR SQUARE AND PARLIAMENT SQUARE

#### **383 Trafalgar Square.**

- (1) The functions of the Secretary of State under section 2 of the <sup>M1</sup>Trafalgar Square Act 1844 (care, control, management and regulation of the Square and its ornaments etc) are transferred by this subsection to the Authority.
- (2) In that section, the words from “by and out of such Monies” to “by Authority of Parliament” shall cease to have effect.
- (3) The functions transferred to the Authority by subsection (1) above shall be functions of the Authority which are exercisable by the Mayor acting on behalf of the Authority.

#### **Marginal Citations**

**M1** 1844 c. 60.

#### **384 Parliament Square.**

- (1) The land comprised in the site of the central garden of Parliament Square (which, at the passing of this Act, is vested in the Secretary of State for Culture, Media and Sport) is by this subsection transferred to and vested in Her Majesty as part of the hereditary possessions and revenues of Her Majesty.
- (2) Nothing in subsection (1) above affects—

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- (a) any sewers, cables, mains, pipes or other apparatus under that site, or
  - (b) any interest which was, immediately before the passing of this Act, vested in London Regional Transport or any of its subsidiaries.
- (3) The care, control, management and regulation of the central garden of Parliament Square shall be functions of the Authority.
- (4) It shall be the duty of the Authority well and sufficiently to light, cleanse, water, pave, repair and keep in good order and condition the central garden of Parliament Square.
- (5) The functions conferred or imposed on the Authority by this section are in addition to any other functions of the Authority.
- (6) In consequence of the preceding provisions of this section, any functions of the Secretary of State under or by virtue of section 22 of the <sup>M2</sup>Crown Lands Act 1851 (duties and powers of management in relation to the royal parks, gardens and possessions there mentioned), so far as relating to the whole or any part of the central garden of Parliament Square, shall determine.
- (7) Subsections (3) and (4) above shall have effect notwithstanding any law, statute, custom or usage to the contrary.
- (8) Any functions conferred or imposed on the Authority by virtue of this section shall be functions of the Authority which are exercisable by the Mayor acting on behalf of the Authority.
- (9) In this section “the central garden of Parliament Square” means the site in Parliament Square on which the Minister of Works was authorised by the <sup>M3</sup>Parliament Square (Improvement) Act 1949 to lay out the garden referred to in that Act as “the new central garden”.

#### Marginal Citations

- M2** 1851 c. 42.  
**M3** 1949 c. lvi.

### 385 Byelaws.

- (1) The Authority may make [<sup>F1</sup>and enforce] such byelaws to be observed by persons using Trafalgar Square or Parliament Square Garden as the Authority considers necessary for securing the proper management of those Squares and the preservation of order and the prevention of abuses there.
- (2) Byelaws under this section may designate specified provisions of the byelaws as trading byelaws.
- (3) A person who contravenes or fails to comply with any byelaw under this section shall be guilty of an offence and liable on summary conviction—
- (a) if the byelaw is a trading byelaw, to a fine not exceeding level 3 on the standard scale, or
  - (b) in any other case, to a fine not exceeding level 1 on the standard scale.
- (4) The provision that may be made in byelaws under this section includes provision for or in connection with—

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- (a) the licensing of any trading; and
  - (b) the seizure, retention or disposal of any property in connection with any contravention of or failure to comply with [<sup>F2</sup>any byelaw under this section].
- (5) The functions conferred or imposed on the Authority by this section are in addition to any other functions of the Authority.
- (6) Any functions conferred or imposed on the Authority by virtue of this section shall be functions of the Authority which are exercisable by the Mayor acting on behalf of the Authority.
- [<sup>F3</sup>(6A) Byelaws under this section may not be made as respects Parliament Square Garden for the purpose of prohibiting a particular activity so far as that activity is a prohibited activity for the purposes of Part 3 of the Police Reform and Social Responsibility Act 2011 (see section 143(2) of that Act).]
- (7) In this section—
- “Trafalgar Square” has the same meaning as in the <sup>M4</sup>Trafalgar Square Act 1844;
  - “Parliament Square Garden” means the central garden of Parliament Square, within the meaning of section 384 above.

#### Textual Amendments

- F1** Words in s. 385(1) inserted (20.11.2001) by [S.I. 2001/3719](#), art. 2, **Sch. para. 7**
- F2** Words in s. 385(4)(b) substituted (19.12.2011) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 150(3)**, 157(1); [S.I. 2011/2834](#), art. 2(j)
- F3** S. 385(6A) inserted (19.12.2011) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 149(1)**, 157(1) (with s. 149(3)); [S.I. 2011/2834](#), art. 2(i)

#### Marginal Citations

- M4** 1844 c. 60.

### 386 Guidance.

- (1) The Secretary of State may issue guidance to the Mayor concerning the exercise of any function under or by virtue of section 383(1), 384(3) or (4) or 385(1) above by him or any body or person authorised to exercise the function under section 380 above.
- (2) In deciding whether or how to exercise that function, the Mayor, or body or person, shall have regard to any guidance issued under subsection (1) above.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 334(2A)-(2E) substituted for s. 334(2)-(6) by [2023 c. 55 s. 95\(2\)](#)
- s. 334(9)-(11) inserted by [2023 c. 55 s. 95\(3\)](#)
- s. 337(1A) inserted by [2023 c. 55 s. 96\(1\)\(c\)](#)
- s. 337(2)(ca) inserted by [2023 c. 55 Sch. 6 para. 15](#)
- Sch. 23 para. 1(3A) inserted by [2023 c. 55 s. 244\(2\)](#)
- Sch. 23 para. 3A3B and cross-heading inserted by [2023 c. 55 s. 244\(3\)](#)
- Sch. 23 para. 4(2A)(2B) inserted by [2023 c. 55 s. 244\(4\)](#)
- Sch. 23 para. 4A and cross-heading inserted by [2023 c. 55 s. 244\(6\)](#)