## CHAPTER xxx

An Act to amend the Finsbury Square Act 1957 to make further provision with reference to the use of Finsbury Square and for other purposes. [9th July 1959.]

WHEREAS—

(1) By section 4 of the Finsbury Square Act 1957 (hereinafter referred to as " the Act of 1957 ") the mayor aldermen and councillors of the metropolitan borough of Finsbury (hereinafter referred to as " the Council ") were authorised to provide equip maintain and manage garaging and parking accommodation for vehicles beneath the surface of the garden enclosure in the metropolitan borough of Finsbury which is bounded on all sides by the roadway of Finsbury Square (in the Act of 1957 and hereinafter referred to as " the gardens ") with means of access thereto from the surface:

(2) The limited area upon which the Council are permitted by the said section 4 to erect or permit the erection of buildings (as therein defined) on or over the surface of the gardens has made it impracticable for the Council to give effect to the provisions of the Act of 1957 and it is expedient to amend the Act of 1957 as in this Act provided:

(3) It is expedient that the other provisions contained in this Act should be enacted:

(4) The purposes of this Act cannot be effected without the authority of Parliament:

(5) In relation to the promotion of the Bill for this Act the Council have complied with the requirements of sections 151 and 152 of the London Government Act 1939:

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 (that is to say):—

Short and collective titles.

**1.**—(1) This Act may be cited as the Finsbury Square Act 1959.

(2) The Finsbury Square Act 1957 and this Act may be cited together as the Finsbury Square Acts 1957 and 1959.

Interpretation.

**2.**—(1) In this Act unless the subject or context otherwise requires " the Act of 1957 " means the Finsbury Square Act 1957 and expressions to which meanings are assigned by section 2 (Interpretation) of the Act of 1957 have the same respective meanings.

(2) Any reference in this Act to any enactment shall be construed as a reference to that enactment as applied extended amended or varied by or by virtue of any subsequent enactment including this Act.

Amendment of Act of 1957.

**3.** Paragraph (*a*) of subsection (2) of section 4 (Provision of garaging and parking accommodation) of the Act of 1957 shall have effect as if for the words " one-eighth " there were substituted the words " one-sixth ".

Cesser of powers.

**4.**—(1) If—

(*a*) a scheme for laying out maintaining and developing the gardens has not been agreed or determined under subsection (1) of section 5 (Development of gardens) of the Act of 1957 by the first day of January nineteen hundred and sixty; or

(*b*) the Council or their lessees have not commenced to construct accommodation for garaging and parking of vehicles in pursuance of section 4 (Provision of garaging and parking accommodation) of the Act of 1957 before the first day of January nineteen hundred and sixty-one;

the Act of 1957 shall cease to have effect and thereupon the gardens shall be held by the Council for the purposes of the Open Spaces Act 1906 subject to and in accordance with the terms of the conveyance and to the provisions of the London Squares and Enclosures (Preservation) Act 1906 and the London Squares Preservation Act 1931.

(2) The Minister of Housing and Local Government may by order extend the periods referred to in subsection (1) of this section or either of them.

Costs of Act.

**5.** The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Council.

*Table of Statutes referred to in this Act*

| Short title | Session and chapter |
|---|---|
| Open Spaces Act 1906 ... ... ... | 6 Edw. 7 c. 25. |
| London Squares and Enclosures (Preservation) Act 1906 | 6 Edw. 7 c. clxxxvii. |
| London Squares Preservation Act 1931 ... | 21 & 22 Geo. 5 c. xciii. |
| London Government Act 1939 ... ... | 2 & 3 Geo. 6 c. 40. |
| Finsbury Square Act 1957 ... ... ... | 5 & 6 Eliz. 2 c. xl. |

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# Finsbury Square Act, 1959

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