STATUTORY INSTRUMENTS

# 1986 No.330

## LONDON GOVERNMENT

## The Woolwich Ferry Order 1986

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| *Made* - - - - | *26th February* 1986 |
| *Laid before Parliament* | *28th February* 1986 |
| *Coming into Operation* | *1st April* 1986 |

The Secretary of State for Transport, in exercise of the powers conferred by sections 100 and 101 of the Local Government Act 1985(**a**), and of all other enabling powers, hereby makes the following Order:—

**1.** This Order may be cited as the Woolwich Ferry Order 1986 and shall come into operation on 1st April 1986.

**2.** In this Order:—

"the Woolwich Ferry" means the ferry established, maintained, worked and regulated pursuant to section 14 of the 1885 Act;

"the 1885 Act" means the Metropolitan Board of Works (Various Powers) Act 1885(**b**).

**3.**—(1) For any reference in sections 14, 15, 16, 19, 20, 21 and 22, of the 1885 Act to the Greater London Council there shall be substituted a reference to the Secretary of State.

(2) In section 16 of the 1885 Act for the words "Minister of Transport may, on the application of the Greater London Council", there shall be substituted the words "Secretary of State may".

(3) For the reference in section 19 of the London County Council (Improvements) Act 1962(**c**) for the reference to the Greater London Council there shall be substituted a reference to the Secretary of State.

**4.**—(1) In section 23 of the 1885 Act for the words "The Greater London Council may subject to the provisions of this Act from time to time make alter repeal vary amend and enforce byelaws" there shall be substituted the words "The Secretary of State may, subject to the provisions of this Act, make orders" and for each other reference to the Greater London Council there shall be substituted a reference to the Secretary of State.

(2) Sections 236 to 238 of the Local Government Act 1972 shall apply in relation to orders made by virtue of paragraph (1) above with the modification that for the provisions specified in an item in column 2 of the Schedule to this Order there are substituted the provisions specified in that item in column 3.

(3) Any order made by virtue of paragraph (1) above may be varied or revoked by a subsequent order of the Secretary of State.

(**a**) 1985 c.51. (**b**) 1885 c.clxvii. (**c**) 1962 c.xlix.

**5.**—(1) Any byelaws made by virtue of any provision in the 1885 Act and relating to the Woolwich Ferry shall be deemed to be contained in an order made by the Secretary of State and shall have effect accordingly.

(2) The provisions in Part III of the London County Council (General Powers) Act 1894 in so far as those provisions are applicable to the Woolwich Ferry shall apply as if any reference therein to a byelaw were a reference to an order made by the Secretary of State.

**6.** Section 6 of the Highways Act 1980 shall apply in respect of the Woolwich Ferry in the same manner as it applies in respect of a trunk road, and section 328(1) of that Act shall not prevent the said section 6 being applied in respect of the Woolwich Ferry.

**7.** The Woolwich Ferry, and all property wholly or primarily used by the Greater London Council for the purpose of their functions in relation to the Woolwich Ferry, shall vest in the Secretary of State.

*Nicholas Ridley,*
Secretary of State for Transport.

26th February 1986.

SCHEDULE *see* article 4(2)

| 1<br>Item No | 2<br>Existing provisions | 3<br>Substituted provisions |
|---|---|---|
| 1 | Section 236<br>subsection (1) | (1) The following provisions of this section shall apply to orders made by the Secretary of State by virtue of the Woolwich Ferry Order 1986 (such orders being referred to in the following provisions of this section and in sections 237 and 238 of this Act as "orders"). |
| 2 | Subsection (2) | None |
| 3 | Subsection (3) | (3) Orders shall be made and signed by the Secretary of State or by a person duly authorised by him. |
| 4 | Subsection (4) | (4) At least one month before the dates on which an order is made notice of the intention to make the order shall be given in one or more local newspapers circulating in the London Boroughs of Greenwich and Newham |
| 5 | Subsection (5) | (5) For at least one month before the date on which an order is made a copy of the proposed order shall be deposited at such places as may be specified in that notice and shall at all reasonable hours be open to public inspection without payment. |
| 6 | In subsection (6) the word "byelaws" in both places where it occurs. | The word "orders" |
| 7 | Subsection (7) | None |
| 8 | In subsection (8) the word "byelaws" in both places where it occurs. | The word "orders" |
| 9 | Subsection (9) | (9) The Secretary of State shall send a copy of every order to the Chief Executive of the London Boroughs of Greenwich and Newham. That copy shall be deposited with the public documents of each of those Boroughs and shall at all reasonable hours be open to public inspection without payment. |
| 10 | Subsection (10) | None |
| 11 | Subsection (11) | None |
| | *Section 237* | |
| 12 | The word "byelaws" in each place where it occurs. | The word "orders" |
| | *Section 238* | |
| 13 | The whole section | 238. The production of a printed copy of an order purporting to be made by the Secretary of State on which there is endorsed a certificate purporting to be |

SCHEDULE *(contd.)* *see* article 4(2)

| 1<br>Item No | 2<br>Existing provisions | 3<br>Substituted provisions |
|---|---|---|
| | | signed by the Secretary of State or a person duly authorised by him stating that—<br>*(a)* the order was made by the Secretary of State; and<br>*(b)* the copy is a true copy of the order<br>shall be prima facie evidence of the facts stated in the certificate and without proof of the handwriting or official position of the person purporting to sign the certificate. |

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

1. The Woolwich Ferry was established by virtue of provisions in the Metropolitan Board of Works (Various Powers) Act 1885 and has since been carried on under those provisions as from time to time amended, and since 1965 by the Greater London Council.

2. Pursuant to the Local Government Act 1985 the Woolwich Ferry will be carried on by the Secretary of State, and in practice this will be the Secretary of State for Transport. This Order provides accordingly.

3. Article 3 amends relevant Acts. Article 4 and the Schedule provide for orders by the Secretary of State to replace byelaws by the Greater London Council. Article 5 contains a saving provision for existing byelaws. Article 6 applies in respect of the Woolwich Ferry provisions relating to agency agreements in respect of trunk roads. By virtue of Article 7 the Woolwich Ferry and all property held by the Greater London Council for the purposes of their functions in relation to the Woolwich Ferry are vested in the Secretary of State.

Printed for Her Majesty's Stationery Office by Albert Gait Ltd. Dd. 0717976

850/G 5601/7998 WO D97 C10 2/86

80p net

ISBN 0 11 066330 6