

# Local Government Act 1966

## CHAPTER 42

### ARRANGEMENT OF SECTIONS

#### PART I

#### GRANTS

##### *Rate support grants for local authorities*

Section

1. Rate support grants.
2. Rate support grant orders.
3. Variation of orders etc.
4. Reduction of grants in case of default.
5. Supplemental.
6. Reduction of rates on dwellings by reference to the domestic element.

##### *Specific grants*

7. Grants for development and redevelopment.
8. Grants for public open spaces.
9. Grants for reclamation of derelict land.
10. Grants to port and airport health authorities.
11. Grants for certain expenditure due to immigrant population.

##### *Discontinuance or reduction of certain existing grants*

12. Discontinuance of general grants and rate-deficiency grants.
13. Calculation of road-mileage etc. for grant purposes.
14. Discontinuance of grants for school meals etc.
15. Reduction of grants under 1964 c. 18 s. 1 for 1967-68.

#### PART II

#### RATES

##### *Valuation for rating*

16. Postponement of revaluation.
17. Valuation according to tone of list.
18. Application of s. 17 to proposals since 2nd December 1965.
19. Settlement of proposals for altering valuation lists.

*Rating of unoccupied property*

Section

20. Application of ss. 21 and 22.
21. Liability to be rated in respect of certain unoccupied property.
22. Supplementary provisions, exemptions and reliefs.

*Miscellaneous*

23. Rating of certain office premises of nationalised boards &c.
24. Power to alter distribution of certain payments made by nationalised boards in lieu or by way of rates.
25. Calculation of rate products.
26. 'Dwelling-house' to include certain premises used in part otherwise than as private dwelling.

## PART III

## HIGHWAYS

*Grants towards construction and improvement of roads*

27. Highway grants and classifications.

*Lighting of highways*

28. Provision of lighting by highway authorities.
29. Powers of existing lighting authorities.
30. Delegation of lighting functions of highway authority.
31. Transfer of road lighting systems.
32. Special provisions as to footway lighting systems.

*Seconding of staff etc.*

33. Placing of staff etc. of councils at disposal of Minister.

*Supplemental*

34. Construction and commencement of Part III.

## PART IV

## MISCELLANEOUS AND GENERAL

35. Amendment of certain enactments relating to licences.
36. Further provisions as to dog licences.
37. Payments by local authorities to offset effect of selective employment tax.
38. Amendments preparatory to consolidation.
39. Application of Act to Isles of Scilly.
40. Orders, regulations and rules.
41. Interpretation.
42. Expenses.
43. Consequential amendments and repeals.
44. Short title and extent.

**SCHEDULES:**

Schedule 1—Rate support grants.

Part I—The needs element.

Part II—The resources element.

Part III—The domestic element.

Schedule 2—Rating of unoccupied property.

Schedule 3—Licences etc.

Part I—Enactments ceasing to have effect.

Part II—Variation of fees for licences, registration etc.

Schedule 4—Minor amendments of enactments relating to rating and valuation preparatory to consolidation.

Schedule 5—Consequential amendments.

Schedule 6—Enactments repealed.

## ELIZABETH II



## 1966 CHAPTER 42

An Act to make further provision, in relation to England and Wales, with respect to the payment of grants to local authorities, rating and valuation, the classification and lighting of highways and the powers of local authorities to place staff and facilities at the disposal of Ministers concerned with highways and to make payments offsetting the effect of the selective employment tax; to repeal or amend certain enactments relating to local licences and registrations; and for purposes connected with the matters aforesaid.

[13th December 1966]

**B**E 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

## GRANTS

*Rate support grants for local authorities*

1.—(1) Subject to the provisions of this Part of this Act, the Minister shall, for the year 1967-68 and each subsequent year, make grants to local authorities in England and Wales in accordance with this section; and any grants made in pursuance of this subsection shall be known as “rate support grants”.

(2) For the purpose of fixing the aggregate amount of the rate support grants for any year the Minister shall determine—

- (a) the aggregate amount which is to be available for the payment out of moneys provided by Parliament of grants (other than housing subsidies) to local authorities in respect of their relevant expenditure for that year; and

## PART I

1964 c. 18.  
1966 c. 9.

- (b) the portion of that amount which the Minister estimates will be allocated to grants in respect of specific services and grants under the Rating (Interim Relief) Act 1964 and the Rating Act 1966 ;

and the amount remaining after deducting that portion from the aggregate amount aforesaid shall, subject to section 3 of this Act, be the aggregate amount of the rate support grants for that year.

(3) Before determining the amount and the portion mentioned in paragraphs (a) and (b) of subsection (2) of this section the Minister shall consult with such associations of local authorities as appear to him to be concerned and with any local authority with whom consultation appears to him to be desirable, and shall take into consideration—

- (a) the current level of prices, costs and remuneration, any future variation in that level which can be foreseen and the latest information available to him as to the rate of relevant expenditure ;
- (b) any probable fluctuation in the demand for services giving rise to relevant expenditure so far as the fluctuation is attributable to circumstances prevailing in England and Wales as a whole which are not under the control of local authorities ; and
- (c) the need for developing those services and the extent to which, having regard to general economic conditions, it is reasonable to develop those services ;

and for the purpose of determining the said amount and portion the Minister may make such adjustments in respect of relevant expenditure and grants as appear to him to be required to offset the effects on those factors of the constitution or alteration after the passing of this Act of any joint board.

(4) The aggregate amount of the rate support grants for any year shall be divided by the Minister into three parts (to be known respectively as “ the needs element ”, “ the resources element ” and “ the domestic element ”) which shall be of such amounts respectively as may be prescribed ; and the provisions of Schedule 1 to this Act shall, subject to sections 3 and 4 of this Act, have effect with respect to the determination of the amounts payable to any local authority in respect of those elements for any year and with respect to the other matters there mentioned.

(5) Payments in respect of elements of rate support grant shall be made to any local authority at such times as the Minister may with the consent of the Treasury determine and shall be made in aid of the revenues of the authority generally ; but no payment in respect of the needs element shall be made to the

council of a county district and no payment in respect of the domestic element shall be made to a county council or the Greater London Council.

(6) In this section "housing subsidies" means such grants to local authorities out of moneys provided by Parliament for the provision of housing accommodation as may be determined by the Minister to be housing subsidies for the purposes of this section.

(7) In this section "relevant expenditure", in relation to any year, means the expenditure for that year falling to be defrayed out of the rate fund of a local authority (excluding sums falling to be paid to another local authority by virtue of a precept or other instrument) reduced by—

- (a) the amount of any payment falling to be made for that year into the housing revenue account or a trading account of the authority; and
- (b) the amount of any payments of such descriptions as the Minister may determine which fall to be made for that year into that fund;

and for the purposes of this subsection "rate fund" in relation to any local authority except the Greater London Council, the Common Council and the Council of the Isles of Scilly means the county fund or general rate fund, and in relation to the said excepted Councils means the general fund or general rate, as the case may be, and "trading account" means any account of a kind determined by the Minister to be a trading account for the purposes of this subsection.

2.—(1) The aggregate amount of the rate support grants fixed in accordance with subsection (2) of section 1 of this Act for any year and the matters which under that section or Schedule 1 to this Act are to be prescribed shall be fixed and prescribed by an order (hereafter in this Act referred to as a "rate support grant order") made by the Minister with the consent of the Treasury and after consultation with such associations of local authorities as appear to the Minister to be concerned and with any local authority with whom consultation appears to him to be desirable.

(2) Any rate support grant order shall be laid before the Commons House of Parliament together with a report of the considerations leading to the provisions of the order, including the considerations leading to the determination of the amount and the portion mentioned in paragraphs (a) and (b) of subsection (2) of section 1 of this Act, and shall not have effect until approved by a resolution of that House.

(3) Rate support grant orders shall be made in advance for successive periods of not less than two years; and a rate support

## PART I

grant order may, as respects any matter to be fixed or prescribed by the order, make different provision for different years.

## Variation of orders etc.

3.—(1) If it appears to the Minister that, after the time when the amount mentioned in paragraph (a) of subsection (2) of section 1 of this Act was determined for any year, an unforeseen increase has taken place in the level of prices, costs and remuneration and that the effect of the increase on the relevant expenditure of local authorities for that year is substantial, he may at any time redetermine for that year the amount mentioned in that paragraph and the portion mentioned in paragraph (b) of that subsection and, by an order made in the like manner and subject to the like provisions as a rate support grant order, increase the amounts fixed by the relevant rate support grant order as the aggregate amounts of the rate support grants and any elements of the grants for that year.

(2) The provisions of subsection (3) of section 1 and subsection (2) of section 2 of this Act relating to consultation and to a report of the considerations leading to a determination under the said section 1 shall apply to a redetermination under this section as they apply to a determination under that section.

(3) In deciding whether to exercise his power under subsection (1) of this section and in redetermining in the exercise of that power the amount and the portion there mentioned, the Minister shall have regard only to the extent by which the said amount and portion are insufficient by reason of the unforeseen increase aforesaid.

(4) An order made under subsection (1) of this section with respect to any year may, as respects that year, vary the matters prescribed by the relevant rate support grant order.

(5) In this section “relevant expenditure” has the same meaning as in section 1 of this Act.

## Reduction of grants in case of default.

4.—(1) If in the case of any local authority or joint board the appropriate Minister—

- (a) is satisfied that the authority or board have failed to achieve or maintain a reasonable standard in the discharge of any of their functions, regard being had to the standards maintained by other authorities and boards; and
- (b) is of opinion that by reason of the failure a reduction should be made in the amount of any elements of rate support grant payable to the local authority or a constituent authority of the joint board,

he may, after affording to the local or constituent authority in question an opportunity of making representations, make and

cause to be laid before Parliament a report stating the amount of and the reasons for the proposed reduction and setting out any representations made by the authority with respect to the proposed reduction ; and if the report is approved by a resolution of the Commons House of Parliament the Minister may reduce the elements of the grant accordingly.

(2) The appropriate Minister may make regulations for prescribing standards and general requirements in relation to any function of a local authority ; and in determining for the purposes of subsection (1) of this section whether there has been such a failure as is there mentioned, regard shall be had to any such regulations and any other standards or requirements imposed by or under any enactment.

(3) Any regulations in force immediately before the passing of this Act under subsection (4) of section 3 of the Local Government Act 1958 (which authorises the making of regulations, in connection with general grants, for purposes similar to those mentioned in subsection (2) of this section) shall, without prejudice to their operation for the purposes of that Act, have effect for the purposes of this section as if made under subsection (2) of this section.

(4) Subsection (1) of section 99 of the Education Act 1944 (which makes provision for dealing with failures by local education authorities and certain other bodies to perform duties imposed on them by that Act) shall apply to any failure to discharge a duty imposed by regulations under subsection (2) of this section as it applies to a failure to discharge a duty imposed by that Act.

5.—(1) The Minister may make regulations for carrying the foregoing provisions of this Act into effect and, without prejudice to the generality of this provision,—

(a) for determining the manner in which any calculation or estimate is to be made for any of the purposes of those provisions and, in particular, for determining—

(i) the manner in which and the time as at which road-mileages, population, the numbers of persons of any description and the numbers of education units for any area are to be ascertained,

(ii) the descriptions of roads which are to be taken into account in calculating road-mileages,

(iii) the authority or person by or to whom any information required for the said purposes is to be given and the time at which and the form in which it is to be given,

(iv) the adjustments to be made for any abnormal treatment of income or expenditure in accounts ;



## PART I

- (b) for providing that the calculations or estimates by reference to which any payments are made may be treated as either conclusive or provisional or conclusive for some purposes and provisional for other purposes and, in so far as they are treated as provisional, for the making of further calculations or estimates based on information not previously available and for adjusting, in the light thereof, any payment already made ;
- (c) for modifying the operation of the foregoing provisions of this Act in relation to any authority if and in so far as any modification is required in relation to that authority in consequence of any alterations or combinations of authorities or alterations of boundaries ;

and regulations under this subsection may make different provision for different circumstances.

(2) The Minister may by regulations make provision for amounts payable under any enactment or instrument to be disregarded for any of the purposes of the foregoing provisions of this Act specified by the regulations ; and regulations under this subsection may make such alterations in any enactment or instrument as the Minister considers appropriate in consequence of any such provision made by the regulations.

(3) The Minister may by regulations amend any of the following enactments and instruments, that is to say—

(a) paragraph 2(3) of Schedule 1 to the Housing Act 1961 and sections 87 and 121 of the Water Resources Act 1963 ;

(b) any other enactment (including a local Act) and any scheme, order or other instrument in which reference is made, in whatever terms, to the standard penny rate product for an area as ascertained for the purposes of section 5 of the Local Government Act 1958,

in such manner as appears to him to be appropriate for preserving the original effect of that enactment or instrument in relation to the foregoing provisions of this Act or section 6 of the Rating (Interim Relief) Act 1964 or section 10 of the Rating Act 1966.

(4) References in this section to the foregoing provisions of this Act include references to Schedule 1 to this Act.

**6.**—(1) Every rating authority shall reduce the amount which, apart from this subsection, would be the amount of the general rate levied by the authority for any year on any dwelling-house or mixed hereditament in their area by the following amount in the pound, that is to say—

(a) in the case of a dwelling-house, the amount prescribed for that year in pursuance of paragraph 1 of Part III of Schedule 1 to this Act ; and

1961 c. 65.  
1963 c. 38.

1958 c. 55.

1964 c. 18.  
1966 c. 9.

Reduction of rates on dwellings by reference to the domestic element.

(b) in the case of a mixed hereditament, one-half (disregarding any halfpenny) of the amount so prescribed.

(2) Where the period for which the said rate is made is less than a year, the amount in the pound of the reduction to be made under subsection (1) of this section shall be such as the rating authority may determine ; but the authority shall so exercise their power under this subsection as to secure that the aggregate of the amounts determined in pursuance of this subsection for any year in respect of dwelling-houses and mixed hereditaments respectively is equal to the amount mentioned in paragraph (a) or, as the case may be, paragraph (b) of subsection (1) of this section.

(3) Where a hereditament is a dwelling-house or a mixed hereditament during part only of a rate period, the reduction to be made in pursuance of the foregoing provisions of this section shall be made for that part of the period only.

(4) The Minister may by regulations provide that the foregoing provisions of this section and Part III of Schedule 1 to this Act shall have effect, in their application to the City of London, subject to such modifications as the Minister considers appropriate for securing that reductions under those provisions are apportioned between the general rate and the poor rate, for securing that payments in respect of the domestic element are treated as the proceeds of those rates in such proportions as may be determined in pursuance of the regulations and for making such supplementary provision in relation to the City as the Minister considers expedient.

(5) In this section—

“ general rate ”, in relation to the Inner and Middle Temples, means any rate in the nature of a general rate ; and

“ mixed hereditament ” means a hereditament which is not a dwelling-house but in the case of which it appears to the rating authority or is determined in pursuance of subsection (6) of this section that the proportion of the rateable value of the hereditament attributable to the part of the hereditament used for the purposes of a private dwelling or private dwellings is greater than the proportion thereof attributable to the part used for other purposes (any part of the hereditament used for the letting of rooms singly for residential purposes, whether by way of a tenancy or licence and either with or without board or other services or facilities, or used as sites for movable dwellings within the meaning of

PART I  
1936 c. 49.

section 269 of the Public Health Act 1936 being treated as used for purposes other than those of a private dwelling or private dwellings).

(6) The Minister may by regulations provide for the determination as respects any hereditament of any question as to the proportions mentioned in subsection (5) of this section in any case where the occupier or the person treated for the purposes of the regulations as the occupier of the hereditament is dissatisfied by the refusal of the rating authority to treat the hereditament as a mixed hereditament for the purposes of this section or the occupier, the person aforesaid or the rating authority considers that by reason of a change of circumstances a previous determination made in respect of the hereditament by virtue of this subsection should cease to have effect; and without prejudice to the generality of the power to make regulations conferred by the foregoing provisions of this subsection, the regulations may include provision—

1948 c. 26.

- (a) applying for the purposes of a determination any of the provisions of Part III of the Local Government Act 1948, with such modifications, if any, as may be specified by the regulations;
- (b) for a determination to have effect with respect to such period, whether or not beginning before the time when an application for the determination was made, as may be provided by or under the regulations.

#### *Specific grants*

Grants for  
development  
and re-  
development.

7.—(1) The Minister may, with the consent of the Treasury and after consultation with such associations of local authorities as appear to the Minister to be concerned and with any local authority with whom consultation appears to him to be desirable, make regulations providing for the payment to local authorities, for the year 1967-68 and subsequent years, of grants of such amounts, and payable over such periods and subject to such conditions, as may be determined by or under the regulations in respect of expenditure incurred by those authorities (whether before or after the passing of this Act) in or in connection with the acquisition of land approved for the purposes of the regulations, being land required for or in connection with—

- (a) the development or redevelopment as a whole of any area (whether or not defined in a development plan as an area of comprehensive development); or
- (b) the relocation of population or industry, or the replacement of open space, in the course or in consequence of such development or redevelopment,

or in respect of expenditure so incurred in or in connection with the clearing or preliminary development of such land.

PART I

(2) For the purposes of regulations under this section land appropriated by a local authority (whether before or after the passing of this Act) for use for purposes described in subsection (1) of this section may be treated as acquired by that authority for those purposes at a cost of such amount, and defrayed in such manner, as may be determined by or under the regulations.

(3) Provision may be made by regulations under this section—

- (a) for the inclusion, in the expenditure incurred by local authorities in the acquisition of land approved for the purposes of the regulations, of any sums or part of sums paid by those authorities in connection with any restriction imposed on the development or use of the land by or under any enactment (whether by way of compensation or by way of contribution towards damage or expense incurred in consequence of the restriction);
- (b) for the calculation of grants payable under the regulations by reference to the amount of the annual costs incurred or treated as being incurred by local authorities in respect of the borrowing of money to defray the expenditure in respect of which the grants are made, or by reference to the excess of such annual costs over receipts of those authorities which are attributable to such expenditure, or over the annual value of such receipts, or by reference to such other considerations as may be prescribed by the regulations;
- (c) for the payment of capital sums in substitution for any periodical grants payable under the regulations in respect of such annual costs;

and for the purposes of this section “clearing” and “preliminary development” mean the carrying out of such works as may be prescribed by or determined under the regulations.

(4) Any grants to be paid or approval given under or for the purposes of regulations under this section shall be paid or given—

- (a) in the case of local authorities in England excluding Monmouthshire, by the Minister;
- (b) in the case of local authorities in Wales or Monmouthshire, by the Secretary of State.

(5) In this section “enactment” and “local authority” have the meanings assigned by subsection (1) of section 221 of the Town and Country Planning Act 1962; and references in this 1962 c. 38.

## PART I

section to the relocation of population or industry and the replacement of open space shall be construed in accordance with that subsection, but as if for references in the definitions of those expressions to an area of extensive war damage or an area of bad lay-out or obsolete development there were substituted references to any area.

1962 c. 38.

(6) Section 184 of the Town and Country Planning Act 1962 shall cease to have effect, but without prejudice to the operation of regulations made thereunder with respect to the payment of grants for any period before the commencement of this section; and sections 185 and 186 of that Act (maximum amount of grants and supplementary provisions as to grants) shall apply to this section, and regulations thereunder, as they applied to the said section 184 and regulations under that section, and as if references to the Minister in the said section 186 included references to the Secretary of State.

Grants for  
public open  
spaces.

**8.**—(1) Subject to the provisions of this section the Minister may, with the consent of the Treasury, pay to local authorities for the year 1967-68 and subsequent years grants of such amounts and payable at such times and subject to such conditions as he may from time to time determine, either generally or in the case of any particular authority, in respect of expenditure incurred by those authorities on and after 1st April 1967 in or in connection with the acquisition for use as a public open space of land approved by the Minister for the purposes of this section.

(2) Grants under this section may be made either as periodical grants in respect of the costs from time to time incurred or treated as incurred by a local authority in respect of the borrowing of money to defray expenditure qualifying for such grants, or as capital grants in respect of such expenditure or in substitution for such periodical grants.

(3) The amount of the grant which may be paid to a local authority under this section in respect of any expenditure shall not exceed one-half of the amount of that expenditure, or of the costs incurred or treated as incurred as aforesaid on account of that expenditure, as approved by the Minister for the purposes of this section.

(4) For the purposes of this section any land appropriated by a local authority for use as a public open space may be treated as acquired by that authority for that purpose at a cost of such amount, and defrayed in such manner, as the Minister may determine.

(5) In this section “the Minister” in relation to local authorities in Wales and Monmouthshire means the Secretary of State; and “local authority” means a local authority within the meaning of the Town and Country Planning Act 1962.

9.—(1) Subject to the provisions of this section the Minister may, with the consent of the Treasury, pay to local authorities for the year 1967-68 and subsequent years grants of such amounts and payable at such times and subject to such conditions as he may from time to time determine, either generally or in the case of any particular authority, in respect of expenditure incurred by those authorities in or in connection with the acquisition at any time of land approved by the Minister for the purposes of this section, being—

PART I  
Grants for reclamation of derelict land.

(a) derelict, neglected or unsightly land requiring reclamation or improvement ; or

(b) land required for purposes connected with the reclamation or improvement of such land as aforesaid,

or in or in connection with the carrying out on or after 1st April 1967 of works approved as aforesaid for the reclamation or improvement of any such land.

(2) Grants under this section may be made either as periodical grants in respect of the costs from time to time incurred or treated as incurred by a local authority in respect of the borrowing of money to defray expenditure qualifying for such grants, or as capital grants in respect of such expenditure or in substitution for such periodical grants.

(3) The amount of the grant which may be paid to a local authority under this section in respect of any land shall not exceed one-half of the expenditure incurred in acquiring the land and in carrying out any works for its reclamation or improvement, as approved by the Minister for the purposes of this section, reduced, unless the Minister otherwise determines, by the value of the land after carrying out those works, or one-half of the costs incurred or treated as incurred as aforesaid on account of that expenditure as so reduced.

(4) In this section “ the Minister ” in relation to local authorities in Wales and Monmouthshire means the Secretary of State ; and “ local authority ” means a local authority within the meaning of the Town and Country Planning Act 1962.

1962 c. 38.

10.—(1) Subject to the provisions of this section the Minister of Health may pay to port health authorities grants of such amounts, and payable at such times and subject to such conditions, as he may with the consent of the Treasury determine in respect of expenditure on revenue account incurred by those authorities on and after 1st April 1967—

Grants to port and airport health authorities.

(a) in the payment of salaries to their medical officer of health and public health inspectors ;

PART I  
1936 c. 49.  
1949 c. 55.

(b) in the exercise of functions conferred or imposed on them by or under section 143 of the Public Health Act 1936 or the Prevention of Damage by Pests Act 1949 ;

1955 c. 16.  
(4 & 5 Eliz. 2.)

(c) in the exercise in relation to imported food of functions conferred or imposed on them by or under the Food and Drugs Act 1955.

(2) Subject to the provisions of this section the Minister of Health may pay to the councils of county districts grants of such amounts, and payable at such times and subject to such conditions, as he may with the consent of the Treasury determine in respect of expenditure on revenue account incurred by those councils on or after 1st April 1967 in the exercise of functions conferred on them by or under section 143 of the Public Health Act 1936 in relation to the prevention of danger to public health from aircraft arriving at or leaving any place.

(3) The amount of the grant payable under this section in respect of any expenditure shall not exceed one half of that expenditure ; and no grant shall be paid under subsection (2) of this section in respect of expenditure incurred in the exercise of functions in relation to aircraft arriving at or leaving an airport vested in or under the control of the Board of Trade or an aerodrome owned or managed by the British Airports Authority.

(4) No payment shall be made by the councils of counties and county boroughs under Schedule 1 to the Public Health Act 1936 on account of salaries of medical officers of health or public health inspectors accruing on or after 1st April 1967.

Grants for  
certain  
expenditure  
due to  
immigrant  
population.

11.—(1) Subject to the provisions of this section the Secretary of State may pay, to local authorities who in his opinion are required to make special provision in the exercise of any of their functions in consequence of the presence within their areas of substantial numbers of immigrants from the Commonwealth whose language or customs differ from those of the community, grants of such amounts as he may with the consent of the Treasury determine on account of expenditure of such descriptions (being expenditure in respect of the employment of staff) as he may so determine.

(2) No grant shall be paid under this section in respect of expenditure incurred before 1st April 1967.

*Discontinuance or reduction of certain existing grants*

Discontinuance  
of general  
grants and  
rate-deficiency  
grants.

1958 c. 55.  
1948 c. 26.

12. General grants under Part I of the Local Government Act 1958 and rate-deficiency grants under Part I of the Local Government Act 1948 shall not be payable for the year 1967-68 and subsequent years.

13. The Local Government Act 1958 shall have effect and be deemed always to have had effect as if it provided that the road-mileage and population of a county shall, for the purposes of subsection (4) of section 5 of that Act and paragraph 6 of Part III of Schedule 1 to that Act (which relate to the calculation of rate-deficiency grants and general grants respectively), be taken to be—

PART I  
Calculation of road-mileage etc. for grant purposes.  
1958 c. 55.

- (a) in the case of the road-mileage, the total mileage, as estimated for the year 1958-59 by the Minister of Transport, of the highways in the county repairable by the inhabitants at large; and
- (b) in the case of the population, the population of the county on 30th June 1958 as estimated by the Registrar General.

14. Grants under paragraph (a)(i) and (ii) of subsection (1) of section 100 of the Education Act 1944 (which relate to the provision of milk and meals) shall not be payable for the year 1967-68 or any subsequent year.

Discontinuance of grants for school meals etc.  
1944 c. 31.

15. Section 1 of the Rating (Interim Relief) Act 1964 (which provides that where the number of persons over the age of sixty-five included in the population of a rating authority's area exceeds one-tenth of the population in a year not later than 1967-68, a grant for the year shall be paid to the authority at the rate of five pounds per head of the excess) shall have effect in relation to the year 1967-68 as if for the words "one-tenth" there were substituted the words "one-fifth".

Reduction of grants under 1964 c. 18 s.1 for 1967-68.

## PART II

### RATES

#### *Valuation for rating*

16. In section 34 of the Local Government Act 1948 (which, as amended by the Rating and Valuation Act 1959, requires new valuation lists to be made so as to come into force on 1st April in the year 1963 and each fifth subsequent year) after the words "the year nineteen hundred and sixty-three" there shall be inserted the words "the year nineteen hundred and seventy-three"; and the period for which the valuation lists in force at the passing of this Act are to remain in force shall be extended accordingly.

Postponement of revaluation.  
1948 c. 26.  
1959 c. 36.

17.—(1) For the purposes of any alteration of a valuation list to be made in respect of a hereditament in pursuance of a proposal served on or made by the valuation officer after the

Valuation according to tone of list.



## PART II

passing of this Act, the value or altered value to be ascribed to the hereditament shall not exceed the value which would have been ascribed thereto in that list if the hereditament had been subsisting throughout the year before that in which the valuation list came into force, on the assumptions that at the time by reference to which that value would have been ascertained—

(a) the hereditament was in the same state as at the time of valuation and any relevant factors (as defined by subsection (2) of this section) were those subsisting at the last-mentioned time; and

(b) the locality in which the hereditament is situated was in the same state, so far as concerns the other premises situated in that locality and the occupation and use of those premises, the transport services and other facilities available in the locality, and other matters affecting the amenities of the locality, as at the time of valuation.

(2) In this section—

“relevant factors” means any of the following, so far as material to the valuation of a hereditament, namely, the mode or category of occupation of the hereditament, the quantity of minerals or other substances in or extracted from the hereditament or, in the case of a public house, the volume of trade or business carried on at the hereditament; and

“public house” means a hereditament being or comprising premises licensed for the sale of intoxicating liquor for consumption on the premises where the sale of such liquor is, or is apart from any other trade or business ancillary or incidental to it, the only trade or business carried on at the hereditament.

(3) References in this section to the time of valuation are references to the time by reference to which the valuation of a hereditament would have fallen to be ascertained if this section had not been enacted.

(4) This section does not apply to a hereditament which is occupied by a public utility undertaking and of which the value falls to be ascertained by reference to the profits of the undertaking carried on therein.

Application of s. 17 to proposals since 2nd December 1965.

**18.**—(1) Where a proposal for the alteration of a valuation list in respect of any hereditament has been served on or made by the valuation officer after 2nd December 1965 and before the passing of this Act, and has not been settled before the passing of this Act, section 17 of this Act shall apply to the proposal as it applies to a proposal served or made after the passing of this Act.

(2) Where any such proposal has been served or made as aforesaid after the said date and has been settled before the passing of this Act, then if—

- (a) a further proposal for the alteration of the valuation list in respect of the hereditament is served or made before the end of March 1967 ; and
- (b) that further proposal is expressed to be made on the ground only that the value or altered value determined pursuant to the original proposal exceeds that which would have been so determined if section 17 of this Act had applied to it,

the said section 17 shall apply to the further proposal as if for references to the time of valuation there were substituted references to the time of valuation for the purposes of the original proposal ; and any alteration made in the valuation list in respect of the hereditament in pursuance of the further proposal shall have effect for the purposes of the enactments relating to rating and valuation as if the further proposal had been served or made immediately after the original proposal.

(3) Where a further proposal for the alteration of the valuation list in respect of a hereditament has been served on the valuation officer by any other person within the time specified in paragraph (a) of subsection (2) of this section, not being a proposal expressed to be made on the ground specified in paragraph (b) of that subsection, that person may, either before or within one month after the further proposal has been settled, give notice in writing to the valuation officer of his intention to make a further proposal in respect of the hereditament on that ground ; and where such notice is given, any such further proposal made by that person which—

- (a) is expressed to be made on that ground only ; and
- (b) is served within one month after the service of the notice,

shall be treated for the purposes of the said subsection (2) as if it had been served within the time specified in paragraph (a) of that subsection.

19. For the purposes of this Act and of any other Act, whether passed before or after this Act, a proposal to alter a valuation list shall be taken to be settled when an alteration is made in the list so as to give effect to the proposal or to an agreement made in consequence of the proposal, or when proceedings on an appeal against, or a reference to arbitration relating to, an objection to the proposal (including any proceedings consequent on such an appeal or reference) are finally determined, or when the proposal is withdrawn, whichever first occurs.

Settlement of proposals for altering valuation lists.

## PART II

*Rating of unoccupied property*

Application of  
ss. 21 and 22.

**20.**—(1) The provisions of the next two following sections shall come into operation or cease to be in operation in the area of a rating authority if the authority resolve that those provisions shall apply or cease to apply to their area, and shall come into operation or cease to be in operation in that area on such day as may be specified in the resolution.

(2) The day to be specified by a resolution under subsection (1) of this section shall be—

(a) in the case of a resolution providing that the said provisions shall apply to the area in question, the first day of a rate period for that area beginning after the day on which the resolution is passed, not being earlier, if those provisions have previously applied to the area, than the expiration of the period of seven years beginning with the day when those provisions ceased or last ceased to apply to the area or of such shorter period as the Minister authorises in any particular case ;

(b) in the case of a resolution providing that the said provisions shall cease to apply to the area in question, the last day of a rate period for that area ending after the day on which the resolution is passed, not being earlier than the expiration of the period of seven years beginning with the day when those provisions came or last came into operation in the area or of such shorter period as the Minister authorises in any particular case.

(3) As soon as may be after a resolution is passed by a rating authority under this section, the authority shall cause a copy of the resolution to be published in the London Gazette and in one or more newspapers circulating in the area of the authority.

(4) A document purporting to be a copy of the minutes of a resolution passed by a rating authority under this section and to be certified under the hand of the clerk of the authority as a true copy of the minutes of the resolution shall be evidence that the resolution was passed by the authority.

(5) In this section “rating authority” does not include the Sub-Treasurer of the Inner Temple or the Under-Treasurer of the Middle Temple ; and for the purposes of the next two following sections “rate”, in relation to the City of London, means the poor rate.

Liability to be  
rated in  
respect of  
certain  
unoccupied  
property.

**21.**—(1) Where any relevant hereditament in an area in which this section is in operation is unoccupied for a continuous period exceeding three months, the person entitled to possession of the hereditament (hereafter in this and the next following section

referred to as the “owner”) shall, subject to the following provisions of this section and to the provisions of the next following section, be rated in respect of the hereditament for any relevant period of vacancy; and the enactments relating to rating and valuation shall apply accordingly as if the hereditament were occupied during that period by the owner.

(2) Subject to section 22 of this Act, the amount of any rates payable by an owner in respect of a hereditament by virtue of this section shall be one-half of the amount which would be payable if he were in occupation of the hereditament; and no reduction shall be made under section 6 of this Act in respect of any rates so payable.

(3) In this section—

“relevant hereditament” means any hereditament consisting of, or of part of, a house, shop, office, factory, mill or other building whatsoever, together with any garden, yard, court or other land ordinarily used or intended for use for the purposes of the building or part; and

“relevant period of vacancy” means, in relation to any relevant hereditament, any period beginning with the day following the end of a period of three months during which the hereditament has been continuously unoccupied and ending with the day preceding that on which the hereditament becomes or next becomes occupied or ceases to exist.

(4) Where a relevant hereditament which is unoccupied becomes occupied on any day and becomes unoccupied again on the expiration of a period of less than six weeks beginning with that day, then, for the purpose of ascertaining any period of three months during which the hereditament has been continuously unoccupied and any relevant period of vacancy in respect of the hereditament, it shall be deemed to have remained unoccupied on that day and during that period.

**22.**—(1) The provisions of Schedule 2 to this Act shall have effect, for the purposes of section 21 of this Act, with respect to the determination of rateable values, the treatment of newly erected and altered buildings and the other matters there mentioned. Supplementary provisions, exemptions and reliefs.

(2) In relation to a relevant hereditament being a newly erected dwelling-house within the meaning of the said Schedule 2, the said section 21 shall have effect as if for references to a period of or exceeding three months there were substituted references to a period of or exceeding six months.

(3) No rates shall be payable under the said section 21 in respect of a hereditament for, or for any part of the three

PART II months beginning with the day following the end of, any period during which—

- (a) the owner is prohibited by law from occupying the hereditament or allowing it to be occupied ;
- (b) the hereditament is kept vacant by reason of action taken by or on behalf of the Crown or any local or public authority with a view to prohibiting the occupation of the hereditament or to acquiring it ;
- 1962 c. 38. (c) the hereditament is the subject of a building preservation order under section 30 of the Town and Country Planning Act 1962, or is included in a list compiled or approved under section 32 of that Act, or is notified to the rating authority by the Minister as a building of architectural or historic interest ;
- (d) the hereditament is the subject of a preservation order or an interim preservation notice under the Ancient Monuments Acts 1913 to 1953, or is included in a list published by the Minister of Public Building and Works under those Acts ;
- 1925 c. 90. (e) an agreement is in force with respect to the hereditament under paragraph (a) of subsection (2) of section 11 of the Rating and Valuation Act 1925 (which provides for the payment of rates whether a hereditament is occupied or not) ; or
- (f) the hereditament is held for the purpose of being available for occupation by a minister of religion as a residence from which to perform the duties of his office.

(4) The Minister may by regulations provide that rates shall not be payable under section 21 of this Act in respect of hereditaments of such descriptions as may be prescribed by the regulations or in such circumstances as may be so prescribed ; and the regulations may make different provision for hereditaments of different descriptions and for different circumstances.

- 1961 c. 45. (5) Section 11 of the Rating and Valuation Act 1961 (reduction or remission of rates payable by charitable and other organisations) shall apply in relation to any relevant hereditament to which that section applied when it was last occupied as if it were used for the purpose for which it was then used.

#### *Miscellaneous*

Rating of certain office premises of nationalised boards &c.  
1948 c. 26.  
1955 c. 9.  
(4 & 5 Eliz. 2).  
1965 c. 36.

**23.**—(1) In respect of any rate period beginning after 31st March 1967, an authority to which this section applies shall, notwithstanding anything in Part V of the Local Government Act 1948, section 6(2) of the Rating and Valuation (Miscellaneous Provisions) Act 1955 or section 3(1) of the Gas Act 1965, be liable to be rated in respect of any office premises

occupied by the authority which are not situated on operational land of the authority; and accordingly any such premises shall be rated for any such period, and shall be included in the valuation list in force during any such period for the rating area in which the premises are situated, and in every rate made for any such period by the rating authority for that area.

(2) In determining the rateable value of any office premises which are to be rated by virtue of subsection (1) of this section, any part of the premises which is not used as an office or for office purposes, or for purposes ancillary to the use of the premises as an office or for office purposes, shall be disregarded.

(3) Valuation officers shall from time to time make such proposals under Part III of the Local Government Act 1948 as appear to them to be requisite for altering valuation lists so as to give effect to the foregoing provisions of this section. 1948 c. 26.

(4) A valuation officer may if he thinks fit, before making a proposal in pursuance of subsection (3) of this section in respect of any premises,—

(a) raise a question as to whether the premises are situated on operational land of an authority to which this section applies; and

(b) make an application to the appropriate Minister for the determination of the question in pursuance of the following provisions of this section,

and where a valuation officer makes such an application he shall, before the expiration of the period of seven days beginning with the date of the application, serve notice of it on the occupier of the premises and the rating authority for the area in which the premises are situated; and section 59 of the Rating and Valuation Act 1925 (which relates to the service of documents) shall apply to such a notice as it applies to the documents mentioned in that section. 1925 c. 90.

(5) Where it is determined in consequence of an application under subsection (4) of this section that the premises to which the application relates are not situated on operational land of the relevant authority to which this section applies, then—

(a) the valuation officer may make a proposal in respect of the premises by reference to the same considerations as would have been applicable if the proposal had been made on the date of the application; and

(b) any alteration in a valuation list made in pursuance of a proposal certified by the valuation officer to have been made by him in consequence of the determination shall have effect as if any notice of the proposal served on the occupier of the premises had been so served at the same time as the notice of the application served on him under subsection (4) of this section.

## PART II

(6) Any question as to whether, for the purposes of this section, any premises are situated on operational land of an authority to which this section applies shall be determined—

- (a) where the authority is the British Railways Board, the London Transport Board or the British Waterways Board, by the Minister of Transport;
- (b) in any other case, by the Minister of Power.

(7) The Minister may by regulations make such provision as he considers appropriate for securing, in the case of premises liable to be rated under this section and under another enactment and premises of which a part is liable to be rated under this section and another part is liable to be rated under another enactment, that the premises are included in the valuation list as a single hereditament with a single rateable value; and the regulations may make different provision for different circumstances and may contain such supplemental, consequential and incidental provisions, including provisions modifying any enactment, as the Minister considers expedient for the purposes of the regulations.

(8) This section applies to the following authorities, that is to say, the British Railways Board, the London Transport Board, the British Waterways Board, the Central Electricity Generating Board, any Area Board within the meaning of the Electricity Act 1947, the Gas Council and any Area Board constituted for an area in England and Wales under the Gas Act 1948 and, as respects office premises situated in England, the South of Scotland Electricity Board.

(9) In this section—

“office premises” means any hereditament used wholly or mainly as an office or for office purposes; and

“operational land”, in relation to an authority to which this section applies, means land which is used for the purpose of the carrying on of the authority’s undertaking, not being land which, in respect of its nature and situation, is comparable rather with land in general than with land which is used for the purpose of the carrying on of statutory undertakings;

and for the purposes of this subsection “office purposes” includes the purposes of administration, clerical work and handling money, “clerical work” includes writing, book-keeping, sorting papers, filing, typing, duplicating, punching cards or tapes, machine calculating, drawing and the editorial preparation of matter for publication, and “statutory undertakings” has the same meaning as in the Town and Country Planning Act 1962.

1947 c. 54.

1948 c. 67.

1962 c. 38.

24.—(1) The Minister may by order provide—

- PART II  
Power to alter  
distribution  
of certain  
payments  
made by  
nationalised  
boards in lieu  
or by way of  
rates.  
1948 c. 26.
- (a) that the sums paid to the Minister by the British Railways Board, the London Transport Board and the British Waterways Board or any of those Boards in pursuance of section 100 of the Local Government Act 1948 (which relates to payments by those Boards in lieu of rates) shall, instead of being distributed as provided by subsection (2) of that section (which provides for their distribution among the rating authorities in England or Wales in proportion to the rateable values of the authorities' areas for the relevant year), be distributed as provided by the order ;
- 1955 c. 9  
(4 & 5 Eliz. 2).
- (b) that the adjusted basic total of rateable values mentioned in sub-paragraph (3) of paragraph 4 of Schedule 3 to the Rating and Valuation (Miscellaneous Provisions) Act 1955 (which relates to the rating of Gas Boards) shall, in the case of all Gas Boards or any Gas Board specified by the order, instead of being apportioned and allocated as provided by that sub-paragraph (which provides for its apportionment and allocation among all the rating areas in which, in the relevant year, gas was, or was treated as, supplied to consumers or manufactured by the relevant Board), be apportioned and allocated for the purposes of that Schedule as provided by the order ;
- 1958 c. 55.
- (c) that the apportionment of the aggregate values of the distribution and generating activities mentioned in paragraph 2 of Schedule 2 to the Local Government Act 1958 (which relates to the rating of Electricity Boards) shall, in the case of all Electricity Boards or any Electricity Board specified by the order, instead of being made as provided by sub-paragraphs (a) and (b) of that paragraph (which provide for the apportionment of those values by reference to net annual value and generating capacity), be made as provided by the order ;
- (d) that sub-paragraph (1) of paragraph 3 of the said Schedule 2 (which provides that the aggregate values of the generating and of the distribution activities of the Central Electricity Generating Board shall each be taken to be one half of the Board's basic value as determined for the relevant year under that Schedule) shall have effect as if for the reference to one half there were substituted references to such other fractions as may be specified by the order in relation to the Board's generating activities and distribution activities respectively ;
- (e) that, in any enactment relating to rating specified by the order, any reference to the manufacture of gas shall



## PART II

include a reference to such dealings with gas as may be specified by the order.

(2) If the Minister is of opinion that payments by way of rates should be made by Gas Boards by virtue of this subsection by reference to any premises occupied and used by the Gas Council or a Gas Board for the reception or liquefaction of gas or the evaporation of gas in a liquid state, being in any case gas purchased by the Council or the Board, he may make an order designating the premises for the purposes of this subsection and providing for the determination, by such method as may be specified by the order, of a value for the premises for those purposes; and where such an order is in force the Minister may direct—

- (a) that the value determined as aforesaid shall be apportioned among such Gas Boards as may be specified by the direction in such proportions as may be so specified; and
- (b) that each Board specified by the direction shall, during such period as may be so specified, be treated for rating purposes as occupying, within the area of the rating authority in which the premises designated by the order are situated (and whether or not that Board occupies or is treated as occupying any other hereditament in that area), a hereditament of a rateable value equal to the proportion of the value aforesaid allocated by the direction to that Board; and
- (c) that sub-paragraph (3) of paragraph 4 of Schedule 3 to the Rating and Valuation (Miscellaneous Provisions) Act 1955 shall have effect during the period aforesaid, in relation to each Board specified by the direction, as if the Board's adjusted basic total of rateable values mentioned in that sub-paragraph were reduced by an amount equal to the said proportion.

A direction under this subsection may be revoked or varied by a subsequent direction thereunder.

(3) Before making any order under this section the Minister shall consult with such associations of local authorities as appear to him to be concerned, with any local authority with whom consultation appears to him to be desirable and—

- (a) in the case of an order in pursuance of paragraph (a) of subsection (1) of this section, with any Board mentioned in that paragraph which appears to the Minister to be concerned;
- (b) in the case of an order in pursuance of paragraph (b) or (e) of that subsection, with the Gas Council;

- (c) in the case of an order in pursuance of paragraph (c) or (d) of that subsection, with the Electricity Council ;
- (d) in the case of an order under subsection (2) of this section, with the Gas Council.

PART II

(4) An order under this section may contain such incidental, supplemental and consequential provisions, including provisions altering any enactment or instrument, as the Minister considers expedient for the purposes of the order.

(5) In this section "Gas Board" means any Area Board constituted for an area in England and Wales under the Gas Act 1948, and "Electricity Board" means the Central Electricity Generating Board and any Area Board within the meaning of the Electricity Act 1947.

1948 c. 67.

1947 c. 54.

**25.** The Minister may, after consultation with any local authority or association of local authorities with whom consultation appears to him to be desirable, make rules as to the manner in which the product of a rate of one penny in the pound for any area is to be estimated or determined for such purposes of this Act and of any other Act, whether passed before or after this Act, as may be specified by the rules ; and rules under this section may—

Calculation  
of rate  
products.

- (a) make different provision for different purposes ;
- (b) repeal any provisions of, or of an instrument made under, an Act passed before this Act which the Minister considers will become unnecessary in consequence of the rules ;
- (c) amend any provisions of an Act passed before this Act or of an instrument made under such an Act in such manner as the Minister considers appropriate in consequence of the rules ;
- (d) provide that the provisions of any instrument having effect by virtue of an enactment repealed or amended by the rules shall continue in force as if they were contained in the rules.

**26.** A hereditament which is not a dwelling-house by reason only of the fact that part of it is used for purposes other than those of a private dwelling or private dwellings shall be deemed to be a dwelling-house within the meaning of the Valuation for Rating Act 1953 in any case where, if that part were a separate hereditament in the same occupation as the remainder of the hereditament and used solely for those other purposes, the separate hereditament would not be liable to be rated.

‘Dwelling-house’ to include certain premises used in part otherwise than as private dwelling.  
1953 c. 42.

## PART III

## HIGHWAYS

*Grants towards construction and improvement of roads*

Highway  
grants and  
classifications.  
1959 c. 25.

27.—(1) It is hereby declared that the purposes for which advances may be made by the Minister under section 235 of the Highways Act 1959 include the carrying out of surveys with a view to ascertaining the need for the construction or improvement of highways (whether or not any such construction or improvement is carried out) and other purposes incidental or conducive to the purposes described in subsection (1) of that section.

(2) The Minister may, for all or any of the following purposes, that is to say, the purposes of the said section 235, so far as it relates to the making of advances to local highway authorities, and the purposes of any enactment or instrument (whether passed or made before or after the passing of this Act) which refers to highways classified by the Minister, classify highways and proposed highways in such manner as he may from time to time determine after consultation with the highway authorities concerned.

1919 c. 50.

(3) Section 17 of the Ministry of Transport Act 1919 shall cease to have effect so far as it relates to the construction, improvement and maintenance of roads, bridges and ferries; and in any enactment (including an enactment in any local Act) or any instrument in force at the commencement of this Part of this Act any reference to a highway classified, or classified in any class, under the said section 17 shall be construed as a reference to a highway which for the time being is classified by the Minister under subsection (2) of this section—

- (a) as a principal road for the purposes of advances under the said section 235; or
- (b) as a classified road for the purposes of that enactment or instrument.

(4) For the purposes of subsection (3) of this section any road which, immediately before the commencement of this Part of this Act, was classified under the said section 17 in Class I, II or III shall, until the Minister otherwise directs, be treated as classified under subsection (2) of this section as a classified road for the purpose of every such enactment or instrument as is mentioned in the said subsection (3).

*Lighting of highways*

## PART III

28.—(1) The Minister and every local highway authority shall have power to provide lighting for the purposes of any highway or proposed highway for which they are or will be the highway authority, and may for that purpose—

Provision of  
lighting by  
highway  
authorities.

- (a) contract with any persons for the supply of gas, electricity or other means of lighting; and
- (b) construct and maintain such lamps, posts and other works as they consider necessary.

(2) A highway authority may alter or remove any works constructed by them under this section or vested in them under the following provisions of this Part of this Act.

(3) A highway authority shall pay compensation to any person who sustains damage by reason of the execution of works authorised by this section.

(4) Section 45 of the Public Health Act 1961 (attachment of street lamps to buildings) and section 81 of that Act (summary recovery of damages for negligence) shall apply to a highway authority not being such a council as therein mentioned as they apply to such a council. 1961 c. 64.

(5) For the purposes of the definition of “improvement” in section 295 of the Highways Act 1959, this section shall be treated as included in Part V of that Act. 1959 c. 25.

(6) Nothing in subsection (5) of this section shall affect the provisions of section 237 of the Highways Act 1959 (which relates to contributions by county councils to the cost of maintaining and improving claimed county roads); but for the purposes of that section—

- (a) the cost of the maintenance and operation of a road lighting system for a claimed county road in exercise of the powers conferred by this section shall be treated as part of the cost of the maintenance of the road; and
- (b) the cost of the provision and improvement of such a system for such a road in exercise of those powers shall be treated as expenses of an improvement of the road unconnected with its maintenance,

and the cost of the provision, improvement, maintenance and operation of a footway lighting system for such a road in exercise of those powers shall not be included among the costs and expenses in respect of which payments and contributions are to be made under that section.

29.—(1) Subject to subsection (2) of this section, the powers of a lighting authority shall not be exercised, after the commencement of this Part of this Act, for purposes of the lighting of any highway for which they are not the highway authority

Powers of  
existing  
lighting  
authorities.

## PART III

except with the consent of the highway authority (which consent may be given either generally or in respect of any particular highway or length of highway, and either without conditions or subject to such conditions as the highway authority think fit).

(2) Subsection (1) of this section does not apply to the exercise of powers for the purpose only of the operation or maintenance of a lighting system which is not transferred to the highway authority under the following provisions of this Part of this Act.

(3) If a lighting authority are aggrieved by the refusal of a local highway authority to give their consent for the purposes of this section, or by any conditions subject to which such consent is given, they may appeal to the Minister, who may give such directions in the matter as he thinks fit.

(4) In this Part of this Act "lighting authority" means a council or other body authorised to provide lighting under section 161 of the Public Health Act 1875 or under section 3 of the Parish Councils Act 1957 or any corresponding local enactment and includes (in relation only to the transfer of property, rights and liabilities) the representative body of a rural parish not having a parish council; and references to the powers of a lighting authority are references to their powers under the said enactments.

1875 c. 55.  
1957 c. 42.

Delegation  
of lighting  
functions of  
highway  
authority.

**30.**—(1) A highway authority may agree with the lighting authority for the delegation to the lighting authority of any of the functions of the highway authority with respect to the lighting of any highway or part of a highway within the area of the lighting authority.

(2) A lighting authority shall, for the discharge of any functions delegated to them under subsection (1) of this section, act as agents for the highway authority; and it shall be a condition of the delegation—

- (a) that any works to be executed or expenditure to be incurred by the lighting authority in the discharge of the delegated functions shall be subject to the approval of the highway authority;
- (b) that the lighting authority shall comply with any requirements of the highway authority as to the manner in which any such works are to be carried out, and with any directions of the highway authority as to the terms of contracts to be entered into for the purposes of the discharge of the delegated functions; and
- (c) that any such works shall be completed to the satisfaction of the highway authority.

(3) If at any time the highway authority are satisfied that a lighting system in respect of which the functions of that

authority are delegated under this section is not in proper repair or condition, they may give notice to the lighting authority requiring them to place it in proper repair or condition, and if the notice is not complied with within a reasonable time may themselves do anything which seems to them necessary to place the system in proper repair or condition.

(4) A highway authority may agree with a lighting authority for the carrying out by the lighting authority of any works in connection with a lighting system provided or to be provided by the highway authority within the area of the lighting authority; and subsections (2) and (3) of this section shall apply to the conditions to be included in and to the discharge of functions pursuant to any such agreement, as they apply to the conditions to be attached to a delegation of functions under subsection (1) of this section and the discharge of functions so delegated.

(5) A delegation to a lighting authority under this section may be determined by notice given to that authority by the highway authority, and functions delegated to a lighting authority under this section may be relinquished by notice given by that authority to the highway authority; but a notice under this subsection shall not take effect until 1st April in the calendar year following that in which it is given, and shall not be given during the last three months of a calendar year

**31.**—(1) On the date of the commencement of this Part of this Act there shall be transferred to the highway authority for any highway for which a road lighting system was then provided by a lighting authority other than the highway authority— Transfer of road lighting systems.

(a) all lamps, lamp-posts and other apparatus which, immediately before that date, were vested in the lighting authority as part of that system;

(b) except as provided by subsection (2) of this section, all other property or rights which, immediately before that date, were vested in the lighting authority for the purposes of that system, and all liabilities incurred by that authority for those purposes and not discharged before that date.

(2) There shall not be transferred to a highway authority by virtue of this section any right or liability of a lighting authority in respect of work done, services rendered, goods (including gas and electricity) supplied or money due for payment before the said date, and there shall not be transferred to the Minister by virtue of this section any liability of a lighting authority in respect of loans or loan charges.

(3) A highway authority and a lighting authority, or any two or more highway authorities, may make agreements with respect to the transfer of property, rights and liabilities under this section,

## PART III

including agreements for defining the property, rights and liabilities thereby transferred to the highway authority or any of those authorities, and for the transfer or retention of property, rights or liabilities held or incurred for the purposes of two or more road lighting systems, or partly for the purposes of such a lighting system and partly for other purposes; and any dispute between the authorities concerned as to the property, rights or liabilities transferred by this section shall be determined—

(a) where the Minister is one of those authorities, by arbitration;

(b) in any other case, by the Minister.

(4) If at any time after the commencement of this Part of this Act a road lighting system is provided by a lighting authority for the purposes of a highway for which they are not the highway authority, the foregoing provisions of this section shall apply as if for references to the date of the commencement of this Part of this Act there were substituted a reference to such date as may be determined by agreement between the lighting authority and the highway authority or, in default of such agreement, as the Minister may direct.

(5) In this Part of this Act “road lighting system” means a lighting system which is not a footway lighting system.

Special provisions as to footway lighting systems.

**32.**—(1) In this Part of this Act “footway lighting system” means a system of lighting, provided for a highway, which satisfies the following conditions, that is to say that either—

(a) no lamp is mounted more than thirteen feet above ground level; or

(b) no lamp is mounted more than twenty feet above ground level and there is at least one interval of more than fifty yards between adjacent lamps in the system,

or such other conditions as may be prescribed by order of the Minister in substitution for the said conditions.

(2) Where a footway lighting system maintained by a lighting authority other than the highway authority becomes a road lighting system—

(a) in consequence of any order made by the Minister under subsection (1) of this section; or

(b) in consequence of any alterations effected by the lighting authority,

section 31 of this Act shall apply in relation to that system as if for references in subsections (1) and (2) to the date of the commencement of this Part of this Act there were substituted references to such date as may be agreed upon between the lighting authority and the highway authority or, in default of such agreement, as the Minister may direct.

(3) If in the case of a road or part of a road in which a footway lighting system is maintained by a lighting authority other than the highway authority the highway authority propose to provide a road lighting system (either as a separate system or by means of alterations of the footway lighting system), they may give notice to that effect to the lighting authority; and where such notice is given section 31 of this Act shall apply in relation to the footway lighting system as if for references in subsections (1) and (2) to the date of the commencement of this Part of this Act there were substituted references to such date as may be specified for the purpose in the notice.

PART III

*Seconding of staff etc.*

33.—(1) It shall be lawful for a council to enter into an agreement with the Minister for the placing at the disposal of the Minister for the purposes of his functions relating to highways, on such terms as may be provided by the agreement, of the services of persons employed by the council and of any premises, equipment and other facilities under the control of the council.

Placing of staff etc. of councils at disposal of Minister.

(2) For the avoidance of doubt it is hereby declared that for superannuation purposes service rendered by a person whose services are placed at the disposal of the Minister in pursuance of this section is service rendered to the council by whom that person is employed.

*Supplemental*

34.—(1) This Part of this Act shall be construed as one with the Highways Act 1959; and without prejudice to the generality of this provision—

Construction and commencement of Part III. 1959 c. 25.

- (a) “the Minister” means, in relation to England exclusive of Monmouthshire the Minister of Transport, and in relation to Wales and Monmouthshire the Secretary of State;
- (b) any reference in the said Act to that Act includes (unless the context otherwise requires) a reference to this Part of this Act.

(2) This Part of this Act shall come into force on 1st April 1967.

PART IV

MISCELLANEOUS AND GENERAL

35.—(1) The enactments mentioned in Part I of Schedule 3 to this Act (which among other things provide for the licensing or registration of agricultural gang masters, hawkers, passage brokers, emigrant runners, porters, guns, horses and pleasure

Amendment of certain enactments relating to licences.



## PART IV

boats for hire and canal boats, and for regulating activities to which the licences or registrations relate) shall cease to have effect.

(2) The enactments mentioned in the first column of Part II of Schedule 3 to this Act (which specify fees or maximum fees for licences, certificates or permits to which those enactments relate or for registration under those enactments) may be amended, by an order made by the Minister specified in relation to the enactment in question in the second column of the said Part II, so as to vary any sum specified by that enactment or so as to provide that any sum payable under that enactment shall cease to be so payable; and an order under this subsection may be limited to such cases as may be specified by the order and may make different provision for different cases specified by the order.

(3) The Postmaster General shall, before paying to the council of a county, county borough or London borough or to the Common Council the amount of the duties received by him, on or after the date when this subsection comes into force, in respect of licences for dogs or licences to deal in or for killing game issued in the county or borough or the City of London, as the case may be, deduct from that amount such sum as he considers is equal to the expenses incurred by him on work done in connection with the issue of the licences.

(4) Subsection (3) of this section shall come into force on the date when the first order under subsection (2) of this section increasing the amount of the duty in respect of any dog licence comes into force; and section 19(5) of the Post Office Act 1961 is hereby repealed on that date.

1961 c. 15.

Further provisions as to dog licences.  
1959 c. 55.

**36.**—(1) The Minister of Agriculture, Fisheries and Food may by order amend the provisions of the Dog Licences Act 1959 with respect to the time for payment of duty under that Act, the age of any dog or hound in respect of which the duty is chargeable and the period for which a licence under that Act is to be in force; and an order under this subsection may be limited to such cases as may be specified by the order and may make different provision for different circumstances specified by the order.

(2) It shall cease to be a condition for exemption from duty under section 4 of the said Act of 1959 (which relates to dogs kept for tending sheep and cattle) that the owner of the dog in question obtains a certificate of exemption under that section.

(3) The power conferred by section 11 of the said Act of 1959 to prescribe the form of a licence shall be exercisable by the Minister of Agriculture, Fisheries and Food instead of by the Treasury.

(4) In sections 12(1) and 13 of the said Act of 1959 (under which a person is liable to a penalty of five pounds for an offence) for the words "five pounds" there shall be substituted the words "ten pounds".

PART IV

37. It shall be lawful for a local authority within the meaning of the Town and Country Planning Act 1962 to make to any person such payments as the authority consider appropriate for the purpose of offsetting, either wholly or in part, payments by way of the selective employment tax made by that person in respect of persons employed for the purposes of any contract entered into by the authority before 4th May 1966.

Payments by local authorities to offset effect of selective employment tax.  
1962 c. 38.

38.—(1) With a view to facilitating the consolidation of the enactments relating to rating and valuation in England and Wales, subsections (2) and (3) of this section shall have effect as from such day as the Minister may by order appoint.

Amendments preparatory to consolidation.

(2) The following provisions (by virtue of which there subsists a residual liability to rating by reference to tithes) namely—

- (a) in section 1 of the Poor Relief Act 1601, the words "of every inhabitant parson vicar and other and" and the words "tithes impropriate or propriations of tithes"; 1601 c. 2.
- (b) section 69 of the Tithe Act 1836; 1836 c. 71.
- (c) section 1 of the Poor Rate Exemption Act 1840; 1840 c. 89.
- (d) section 1 of the Tithe Rating Act 1851; 1851 c. 50.
- (e) in Schedule 1 to the Expiring Laws Act 1922, the entry numbered (1), 1922 c. 50.

and also the provisions of the Rating and Valuation Act 1925 specified in Schedule 9 to the Tithe Act 1936 (which relate to the treatment for the purposes of rating of tithe rentcharge not extinguished by the said Act of 1936) so far as excepted from repeal by the said Act of 1936 by section 48(3) thereof and, in section 7 of the Rating Act 1874, the words "and tithe rentcharge", shall cease to have effect; and the valuation officer shall, without any proposal, cause the valuation list to be altered by the deletion therefrom of any property which he is satisfied has, by virtue of this subsection, ceased to be rateable.

1925 c. 90.  
1936 c. 43.  
1874 c. 54.

(3) The enactments aforesaid shall have effect subject to the provisions of Schedule 4 to this Act, being provisions designed to avoid or remove minor doubts, anomalies and inconsistencies, to remove spent, obsolete or otherwise unnecessary provisions, to bring obsolete provisions into conformity with modern practice or to facilitate improvement in the form or manner in which the law is stated.

PART IV  
Application  
of Act to  
Isles of Scilly.

**39.** The provisions of this Act shall have effect in relation to the Isles of Scilly subject to such modifications as the Minister may by order direct, and the power to make an order under this section shall include power to provide that in the application of paragraph 3 of Part II of Schedule 1 to this Act both to those Isles and to counties and county boroughs references to a county shall include references to those Isles.

Orders,  
regulations  
and rules.

**40.—(1)** Any power conferred on a Minister by this Act to make an order, regulations or rules shall be exercisable by statutory instrument.

(2) An order under any provision of this Act, other than section 2 or 3, may be revoked or varied by a subsequent order under that provision.

(3) Any statutory instrument containing regulations or rules under this Act or an order under section 24, 32, 35 or 36 of this Act shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Interpretation.

**41.—(1)** In this Act, except where the contrary intention appears, the following expressions have the meanings hereby assigned to them respectively, that is to say—

“the appropriate Minister” means, in relation to any matter, the Minister in charge of the government department concerned or primarily concerned with that matter;

“the Common Council” means the Common Council of the City of London;

1953 c. 42.

“dwelling-house” has the same meaning as in the Valuation for Rating Act 1953;

1925 c. 90.

“hereditament” has the same meaning as in the Rating and Valuation Act 1925;

“joint board” includes a combined authority or joint committee;

“land” includes land covered by water and any interest in or right over land;

“local authority” means the council of a county, county borough or county district, the Greater London Council, the council of a London borough, the Common Council or the Council of the Isles of Scilly;

“the Minister” means the Minister of Housing and Local Government;

“rate” has the same meaning as in the Rating and Valuation Act 1925;

“rate period” means a year or part of a year, being a period for which a rate is made;

“rate support grant order” has the meaning assigned to it by section 2 of this Act ;

“rating authority” means any local authority, except the council of a county and the Greater London Council, and includes the Sub-Treasurer of the Inner Temple and the Under-Treasurer of the Middle Temple ; and

“year” means a period of twelve months beginning with the first day of April.

(2) In this Act the expression “year 1967-68” means the year ending on 31st March 1968, and any corresponding expression in which two years are similarly mentioned means the year ending on 31st March in the second of those years.

(3) Any question arising under this Act as to which Minister is the appropriate Minister shall be determined by the Treasury.

(4) References in this Act to any enactment are references to that enactment as amended by or under any subsequent enactment.

**42.** There shall be defrayed out of moneys provided by Parliament— Expenses.

(a) any sums required for the payment of grants under this Act or of other expenses of a Minister under this Act ; and

(b) any increase attributable to the provisions of this Act in the sums payable out of such moneys under any other Act.

**43.—**(1) The enactments mentioned in Schedule 5 to this Act shall have effect subject to the amendments there specified, being amendments consequential on provisions of this Act. Consequential amendments and repeals.

(2) The enactments mentioned in Schedule 6 to this Act are hereby repealed to the extent specified in the third column of that Schedule—

(a) in the case of the enactments described in Part I, from the passing of this Act ;

(b) in the case of those described in Part II, from 1st April 1967 ;

(c) in the case of those described in Part III, from the day appointed under subsection (1) of section 38 of this Act and subject, as regards the enactments mentioned in paragraph 13 of Schedule 4 to this Act, to the provisions of that paragraph.

**44.—**(1) This Act may be cited as the Local Government Act 1966. Short title and extent.

(2) This Act shall not extend to Scotland or Northern Ireland.

## SCHEDULES

## SCHEDULE 1

## RATE SUPPORT GRANTS

## PART I

## THE NEEDS ELEMENT

*Payments comprised in the element*

1.—(1) The amount of the needs element of rate support grant payable for any year to a local authority other than the Greater London Council shall, subject to paragraphs 11 to 13 of this Part of this Schedule, be the aggregate of the basic payment specified in paragraph 2 of this Part of this Schedule and of the supplementary payments specified in paragraphs 3 to 10 of this Part of this Schedule which are payable in accordance with those paragraphs.

(2) The provision to be made by a rate support grant order in pursuance of paragraphs 2 to 10 of this Part of this Schedule shall be such as to secure, to the best of the information available to the Minister when he makes the order, that the aggregate amount of the needs element which will be paid for each year shall approximate as nearly as may be to the aggregate amount of that element fixed by the order for that year.

*The basic payment*

2. The basic payment shall be a payment of an amount equal to the aggregate of—

- (a) an amount arrived at by multiplying a prescribed sum by the population; and
- (b) an amount arrived at by multiplying a prescribed sum by the estimated number of persons under fifteen years of age in the population.

*Supplementary payments*

3. A supplementary payment shall be payable of an amount arrived at by multiplying a prescribed sum by the estimated number of persons under five years of age in the population.

4. A supplementary payment shall be payable of an amount arrived at by multiplying a prescribed sum by the estimated number of persons over sixty-five years of age in the population.

5. A supplementary payment shall be payable if the number of education units per thousand persons in the population exceeds a prescribed number, and the payment shall be a prescribed sum multiplied by the excess and by the population.

6. A supplementary payment shall be payable if the population per acre of the area of the authority exceeds a prescribed number, and the amount of the payment shall be the percentage of the basic payment arrived at by multiplying the excess by a prescribed percentage.

7. A supplementary payment shall be payable if the road-mileage of the area of the authority per thousand persons in the population

exceeds a prescribed number, and the amount of the payment shall be the smallest of the following amounts, that is to say—

SCH. 1

- (a) a prescribed fraction of the basic payment ;
- (b) a prescribed percentage of the basic payment multiplied by the said road-mileage per thousand persons ;
- (c) such proportion of the basic payment as the difference between the said road-mileage per thousand persons and the prescribed number bears to the prescribed number.

8. A supplementary payment shall be payable of an amount equal to the aggregate of—

- (a) an amount arrived at by multiplying the road-mileage of the area of the authority (excluding trunk roads) by a prescribed sum ; and
- (b) an amount arrived at by multiplying the road-mileage of the roads classified as principal roads under section 27 of this Act in the area of the authority by—
  - (i) a prescribed sum, or
  - (ii) if the population falls short of or exceeds a prescribed number per mile of those roads, that sum reduced, or as the case may be increased, by another prescribed sum for each hundred persons in the short-fall or excess, but not in any case reduced below a further prescribed sum.

9. A supplementary payment shall be payable if the population has declined over a prescribed period and the percentage decline over that period exceeds a prescribed percentage, and the amount of the payment shall be an amount equal to the percentage of the basic payment arrived at by multiplying the excess by a prescribed fraction or number.

10.—(1) A supplementary payment shall be payable if the area of the authority or a part of it lies within the metropolitan district, and the amount of the payment shall be a prescribed percentage of the basic payment, being such percentage as appears to the Minister appropriate having regard to the higher level of prices, costs and remuneration in and around the area.

(2) Different percentages may be prescribed for the purposes of this paragraph in relation to authorities whose areas lie wholly within the metropolitan district and authorities whose areas lie partly within the district and partly outside it.

(3) In this paragraph “metropolitan district” means Greater London together with the remainder of the Metropolitan Police District.

#### *Special provision for inner London*

11.—(1) The Minister may by regulations provide that such proportion as may be determined by or under the regulations of the amount of the needs element for any year which, apart from this paragraph, would be payable to the council of an inner London

SCH. 1

borough or the Common Council shall be payable to the Greater London Council instead of to the council aforesaid; and the regulations may make different provision with respect to different councils.

(2) Before making regulations under this paragraph, the Minister shall consult with any association or committee which appears to him to be representative of the councils of the inner London boroughs and with the Common Council and the Greater London Council.

*Adjustments to prevent over-payments etc. and for pooling arrangements*

12. If when the needs element for any year falls to be paid it appears to the Minister that the aggregate amount of that element will exceed or fall short of its aggregate amount as fixed by the relevant rate support grant order, the Minister shall adjust the amount of that element payable to each local authority as nearly as may be in the proportion which the aggregate amount of the element as so fixed bears to the amount, as estimated by the Minister, which would be the aggregate amount of that element for that year apart from this paragraph.

13.—(1) The needs element shall be subject to adjustment, in accordance with the following provisions of this paragraph, in respect of expenditure to which this paragraph applies.

(2) The appropriate Minister may by regulations provide for ascertaining the aggregate of the expenditure to which this paragraph applies of all local authorities, for apportioning the aggregate among the authorities and for ascertaining the amount by which the needs element payable to each authority ought to be increased or decreased.

(3) The appropriate Minister shall, in accordance with regulations made by him under this paragraph, certify to the Minister at such time as may be specified by the regulations—

(a) the estimated amount of the increases and decreases of the needs element which ought to be made for any year;

(b) the actual amount of those increases and decreases,

and the Minister shall in paying the needs element for any year adjust the amount of that element in accordance with the certified estimated amounts and shall in paying that element for the earliest practicable subsequent year make any adjustment necessary to offset differences between the estimated and actual amounts certified.

(4) Subject to the next following sub-paragraph, this paragraph applies to expenditure incurred—

(a) in establishing, maintaining or assisting colleges or other institutions for the training of teachers or in providing or assisting the provision of other facilities specified in directions under section 62 of the Education Act 1944;

(b) in making payments, in such cases as may be specified by regulations made by the appropriate Minister under this paragraph, to or in respect of persons taking teachers' training or further training courses;

- (c) in the provision, or in assisting the provision, of such facilities for further education of an advanced character as may be specified by or under regulations so made ;
  - (d) in the making of provision for primary, secondary or further education of pupils not belonging to the area of any local education authority ;
  - (e) in the training of persons to undertake educational research or to become educational psychologists, health visitors or midwives or in respect of persons who are being so trained.
- (5) The appropriate Minister may, after consultation with such associations of local authorities as appear to him to be concerned and with any local authority with whom consultation appears to him to be desirable, provide by regulations—
- (a) that this paragraph shall apply to such expenditure as may be specified by the regulations which is incurred by local authorities—
    - (i) upon research into any of their functions, or
    - (ii) in the training of persons in matters connected with the functions of local authorities, or
    - (iii) in respect of persons to whom the training is given, or
    - (iv) in providing, for persons who suffer from any disability of mind or body, education by special methods appropriate for persons suffering from that disability ;
  - (b) that any expenditure to which this paragraph applies shall cease to be such expenditure.
- (6) Any reference in this paragraph to a local authority does not include a reference to the council of a county district.

#### *Miscellaneous*

14. The Minister may, by a rate support grant order, vary, repeal or add to any of the provisions of paragraphs 2 to 10 of this Part of this Schedule, and any reference in this Act to those provisions includes a reference to them as altered by virtue of this paragraph ; but if the power conferred by this paragraph is exercised by a rate support grant order it shall not be exercised by the next following rate support grant order.

15. Notwithstanding anything in section 1(5) of this Act, payments made to the Greater London Council in respect of the needs element shall be made in aid of the expenditure of the Council chargeable on the area comprising the inner London boroughs and the City of London ; but the Council may make such adjustments between their accounts as they consider appropriate in consequence of the operation of paragraph 13 of this Schedule.

16. For the purposes of this Part of this Schedule the Inner and Middle Temples shall be treated as part of the City of London.

17. In this Part of this Schedule “ population ”, in relation to a local authority, means the estimated number of persons in the population of the area of the authority.



## SCH. 1

## PART II

## THE RESOURCES ELEMENT

*Condition and amount of payment*

1. The resources element shall not be payable to a local authority for any year unless the product of a rate of one penny in the pound for the area of the authority for that year is less than the standard penny rate product for the area for that year.

2. The amount of the resources element payable to a local authority for any year shall, subject to paragraphs 10 and 11 of this Part of this Schedule, be the amount which bears to the expenditure of the authority for that year the same proportion as the difference between the rate products mentioned in paragraph 1 above bears to the standard penny rate product for the area of the authority for that year.

*Calculation of standard penny rate product*

3.—(1) For the purposes of this Part of this Schedule, the standard penny rate product for an area for any year is the sum which bears to the product of a rate of one penny in the pound for that year for the whole of England and Wales the same proportion as the population of the area bears to the population of England and Wales; but in ascertaining the standard penny rate product for a county or county borough the population of any county in the case of which the ratio of the population to the road-mileage of the county is less than seventy shall be increased by one half of the additional population needed in order that the population divided by the road-mileage should be seventy.

(2) In this paragraph "population" means estimated population.

*Calculation of expenditure*

4. In ascertaining the expenditure of any authority (other than the Greater London Council) for any year for the purposes of this Part of this Schedule, there shall be deducted from the amount which would be the amount of that expenditure apart from this paragraph the amount of any needs element payable to that authority for that year.

5. For the purposes of this Part of this Schedule, the expenditure of a county council or the Greater London Council shall be so much of the total expenditure of the council for the year in question for general county or general London purposes as would have fallen to be met out of rates levied within the county or Greater London if no resources element were payable.

6. For the purposes of this Part of this Schedule, the expenditure of a local authority other than a county council and the Greater London Council shall be so much of the total expenditure of the authority for the year in question as would have fallen to be met out of rates levied within the area of the authority if no resources element

were payable and, in the case of a local authority in Greater London, section 66 of the London Government Act 1963 (which provides for schemes for equalising rates) had not been passed, excluding the cost of the collection of rates as ascertained in accordance with rules under section 25 of this Act. SCH. 1  
1963 c. 33.

7. Any expenditure in pursuance of section 25 of the Land Drainage Act 1961 (which enables rating authorities to pay to drainage boards the aggregate amounts of the drainage rate for so much of their area as is within a drainage district) shall be disregarded for the purposes of paragraph 6 above. 1961 c. 48.

8. For the purposes of this Part of this Schedule, sums payable by a local authority by virtue of a precept issued by a county council or the Greater London Council, in so far as payable in respect of expenditure of the council for general county or general London purposes, shall not be treated as expenditure of the authority paying those sums.

9. For the purposes of this Part of this Schedule, the amount of the expenditure of an authority falling to be met out of rates shall be ascertained without regard to any reduction of grant made under section 4 of this Act.

#### *Adjustment of resources element*

10. Paragraph 12 of Part I of this Schedule shall apply in relation to the resources element as it applies in relation to the needs element.

11.—(1) If the Minister is satisfied, as respects the councils of county districts in any county, that the part of their expenditure, as ascertained for the purposes of this Part of this Schedule, which is attributable to expenditure of the county council for special county purposes bears such a proportion to the whole of their expenditure as so ascertained that the provisions of this Act relating to the resources element will not apply equitably in relation to the county without modification, the Minister may make a scheme for applying those provisions with such modifications as may be specified in the scheme.

(2) A scheme under this paragraph may be varied or revoked by a subsequent scheme made by the Minister.

### PART III

#### THE DOMESTIC ELEMENT

1. There shall for each year be prescribed, for the purposes of section 6 of this Act, an amount in the pound which in the opinion of the Minister corresponds to the amount of the domestic element prescribed for that year in pursuance of section 1(4) of this Act.

2. The amount of the domestic element payable to a local authority for any year shall be determined in the manner provided by regulations made by the Minister after consultation with such associations of local authorities as appear to him to be concerned and with any local authority with whom consultation appears to him to be desirable.

SCH. 1

3. For the purposes of the provisions of this Act relating to the domestic element, the Sub-Treasurer of the Inner Temple and the Under-Treasurer of the Middle Temple shall be deemed to be local authorities.

4. Any amounts payable to a local authority in respect of the domestic element shall be taken into account for the purposes of this and any other Act as if they were payable on account of rates.

Section 22.

## SCHEDULE 2

## RATING OF UNOCCUPIED PROPERTY

*Determination of rateable values*

1.—(1) Subject to the provisions of this Schedule, the rateable value of a hereditament for the purposes of section 21 of this Act shall be the rateable value ascribed to it in the valuation list in force for the area in which the hereditament is situated or, if the hereditament is not included in that list, the first rateable value subsequently ascribed to the hereditament in a valuation list in force for that area.

(2) If the relevant period of vacancy in respect of a hereditament begins before and ends at or after the time when a new valuation list comes into force for the area of the rating authority and the hereditament is not included in the previous valuation list, then—

(a) the valuation officer shall, at the request of the rating authority or the owner of the hereditament, certify to that authority the rateable value which in his opinion would (in accordance with section 17 of this Act) have been ascribed to the hereditament if it had been included in the previous list by alteration of that list ;

1948 c. 26.

(b) the provisions of Part III of the Local Government Act 1948 shall apply in relation to any such certificate as if it were a proposal by the valuation officer for the alteration of a valuation list ; and

(c) for the purposes of the liability of the owner to be rated in respect of so much of the relevant period of vacancy as fell before the coming into force of the new valuation list, the rateable value of the hereditament shall be taken to be the value as settled in pursuance of the certificate and any proceedings consequent thereon.

(3) Where two or more persons are or have been severally entitled to possession of different parts of any property which is included in a valuation list as a hereditament or to which a certificate under sub-paragraph (2) of this paragraph relates and any of those parts—

(a) consists of property suitable for inclusion in a valuation list as a separate hereditament ; and

(b) would be a relevant hereditament if it were included in a valuation list as a separate hereditament,

the part may be treated as a relevant hereditament for the purposes of sections 21 and 22 of this Act and this Schedule and the valuation officer may give such directions as he thinks fit for apportioning between those parts the rateable value ascribed to the property by the list or certificate aforesaid.

2.—(1) A rating authority may request the valuation officer to make a proposal for including in the valuation list in force for their area any unoccupied building in their area (together with any garden, yard, court or other land intended for use for the purposes of the building) which in their opinion is, or when completed will be, a newly erected dwelling-house; and if the valuation officer thinks fit to comply with the request he may make a proposal for including the building (together with any such garden, yard, court or other land as aforesaid) as a dwelling-house in that list and for ascribing to it in the list such values as he considers are appropriate or will be appropriate when the building is completed.

(2) Where such a request is made by a rating authority and the valuation officer serves notice in writing by post or otherwise on the authority stating that he does not propose to comply with the request, the rating authority may, if they think fit, within the period of twenty-eight days beginning with the date of service of the notice, make a proposal for including the building and any other land to which the request relates as a dwelling-house in the list aforesaid and for ascribing to it in the list such values as the authority consider are appropriate or will be appropriate when the building is completed.

(3) Where a new valuation list is prepared for any area, the valuation officer shall include in the list as transmitted to the rating authority—

- (a) any dwelling-house included in the current list for that area in pursuance of a proposal under sub-paragraph (1) or (2) of this paragraph; and
- (b) any building (with or without other land) in respect of which a proposal for its inclusion in the current list as a dwelling-house has been made by him under the said sub-paragraph (1) and has not been settled,

and, if any such proposal is made by him after the new list has been so transmitted, shall cause that list to be altered so as to include the building (with or without other land) as a dwelling-house in the new list.

(4) Where a newly erected dwelling-house is first occupied after its completion and a rateable value has, in pursuance of the foregoing provisions of this paragraph, previously been ascribed to it in the valuation list currently in force for the area in which it is situated, any different rateable value subsequently ascribed to it in that list and which, apart from this sub-paragraph, would have effect from the date when the dwelling-house is first occupied as aforesaid shall be deemed to have effect from the date on which the current list came into force or the date from which the previous rateable value had effect, whichever is the later.

## SCH. 2

*Completion of newly erected or altered buildings*

3. For the purposes of section 21 of this Act, a newly erected building which is not occupied on the date determined under the following provisions of this Schedule as the date on which the erection of the building is completed shall be deemed to become unoccupied on that date.

4.—(1) Where a rating authority are of opinion—

- (a) that the erection of a building within their area has been completed ; or
- (b) that the work remaining to be done on a building within their area is such that the erection of the building can reasonably be expected to be completed within three months,

and that the building is, or when completed will be, comprised in a relevant hereditament, the authority may serve on the owner of the building a notice (hereafter in this paragraph referred to as “a completion notice”) stating that the erection of the building is to be treated for the purposes of this Schedule as completed on the date of service of the notice or on such later date as may be specified by the notice.

(2) If a person on whom a completion notice is served agrees in writing with the authority by whom the notice was served that the erection of the building to which the notice relates shall be treated for the purposes of this Schedule as completed on a day specified by the agreement, it shall be treated for those purposes as completed on that day and the notice shall be deemed to be withdrawn.

(3) Where a rating authority has served a completion notice on any person, the authority may withdraw the notice by a subsequent notice served on that person ; and a notice under this sub-paragraph may be served—

- (a) at any time before an appeal in pursuance of sub-paragraph (4) of this paragraph is brought against the completion notice ; and
- (b) with the agreement of the person aforesaid, at any time thereafter and before the appeal is determined.

(4) A person on whom a completion notice is served may, during the period of twenty-one days beginning with the date of service of the notice, appeal to the county court against the notice on the ground that the erection of the building to which the notice relates has not been or, as the case may be, cannot reasonably be expected to be completed by the date specified by the notice.

(5) If a completion notice served in respect of a building is not withdrawn and no appeal in pursuance of sub-paragraph (4) of this paragraph is brought against the notice or such an appeal is abandoned or dismissed, the erection of the building shall be treated for the purposes of this Schedule as completed on the date specified by the notice ; and if the notice is not withdrawn and such an appeal is brought and is not abandoned or dismissed, the erection of the building shall be treated for those purposes as completed on such date as the court shall determine.

(6) A notice under this paragraph may, without prejudice to any other mode of service, be served on any person—

SCH. 2

- (a) by sending it in a prepaid registered letter, or by the recorded delivery service, addressed to that person at his usual or last known place of abode or, in a case where an address for service has been given by that person, at that address ; or
- (b) in the case of an incorporated company or body, by delivering it to the secretary or clerk of the company or body at their registered or principal office, or sending it in a prepaid registered letter, or by the recorded delivery service, addressed to the secretary or clerk of the company or body at that office ; or
- (c) where the name or address of that person cannot be ascertained after reasonable inquiry, by addressing it to him by the description of "owner" of the building (describing it) to which the notice relates and by affixing it to some conspicuous part of the building.

5. In the case of a building to which work remains to be done of a kind which is customarily done to a building of the type in question after the erection of the building has been substantially completed, it shall be assumed for the purposes of paragraph 4 of this Schedule that the erection of the building has been or can reasonably be expected to be completed at the expiration of such period beginning with the date of its completion apart from the work as is reasonably required for carrying out the work.

6. Where by reason of the structural alteration of any building a relevant hereditament becomes or becomes part of a different hereditament or different hereditaments, the relevant hereditament shall be deemed for the purposes of this Schedule to have ceased to exist on the date (as determined in pursuance of the foregoing provisions of this Schedule) of the completion of the structural alteration and, in particular, to have been omitted on that date from any valuation list in which it is then included ; but nothing in this paragraph shall be construed as affecting any liability for rates under section 21 of this Act in respect of the hereditament for any period before that date.

#### *Supplemental*

7.—(1) Where a person for the time being liable to be rated under section 21 of this Act in respect of a relevant hereditament which is not included in a valuation list, or in respect of a dwelling-house included in such a list in pursuance of paragraph 2 of this Schedule but not occupied since it was so included, serves on the valuation officer a notice referring to the hereditament or dwelling-house and stating his name and address and that he is so liable, then, in relation to any proposal for including the hereditament in a valuation list or, as the case may be, any proposal served in respect of the dwelling-house before the end of the rate period during which it is first occupied after it was so included in the list, the person aforesaid shall be treated for the purposes of the provisions of Part III of the Local Government Act 1948 c. 26.

SCH. 2 1948 relating to proposals, objections and appeals as standing in the same position as the occupier of the hereditament or dwelling-house.

(2) A notice served under sub-paragraph (1) of this paragraph in respect of such a hereditament as is there mentioned which subsequently becomes such a dwelling-house as is there mentioned shall be treated as served in respect of the dwelling-house as well as in respect of the hereditament.

(3) Where, in pursuance of such a proposal in respect of a dwelling-house as is mentioned in sub-paragraph (1) of this paragraph, an alteration is made in a valuation list which affects the amount of any rate levied under section 21 of this Act in respect of the dwelling-house, the difference, if too much has been paid, shall be repaid or allowed or, if too little has been paid, shall be paid and may be recovered as if it were the arrears of the rate.

(4) References in sub-paragraph (1) of this paragraph to a person liable as there mentioned include references to a person who would be so liable if a relevant period of vacancy had begun in relation to the hereditament or dwelling-house in question.

8. No rate shall be payable under the said section 21 in respect of a hereditament for any period during which it is deemed by virtue of subsection (4) of that section to have been unoccupied ; and any rate paid under that section in respect of such a period shall be recoverable by the person by whom it was paid.

9. Any amount due in respect of rates payable by virtue of section 21 of this Act shall, without prejudice to the operation of any other enactment under which it is recoverable, be recoverable as a simple contract debt in any court of competent jurisdiction.

10. In calculating any period for the purposes of section 21 of this Act or this Schedule, any period when that section is not in force in the rating area in question shall be disregarded ; but the fact that the said section 21 has ceased to be in force in any area shall not affect the operation of that section as respects any period when it was in force in the area.

11. In this Schedule—

“ building ” includes part of a building ;

“ owner ”, in relation to a building, means the person entitled to possession of the building ; and

“ relevant hereditament ” and “ relevant period of vacancy ” have the same meanings as in section 21 of this Act,

and references to a newly erected building or dwelling-house include references to a building or dwelling-house produced by the structural alteration of a building included in a relevant hereditament which by virtue of paragraph 6 of this Schedule has ceased or will cease to exist on the completion of the structural alteration and, in relation to a building or dwelling-house so produced, references to erection of a building shall be construed as references to the structural alteration producing it.

## SCHEDULE 3

Section 35.

## LICENCES ETC.

## PART I

## ENACTMENTS CEASING TO HAVE EFFECT

- |   |                            |
|---|----------------------------|
| 1. The Agricultural Gangs Act 1867.   | 1867 c. 130.               |
| 2. The Gun Licence Act 1870.  | 1870 c. 57.                |
| 3. In section 172 of the Public Health Act 1875, the words from the beginning to "charge" where it first occurs and the words from "also" to "may".   | 1875 c. 55.                |
| 4. The Hawkers Act 1888.  | 1888 c. 33.                |
| 5. Sections 341 to 352 of the Merchant Shipping Act 1894, in section 365(1) of that Act paragraph (d) and the words "(e) emigrant runners", and section 23 of the Merchant Shipping Act 1906. | 1894 c. 60.<br>1906 c. 48. |
| 6. Section 84 of the Public Health Acts Amendment Act 1907.   | 1907 c. 53.                |
| 7. Sections 249(1), 250, 251(1)(a) and (b) and 252 of the Public Health Act 1936.   | 1936 c. 49.                |

## PART II

## VARIATION OF FEES FOR LICENCES, REGISTRATION ETC.

<i>Enactments specifying fees</i>	<i>Relevant Minister</i>		
1. Sections 2, 7 and 13 of the Game Licences Act 1860.	} The Treasury.	1860 c. 90.	
2. Section 9 of the Revenue (No. 2) Act 1861.		1861 c. 91.	
3. Section 37 of the Pawnbrokers Act 1872.		1872 c. 93.	
4. Section 5 of the Customs and Inland Revenue Act 1883.		1883 c. 10.	
5. Section 1(1) of the Moneylenders Act 1927, excluding the proviso.		1927 c. 21.	
6. Section 6 of the Theatres Act 1843 ...		1843 c. 68.	
7. Section 46 of the Town Police Clauses Act 1847.		1847 c. 89.	
8. Section 5 of the Pedlars Act 1871 ...		1871 c. 96.	
9. Sections 15, 18 and 21 of the Explosives Act 1875.		1875 c. 17.	
10. Paragraph 1 of section 51 of the Public Health Acts Amendment Act 1890.		1890 c. 59.	
11. Section 94(1) of the Public Health Acts Amendment Act 1907.			
12. Section 2(5) of the Cinematograph Act 1909.		} The Secretary of State.	1909 c. 30.
13. Section 5(1) of the Official Secrets Act 1920.			1920 c. 75.
14. Section 5(3) of the Performing Animals (Regulation) Act 1925.			1925 c. 38.
15. Section 3 of the Theatrical Employers Registration Act 1925.			1925 c. 50.
16. Section 3(5) of the Home Counties (Music and Dancing) Licensing Act 1926 (including subsection (5) as applied by any provision of a local Act).			1926 c. 31.



SCH. 3	<i>Enactments specifying fees</i>	<i>Relevant Minister</i>	
1928 c. 32.	17. Schedule 1 to the Petroleum (Consolidation) Act 1928.	} The Secretary of State.	
1936 c. 27.	18. Section 1(4) of the Petroleum (Transfer of Licences) Act 1936.		
1937 c. 12.	19. Sections 3, 8(2) and 9(2) of the Firearms Act 1937.		
1940 c. 31.	20. Section 4(1)(b) of the War Charities Act 1940 (including paragraph (b) as applied by section 41 of the National Assistance Act 1948).		
1948 c. 29.	21. Section 1(2) of the Pet Animals Act 1951.		
1951 c. 35.	22. Section 30(1) of the Adoption Act 1958.		
1958 c. 5. (7 & 8 Eliz. 2).	23. Paragraph 11 of Schedule 2, paragraph 12 of Schedule 3, paragraph 4 of Schedule 6 and paragraphs 3 and 9 of Schedule 7 to the Betting, Gaming and Lotteries Act 1963.		
1963 c. 2.	24. Paragraphs 3 and 6 of Schedule 12 to the London Government Act 1963.		
1963 c. 33.	25. Section 1(2) of the Animal Boarding Establishments Act 1963.		
1963 c. 43.	26. Section 1(2) of the Riding Establishments Act 1964.		
1964 c. 70.	27. Any provision of a local Act specifying a fee or maximum fee in respect of a licence relating to the provision of music or dancing or any other entertainment of the like kind or to a display, contest or exhibition of boxing or wrestling.		
1958 c. 8. (7 & 8 Eliz. 2).	28. Section 3(10) of the Slaughter of Animals Act 1958.		} The Minister of Agriculture, Fisheries and Food.
1959 c. 55.	29. Section 1(1) of the Dog Licences Act 1959.		
1936 c. 49.	30. Section 187(2) of the Public Health Act 1936 (including subsection (2) as applied by section 14 of the Mental Health Act 1959).		
1959 c. 72.	31. Section 37(2) of the National Assistance Act 1948 (including subsection (2) as applied by section 19 of the Mental Health Act 1959).		} The Minister of Health.
1951 c. 63.	32. Sections 2(1), 6(1) and 7(1) of the Rag Flock and Other Filling Materials Act 1951.		} The Minister of Housing and Local Government.

## SCHEDULE 4

Section 38.

MINOR AMENDMENTS OF ENACTMENTS RELATING TO RATING AND  
VALUATION PREPARATORY TO CONSOLIDATION

## 1. References to a rate—

- (a) in section 4 of the Poor Relief Act 1743 and in the Poor 1743 c. 38. Rate Act 1801, shall be construed as references to that rate 1801 c. 23. whether as originally made (in whatever form) or as it has been applied in relation to particular hereditaments ;
- (b) in section 52 of the Local Government Act 1948, except in 1948 c. 26. subsection (1)(c)(i) thereof, shall be construed as references to that rate as it has been applied as aforesaid,

and in subsection (3) of the said section 52 for the words “originally made” there shall be substituted the words “first applied in relation to the hereditament in question or, as the case may require, as first amended in respect of that hereditament under paragraph (c) of that subsection”.

2. Any reference in section 4 of the Poor Relief Act 1743 or in the Poor Rate Act 1801 to the giving of notice to the churchwardens or overseers shall, notwithstanding anything in the Overseers Order S.R. & O. 1927, be construed as a reference to the giving of notice to the rating 1927/55. authority ; and—

- (a) section 59 of the Rating and Valuation Act 1925 (which 1925 c. 90. relates to the service of notices) shall apply to the service of notices required for the purposes of the said section 4 or of the said Act of 1801 as it applies to the service of notices required for the purposes of the said Act of 1925 ;
- (b) without prejudice to the provisions of the Quarter Sessions 1849 c. 45. Act 1849, the said section 4 from “but if” onwards and sections 4 and 5 of the said Act of 1801 shall cease to have effect.

3. In sections 4(c) and 5 of the Rating Act 1874, for the words 1874 c. 54. “assessment committee” there shall be substituted the words “valuation officer”.

4. In section 6(1) of the Rating Act 1874, after the words “event of” there shall be inserted the word “such”.

5. Section 7 of the Rating Act 1874 (which relates to the valuation of tin, lead and copper mines) shall have effect as if for the words “the gross value of the mine shall be taken to be the annual amount of the whole of the dues payable in respect thereof during the year ending on the thirty-first day of December preceding the date at which the valuation list is made” there were substituted the words “the gross value of the mine for the purposes of any rate period shall be taken to be the annual amount of the whole of the dues payable in respect of the mine during the year ending with 31st December falling between three and fifteen months before the beginning of that rate period”; and the valuation officer may estimate that annual amount for the purposes of the preparation of a new valuation list falling to be signed before the end of that year.

SCH. 4  
1925 c. 90.

6. In section 2 of the Rating and Valuation Act 1925, subsections (1) and (5) shall apply to a rural rating area as they apply to an urban rating area, and accordingly the following enactments shall cease to have effect, that is to say—

(a) in the said subsection (1), the word “urban”;

(b) subsection (2) of the said section 2;

(c) subsection (8) of the said section 2;

1955 c. 9.  
(4 & 5 Eliz. 2.)

(d) section 4(1) of the Rating and Valuation (Miscellaneous Provisions) Act 1955.

7. In section 4(6) of the Rating and Valuation Act 1925, at the end there shall be added the words “or to any precept”.

1963 c. 33.

8. In section 9(3) of the Rating and Valuation Act 1925, for the words “at the commencement of this Act” there shall be substituted the words “immediately before the scheme is proposed to come into force”, and paragraph 5(4) of Schedule 15 to the London Government Act 1963 shall cease to have effect.

9. In section 13(2) of the Rating and Valuation Act 1925 after the word “under” there shall be inserted the words “subsection (1)(a) of”.

1874 c. 54.

10. In the following enactments, that is to say:—

(a) section 7 of the Rating Act 1874;

(b) section 22(4) of the Rating and Valuation Act 1925 as added by section 5(3) of the Rating and Valuation (Miscellaneous Provisions) Act 1955;

1928 c. 44.

(c) section 2(2) of the Rating and Valuation (Apportionment) Act 1928;

1929 c. 17.

(d) section 72 of the Local Government Act 1929;

1948 c. 26.

(e) sections 57(1), 86(1) and 91 of the Local Government Act 1948;

(f) section 6(6) of the said Act of 1955;

1961 c. 45.

(g) sections 18(4) and 22(1) of the Rating and Valuation Act 1961;

1965 c. 36.

(h) section 3(10) of the Gas Act 1965,

for the words “dwelling-house” or “dwelling-houses” wherever they occur there shall be substituted the word “dwelling” or, as the case may be, the word “dwellings” and in the said section 57(1) the words “or residence” shall be omitted.

11. Section 58 of the Rating and Valuation Act 1925 shall apply to rules making any provision required by section 9(4) of that Act to be made by rules as it applies to rules prescribing anything which by that Act is to be prescribed.

12.—(1) In section 64 of the Rating and Valuation Act 1925 subsection (1) (so far as it relates to exemptions from or privileges in respect of rating) and subsection (2) shall cease to apply to any exemption or privilege conferred by a local Act or order passed or made before 22nd December 1925 unless the exemption or privilege either—

(a) is continued in operation by a scheme in force at the date of commencement of this Act under the said subsection (2); or

(b) is at the said date of commencement enjoyed in practice. SCH. 4

(2) The said subsection (2) and section 301(2) of the Highways Act 1959, so far as they apply paragraph 7 of Part III of Schedule 2 to the said Act of 1925, shall continue to have effect notwithstanding the repeal of the said Part III by the Rating and Valuation Act 1961.

(3) In the proviso to the said paragraph 7, for the words "any order so made shall, unless the objection is withdrawn" there shall be substituted the words "unless the objection is withdrawn, the order shall".

13. Section 66 of the Rating and Valuation Act 1925 and sections 70(3) and 71(a) to (c) of the Local Government Act 1948 shall cease to have effect, but any order in force at the date of commencement of this Act under the said section 66 or 70(3), and any regulations in force at that date under the said section 71(a) to (c), shall continue in force in the like manner, subject to the like power of revocation or variation, as if the said section 66, 70(3) or 71(a) to (c), as the case may be, continued to have effect.

14. In section 43 of the Local Government Act 1948—

(a) after the word "effect" there shall be inserted the words "and be deemed always to have had effect";

(b) for the word "object" there shall be substituted the words "make representations with respect".

15. In section 47(3) of the Local Government Act 1948, for the words "in books" there shall be substituted the words "and shall either be kept in books provided for that purpose or be preserved in book form by means".

16. In section 48(2)(a) of the Local Government Act 1948 for the words "either party" there shall be substituted the words "one or more parties to the appeal".

17. In section 49(1) of the Local Government Act 1948 and in section 20(10) of the Rating and Valuation Act 1961, there shall be added at the end the words "and the valuation officer shall cause the valuation list to be altered accordingly".

18. Sections 100(1), 102 and 110(b) of the Local Government Act 1948 and section 66(2) of the Transport Act 1962 shall have effect in relation to England and Wales as if for the words "local authorities" or "local authority" wherever those words occur there were substituted the words "rating authorities" or, as the case may be, "rating authority".

19. In section 100(2) of the Local Government Act 1948, at the beginning there shall be inserted the words "Subject to section 88(2) of this Act".

20. Section 3 of the Rating and Valuation (Miscellaneous Provisions) Act 1955 shall have effect as if the repeal made in subsection (1)(a) thereof by the London Government Act 1963 had not been made.

SCH. 4  
1958 c. 55.  
1955 c. 9.  
(4 & 5 Eliz. 2.)  
1965 c. 36.

21. Section 14(3) of the Local Government Act 1958 shall have effect as if the reference therein to section 6(2) of the Rating and Valuation (Miscellaneous Provisions) Act 1955 included a reference to section 3(1) of the Gas Act 1965.

1961 c. 45.

22. In section 12(5) of the Rating and Valuation Act 1961 after the words "exemption from" there shall be inserted the words "or abatement of".

23. In section 15(1) of the Rating and Valuation Act 1961, for the words "limits respectively" there shall be substituted the word "limit".

24. In section 16(5) of the Rating and Valuation Act 1961, for the word "therein" there shall be substituted the words "for which they were in force".

25. In section 18(2)(d) of the Rating and Valuation Act 1961, the words "net annual" in the second place where those words occur shall be omitted.

26. In the Rating and Valuation Act 1961—

(a) at the beginning of section 22(5) there shall be added the words "Any provision of this Part of this Act relating to the apportionment of the cumulo-value of an undertaking among rating areas or parishes or with respect to any amount so apportioned shall have effect subject to the necessary modifications where, by reason of the fact that the undertaking does not extend beyond the boundaries of a single rating area or a single parish, provision for apportionment is inappropriate and";

(b) in Schedule 3, paragraphs 1 to 4, in paragraph 5 the words from "in subsection (2)" to "and (6)", and paragraph 6, shall be omitted.

S.I. 1965/319.

27. Notwithstanding anything in article 2(1) of the Secretary of State for Wales and Minister of Land and Natural Resources Order 1965, the functions of the Minister of Housing and Local Government under the following enactments shall be exercisable by that Minister in relation to the whole of England and Wales and shall not be exercisable by the Secretary of State for Wales, that is to say—

1925 c. 90.

(a) sections 24 and 58 of the Rating and Valuation Act 1925;

1948 c. 26.

(b) sections 41(1)(c), 44(2), 94(2), 100 and 102 of the Local Government Act 1948;

(c) section 5(5) of and paragraph 12(3) of Schedule 3 to the Rating and Valuation (Miscellaneous Provisions) Act 1955;

(d) paragraph 24(1) of Schedule 8 to the Local Government Act 1958;

(e) section 23 of the Rating and Valuation Act 1961; and

(f) (for the avoidance of doubt by reason of its falling to be construed as one with Part V of the said Act of 1948) section 66 of the Transport Act 1962.

1962 c. 46.

28.—(1) Subject to any order under sub-paragraph (2) of this paragraph, in relation to the Isles of Scilly, references in the enactments relating to rating and valuation to a rating area or rating authority shall be construed as references respectively to those Isles and the Council of those Isles. SCH. 4

(2) The Minister may by order direct that the enactments aforesaid shall apply to the Isles of Scilly subject to such exceptions, adaptations and modifications, if any, as may be specified in the order.

(3) On the commencement of the first order made under sub-paragraph (2) of this paragraph the following provisions shall cease to have effect, that is to say—

- (a) section 70(2) of the Rating and Valuation Act 1925 ; 1925 c. 90.
- (b) section 138(3) of the Local Government Act 1929 so far as it relates to the enactments aforesaid ; 1929 c. 17.
- (c) section 146 of the Local Government Act 1948, so far as it relates as aforesaid ; 1948 c. 26.
- (d) section 17(3) of the Rating and Valuation (Miscellaneous Provisions) Act 1955 ; 1955 c. 9.  
(4 & 5 Eliz. 2.)
- (e) section 39 of this Act, so far as it relates as aforesaid.

29. The following enactments shall cease to have effect, that is to say—

- (a) section 9 of the Poor Relief Act 1601 ; 1601 c. 2.
- (b) the Land Drainage (Rating) Act 1743 ; 1743 c. 37.
- (c) section 14 of the Poor Relief Act 1743 ; 1743 c. 38.
- (d) section 8 of the Poor Rate Act 1801 from “and all and every” onwards ; 1801 c. 23.
- (e) section 1 of the Poor Rate Act 1839 and, in section 193(7) of the Local Government Act 1933, the words “of the Poor Rate Act 1839 or” ; 1839 c. 84.  
1933 c. 51.
- (f) section 33 of the Defence Act 1860 ; 1860 c. 112.
- (g) section 12 of the Post Office Extension Act 1865 ; 1865 c. 87.
- (h) section 22 of the Telegraph Act 1868 ; 1868 c. 110.
- (i) the Poor Law Amendment Act 1868 ; 1868 c. 122.
- (j) section 7 of the Poor Rate Assessment and Collection Act 1869 and, in section 11(7) of the Rating and Valuation Act 1925, the word “seven” ; 1869 c. 41.
- (k) section 19 of the Poor Rate Assessment and Collection Act 1869, section 14 of the Parliamentary and Municipal Registration Act 1878 and, in section 11(7) of the Rating and Valuation Act 1925, the words “and nineteen” ; 1878 c. 26.
- (l) section 11 of the Military Forces Localization Act 1872 ; 1872 c. 68.
- (m) the Assessed Rates Act 1879 ; 1879 c. 10.
- (n) the Poor Law Act 1879 ; 1879 c. 54.
- (o) section 10 of the Post Office (Sites) Act 1885 ; 1885 c. 45.
- (p) section 70(1) of the Railways Act 1921. 1921 c. 55.

Section 43.

## SCHEDULE 5

## CONSEQUENTIAL AMENDMENTS

1875 c. 55.

## THE PUBLIC HEALTH ACT 1875

1. In section 172 for the words "such boats" and the words "such boatmen or other persons in charge" there shall be substituted respectively the words "pleasure boats" and the words "the boatmen or other persons in charge thereof".

1936 c. 49.

## THE PUBLIC HEALTH ACT 1936

2. In section 253 for the words from the beginning to "thereunder" there shall be substituted the words "If any regulation in force under this Part of this Act"; and in section 255(2)(a) for the words "this Part of this Act or any regulations made thereunder" there shall be substituted the words "regulations made under this Part of this Act".

1948 c. 26.

## THE LOCAL GOVERNMENT ACT 1948

3. After section 94(2) there shall be inserted the following subsection—

"(2A) In ascertaining the gross charge aforesaid for England and Wales for any year, the Minister shall, notwithstanding anything in section 144(5) of this Act, treat the aggregate amount of the domestic element of rate support grants for that year as an amount required to be paid by virtue of the rates made for that year by authorities in England and Wales."

1958 c. 42.

## THE HOUSING (FINANCIAL PROVISIONS) ACT 1958

4. In paragraph 10 of Schedule 3, at the end of sub-paragraph (1) there shall be inserted the words "and by way of sums paid in respect of the domestic element of rate support grant for that area", and at the end of sub-paragraph (2) there shall be inserted the words "(disregarding any reduction in that amount made in pursuance of section 6 of the Local Government Act 1966)".

1959 c. 53.

## THE TOWN AND COUNTRY PLANNING ACT 1959

5. In section 57(1), in the definition of "grant-aided function", for the words "the Local Government Act 1958" there shall be substituted (in relation to the year 1967-68 and subsequent years) the words "section 1 of the Local Government Act 1966".

1963 c. 33.

## THE LONDON GOVERNMENT ACT 1963

6. In section 31(8), after the words "Act 1958", there shall be inserted the words "or section 4(2) of the Local Government Act 1966".

7. In section 66(2) the reference to amounts payable to authorities by virtue of section 64 of that Act shall include reference to amounts payable to them in respect of the needs element.

1958 c. 55.

8. In section 70(3) the reference to section 5 of the Local Government Act 1958 shall include a reference to the provisions of this Act in so far as they relate to the resources element.

## SCHEDULE 6

Section 43.

## ENACTMENTS REPEALED

## PART I

## ENACTMENTS REPEALED FROM PASSING OF ACT

Chapter	Short Title	Extent of Repeal
30 & 31 Vict. c. 130.	The Agricultural Gangs Act 1867.	The whole Act.
33 & 34 Vict. c. 57.	The Gun Licence Act 1870.	The whole Act.
38 & 39 Vict. c. 55.	The Public Health Act 1875.	In section 172 the words from the beginning to "charge" where it first occurs and the words from "also" to "may".
43 & 44 Vict. c. 47.	The Ground Game Act 1880.	In section 4, the proviso.
45 & 46 Vict. c. 72.	The Revenue, Friendly Societies, and National Debt Act 1882.	Section 6.
46 & 47 Vict. c. 10.	The Customs and Inland Revenue Act 1883.	Section 6.
51 & 52 Vict. c. 33.	The Hawkers Act 1888.	The whole Act.
57 & 58 Vict. c. 60.	The Merchant Shipping Act 1894.	Sections 341 to 352. In section 365(1), paragraph (d) and the words "(e) emigrant runners".
6 Edw. 7. c. 48.	The Merchant Shipping Act 1906.	Section 23.
7 Edw. 7. c. 53.	The Public Health Acts Amendment Act 1907.	Section 84.
8 Edw. 7. c. 16.	The Finance Act 1908.	In section 6(4) the word "guns" and the proviso.
26 Geo. 5 & 1 Edw. 8. c. 49.	The Public Health Act 1936.	In section 3(3) the words from "sections" to "in". Sections 249(1), 250, 251(1)(a) and (b) and 252. In section 249(2) the words "every registration authority and of"; in section 255(3) the words from "produce" to "shall"; and in section 256 the words from "or in the place to which" onwards.
1 Edw. 8 & 1 Geo. 6. c. 12.	The Firearms Act 1937.	In section 15(1) the words "a licence to use or carry a gun under the Gun Licence Act 1870 or".
10 & 11 Geo. 6. c. 48.	The Agriculture Act 1947.	In section 100(4) the words from "but nothing" onwards.
4 & 5 Eliz. 2. c. 9.	The Rating and Valuation (Miscellaneous Provisions) Act 1955.	Section 1(8).



SCH. 6

Chapter	Short Title	Extent of Repeal
7 & 8 Eliz. 2. c. 55.	The Dog Licences Act 1959.	In section 4 the words from "if the owner" in subsection (1) to the end of the section. Sections 5 and 9(2). In section 11 the words "declaration and certificate of exemption", "declaration and certificate", "declaration or certificate of exemption" and "declaration or certificate". In section 13, paragraph (b), the word "or" immediately preceding that paragraph, the words "or certificate as the case may be", the words "or certificate of exemption" in the first place where they occur and the words "or certificate" in the next place where they subsequently occur. Section 14. Section 28(3).
9 & 10 Eliz. 2. c. 45.	The Rating and Valuation Act 1961.	

## PART II

## ENACTMENTS REPEALED FROM 1ST APRIL 1967

Chapter	Short Title	Extent of Repeal
9 & 10 Geo. 5. c. 50.	The Ministry of Transport Act 1919.	In section 17, paragraph (b) of subsection (1) and subsection (2).
26 Geo. 5 & 1 Edw. 8. c. 49.	The Public Health Act 1936.	In Schedule 1, paragraphs 2(1) and 3; in paragraph 4(1) the words "to whom this paragraph applies and" in both places where they occur; and in paragraph 4(2) the words from the beginning to "Provided that".
7 & 8 Eliz. 2. c. 25.	The Highways Act 1959.	In section 63, in subsection (2), the words from "(in the order" to "declare)". In section 64, in subsection (2) the words "other than work for lighting it". Sections 83 and 84. In section 235, subsection (7). In section 295, in subsection (1) in the definition of "improvement", the words "(except sections eighty-three and eighty-four)".
10 & 11 Eliz. 2. c. 38.	The Town and Country Planning Act 1962.	Section 184.

## PART III

SCH. 6

## ENACTMENTS REPEALED FROM THE DAY APPOINTED UNDER S. 38(1)

Chapter	Short Title	Extent of Repeal
43 Eliz. 1. c. 2.	The Poor Relief Act 1601.	In section 1, the words " of every inhabitant parson vicar and other and " and the words " tithes impropriate or pro-priations of tithes ". Section 9.
17 Geo. 2. c. 37.	The Land Drainage (Rating) Act 1743.	The whole Act.
17 Geo. 2. c. 38.	The Poor Relief Act 1743.	Section 4 from " but if " onwards. Section 14.
41 Geo. 3. c. 23.	The Poor Rate Act 1801.	Sections 4 and 5. Section 8 from " and all and every " onwards. Section 69.
6 & 7 Will. 4. c. 71.	The Tithe Act 1836.	
2 & 3 Vict. c. 84.	The Poor Rate Act 1839.	The whole Act.
3 & 4 Vict. c. 89.	The Poor Rate Exemption Act 1840.	The whole Act.
14 & 15 Vict. c. 50.	The Tithe Rating Act 1851.	The whole Act.
23 & 24 Vict. c. 112.	The Defence Act 1860.	Section 33.
28 & 29 Vict. c. 87.	The Post Office Extension Act 1865.	Section 12.
31 & 32 Vict. c. 110.	The Telegraph Act 1868.	Section 22.
31 & 32 Vict. c. 122.	The Poor Law Amendment Act 1868.	The whole Act.
33 & 34 Vict. c. 41.	The Poor Rate Assessment and Collection Act 1869.	Sections 7 and 19.
35 & 36 Vict. c. 68.	The Military Forces Localization Act 1872.	Section 11.
37 & 38 Vict. c. 54.	The Rating Act 1874.	In section 7, the words " and tithe rentcharge ". The whole Act.
41 & 42 Vict. c. 26.	The Parliamentary and Municipal Registration Act 1878.	
42 & 43 Vict. c. 10.	The Assessed Rates Act 1879.	The whole Act.
42 & 43 Vict. c. 54.	The Poor Law Act 1879.	The whole Act.
48 & 49 Vict. c. 45.	The Post Office (Sites) Act 1885.	Section 10.
11 & 12 Geo. 5. c. 55.	The Railways Act 1921.	Section 70(1).
12 & 13 Geo. 5. c. 50.	The Expiring Laws Act 1922.	In Schedule 1, the entry numbered (1).

## SCH. 6

Chapter	Short Title	Extent of Repeal
15 & 16 Geo. 5. c. 90.	The Rating and Valuation Act 1925.	In section 2(1), the word "urban". Section 2(2) and (8). In section 11(7), the words "seven" and "and nineteen". In section 22(1)(b), the words "and tithe rentcharge, if any". Section 66. In section 68(1), in the definition of "gross value", the words "and tithe rentcharge, if any". Section 68(2).
19 & 20 Geo. 5. c. 17.	The Local Government Act 1929.	Schedule 3.
23 & 24 Geo. 5. c. 51.	The Local Government Act 1933.	In section 193(7), the words "of the Poor Rate Act 1839 or".
11 & 12 Geo. 6. c. 26.	The Local Government Act 1948.	In section 57(1) the words "or residence". Sections 70(3) and 71(a) to (c).
4 & 5 Eliz. 2. c. 9.	The Rating and Valuation (Miscellaneous Provisions) Act 1955.	Section 4(1).
9 & 10 Eliz. 2. c. 45.	The Rating and Valuation Act 1961.	In section 18(2)(d) the words "net annual" in the second place where they occur. In Schedule 3, paragraphs 1 to 4, in paragraph 5 the words from "in subsection (2)" to "and (6)", and paragraph 6.
1963 c. 33.	The London Government Act 1963.	In Schedule 15, paragraph 5(4).

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