



Local Government Act 1958

1958 CHAPTER 55

PART IV

GENERAL AND SUPPLEMENTARY

General amendments relating to local government finance

54 Extension of power of trustees to lend to local authorities

- (1) The manner in which a trustee may invest trust funds under the powers of section one of the Trustee Act, 1925, shall include—
 - (a) the lending of money to an authority to which this section applies, in any case where the money, when borrowed by the authority, is charged on all or any of the revenues of the authority or on a fund into which all or any of their revenues are payable; and
 - (b) the purchase of any security created by an authority to which this section applies for the purpose of borrowing money so charged.
- (2) Subsection (1) of section two of the said Act of 1925 (which extends the power of a trustee to invest in the securities mentioned or referred to in the said section one by authorising the purchase of redeemable securities at a price exceeding the redemption value, but with certain limitations as regards the securities specified in the proviso to that subsection) shall apply to any such security as is mentioned in the foregoing subsection as if it were among the securities mentioned or referred to in the said section one and also, except in the case of stock created by the London County Council, the Metropolitan Water Board, or the Belfast City and District Water Commissioners, among those specified in the said proviso.
- (3) The following are the authorities to which this section applies, that is to say, any local authority, the council of any borough included in a rural district, any parish council, any body all the members of which are members of local authorities, any river board, any river purification board, the Metropolitan Water Board, the Belfast City and District Water Commissioners, the Conservators of the River Thames and the Lee Conservancy Catchment Board.

- (4) In this section " local authority " means any of the following authorities in the United Kingdom, that is to say—
- (a) in England and Wales, a local authority as defined in section sixty-six of this Act, the Common Council of the City of London, the council of a metropolitan borough and the Council of the Isles of Scilly;
 - (b) in Scotland, a local authority within the meaning of the Local Government (Scotland) Act, 1947 ;
 - (c) in Northern Ireland, the council of a county, county or other borough, or urban or rural district.
- (5) The foregoing provisions of this section shall apply in relation to trusts the execution of which is governed by the law in force in Northern Ireland as if for the references to the Trustee Act, 1925, there were substituted references to the Trustee Act, 1893 ; and the references in those provisions as so applying to the proviso to subsection (1) of section two of the said Act of 1925 shall be construed as references to the proviso contained in subsection (2) of section two of the said Act of 1893.
- (6) The foregoing subsection shall, for the purposes of section six of the Government of Ireland Act, 1920, be deemed to be a provision of an Act passed before the appointed day within the meaning of that section.

55 Consolidated Loans Funds

- (1) The council of any county or county borough may in accordance with a scheme made by the council and approved by the Minister establish and operate a Consolidated Loans Fund for defraying any expenditure which the council is authorised by or under any enactment to meet out of moneys borrowed by the council and for the repayment or redemption of debt.
- (2) A scheme under this section shall make provision—
- (a) as to the purposes for which payments are to be authorised or required to be made out of the Fund;
 - (b) as to the assets and liabilities which are to be authorised or required to be transferred to or paid into the Fund;
 - (c) without prejudice to the generality of the foregoing paragraphs, applying with the necessary modifications paragraphs (a) to (c) of subsection (1) of section eight of the Local Authorities Loans Act, 1945 (which authorises the application for other capital purposes of assets of a capital fund which are not for the time being required for the purposes of the fund) and for securing that payments shall be made to the Fund of such amounts and at such times as are necessary for fulfilling any requirements as to the period within which loans are to be repaid and the obligations of the council to repay loans and to pay interest on loans and for defraying the management expenses of the Fund;
 - (d) for the keeping of separate accounts of receipts and outgoings of the Fund determined by the scheme to be of a capital and of an income nature respectively, and of expenditure in connection with the management of the Fund;
 - (e) as to the investment of assets of the Fund which are for the time being not required for other purposes, or their application in the repayment or redemption of debt.

- (3) The foregoing provisions of this section shall apply to the council of any county district having, at the time of the making of a scheme, a population of sixty thousand or more, or, with the consent of the Minister given before the making of a scheme, to the council of any other county district, and to the council of any metropolitan borough, as those provisions apply to the council of a county or county borough.
- (4) A scheme under this section shall have effect notwithstanding anything in any enactment.
- (5) A scheme under this section, or a scheme made under the corresponding provisions of any local Act, may be varied or revoked by a subsequent scheme made by the council and approved by the Minister.

56 Contributions by county councils to expenses of county district councils

- (1) Section three hundred and seven of the Public Health Act, 1936, and section one hundred and twenty-six of the Act of 1948 (which empower county councils to make certain contributions to the expenses of county district councils) shall cease to have effect, but a county council may make any contribution the council think fit to expenditure of the council of a county district in the county.
- (2) A county council may make any contribution the council; think fit towards expenditure of the council of a borough to which the Seventh Schedule to this Act applies or by a parish council or parish meeting in connection with the exercise of the functions of the council or meeting relating to public open spaces.
- (3) Where an amount equal to the expenditure to which any contribution is made under subsection (1) of this section falls to be debited to the Housing Revenue Account of the council of the county district, that council shall carry to the credit of the account, in addition to the amounts which the) are required to carry to the credit of that account under section one hundred and twenty-nine of the Housing Act, 1936, are amount equal to the contribution under subsection (1) of this section.

57 Abolition of compulsory county contributions to local health salaries

A county council shall not be required to contribute to any salary accruing after the thirty-first day of March, nineteen hundred and fifty-nine of a medical officer of health or public health inspector of a county district or metropolitan borough.

58 Arrangements by local authorities for handling receipts and payments

- (1) Every local authority shall make safe and efficient arrangements for the receipt of moneys paid to them and the issue of moneys payable by them, and those arrangements shall be carried out under the supervision of the treasurer:

Provided that in the case of a local authority of which the treasurer at the passing of this Act is not a whole-time officer (that is to say, a person who devotes substantially the whole of his time to his employment by the authority) the said arrangements shall at any time when the treasurer is not a whole-time officer be carried out under the supervision of such officer of the authority as may be designated by them as their chief financial officer.

- (2) The following enactments, that is to say,—

Status: *This is the original version (as it was originally enacted).*

- (a) subsection (2) of section eighty-six, and sections one hundred and eighty-four and one hundred and eighty-seven, of the Act of 1933, and
- (b) subsection (3) of section sixty, and sections one hundred and nineteen and one hundred and twenty-two, of the London Government Act, 1939,

(being enactments imposing requirements as to the manner in which payments into or out of funds of local authorities are to be made or authorised and the manner in which local authorities are to be authorised to incur liabilities exceeding one hundred pounds) shall cease to have effect.

- (3) In this section " local authority " includes the council of a metropolitan borough.
- (4) This section shall come into force on the first day of April, nineteen hundred and fifty-nine.