



Local Government Act 1948

1948 CHAPTER 26

PART III

VALUATION AND RATING PROCEDURE.

Miscellaneous.

62 Appeals as to water rates.

- (1) So much of any statutory provision as authorises or requires any dispute arising in relation to water rates to be determined by a court of summary jurisdiction shall have effect as if it authorised or required that dispute to be determined by the county court for the county court district in which the property in question is situated.
- (2) The power, to make orders conferred by subsection (2) of section forty-nine of this Act (which enables the Lord Chancellor to combine county court districts or direct that one county court district shall be included in another county court district for the purposes of that section) shall include power to make orders in relation to the purposes of this subsection, and the said subsection (2) shall have effect accordingly.

63 Service of notices, &c.

- (1) Section fifty-nine of the Rating and Valuation Act, 1925, (which relates to the service of notices and similar matters) shall extend to London and shall apply in relation to any notice, demand note, order or other document required or authorised to be sent or served under or for the purposes of any Act relating, to the making, levying, collection and recovery of rates in London, and, both inside and outside London, in relation to notices and other documents required or authorised to be sent or served under or for the purposes of this Part of this Act as it applies in relation to notices, demand notes, orders and other documents required or authorised to be sent or served under or for the purposes of the first-mentioned Act.
- (2) Any notice required by this Part of this Act to be served on the valuation officer need not name the valuation officer but may describe him as the valuation officer for the

rating area in question, without further description, and may be served by post, and every notice published in pursuance of any of the provisions of this Part of this Act which contains a statement of a right of objection or appeal shall include a statement of the address to or at which notice of objection or notice of appeal, as the case may be, may be sent to the valuation officer or service thereof otherwise effected.

64 Inclusion in one proceeding of separate hereditaments.

Any person may include in the same objection, proposal, appeal or other proceeding under this Part of this Act all or any hereditaments comprised in the same valuation list as respects which he has a right to make or bring any such objection, proposal, appeal or other proceeding, although they are separately assessed in that list.

65 Extension to London of provisions as to Crown property.

Subsection (3) of section sixty-four of the Rating and Valuation Act, 1925 (which regulates the manner in which Crown property is to be dealt with in valuation lists) shall extend to London.

66 Saving for position of owners in certain cases.

- (1) Every owner who is rated under section eleven of the Rating and Valuation Act, 1925, or section four of the Poor Rate Assessment and Collection Act, 1869, instead of the occupier, or who enters into an agreement with the rating authority under the said section eleven or under section three of the said Act of 1869, in respect of any hereditaments shall, without prejudice to the rights of the occupier of any of those hereditaments, be treated for the purposes of the provisions of this Part of this Act relating to objections, proposals and appeals as standing in the same position as the occupier.

- (2) Where any premises are unoccupied, any reference in this Part of this Act to the occupier shall be construed as a reference to the owner thereof:

Provided that where the owner is unknown and a notice addressed to the occupier has been served in the manner authorised by law for the service of notices on the occupier where the occupier is unknown, that notice shall be deemed to have been duly served on the owner.

67 Membership of local authority, &c, not to be disqualification in certain cases.

- (1) A person shall not be disqualified to act as a member of, or as the clerk or an officer of, a local valuation panel or local valuation court by reason only that he is—
 - (a) a member of an authority deriving revenue directly or indirectly from rates which may be affected by the exercise of his functions ; or
 - (b) the owner or occupier of any property within any rating area the rates within which are affected by the exercise of his functions,
 and a person shall not be disqualified from acting as aforesaid in relation to any property by reason only that an authority of which he is a member either owns or occupies the whole or any part of that property.
- (2) A person shall not be disqualified to act as a valuation officer or as the judge on any appeal to a county court by reason only that he is the owner or occupier of any

property within any rating area the rates within which are affected by the exercise of his functions.

- (3) Nothing in this section shall authorise any person to whom this section applies to act in relation to any property which, or any part of which, he himself owns or occupies.

68 Transfer of valuation offices, &c.

If the Minister is satisfied that any premises which are, or any interest in which is, owned by a local authority are, or at some time during the year 1947-48 were, used by that authority wholly or mainly for the purpose of their functions relating to the valuation of property for rating purposes and that it is reasonable so to do, he may direct the authority to make over their interest to the Minister of Works, and where such a direction is given the like consequences shall ensue as would have ensued if a notice to treat had been given, on the date of the direction to the authority, by the Minister of Works in pursuance of a power conferred by Act of Parliament compulsorily to acquire that interest.

69 Use of public rooms.

- (1) The valuation officer may request the permission of any county council or rating authority the whole or any part of: whose area is within the area for which the officer acts for the use by him and his staff on such days or for such period as may be specified in the request of such premises belonging to the council or authority as may be so specified and the council or authority shall not unreasonably withhold their permission.
- (2) The chairman of any local valuation panel may request the permission of any county council or rating authority the whole or any part of whose area is within the area for which the panel acts for the use for meetings of the panel or of any local valuation court constituted from members of the panel or for the use of the chairman, clerk or officers of the panel, on such days as may be specified in the request of any premises belonging to the council or authority, and the council or authority shall not unreasonably withhold their permission.
- (3) Any person having the control of any room maintained out of any rate may put that room at the disposal of the valuation officer or any local valuation panel or local valuation court for the purpose of the exercise by them or their officers, or, in the case of a panel, by the chairman thereof, of any functions directly or indirectly affecting the valuation list by reference to which that rate is levied.
- (4) Where a request is made under subsection (1) or subsection (2) of this section, any dispute as to whether the permission of the county council or rating authority has been unreasonably withheld shall be determined by the Minister.

70 Savings and application of enactments.

- (1) Save as otherwise expressly provided in this Act, nothing therein contained shall affect—
- (a) the principles on which hereditaments are to be valued or any privilege or any provision for the making of a valuation on any exceptional principle ; or
 - (b) the contents or form of valuation lists ; or
 - (c) the effect of valuation lists when made,

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

and accordingly enactments relating to the matters aforesaid shall have effect, with any necessary modifications, as if references to valuation lists included references to valuation lists made under this Part of this Act.

- (2) The amendments specified in the First Schedule to this Act (being minor "amendments consequential on the provisions of this Part of this Act) shall be made in the enactments referred to in that Schedule.
- (3) The Minister may, if he in any particular case thinks fit, by order provide that such provisions of any local Act as may be specified in the order, being provisions relating to rating or valuation for rating to which, by reason of the provisions of this Part of this Act, effect can no longer be given, shall continue in force with such adaptations specified in the order as may be necessary to enable effect to be given to them.

71 Regulations for the purposes of Part III.

Without prejudice to any other provision of this Part of this Act enabling the Minister to make regulations, the Minister may make regulations—

- (a) for carrying the provisions of this Part of this Act into effect; and
- (b) for prescribing anything which under this Part of this Act is to be prescribed ; and
- (c) for requiring rating authorities to transfer without payment to the valuation officer any such documents or classes of documents as may be specified in the regulations ; and
- (d) for winding up the affairs of assessment committees, county valuation committees, and the central valuation committee and for disposing of their property ; and
- (e) for prescribing the manner in which any liabilities of assessment committees, county valuation committees or the central valuation committee are to be met, and requiring local authorities to contribute such sums as may be necessary for the meeting thereof,

and different provision may be made by the regulations for different cases or classes of case.

72 Commencement of Part III and transitional provisions.

- (1) This Part of this Act shall come into effect on such day as the Minister may by order appoint, and different days may be appointed for different purposes, different rating areas, and different provisions of this Part of this Act.
- (2) Subject to the provisions of subsection (1) of this section, the provisions of this Part of this Act relating to the alteration of current valuation lists shall have effect in relation to lists in force under the Rating and Valuation Acts, 1925 to 1940, or, as the case may be, under the Rating and Valuation (Metropolis) Acts, 1869 to 1940, as they have effect in relation to lists prepared in accordance with the provisions of this Act, and regulations made by the Minister may include such transitional provisions as the Minister thinks fit as respects proceedings for the amendment of lists or the making of provisional or supplemental lists pending on the day appointed as aforesaid.
- (3) Section forty-six of the Valuation (Metropolis) Act, 1869 (which relates to the revision of valuation lists in London) shall, until the repeal thereof by this Act comes into force, have effect in relation to the period for which the valuation lists in force at the date

of the passing of this Act continue in force, as if the references to the first four years, the fifth year, and the last four years, of the period were respectively references to every year except the last year, the last year, and every year except the first year, of the period.

73 Extent of Part III.

This Part of this Act shall not extend to Scotland.