



# Local Government Act 1948

## 1948 CHAPTER 26

### PART V

#### RATING OF TRANSPORT AND ELECTRICITY AUTHORITIES.

*Payments by British Transport Commission for benefit of local authorities.*

#### **93     Amount of payments by British Transport Commission.**

- (1) The payments which are, under the preceding provisions of this Part of this Act, to be made year by year by the British Transport Commission for the benefit of local authorities shall be as follows, that is to say, the Commission—
  - (a) shall in each year make a payment for the benefit of local authorities in England and Wales ; and
  - (b) shall in each year make a payment for the benefit of local authorities in Scotland.
- (2) The said payments for the benefit of local authorities in' England and Wales shall—
  - (a) in the case of the year 1948-49, be a payment of the standard amount, increased by six hundred and thirty thousand pounds ;
  - (b) in the case of the years 1949-50 and 1950-51, be payments of the standard amount, adjusted in accordance with the provisions of the next succeeding section for changes in the average rates levied in England and Wales ;
  - (c) in the case of subsequent years, be payments of the standard amount, adjusted, in accordance with the provisions of the two next succeeding sections, for such changes as aforesaid and for changes in the circumstances of the British Transport Commission.
- (3) The said payments for the benefit of local authorities in Scotland shall—
  - (a) in the case of the year 1948-49, be payments of the standard amount;
  - (b) in the case of the years 1949-50, 1950-51, 1951-52 and 1952-53, be payments of the standard amount, adjusted in accordance with the provisions of the next succeeding section for changes in the average rates levied in Scotland ;

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*Status: This is the original version (as it was originally enacted).*

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- (c) in the case of subsequent years, be payments of the standard amount adjusted, in accordance with the provisions of the two next succeeding sections, for such changes as aforesaid and for changes in the circumstances of the British Transport Commission.
- (4) In this section and the two next succeeding sections, the expression " the standard amount " means, in relation to a payment for the benefit of local authorities in England and Wales, the sum of one million eight hundred and ten thousand pounds, and, in relation to a payment for the benefit of local authorities in Scotland, such sum as is certified by the Secretary of State to be the estimated amount which would have been payable by way of rates in Scotland in respect of railway or canal lands and heritages for the year 1947-48 if the rateable value of such lands and heritages in that year had been based upon the cumulo yearly rent or value of railway undertakings specified in Part II of the First Schedule to the Railways (Valuation for Rating) Act, 1946.

**94      Adjustments of British Transport Commission's payments for changes in the average rates.**

- (1) The adjustment which, under the last preceding section, is to be made for changes in the average rates levied in England and Wales, or, as the case may be, in Scotland, shall be the adjustment which results from the application of the subsequent provisions of this section.
- (2) The aggregate gross charge to rates for England and Wales or, as the case may be, for Scotland, for the year preceding the year for which the payment by the British Transport Commission in question has to be made, as ascertained and certified by the Minister or, as the case may be, the Secretary of State, shall be multiplied by two hundred and forty and divided by the rateable value for England and Wales or, as the case may be, for Scotland, for the said preceding year, as so ascertained and certified.
- (3) The results of the calculation directed to be made by subsection (2) of this section shall then be reduced or increased to the nearest whole number, by ignoring any fraction which is less than one-half and treating any other fraction as equivalent to one.
- (4) The adjustment referred to in subsection (1) of this section -is the application to the standard amount of the fraction of which the numerator is the result of the calculation directed to be made by subsection (2) of this section, reduced or increased to the nearest whole number, and the denominator is—
  - (a) in the case of a payment for the benefit of local authorities in England and Wales, the number two hundred and fourteen (being the estimated result, to the nearest whole number, of multiplying the aggregate gross charge to rates for England and Wales for the year 1947-48 by two hundred and forty and dividing the result by the rateable value for England and Wales for that year) ;
  - (b) in the case of a payment for the benefit of local authorities in Scotland, by the number certified by the Secretary of State to be the estimated result, to the nearest whole number, of a similar calculation as respects Scotland.

**95      Adjustments for changes in the circumstances of the British Transport Commission.**

- (1) The adjustment which, under the last but one preceding section, is to be made for changes in the circumstances of the British Transport Commission shall be such

adjustment as may be prescribed by order of the Minister and the Secretary of State, acting jointly.

- (2) Any order made under this section may be revoked or varied by a subsequent order made thereunder.
- (3) Before any order is made under this section, a draft thereof shall be laid before each House of Parliament, and the order shall not be made until the draft has been approved by resolution of each House.