



Local Government Act 1966

1966 CHAPTER 42

PART I

GRANTS

Rate support grants for local authorities.

1 Rate support grants.

- (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
 - (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 ;

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- (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 Stilly 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 Rate support grant orders.

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

3 Variation of orders etc.

- (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.

4 Reduction of grants in case of default.

- (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

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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 Supplemental.

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

- (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
 - (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.

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(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 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—

(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.

7 Grants for development and redevelopment.

(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.

- (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 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.
- (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.

8 Grants for public open spaces.

- (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 Grants for reclamation of derelict land.

- (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—
 - (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.

10 Grants to port and airport health authorities.

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

11 Grants for certain expenditure due to immigrant population.

- (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.

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Discontinuance or reduction of certain existing grants.

12 Discontinuance of general grants and rate-deficiency grants.

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 Calculation of road-mileage etc. for grant purposes.

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—

- (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 Discontinuance of grants for school meals etc.

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.

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

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 ".

PART II

RATES

Valuation for rating.

16 Postponement of revaluation.

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.

17 Valuation according to tone of list.

- (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 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.

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

- (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

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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 Settlement of proposals for altering valuation lists.

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.

Rating of unoccupied property.

20 Application of ss. 21 and 22.

- (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.

21 Liability to be rated in respect of certain unoccupied property.

- (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 Supplementary provisions, exemptions and reliefs.

- (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.
- (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 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;
 - (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 ;
 - (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.
- (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.

23 Rating of certain office premises of nationalised boards.

- (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.
- (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.
- (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.
- (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, bookkeeping, 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.

24 Power to alter distribution of certain payments made by nationalised boards in lieu or by way of rates.

(1) The Minister may by order provide—

- (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;
- (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;
- (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 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.

- (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.

25 Calculation of rate products.

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—

- (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 ' Dwelling-house ' to include certain premises used in part otherwise than as private dwelling.

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.

PART III

HIGHWAYS

Grants towards construction and improvement of roads.

27 Highway grants and classifications.

- (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.
- (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.

28 Provision of lighting by highway authorities.

- (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—
 - (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.
- (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.
- (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 Powers of existing lighting authorities.

- (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 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.

30 Delegation of lighting functions of highway authority.

- (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 Transfer of road lighting systems.

- (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—
- (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, 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;

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(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.

32 Special provisions as to footway lighting systems.

- (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.

Seconding of staff etc.

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

- (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.

- (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 Construction and commencement of Part III.

- (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—
- (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 Amendment of certain enactments relating to licences.

- (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 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.

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

- (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.

36 Further provisions as to dog licences.

- (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 ".

37 Payments by local authorities to offset effect of selective employment tax.

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.

38 Amendments preparatory to consolidation.

- (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.
- (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 " ;
 - (b) section 69 of the Tithe Act 1836 ;
 - (c) section 1 of the Poor Rate Exemption Act 1840 ;
 - (d) section 1 of the Tithe Rating Act 1851 ;
 - (e) in Schedule 1 to the Expiring Laws Act 1922, the entry numbered (1),
- 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.

- (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.

39 Application of Act to Isles of Stilly.

The provisions of this Act shall have effect in relation to the Isles of Stilly 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.

40 Orders, regulations and rules.

- (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.

41 Interpretation.

- (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 ;

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

" 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 Stilly ;

" the Minister " means the Minister of Housing and Local Government;

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

" 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 Expenses.

There shall be defrayed out of moneys provided by Parliament—

- (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 Consequential amendments and repeals.

- (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.
- (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 Short title and extent.

- (1) This Act may be cited as the Local Government Act 1966.
- (2) This Act shall not extend to Scotland or Northern Ireland.