
STATUTORY INSTRUMENTS

1996 No. 43

**COMMUNITY CHARGES, ENGLAND
AND WALES COUNCIL TAX, ENGLAND
AND WALES RATING AND VALUATION**

The Local Government Changes for England (Valuation
and Community Charge Tribunals) Regulations 1996

<i>Made</i>	- - - -	<i>11th January 1996</i>
<i>Laid before Parliament</i>		<i>15th January 1996</i>
<i>Coming into force</i>		
<i>for the purpose of</i>		
<i>regulation 3(1)</i>		<i>5th February 1996</i>
<i>for all other purposes</i>		<i>1st April 1996</i>

The Secretary of State, in exercise of the powers conferred on him by sections 140(4), 143(1) and (2) of, and paragraphs 1 and 5 of Schedule 11 to, the Local Government Finance Act 1988⁽¹⁾, and sections 19(1) and (2) and 26(3) and (4) of the Local Government Act 1992⁽²⁾, and of all other powers enabling him in that behalf, and after consultation with the Council on Tribunals as required by section 8 of the Tribunals and Inquiries Act 1992⁽³⁾, hereby makes the following Regulations:

Citation, commencement, interpretation and application

1.—(1) These Regulations may be cited as the Local Government Changes for England (Valuation and Community Charge Tribunals) Regulations 1996 and shall come into force for the purposes of regulation 3(1) on 5th February 1996 and for all other purposes on 1st April 1996.

(2) In these Regulations “the principal Regulations” means the Valuation and Community Charge Tribunals Regulations 1989⁽⁴⁾.

(1) 1988 c. 41.
(2) 1992 c. 19.
(3) 1992 c. 53. See paragraph 28 in Part 1 of Schedule 1.
(4) S.I.1989/439; these Regulations were amended by the Valuation and Community Charge Tribunals (Amendment) (London) Regulations 1991 (S.I. 1991/1), the Valuation and Community Charge Tribunals (Amendment) Regulations 1993 (S.I. 1993/292), the Valuation and Community Charge Tribunals (Amendment) (England) Regulations 1995 (S.I. 1995/363), the Local Government Changes for England (Community Charge and Council Tax, Valuation and Community Charge Tribunals and Alteration of Lists and Appeals) Regulations 1995 (S.I. 1995/624) and the Valuation Tribunals (Wales) Regulations 1995 (S.I. 1995/3056).

(3) References in these Regulations to a body which is to appoint members of a valuation tribunal established for an area shall, during the preliminary period, include an authority which has the functions of a billing authority, as regards the initial year, under Chapter 1 of Part I of the Local Government Finance Act 1992⁽⁵⁾, by virtue of regulation 49(1) of the Local Government Changes for England (Finance) Regulations 1995⁽⁶⁾; for this purpose “initial year” and “preliminary period” shall have the same meaning as in those Regulations.

(4) These Regulations apply to valuation tribunals in England.

Amendments to the principal Regulations

2.—(1) The following shall be substituted for regulation 4(1) of the principal Regulations—

“The Secretary of State shall determine the number of members of each tribunal and where there is more than one appointing body provided in relation to that tribunal under paragraph (2)

- (a) subject to paragraphs (b) and (c) below, the number shall be a multiple of the number of those bodies,
- (b) in the case of the tribunal established for the area of the districts of the East Riding of Yorkshire, Selby and York, and the City of Kingston-upon-Hull, the number shall be a multiple of 7, and
- (c) in the case of the tribunal established for the area of the county of Lincolnshire and the districts of North Lincolnshire and North East Lincolnshire, the number shall be a multiple of 6.”

(2) The following shall be substituted for regulation 4(3) of the principal Regulations—

“(3) Where there is more than one body specified as mentioned in paragraph (2)—

- (a) subject to paragraph (c) below, the appointments shall be made by each body in equal proportions,
- (b) where the appointment of a member terminates in accordance with these Regulations an appointment shall be made by the body which appointed that member, and
- (c) in relation to the tribunals listed in column 1 of the Table below the appointments shall be made by the bodies listed in column 2 in the ratio set out in column 3:

1	2	3
<i>Name of Tribunal</i>	<i>Appointing bodies</i>	<i>Ratio</i>
East Yorkshire	The council of the county of North Yorkshire,	1
	the councils of the districts of the East Riding of Yorkshire	3
	and York	1
	and the council of the City of Kingston-upon-Hull	2

⁽⁵⁾ 1992 c. 14.

⁽⁶⁾ S.I. 1994/2825. The Finance Regulations were amended by the Local Government Changes for England (Finance) (Amendment) Regulations 1995 (S.I. 1995/2862).

1	2	3
<i>Name of Tribunal</i>	<i>Appointing bodies</i>	<i>Ratio</i>
Lincolnshire	The council of the county of Lincolnshire, and the councils of the districts of North Lincolnshire and North East Lincolnshire	4 1 1”

(3) On and after 1st April 1996 for Schedule 1 to the principal Regulations there shall be substituted Schedule 1 to these Regulations.

Membership— transitional provisions

3.—(1) In relation to the tribunals listed in column 1 of Schedule 2 to these Regulations, the number of additional members in column 3 shall be appointed by the bodies in column 2, such appointments to take effect from 1st April 1996.

(2) Notwithstanding regulation 4(3) of the principal Regulations, as substituted by these Regulations, where, before 1st April 1996, a vacancy has occurred and an appointing body has failed to make an appointment before that date or, on or after 1st April 1996, the office of a member referred to in paragraph (3) below terminates as described in that paragraph—

- (a) in relation to the East Yorkshire tribunal—
 - (i) the first twelve such vacancies shall be filled by members appointed alternately by the council of the county of North Yorkshire and the council of the district of York, the first such appointment being made by the first mentioned council, and
 - (ii) such vacancies remaining shall be filled by members appointed by the council of the district of the East Riding of Yorkshire and the council of the City of Kingston-upon-Hull in the ratio 3:2; for this purpose, for every five vacancies which occur, the first mentioned council shall appoint the first three members and the second mentioned council shall appoint the next two;
- (b) in relation to the Lincolnshire tribunal—
 - (i) the first such vacancy shall be filled by a member appointed by the council of the district of North Lincolnshire and the second by a member appointed by the council of the district of North East Lincolnshire, and
 - (ii) such vacancies remaining shall be filled by members appointed by the council of the county of Lincolnshire;
- (c) in relation to the Severnside tribunal, such vacancies shall be filled by the appointment of a member by each of the appointing bodies in turn and in the following order—
 - (i) the council of the district of North West Somerset,
 - (ii) the council of the district of South Gloucestershire,
 - (iii) the council of the City of Bristol, and
 - (iv) the council of the district of Bath and North East Somerset; and
- (d) in relation to the Teesside tribunal, such vacancies shall be filled by the appointment of a member by each of the appointing bodies in turn and in the following order—
 - (i) the council of the district of Middlesbrough,
 - (ii) the council of the district of Redcar and Cleveland,

- (iii) the council of the district of Stockton-on-Tees, and
- (iv) the council of the district of Hartlepool.

(3) Notwithstanding regulation 4(2) of the principal Regulations, each member of a tribunal to which this paragraph applies who was such a member at the end of 31st March 1996 shall, on and after 1st April 1996, continue to hold office as a member of that tribunal until that office terminates in accordance with regulation 6(2) of those Regulations.

- (4) Paragraph (3) above applies to the following tribunals—
- (a) East Yorkshire, established under the principal Regulations under the name “Humberside”,
 - (b) Lincolnshire,
 - (c) Severnside, established under the principal Regulations under the name “Avon”, and
 - (d) Teesside, established under the principal Regulations under the name “Cleveland”.

Transferred appeals

4.—(1) This regulation applies to any appeal to the Humberside or the North Yorkshire tribunal which—

- (a) was initiated before 1st April 1996,
- (b) would, had it been initiated on or after that date, have fallen, by virtue of the change to the area of jurisdiction of those tribunals effected by these Regulations, to be disposed of, in the case of the Humberside tribunal, by the Lincolnshire tribunal, and, in the case of the North Yorkshire tribunal, by the East Yorkshire tribunal,

and in relation to which—

- (c) if the appeal is such as may be disposed of by way of written representations, there has not been given such written agreement as would enable it to be so disposed of, or
- (d) no notice of a hearing has been given.

(2) An appeal to which this regulation applies shall be transferred to, and disposed of by—

- (a) in the case of the Humberside tribunal, the Lincolnshire tribunal, and
- (b) in the case of the North Yorkshire tribunal, the East Yorkshire tribunal,

and on and after 1st April 1996 the relevant regulations shall apply as if anything done in relation to the appeal by or in relation to the clerk, the president or a chairman of the Humberside or North Yorkshire tribunal had been done by or in relation to the clerk, or, as the case may be, the president or a chairman, of the Lincolnshire tribunal, or the East Yorkshire tribunal, respectively.

(3) In this regulation “relevant regulations” means—

- (a) in relation to appeals under section 23 (community charge appeals) of the Local Government Finance Act 1988, or as defined in Part V of the principal Regulations, those Regulations,
- (b) in relation to appeals under the Council Tax (Alteration of Lists and Appeals) Regulations 1993(7), those Regulations,
- (c) in relation to appeals under regulation 29 (appeal against completion notices) of the Non-Domestic Rating (Alteration of Lists and Appeals) Regulations 1993(8), those Regulations, and

(7) S.I. 1993/290; the Regulations were amended by the Council Tax (Alteration of Lists and Appeals) (Amendment) Regulations 1994 (S.I. 1994/1746) and the Local Government Changes for England (Community Charge and Council Tax, Valuation and Community Charge Tribunals and Alteration of Lists and Appeals) Regulations 1995 (S.I. 1995/624).

(8) S.I. 1993/291; the Regulations were amended by the Non-Domestic Rating (Alteration of Lists and Appeals) (Amendment) Regulations (S.I. 1994/1809), the Non-Domestic Rating (Alteration of Lists and Appeals) (Amendment) Regulations 1995

- (d) in relation to appeals under regulation 36 (appeals against certification) of the Non-Domestic Rating (Chargeable Amounts) Regulations 1994⁽⁹⁾, those Regulations.

Signed by authority of the Secretary of State

Department of the Environment
11th January 1996

David Curry
Minister of State,

(S.I. 1995/609) and the Local Government Changes for England (Non-Domestic Rating, Alteration of Lists and Appeals) Regulations 1995 (S.I. 1995/623).
(9) S.I. 1994/3279.

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SCHEDULE 1

Regulation 2

ESTABLISHMENT OF TRIBUNALS

1 <i>Area of jurisdiction</i>	2 <i>Name of Tribunal</i>	3 <i>Appointing body or bodies</i>
Each non-metropolitan county, other than Essex, Hampshire, Lincolnshire and North Yorkshire	The name of the county	The council of the county
Each of the following metropolitan counties: Merseyside, South Yorkshire, Tyne and Wear, West Yorkshire <i>East Riding of Yorkshire etc</i>	The name of the county	The councils of the districts in the county
The districts of the East Riding of Yorkshire, Selby and York and the City of Kingston-upon-Hull	East Yorkshire	The councils of the county of North Yorkshire and the districts of the East Riding of Yorkshire and York and the City of Kingston-upon-Hull
<i>Essex</i>		
The districts of Braintree, Maldon, Tendring and Uttlesford and the boroughs of Chelmsford and Colchester	Essex North	Essex County Council
The districts of Basildon, Brentwood, Castle Point, Epping Forest, Harlow and Rochford and the boroughs of Southend-on-Sea and Thurrock	Essex South	Essex County Council
The districts of East Hampshire and Hart, the boroughs of Basingstoke and Deane, Rushmoor and Test Valley and the City of Winchester	Hampshire North	Hampshire County Council
The district of New Forest, the boroughs of Eastleigh, Fareham, Gosport and Havant and the Cities of Portsmouth and Southampton	Hampshire South	Hampshire County Council
<i>Lincolnshire</i>		
The county of Lincolnshire, and the districts of North Lincolnshire and North East Lincolnshire	Lincolnshire	The councils of the county and the districts of North Lincolnshire and North East Lincolnshire
<i>North Yorkshire</i>		

1 <i>Area of jurisdiction</i>	2 <i>Name of Tribunal</i>	3 <i>Appointing body or bodies</i>
The county of North Yorkshire other than the districts of Selby and York	North Yorkshire	North Yorkshire County Council
<i>Bath and North East Somerset etc</i>		
The districts of Bath and North East Somerset, North West Somerset, South Gloucestershire and the City of Bristol	Sevenside	The councils of the districts comprised in the area
<i>Hartlepool etc</i>		
The districts of Hartlepool, Middlesbrough, Redcar and Cleveland and Stockton-on-Tees	Teesside	The councils of the districts comprised in the area
<i>Greater London</i>		
The City of London, the City of Westminster, the Inner Temple, the Middle Temple	Central London	Westminster City Council and the Common Council
The London boroughs of Barking and Dagenham, Hackney, Havering, Islington, Newham, Redbridge, Tower Hamlets and Waltham Forest	London North East	The councils of the boroughs comprised in the area
The London boroughs of Barnet, Brent, Camden, Ealing, Enfield, Haringey, Harrow and Hillingdon	London North West	The councils of the boroughs comprised in the area
The London boroughs of Bexley, Bromley, Croydon, Greenwich, Lambeth, Lewisham and Southwark	London South East	The councils of the boroughs comprised in the area
The London boroughs of Hammersmith and Fulham, Hounslow, Merton, Richmond, Sutton and Wandsworth and the Royal Boroughs of Kensington and Chelsea and Kingston-upon-Thames	London South West	The councils of the boroughs comprised in the area
<i>Greater Manchester</i>		
The districts of Bolton, Bury, Oldham, Tameside, Rochdale and Wigan	Manchester North	The councils of the districts comprised in the area

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1 <i>Area of jurisdiction</i>	2 <i>Name of Tribunal</i>	3 <i>Appointing body or bodies</i>
The districts of Stockport and Trafford and the Cities of Manchester and Salford	Manchester South	The councils of the districts comprised in the area
<i>West Midlands</i>		
The City of Birmingham	Birmingham	Birmingham City Council
The borough of Solihull and the City of Coventry	Coventry and Solihull	Coventry City Council and Solihull Borough Council
The districts of Dudley, Sandwell, Walsall and Wolverhampton	West Midlands West	The councils of the districts comprised in the area
<i>Isles of Scilly</i>		
The Isles of Scilly	Isles of Scilly	The Council of the Isles of Scilly

SCHEDULE 2

Regulation 3

1 <i>Name of Tribunal</i>	2 <i>Appointing body or bodies</i>	3 <i>Number of Members</i>
East Yorkshire	the council of the county of North Yorkshire	1
	the council of the district of York	1
Lincolnshire	the council of the district of North Lincolnshire	14
	the council of the district of North East Lincolnshire	14
Severnside	the council of the district of North West Somerset	1
	the council of the district of South Gloucestershire	1
	the council of the City of Bristol	1
	the council of the district of Bath and North East Somerset	1
Teesside	the council of the district of Hartlepool	1

EXPLANATORY NOTE

(This note is not part of the Regulations)

Under Part II of the Local Government Act 1992, where recommendations for changes to local government in England are made by the Local Government Commission, the Secretary of State may make an order (“a reorganisation order”). The Local Government Changes for England (Finance) Regulations make transitional provision for local authorities subject to a reorganisation order.

These Regulations make amendments to the arrangements for valuation tribunals in areas where the local authorities are affected by structural or boundary changes made by reorganisation orders and which take effect from 1st April 1996. These Regulations amend the Valuation and Community Charge Tribunals Regulations 1989 which established valuation tribunals.

The Humberside, Avon and Cleveland tribunals are renamed, respectively, the East Yorkshire, Severnside and Teesside tribunals. The areas of jurisdiction of these tribunals, together with the Lincolnshire tribunal, are defined by reference to the constituent district councils, or county and district councils. The area of jurisdiction of the North Yorkshire tribunal is that of the county of North Yorkshire disregarding the areas of Selby and York. The constituent district councils are the appointing bodies to the Severnside and Teesside tribunals. Lincolnshire county council and the districts North Lincolnshire and North East Lincolnshire are the appointing bodies to the Lincolnshire tribunal, in a specified ratio. In the case of the East Yorkshire tribunal, North Yorkshire County Council, together with the constituent district councils which have county council functions, are the appointing bodies, also in a specified ratio. Regulation 4 of the 1989 Regulations is amended, and the Schedule to those Regulations is substituted, accordingly (regulation 2).

There are transitional and consequential provisions for the appointment of members (regulation 3) and transferred appeals (regulation 4).