

---

STATUTORY INSTRUMENTS

---

**1997 No. 75**

**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 1997

<i>Made</i>	- - - -	<i>16th January 1997</i>
<i>Laid before Parliament</i>		<i>21st January 1997</i>
<i>Coming into force</i>		
<i>for the purposes of paragraphs (2) and (3) of regulation 4</i>		<i>11th February 1997</i>
<i>for all other purposes</i>		<i>1st April 1997</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<sup>(1)</sup>, and sections 19(1) and 26(3) of the Local Government Act 1992<sup>(2)</sup>, and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Local Government Changes for England (Valuation and Community Charge Tribunals) Regulations 1997 and shall come into force—

- (a) for the purposes of paragraphs (2) and (3) of regulation 4 on 11th February 1997, and
- (b) for all other purposes on 1st April 1997.

---

(1) 1988 c. 41.  
(2) 1992 c. 19.

### **Amendment of the principal regulations**

2. The Valuation and Community Charge Tribunals Regulations 1989(3) ('the principal regulations') are amended in accordance with the following provisions of these regulations.

### **Membership of tribunals**

3.—(1) For regulation 4 (membership) there is substituted—

“4.—(1) The Secretary of State shall, subject to paragraph (4), determine the number of members of each tribunal.

(2) The members of each tribunal shall, subject to paragraph (3), be appointed by the body or bodies identified in relation to that tribunal in column 3 of Schedule 1.

(3) Where there is more than one such body there identified—

(a) where in relation to a tribunal numbers are specified in column 4 of Schedule 1, the appointments to that tribunal shall be made by the bodies named in column 3 in the ratio which those numbers bear to one another; and

(b) in any other case the appointments shall be made by each body in equal proportions.

(4) Where by virtue of this regulation more than one body is provided in relation to a tribunal, the number of members determined under paragraph (1) shall be a multiple of—

(a) the sum of any numbers specified in relation to that tribunal in column 4 of Schedule 1; or

(b) where no numbers are so specified, the number of those bodies.

(5) Where the appointment of a member terminates in accordance with these Regulations, a further appointment shall be made by the body which appointed that member.

(6) A person may not be appointed as a member of a tribunal if he or his spouse is an employee of that tribunal.”

(2) In regulation 6 there is added—

(a) in paragraphs (2)(b) and (4), after ‘paragraph (3)’ the words ‘or (3A)’;

(b) after paragraph (3)—

“(3A) Where the appointing body by which a member was appointed has ceased to exist, the president shall, if so directed by the Secretary of State after consultation with him, by notice in writing give the member such period of notice of termination of office under this paragraph as may be so directed.”

(3) For Schedule 1 to the principal regulations there is substituted Schedule 1 below.

### **Transitional provision**

4.—(1) Each member of a tribunal mentioned in column 1 of Schedule 2 (a ‘relevant tribunal’) holding office as such at the end of 31st March 1997 shall continue to hold such office until it terminates in accordance with regulation 6(2) of the principal regulations.

(2) Paragraph (3) applies to any vacancy in the membership of a relevant tribunal—

(a) created by an increase effective on 1st April 1997 in the number of its members, or

(b) existing on that date by reason of the failure of an appointing body to make an appointment before that date, or

(c) occurring on or after that date.

(3) Notwithstanding regulation 4(5) of the principal regulations (as substituted by these regulations), a vacancy to which this paragraph applies shall be filled by the body or bodies specified in relation to the relevant tribunal in column 2 of Schedule 2, in the order (if any) in which they are mentioned in that column, until the number of vacancies specified in column 3 in relation to each body has been filled in pursuance of this regulation.

Signed by authority of the Secretary of State

16th January 1997

*David Curry*  
Minister of State,  
Department of the Environment

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE 1

Regulation 3.

## TRIBUNAL MEMBERSHIP

<i>1</i> <i>Area of jurisdiction</i>	<i>2</i> <i>Name of tribunal</i>	<i>3</i> <i>Appointing body or bodies</i>	<i>4</i> <i>Numbers</i>
Each non-metropolitan county other than one listed below	The name of the county	The council of the county	
Each of the following metropolitan counties: Merseyside, South Yorkshire, Tyne and Wear, West Yorkshire	The name of the county	The councils of the districts in the county	
Bedfordshire	Bedfordshire	Bedfordshire County Council	2
		Luton Borough Council	1
Buckinghamshire	Buckinghamshire	Buckinghamshire County Council	3
		Milton Keynes Borough Council	1
Derbyshire	Derbyshire	Derbyshire County Council	7
		Derby City Council	2
Dorset	Dorset	Dorset County Council	6
		Bournemouth Borough Council	3
		Poole Borough Council	2
Durham	Durham	Durham County Council	5
		Darlington Borough Council	1
<b>East Riding of Yorkshire etc.</b>			
The districts of the East Riding of Yorkshire, Selby and York and the City of Kingston-upon-Hull	East Yorkshire	North Yorkshire County Council	1
		East Riding District Council	3
			1

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
<i>Area of jurisdiction</i>	<i>Name of tribunal</i>	<i>Appointing body or bodies</i>	<i>Numbers</i>
		York City Council	2
		Kingston-upon-Hull City Council	
East Sussex	East Sussex	East Sussex County Council	2
		Brighton and Hove District Council	1
<b>Essex</b>			
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	
<b>Hampshire</b>			
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	5
		Portsmouth City Council	1
		Southampton City Council	1
Leicestershire	Leicestershire	Leicestershire County Council	14
		Leicester City Council	10
			1

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
<i>Area of jurisdiction</i>	<i>Name of tribunal</i>	<i>Appointing body or bodies</i>	<i>Numbers</i>
		Rutland District Council	
<b>Lincolnshire</b>			
The county of Lincolnshire, and the districts of North Lincolnshire and North East Lincolnshire	Lincolnshire	Lincolnshire County Council	4
		North Lincolnshire District Council	1
		North East Lincolnshire District Council	1
<b>North Yorkshire</b>			
The county of North Yorkshire other than the districts of Selby and York	North Yorkshire	North Yorkshire County Council	
Staffordshire	Staffordshire	Staffordshire County Council	3
		Stoke-on-Trent City Council	1
Wiltshire	Wiltshire	Wiltshire County Council	5
		Thamesdown Borough Council	2
<b>Bath &amp; North East Somerset etc.</b>			
The districts of Bath and North East Somerset, North Somerset, South Gloucestershire and the City of Bristol	Sevenside	The councils of the districts comprised in the area	
<b>Hartlepool etc.</b>			
The districts of Hartlepool, Middlesbrough, Redcar and Cleveland and Stockton-on-Tees	Teesside	The councils of the districts comprised in the area	
<b>Greater London</b>			
The City of London, the City of Westminster, the Inner	Central London	Westminster City Council and the Common Council	

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
<i>Area of jurisdiction</i>	<i>Name of tribunal</i>	<i>Appointing body or bodies</i>	<i>Numbers</i>
<b>Temple and the Middle Temple</b>			
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	
<b>Greater Manchester</b>			
The districts of Bolton, Bury, Oldham, Tameside, Rochdale and Wigan	Manchester North	The councils of the districts comprised in the area	
The districts of Stockport and Trafford and the Cities of Manchester and Salford	Manchester South	The councils of the districts comprised in the area	
<b>West Midlands</b>			
The City of Birmingham	Birmingham	Birmingham City Council	

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>1</i> <i>Area of jurisdiction</i>	<i>2</i> <i>Name of tribunal</i>	<i>3</i> <i>Appointing body or bodies</i>	<i>4</i> <i>Numbers</i>
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	
<b>Isles of Scilly</b>			
The Isles of Scilly	Isles of Scilly	The Council of the Isles of Scilly	

## SCHEDULE 2

Regulation 4

## TRANSITIONAL VACANCIES

<i>1</i> <i>Tribunal</i>	<i>2</i> <i>Appointing Body</i>	<i>3</i> <i>Number of vacancies</i>
Bedfordshire	Luton Borough Council	7
Buckinghamshire	Milton Keynes Borough Council	9
Derbyshire	Derby City Council	14
Dorset	Bournemouth Borough Council	9
	Poole Borough Council	6
Durham	Darlington Borough Council	7
Hampshire South	Portsmouth City Council	5
	Southampton City Council	5
Leicestershire	Leicester City Council	20
	Rutland District Council	2
East Sussex	Brighton and Hove District Council	12
Staffordshire	Stoke-on-Trent City Council	14
Wiltshire	Thamesdown Borough Council	6

---

## 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 Regulations make amendments to the arrangements for valuation tribunals in areas where local authorities are affected by structural changes made by reorganisation orders and which take effect from 1st April 1997. The Regulations amend the Valuation and Community Charges Tribunals Regulations 1989 (“the 1989 Regulations”) which established valuation tribunals.

Regulation 3 makes new provision for appointments to valuation tribunals in Bedfordshire, Buckinghamshire, Derbyshire, Dorset, Durham, Hampshire (South), Leicestershire, East Sussex, Staffordshire and Wiltshire. It also amends regulation 6 of the 1989 Regulations in respect of termination of membership where the appointing body has ceased to exist.

Regulation 4 makes transitional provision for the filling of vacancies in the membership of the tribunals for those areas.