STATUTORY INSTRUMENTS

2001 No. 47

MAGISTRATES' COURTS, ENGLAND AND WALES

The Greater London Magistrates' Courts Authority (Funding) Regulations 2001

Made - - - -	*8th January 2001*
Laid before Parliament	*10th January 2001*
Coming into force	
for the purposes of regulations 1, 2 and 9	*31st January 2001*
for all other purposes	*1st April 2001*

The Lord Chancellor, in exercise of the powers conferred on him by section 59B(3) and (4) of the Justices of the Peace Act 1997(**1**), makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Greater London Magistrates' Courts Authority (Funding) Regulations 2001 and shall come into force for the purposes of regulations 1, 2 and 9 on 31st January 2001 and for all other purposes on 1st April 2001.

Interpretation

2.—(1) In these Regulations—

(a) "the 1997 Act" means the Justices of the Peace Act 1997;

(b) "the Authority" means the Greater London Magistrates' Courts Authority referred to in section 30A(1) of the 1997 Act(**2**);

(c) "the general funding contribution" has the meaning specified in regulation 3;

(d) "the inner London boroughs' additional funding contribution" has the meaning specified in regulation 4.

(**1**) 1997 c. 25. Section 59B was inserted into the Justices of the Peace Act 1997 by section 83(2) of the Access to Justice Act 1999 (c. 22).

(**2**) Section 30A(1) was inserted into the Justices of the Peace Act 1997 by section 83(1) of the Access to Justice Act 1999 (c. 22).

(2) References in these Regulations to a year mean a year beginning on 1st April and ending on the following 31st March.

General funding contribution

3.—(1) References in paragraph (2) to kinds of the Authority's expenditure do not include the kind of the Authority's expenditure referred to in regulation 4.

(2) The general funding contribution for any year is an amount equal to 20% of—

(a) all the Authority's expenditure of whatever kind for that year; or

(b) if, in relation to any kind of expenditure for that year, the Lord Chancellor determines a lesser amount under section 59B(3)(b) of the 1997 Act—

(i) such amount as may be for the time being determined by the Lord Chancellor for that kind of expenditure and that year; and

(ii) all the Authority's other kinds of expenditure for that year, if any.

Inner London boroughs' additional funding contribution

4. The inner London boroughs' additional funding contribution for any year is an amount equal to that part, if any, of the Authority's expenditure for that year that arises as a result of liability transferred to it for repayment of debt incurred by the Receiver for the Metropolitan Police District in respect of functions in relation to magistrates' courts.

Apportionment of contributions

5. The amount that each London local authority shall pay under section 59B(3) of the 1997 Act each year to the Authority shall be—

(a) in the case of the inner London boroughs, such amount of the general funding contribution for that year as is specified in regulations 6 and 7 and such amount of the inner London boroughs' additional funding contribution for that year as is specified in regulation 8; and

(b) in the case of all other London local authorities, such amount of the general funding contribution for that year as is specified in regulations 6 and 7.

6. In the year beginning on 1st April 2005 and in the year beginning on 1st April in any year after 2005, the amount of the general funding contribution payable by each London local authority shall be calculated by applying the following formula—

$$A \times B$$

where—

A is the figure shown for that London local authority in column 2 of Schedule 1 to these Regulations; and B is the general funding contribution for that year.

7. In the years beginning on 1st April 2001, 1st April 2002, 1st April 2003, and 1st April 2004, the amount of the general funding contribution payable by each London local authority shall be calculated by applying the following formula—

$$(C + [d \times (A-C)]) \times E$$

where—

C is the figure for that London local authority shown in column 3 of Schedule 1 to these Regulations;

d is 0.2 for the year beginning on 1st April 2001; 0.4 for the year beginning on 1st April 2002; 0.6 for the year beginning on 1st April 2003; and 0.8 for the year beginning on 1st April 2004;

A is the figure for that London local authority shown in column 2 of Schedule 1 to these Regulations;

E is the general funding contribution for that year.

7.—(8) In the year beginning on 1st April 2001 and in the year beginning on 1st April in any year after 2001, the amount of the inner London boroughs' additional funding contribution payable by each inner London borough shall be calculated by applying the following formula—

$$F \times G$$

where F is 45.3818% of the amount of the inner London boroughs' additional funding contribution for that year and G is the figure shown in column 2 of Schedule 2 to these Regulations.

Anticipation of payments

9.—(1) A London local authority may anticipate a payment under section 59B of the 1997 Act when making calculations in accordance with section 32 of the Local Government Finance Act 1992(**3**) (originally or by way of substitute).

(2) The amount of the payment so anticipated shall be equal to the London local authority's estimate, at the time the calculations (or last calculations) are made, of the amount of the payment which it considers likely will be due.

Signed by the authority of the Lord Chancellor

Jane Kennedy
Parliamentary Secretary
Lord Chancellor's Department

8th January 2001

(**3**) 1992 c. 14. Section 32 has been amended by S.I.1994/246; S.I. 1995/234; S.I. 1996/175; S.I. 1997/232; S.I. 1998/213; S.I. 1999/228, and the Police Act 1997 (c. 50), Schedule 9, paragraph 67. There are other amendments which are not relevant to London local authorities. Section 32 has been modified by S.I. 1993/22 and S.I. 1995/161.

SCHEDULE 1 Regulations 6 and 7

FIGURES FOR CALCULATION OF AMOUNT OF GENERAL FUNDING CONTRIBUTION PAYABLE BY EACH LONDON LOCAL AUTHORITY

Column 1 London local authority	*Column 2* A	*Column 3* C
Barking	0.018481	0.014910
Barnet	0.048181	0.024899
Bexley	0.030026	0.017724
Brent	0.033218	0.035337
Bromley	0.047277	0.022189
Camden	0.031088	0.046655
City of London	0.001413	0.033178
Croydon	0.045296	0.029182
Ealing	0.040166	0.026242
Enfield	0.037197	0.022536
Greenwich	0.026089	0.039153
Hackney	0.023499	0.035266
Hammersmith and Fulham	0.026560	0.039859
Haringey	0.028721	0.027091
Harrow	0.029688	0.012908
Havering	0.031327	0.016196
Hillingdon	0.034147	0.021928
Hounslow	0.028905	0.025627
Islington	0.025246	0.037887
Royal Borough of Kensington and Chelsea	0.033039	0.049583
Royal Borough of Kingston upon Thames	0.021854	0.014272
Lambeth	0.033301	0.049975
Lewisham	0.030079	0.045140
Merton	0.026072	0.017732
Newham	0.023227	0.030251
Redbridge	0.031464	0.018136
Richmond upon Thames	0.030141	0.014964
Southwark	0.030674	0.046033
Sutton	0.025544	0.012909

Column 1 London local authority	*Column 2* A	*Column 3* C
Tower Hamlets	0.022317	0.033491
Wandsworth	0.039809	0.059742
City of Westminster	0.039645	0.059496
Waltham Forest	0.026309	0.019509

SCHEDULE 2   Regulation 8

FIGURES FOR CALCULATION OF AMOUNT OF INNER LONDON BOROUGHS' ADDITIONAL FUNDING CONTRIBUTION PAYABLE BY EACH LONDON BOROUGH

Column 1 Inner London borough	*Column 2* G
Camden	0.0860
Greenwich	0.0722
Hackney	0.0650
Hammersmith and Fulham	0.0735
Islington	0.0699
Royal Borough of Kensington and Chelsea	0.0914
Lambeth	0.0922
Lewisham	0.0832
Southwark	0.0849
Tower Hamlets	0.0618
Wandsworth	0.1102
City of Westminster	0.1097

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations contain provisions for the calculation of the funding of the Greater London Magistrates' Courts Authority by the London local authorities in the years 2001 onwards.