RATING AND VALUATION, ENGLAND

The Local Government (Payments by British Transport Commission) (Adjustment) Order, 1951

1951 No. 1406

Made - - - - 1*st August*, 1951
Coming into Operation 8*th August*, 1951

L.G.P. 1111.

The Minister of Local Government and Planning and the Secretary of State acting jointly, in exercise of their powers under subsection (1) of section 95 of the Local Government Act, 1948(**a**), hereby make the following Order in the terms of a draft duly approved by resolution of each House of Parliament:—

1. This Order may be cited as the Local Government (Payments by British Transport Commission) (Adjustment) Order, 1951, and shall come into operation on the seventh day after the date hereof.

2.—(1) The Interpretation Act, 1889(**b**), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(2) In this Order—

" basic figure " means one thousand nine hundred and fifty-one millions;

" preceding year " in relation to any year means the twelve months ending on the thirty-first day of December last preceding the commencement of the year.

3.—(1) The adjustment of the standard amount which, under section 93 of the Local Government Act, 1948, is to be made for changes in the circumstances of the British Transport Commission shall, in any year, be the adjustment which results from the application of the subsequent provisions of this Article.

(2) The number of passenger journeys originating on (*a*) British Railways and (*b*) London Transport Railways, and the number of revenue-earning tons of freight train traffic originating on British Railways during the preceding year, as shown in the statistical return rendered for that year by the British Transport Commission to the Minister of Transport and by him laid before Parliament in pursuance of subsection (5) of section 94 of the Transport Act, 1947(**c**), shall be added together, and the sum thereof shall be reduced or increased to the nearest complete million by ignoring any fraction of one million which is less than one-half and treating any other such fraction as equivalent to a complete million.

The figure resulting from the calculation made under this paragraph is hereinafter referred to as the " current figure ".

(3) The difference between the current figure and the basic figure shall then be divided by five.

(**a**) 11 & 12 Geo. 6. c. 26. (**b**) 52 & 53 Vict. c. 63. (**c**) 10 & 11 Geo. 6. c. 49.

The figure resulting from the calculation made under this paragraph is hereinafter referred to as the " difference factor ".

(4) The standard amount shall then—

(*a*) if the current figure exceeds the basic figure, be increased, or

(*b*) if the current figure falls short of the basic figure, be decreased,

by an amount which is the result of the multiplication of the standard amount by the fraction of which the numerator is the difference factor and the denominator is the basic figure.

Given under the official seal of the Minister of Local Government and Planning this first day of August, nineteen hundred and fifty-one.

(L.S.)

Hugh Dalton,
Minister of Local Government and Planning.

Given under the seal of the Secretary of State for Scotland this first day of August, nineteen hundred and fifty-one.

(L.S.)

Hector McNeil,
Secretary of State for Scotland.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

Under Part V of the Local Government Act, 1948, the British Transport Commission has to make annual payments, in lieu of rates, for the benefit of local authorities (*a*) in England and Wales and (*b*) in Scotland. Those payments are calculated by reference to standard amounts which were fixed in relation to the year 1947. Beginning in the year 1951-52 for England and Wales, and in the year 1953-54 for Scotland, the standard amount is required to be adjusted in each year for changes in the circumstances of the British Transport Commission. This order prescribes the method of adjustment which is based on the variation in the total of (*a*) the number of passenger journeys made, and (*b*) the number of freight tons carried, by rail, as between the calendar year 1947 and the calendar year preceding the year of adjustment. According to whether the total for the later year is more or less than the total for the year 1947 (taken as the basic figure) the standard amount is to be increased or decreased by the proportion which one-fifth of the difference bears to the basic figure.