STATUTORY INSTRUMENTS

1977 No. 481

RATING AND VALUATION

The Transport Boards (Distribution of Payments for Rating Authorities) Order 1977

Made - - - -	15*th March* 1977
Laid before Parliament	15*th March* 1977
Coming into Operation	1*st April* 1977

The Secretary of State for the Environment, in exercise of the powers conferred by paragraph 4(2) of Schedule 5 to the General Rate Act 1967**(a)** and now vested in him**(b)**, and of all other powers enabling him in that behalf, after consultation with the Transport Boards and associations of local authorities appearing to him to be concerned, and with the local authority with whom consultation appeared to him to be desirable, hereby makes the following order:—

Title and Commencement

1. This order may be cited as the Transport Boards (Distribution of Payments for Rating Authorities) Order 1977 and shall come into operation on 1st April 1977.

Interpretation

2.—(1) In this order—

"the principal Act" means the General Rate Act 1967;

"the Boards" means the British Railways Board, the British Waterways Board and the London Transport Executive;

"preceding year", in relation to any year, means the calendar year last ending before the commencement of that year;

"relevant receipts", in relation to the British Railways Board, for any year means the aggregate of the receipts by way of revenue included or to be included in the accounts of the Board in respect of passenger and freight traffic carried by the Board and any workshop activity of British Rail Engineering Limited, in any rating area in the preceding year, excluding any receipts by way of revenue in respect of the carriage of parcels and post office mailbags;

"relevant receipts and expenditure", in relation to the London Transport Executive, for any year means the aggregate of the receipts by way of revenue included or to be included in the accounts of the Executive in respect of railway passenger traffic carried by the Executive and any expenditure incurred by, and included or to be included in the accounts of, the Executive in respect of workshop and electricity generating activity (other than the cost of fuel in respect of electricity generating activity and capital expenditure), in any rating area in the preceding year;

(a) 1967 c. 9. **(b)** S.I. 1970/1681 (1970 III, p. 5551).

"traffic", in relation to the British Waterways Board, for any year means the sum of—

(*a*) the freight (measured in metric tons) loaded in or discharged from freight-carrying craft and

(*b*) the product of the freight (as so measured) carried and distance (measured in kilometres) travelled by such craft

on inland waterways owned or managed by the Board in any rating area in the preceding year;

"year" means a period of twelve months beginning with 1st April.

(2) The Interpretation Act 1889**(a)** shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Amendment of the method of distribution contained in the principal Act

3. The sums paid to the Secretary of State by virtue of section 32(5) of and paragraph 4(1) of Schedule 5 to the principal Act shall, instead of being distributed among rating authorities in England and Wales as provided by that paragraph, be distributed in the year 1977–78 and in any subsequent year in accordance with the following provisions of this order.

4. The sum paid by the British Railways Board for any year shall be distributed among the rating authorities in England and Wales according to the proportions which the relevant receipts in their respective areas bear to the aggregate of the relevant receipts in all rating areas.

5. The sum paid by the London Transport Executive for any year shall be distributed among the rating authorities in England and Wales according to the proportions which the relevant receipts and expenditure in their respective areas bear to the aggregate of the relevant receipts and expenditure in all rating areas.

6. The sum paid by the British Waterways Board for any year shall be distributed among the rating authorities in England and Wales according to the proportions which the traffic in their respective areas bear to the aggregate of the traffic in all rating areas.

Provision of Information by the Boards

7.—(1) It shall be the duty of the Boards to furnish to the Secretary of State in writing not later than 16th May 1977 an estimate, based on the best information available to the Boards, of the information required to be furnished in respect of the year 1977–78 by paragraph (2) below.

(2) In respect of the year 1977–78 and subsequent years it shall be the duty of the Boards to furnish to the Secretary of State in writing not later than 1st October in each year the following information—

(*a*) in the case of the British Railways Board the proportions which the relevant receipts in each rating area in England and Wales bear to the aggregate of the relevant receipts in all such rating areas;

(*b*) in the case of the London Transport Executive the proportions which the relevant receipts and expenditure in each rating area in England and Wales bear to the aggregate of the relevant receipts in all such rating areas; and

(a) 1889 c. 63.

(*c*) in the case of the British Waterways Board, the proportions which the traffic in each rating area in England and Wales bear to the aggregate of the traffic in all such rating areas.

Peter Shore,
15th March 1977. Secretary of State for the Environment.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order provides a new method of apportioning between rating authorities the payments made by the British Railways Board, the London Transport Executive and the British Waterways Board in lieu of rates under section 32(5) of the General Rate Act 1967. Such payments are at present distributed in accordance with paragraph 4(1) of Schedule 5 to the General Rate Act to rating authorities in England and Wales in proportion to the rateable values of their respective areas. The Order provides for the payments for the year 1977–78 and subsequent years to be distributed respectively in proportion to in the case of the British Railways Board the relevant receipts, in the case of the London Transport Executive the relevant receipts and expenditure, and in the case of the British Waterways Board the traffic (in each case as those terms are defined in the Order) in any rating area, and provides for the relevant figures to be furnished to the Secretary of State by each board.

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