

1969 No. 359

LONDON GOVERNMENT

The London Authorities (Rate Fund Liabilities) Order 1969

<i>Made</i> - - - -	17th March 1969
<i>Laid before Parliament</i>	25th March 1969
<i>Coming into Operation</i>	28th March 1969

The Minister of Housing and Local Government, in exercise of his powers under section 84 of the London Government Act 1963(a) and of all other powers enabling him in that behalf, hereby makes the following order:—

Title, commencement and interpretation

1. This order may be cited as the London Authorities (Rate Fund Liabilities) Order 1969 and shall come into operation on 28th March 1969.

2.—(1) The Interpretation Act 1889(b) applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

(2) In this order—

“relevant liabilities” means any liabilities falling upon the general fund of the Greater London Council, the county fund of the county council of Essex, Hertfordshire, Kent or Surrey or the general rate fund of the London borough council of Croydon or Newham, as the case may be—

- (a) in relation to the superannuation fund of such council;
- (b) in relation to any pension not payable out of such superannuation fund;
- (c) by virtue of the Pensions (Increase) Acts 1920 to 1965;
- (d) in relation to any gratuity, payable under any enactment;
- (e) by virtue of any provision for the payment of compensation for loss of employment or loss or diminution of emoluments; or
- (f) by virtue of the Workmen’s Compensation Acts 1925 to 1945, the enactments repealed by the Workmen’s Compensation Act 1925(c), the enactments repealed by the Workmen’s Compensation Act 1906(d), the Workmen’s Compensation (Supplementation) Act 1951(e) and the Workmen’s Compensation and Benefit (Amendment) Act 1965(f);

“the Minister” means the Minister of Housing and Local Government; and

“the year 1964-65”, “the year 1965-66” and “the year 1966-67” mean the year ending on the 31st day of March in the year secondly-mentioned in each case.

In the application of articles 3, 6 and 7, the words “or any extension thereof” shall be deemed to be added to item (c) in the definition of “relevant liabilities”.

(a) 1963 c. 33.
 (c) 1925 c. 84.
 (e) 1951 c. 22.

(b) 1889 c. 63.
 (d) 1906 c. 58.
 (f) 1965 c. 79.

(3) In this order, unless the context otherwise requires, references to any enactment shall be construed as references to that enactment as amended, extended or applied by or under any other enactment, and in this paragraph "enactment" includes any instrument made under any Act.

Payments to the county councils of Essex, Hertfordshire, Kent and Surrey

3. Any liability of a London borough council to the county council of Essex, Hertfordshire, Kent or Surrey in respect of relevant liabilities consequential on any transfer of property, liabilities, contracts, etc., actions and proceedings and causes of action or proceeding or of any officer (including the holder of any place, situation or employment) made by or under any provision of the London Government Act 1963 shall cease.

4.—(1) The Greater London Council shall make to the county council of Essex, Hertfordshire, Kent or Surrey, in respect of the relevant liabilities in relation to the county fund of such council, otherwise than in respect of fire services, such payments as may be agreed by the councils concerned, or in default of agreement determined by an arbitrator agreed upon by such councils, or in the absence of agreement appointed by the Minister, to be proper by reason of the inclusion of part of the county in Greater London.

(2) Any agreement made under the preceding paragraph may be varied from time to time, in particular on any extension of the Pensions (Increase) Acts 1920 to 1965, by agreement between the councils concerned.

Payments to the Greater London Council

5.—(1) In this article—

"the aggregate liabilities" means the aggregate of the amounts payable by the Greater London Council under article 4 of this order and the amount of £20,430,000, such amount being that calculated, upon the best information available at 31st December 1967, as representing the sum of—

(a) the aggregate amount of assessed deficiency charges in respect of the superannuation funds of the London County Council and the county council of Middlesex outstanding against the county funds of such councils on 31st March 1965;

(b) ten times the total paid out of such county funds in respect of the year 1964-65 as pensions increases and augmentations of pensions paid out of the superannuation funds aforesaid,

less such payments as have been made in respect of such liabilities in the years 1965-66 and 1966-67;

"relevant authority" means the Greater London Council or any authority named in column (1) of the Schedule; and

"the Schedule" means the Schedule to this order.

(2) Subject to paragraph (3) of this article, any authority named in column (1) of the Schedule shall pay to the Greater London Council, towards the aggregate liabilities—

(a) before or on 31st March 1969, twice the amount specified in respect of that authority in column (2);

(b) on 1st January 1970 and each following 1st January until 1st January 1980, the amount so specified in column (2),

the amount in column (2) being that defined in column (3).

(3) The Minister, on the representations of any relevant authority, on any variation of an agreement under article 4 of this order or in the light of any material circumstances becoming known after 31st December 1967, and after consultation with all other relevant authorities concerned, may make such variation as he considers expedient of—

- (a) the amount of £20,430,000 contained in the definition of “the aggregate liabilities”;
- (b) any fraction specified in column (3) of the Schedule or any amount specified in column (2).

6. The county council of Hertfordshire or Surrey shall, in relation to the urban district of Potters Bar or the urban districts of Staines and Sunbury-on-Thames, being parts of the former county of Middlesex transferred to the said counties respectively, make to the Greater London Council such payments towards the relevant liabilities in relation to the general fund of the Greater London Council as may be agreed between the county council and the Greater London Council, or in default of agreement determined by an arbitrator agreed upon by such councils, or in the absence of agreement appointed by the Minister.

Payments to the London borough councils of Croydon and Newham

7. The Greater London Council shall make to the London borough council of Croydon or Newham, in respect of relevant liabilities of such council in relation to persons employed by the councils of the county boroughs of Croydon, East Ham and West Ham in services not now provided by that London borough council, such payments as may be agreed by the councils concerned, or in default of agreement determined by an arbitrator agreed upon by such councils, or in the absence of agreement appointed by the Minister.

Saving for adjustments

8. The provision made in article 4, 6 or 7 of this order is without prejudice to any adjustment under section 151 of the Local Government Act 1933(a) in respect of any matter other than the liabilities in relation to which provision is made in such article.

Consolidation of equal annual charges payable by the Greater London Council

9. The Greater London Council may by resolution provide for the consolidation and discharge by 31st March 1980 of any equal annual charges which they are required to pay by article 4(6) of the London Authorities (Superannuation) Order 1965(b).

(a) 1933 c. 51.

(b) S.I. 1965/621 (1965 I, p. 1970).

SCHEDULE

(1)	(2)	(3)
	£	
The council of the London borough of Barking	22,850	} 56/100ths of the relevant rate product for the area of the authority.
" " " " " " " " Barnet	48,116	
" " " " " " " " Bexley	23,596	
" " " " " " " " Brent	44,812	
" " " " " " " " Bromley	34,510	
" " " " " " " " Ealing	51,724	
" " " " " " " " Enfield	39,528	
" " " " " " " " Haringey	29,926	
" " " " " " " " Harrow	25,038	
" " " " " " " " Havering	26,362	
" " " " " " " " Hillingdon	36,904	
" " " " " " " " Hounslow	34,862	
The council of the Royal borough of Kingston upon Thames	21,480	
The council of the London borough of Merton	24,974	
" " " " " " " " Redbridge	28,282	
" " " " " " " " Richmond upon Thames	23,358	
" " " " " " " " Sutton	20,842	
" " " " " " " " Waltham Forest	25,828	
The council of the London borough of Croydon	8,583	} 56/100ths of the relevant rate product for the relevant area.
" " " " " " " " Newham	1,880	

(1)	(2)	(3)
	£	
The Common Council of the City of London	41,312	} 24/100ths of the relevant rate product for the area of the authority, 32/100ths of such product being borne by the Inner London Education Authority.
The council of the London borough of Camden	30,837	
" " " " " " " " Greenwich	12,353	
" " " " " " " " Hackney	13,587	
" " " " " " " " Hammersmith	13,388	
" " " " " " " " Islington	18,273	
The council of the Royal borough of Kensington and Chelsea	23,974	
The council of the London borough of Lambeth	18,702	
" " " " " " " " Lewisham	11,347	
" " " " " " " " Southwark	16,937	
" " " " " " " " Tower Hamlets	13,705	
" " " " " " " " Wandsworth	14,858	
The council of the city of Westminster	99,610	
The Sub-Treasurer of the Inner Temple	95	
The Under-Treasurer of the Middle Temple	60	

“The relevant rate product”, in relation to any area, means the product of a rate of one penny in the pound for the year 1964-65, being—

- (a) in a case where that product has been ascertained by the rating authority for the purposes of section 9(2) of the Rating and Valuation Act 1925(a), that product as so ascertained;
- (b) in the case of any other part of a rating area, that product estimated by the council of the London borough concerned in accordance with the principles of the Rate-product Rules 1959(b); or
- (c) such aggregate of the products defined in (a) and (b) as may be appropriate.

“The relevant area” means—

- in the case of the council of the London borough of Croydon, the urban district of Coulsdon and Purley;
- in the case of the council of the London borough of Newham, the areas of the borough of Barking and the metropolitan borough of Woolwich included in the London borough.

(a) 1925 c. 90.

(b) S.I. 1959/258 (1959 II, p 2288).

Given under the official seal of the Minister of Housing and Local Government on 17th March 1969.

(L.S.)

Anthony Greenwood,
Minister of Housing and Local Government.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order makes provision consequential on the London Government Act 1963 in relation to liabilities falling on general funds in relation to super-annuation funds, pensions, etc.