

1999 No. 3459

LONDON GOVERNMENT

**The Local Authorities (Funds) (England)
(Amendment No. 2) Regulations 1999**

Made - - - - - 29th December 1999

Laid before Parliament 30th December 1999

Coming into force - - - 12th January 2000

The Secretary of State for the Environment, Transport and the Regions in exercise of the powers conferred upon him by sections 99(3) and 143(1) of the Local Government Finance Act 1988(a) hereby makes the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Local Authorities (Funds) (England) (Amendment No. 2) Regulations 1999 and shall come into force on 12th January 2000.

(2) These Regulations extend to England only.

Interpretation

2. In these regulations “the 1992 Regulations” means the Local Authorities (Funds) (England) Regulations 1992(b).

Amendment of the 1992 Regulations

3. The 1992 Regulations shall be amended in accordance with the following regulations.

Major precepting authorities

4. In regulation 2(1) of the 1992 Regulations, in the definition of “relevant major precepting authority”, after “to that billing authority,” insert “but the Greater London Authority is, and the Secretary of State is not, a relevant major precepting authority for the purposes of regulations 3(6), 3(7), 3(8) and 12 of and paragraph 6 of Schedule 2 to, these regulations in respect of the period beginning on 12th January 2000 and ending with 2nd July 2000, notwithstanding the transitional adaptation of section 39(1)(c) of the Local Government Finance Act 1992(d);”

(a) 1988 c. 41.

(b) S.I. 1992/2428. The relevant amending Regulations are revoked by regulation 8 of these Regulations.

(c) Section 39(1) is amended by section 82(2) of the Greater London Authority Act 1999 (1999 c. 29), subject to transitional amendments contained in the Greater London Authority Act 1999 (Commencement No. 3 and Transitional Finance Provisions) Order 1999 (S.I. 1999/3434 (c. 96)).

(d) 1992 c. 14.

Discharge of a billing authority's liabilities

5.—(1) In regulation 3(7) of the 1992 Regulations insert at the beginning “Subject, in the financial year beginning on 1st April 2000, to paragraph (7A) below,”.

(2) After regulation 3(7) of the 1992 Regulations insert the following paragraph:

“(7A) Any amount so calculated by an authority in accordance with paragraphs 6(5), 6(6) or 6(7) of Schedule 2 to these Regulations shall be paid by a billing authority to the Greater London Authority in no more than 8 instalments during the financial year beginning on 1st April 2000 provided that—

- (a) the first and final instalments are paid in that year no later than 6th July and 31st March respectively, and
- (b) there are an equal number of days between each instalment.”

(3) In regulation 3(8) of the 1992 Regulations, after “paragraph (7)(b)” insert “or (7A)(b)”.

Discharge of a relevant major precepting authority's liabilities

6.—(1) In regulation 12(2) of the 1992 Regulations insert at the beginning “Subject, in the financial year beginning on 1st April 2000, to paragraph (2A) below,”.

(2) After regulation 12(2) of the 1992 Regulations insert the following paragraph:

“(2A) Any amount so calculated by an authority in accordance with paragraphs 6(5), 6(6) or 6(7) of Schedule 2 to these Regulations shall be paid by the Greater London Authority to a billing authority in no more than 8 instalments during the financial year beginning on 1st April 2000 provided that—

- (a) the first and final instalments are paid in that year no later than 6th July and 31st March respectively, and
- (b) there are an equal number of days between each instalment.”

(3) In regulation 12(3) of the 1992 Regulations, after “paragraph (2)(b)” insert “or (2A)(b)”.

Apportionment of surpluses and deficits

7.—(1) In paragraph 6(4) of Schedule 2 to the 1992 Regulations, insert at the beginning “Subject, in the financial year beginning on 1st April 2000, to sub-paragraphs (5) to (13) below,”.

(2) After sub-paragraph (4) add the following sub-paragraphs:

“(5) The amount of any surplus which is to be the Greater London Authority's share or of any deficit which is to be borne by the Greater London Authority for the year beginning on 1st April 2000 shall be calculated by the councils of the outer London boroughs by applying the formula—

$$A \times \frac{E + F}{B + C}$$

where—

A, B, and C have the same meaning as in sub-paragraphs (2) and (3);

E is the amount stated by the Receiver for the Metropolitan Police District in a precept issued (or last issued) to the billing authority for the year beginning on 1st April 1999 under section 40(2)(b) of the 1992 Act;

F is the amount stated by the London Fire and Civil Defence Authority in a precept issued (or last issued) to the billing authority for the year beginning on 1st April 1999 under section 40(2)(b) of the 1992 Act.

(6) The amount of any surplus which is to be the Greater London Authority's share or of any deficit which is to be borne by the Greater London Authority for the year beginning on 1st April 2000 shall be calculated by the councils of the inner London boroughs by applying the formula—

$$A \times \frac{F + G}{B + C}$$

where—

A, B, and C have the same meaning as in sub-paragraphs (2) and (3);

F is the amount stated by the London Fire and Civil Defence Authority in a precept issued (or last issued) to the billing authority for the year beginning on 1st April 1999 under section 40(2)(b) of the 1992 Act;

G is 83.61% of the amount stated by the Receiver for the Metropolitan Police District in a precept issued (or last issued) to the billing authority for the year beginning on 1st April 1999 under section 40(2)(b) of the 1992 Act.

(7) The amount of any surplus which is to be the Greater London Authority's share or of any deficit which is to be borne by the Greater London Authority for the year beginning on 1st April 2000 shall be calculated by the Common Council of the City of London by applying the formula—

$$A \times \frac{F}{B + C}$$

where—

A, B, and C have the same meaning as in sub-paragraphs (2) and (3);

F has the same meaning as in sub-paragraph (5).

(8) The amount of any surplus which is to be the Receiver for the Metropolitan Police District's share or of any deficit which is to be borne by the Receiver for the Metropolitan Police District for the year beginning on 1st April 2000 shall be calculated by the councils of the inner London boroughs by applying the formula—

$$A \times \frac{H}{B + C}$$

where—

A, B, and C have the same meaning as in sub-paragraphs (2) and (3);

H is 16.39% of the amount stated by the Receiver for the Metropolitan Police District in a precept issued (or last issued) to the billing authority for the year beginning on 1st April 1999 under section 40(2)(b) of the 1992 Act.

(9) The amount of any surplus which is to be the Essex Police Authority's share or of any deficit which is to be borne by the Essex Police Authority for the year beginning on 1st April 2000 shall be calculated by the Epping Forest District Council by applying the formula—

$$A \times \frac{E + I}{B + C}$$

where—

A, B, and C have the same meaning as in sub-paragraphs (2) and (3);

E has the same meaning as in sub-paragraph (5);

I is the amount stated by the Essex Police Authority in a precept issued (or last issued) to Epping Forest District Council for the year beginning on 1st April 1999 under section 40(2)(b) of the 1992 Act.

(10) The amount of any surplus which is to be the Surrey Police Authority's share or of any deficit which is to be borne by the Surrey Police Authority for the year beginning on 1st April 2000 shall be calculated by Elmbridge Borough Council and Reigate & Banstead Borough Council by applying the formula—

$$A \times \frac{E + J}{B + C}$$

where—

A, B, and C have the same meaning as in sub-paragraphs (2) and (3);

E has the same meaning as in sub-paragraph (5);

J is the amount stated by the Surrey Police Authority in a precept issued (or last issued) to the billing authority for the year beginning on 1st April 1999 under section 40(2)(b) of the 1992 Act.

(11) The amount of any surplus which is to be the Surrey Police Authority's share or of any deficit which is to be borne by the Surrey Police Authority for the year beginning on 1st April 2000 shall be calculated by the Council of the Borough of Spelthorne and Epsom & Ewell Borough Council by applying the formula—

$$A \times \frac{E}{B + C}$$

where—

A, B, and C have the same meaning as in sub-paragraphs (2) and (3);

E has the same meaning as in sub-paragraph (5).

(12) The amount of any surplus which is to be the Hertfordshire Police Authority's share or of any deficit which is to be borne by the Hertfordshire Police Authority for the year beginning on 1st April 2000 shall be calculated by Hertsmere Borough Council by applying the formula—

$$A \times \frac{E}{B + C}$$

where—

A, B, and C have the same meaning as in sub-paragraphs (2) and (3);

E has the same meaning as in sub-paragraph (5).

(13) The amount of any surplus which is to be the Hertfordshire Police Authority's share or of any deficit which is to be borne by the Hertfordshire Police Authority for the year beginning on 1st April 2000 shall be calculated by Broxbourne Borough Council and Welwyn Hatfield District Council by applying the formula—

$$A \times \frac{E + K}{B + C}$$

where—

A, B, and C have the same meaning as in sub-paragraphs (2) and (3);

E has the same meaning as in sub-paragraph (5);

K is the amount stated by the Hertfordshire Police Authority in a precept issued (or last issued) to the billing authority for the year beginning on 1st April 1999 under section 40(2)(b) of the 1992 Act.”

Revocation

8. The Local Authorities (Funds) (England) (Amendment) Regulations 1999(a) are hereby revoked.

Signed by authority of the Secretary of State for the Environment,
Transport and the Regions

Keith Hill
Parliamentary Under Secretary of State,
Department of the Environment,
Transport and the Regions

29th December 1999

(a) S.I. 1999/3436.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Local Authorities (Funds) (England) Regulations 1992 to take account of the introduction of the Greater London Authority, and the change to the boundary of the Metropolitan Police District (brought about by section 323 of the Greater London Authority Act 1999). The latter Regulations make provision for the discharge by a billing authority and its major precepting authorities of their liabilities to meet any estimated surplus or deficit in a billing authority's collection fund.

These Regulations have been made in consequence of a defect, namely the incorrect date of coming into force, in the Local Authorities (Funds) (England) (Amendment) Regulations 1999 (S.I. 1999/3436), which they revoke and replace. These Regulations make identical amendments to the Local Authorities (Funds) (England) Regulations 1992, as the regulations which they revoke and replace. It is intended, in accordance with regulation 6 of the Statutory Instruments Regulations 1947 (S.I. 1948/1), that S.I. 1999/3436 will not be printed and sold.

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