

STATUTORY INSTRUMENTS

1993 No. 128

LOCAL GOVERNMENT, ENGLAND AND WALES
RATING AND VALUATION

The Wimbledon and Putney Commons (Special Levies)
(Amendment) Regulations 1993

Made - - - - - 26th January 1993
Coming into force 27th January 1993

The Secretary of State, in exercise of the powers conferred on him by sections 75 and 143(1) and (2) of the Local Government Finance Act 1988(a), and of all other powers enabling him in that behalf, after taking such steps by means of a notice in newspapers as he thinks reasonably practicable to bring the contents of the Regulations to the notice of persons likely to be affected, hereby makes the following Regulations:

Citation, commencement and interpretation

1.--(1) These Regulations may be cited as the Wimbledon and Putney Commons (Special Levies) (Amendment) Regulations 1993 and shall come into force on the day after the day on which they are made.

(2) In these Regulations "the principal Regulations" means the Wimbledon and Putney Commons (Special Levies) Regulations

(a) 1988 c.41; section 75 was amended by the Local Government and Housing Act 1989 (c.42), Schedule 5, paragraph 55, and the Local Government Finance Act 1992 (c.14), Schedule 13, paragraph 73.

[DET 4698]

1990(a).

Interpretation of the principal Regulations

2. Regulation 1(2) of the principal Regulations is amended by inserting after the definition of "the 1988 Act" -

"the 1992 Act" means the Local Government Finance ~~Act~~ 1992;"

Apportionment and special expenses

3. Regulation 3 of the principal Regulations is amended -

(a) in paragraph (1) -

(i) by inserting after the words "a financial year" the words "beginning on ~~or after~~ 1st April 1993";

(ii) by substituting for the words "relevant population" the words "council ~~tax~~ base";

(b) by substituting for paragraph (2) the following:

"(2) The council tax base of a part of the area of a relevant council falling within the levying area shall be calculated by the relevant council in accordance with the rules for the time being effective (as regards the year) under regulations made under section 34(4) of the 1992 Act."

(c) in paragraph (3) -

(i) by substituting for the words "relevant

(a) S.I. 1990/201.

population" in each place where they occur the words "council tax base";

(ii) by omitting the words from "or if it has" to the words "after that day";

(d) in paragraph (4) -

(i) by substituting for the words "under section 95(2) of the 1988 Act" the words "in accordance with section 32(2) of the 1992 Act";

(ii) by inserting at the end the words "for the purposes of sections 34 and 35 of that Act.".

Anticipation of special levies

4. Regulation 4 of the principal Regulations is amended -

(a) in paragraph (1) -

(i) by substituting for the words "under section 95 of the 1988 Act" the words "in accordance with section 32 of the 1992 Act";

(ii) by substituting for the words "under section 95(2)(a)" the words "in accordance with section 32(2)(a)";

(b) in paragraph (2), by substituting for the words "as that area subsists at the time the charge is set" the words "for the purposes of sections 34 and 35 of the 1992 Act.".

Payment of special levies

5. Regulation 5 of the principal Regulations is amended by

substituting for paragraph (4) the following:

"(4) The annual rate of such interest payable with respect to any day shall be at a rate equivalent to 2 per cent. above the highest base rate quoted from time to time by any of the reference banks.

(4A) For the purposes of paragraph (4) -

(a) the reference banks are the seven largest institutions -

(i) authorised by the Bank of England under the Banking Act 1987; and

(ii) incorporated in and carrying on a deposit-taking business within the United Kingdom;

which quote a base rate in sterling;

(b) the size of an institution is to be determined by reference to its total consolidated gross assets denominated in sterling, as shown in its audited end - year accounts last published before the period for which interest is payable begins.

(4B) In paragraph (4A) -

"consolidated gross assets" of an institution is a reference to the gross assets of that institution together with any subsidiary (within the meaning of section 736 of the Companies Act 1985); and

"a deposit taking business" has the meaning given in section 6 of the Banking Act 1987 but subject to any

order under section 7 of that Act,"(a).

Special levies issued in substitution

6. Regulation 6(8) of the principal Regulations is amended by substituting for the words "and (4)" the words "to (4B)".

Transitional provision

7. Nothing in these Regulations shall affect the operation of the principal Regulations in relation to special levies issued or anticipated in accordance with those Regulations ~~in~~ respect of a financial year beginning before 1st April 1993.

Michael Howard

Department of the
Environment

One of Her Majesty's **Principal**
Secretaries of State

26th January 1993

(a) Banking Act 1987 (c.22). Companies Act 1985 (c.6). Section 736 of the Companies Act 1985 was substituted by section 144(1) of the Companies Act 1989 (c.40).