



Norfolk and Suffolk Broads Act 1988

1988 CHAPTER 4

PART III

FINANCE

14 Authority's power to make levies on participating authorities.

- (1) The Authority may, in respect of each financial year beginning after it is established, make levies on each of the participating authorities—
 - (a) to meet that part of the Authority's estimated expenditure in that financial year for which provision is not otherwise made;
 - (b) to enable it to discharge in that financial year any liabilities for the discharge of which provision is not otherwise made; and
 - (c) to meet contingencies, and provide an adequate working balance, during that financial year.
- (2) In determining any amount to be raised for any financial year by way of levy under this section, the Authority shall not be required to treat any reserve which is maintained by it as available to be applied by it during that year.
- (3) In determining the amount which it requires to raise by way of levy under this section for any financial year, the Authority shall determine the aggregate amount which it so requires to raise.
- (4) Norfolk County Council shall contribute 30 per cent. of that aggregate amount and the seven other participating authorities shall each contribute 10 per cent.
- (5) Where—
 - (a) the area which constitutes the Broads for the purposes of this Act is varied by an order made under Schedule 2 to this Act; or
 - (b) the constitution of the Authority is varied by an order made under section 7 of this Act;

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the Secretary of State may by order vary the proportions mentioned in subsection (4) above in such manner as he considers appropriate in consequence of the order mentioned in paragraph (a) or (as the case may be) (b) above.

- (6) The Authority shall, before 30th November in every year, notify each of the participating authorities of its proposals in relation to the levy for the following financial year.
- (7) In determining the aggregate amount to be raised for any financial year by way of levy under this section, the Authority shall have regard to any representations made to it by a participating authority in respect of the proposals notified under subsection (6) above in relation to that year.
- (8) A levy under this section on any participating authority shall be made by issuing the authority with a demand stating—
- (a) the date or dates on or before which a payment or payments in respect of the levy are required to be made; and
 - (b) the amount of that payment or each of those payments.
- (9) Any such demand must be issued, or information as to the amount to be subsequently demanded must be given, to a participating authority before 15th February in the year in which the financial year to which the demand relates begins.
- (10) No resolution of the Authority relating to the amount to be levied under this section, in respect of any financial year, shall be valid unless at least [^{F1}five] of the members of the Authority who voted in favour of the resolution were appointed as such members by one or other of the participating authorities.
- (11) The following enactments—
- (a) subsections (8) and (9) of section 12 of the ^{M1}General Rate Act 1967 (liability for interest where amount due under a precept is unpaid); and
 - (b) section 15 of that Act (power to secure payments of precept);
- shall apply to a levy made by the Authority, and to the Authority, as they apply to a precept issued by a precepting authority, and to such an authority, but with the omission in subsection (1) of section 15 of the words “the rating authority have refused or through wilful neglect or wilful default failed to raise that amount by a rate, or that, having raised the amount by a rate”.
- (12) The Authority may make a levy under this section for any financial year in substitution for a levy previously made by it for that year; and subsections (4) to (6) of section 3 of the ^{M2}Local Government Finance Act 1982 (substituted rates and precepts) shall apply to a substituted levy as they apply to a substituted precept.
- (13) Subsection (7) above shall not apply to a substituted levy.
- (14) For the purposes of any other enactment (including in particular . . . ^{F2}section 101(6) of the ^{M3}Local Government Act 1972) any sum levied under this section shall be treated as money to be raised out of a rate.

Textual Amendments

- F1** Word in s. 14(10) substituted (1.6.2005) by Norfolk and Suffolk Broads Act 1988 (Alteration of Constitution of the Broads Authority) Order 2005 (S.I. 2005/1067), arts. 1, 5
- F2** Words repealed by Local Government and Housing Act 1989 (c.42, SIF 81:1), s. 194(2), Sch. 12 Pt. I

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Marginal Citations

M1 1967 c. 9.

M2 1982 c. 32.

M3 1972 c. 70.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 9(8A) inserted by [2008 c. 29 s. 224\(2\)\(b\)](#)