(2) LOCAL EDUCATION AUTHORITIES

The Education (Local Education Authorities) Grant Regulations, 1948

1948 No. 334

Made - - - -	*23rd February*, 1948
Laid before Parliament	*24th February*, 1948
Coming into Operation	*1st April*, 1948

Minister of Education:
Grant Regulations No. 1.

The Minister of Education in exercise of the powers conferred upon him by Section 100 of the Education Act, 1944(a), hereby makes the following Regulations:—

SHORT TITLE

1. These Regulations may be cited as the Education (Local Education Authorities) Grant Regulations, 1948.

DEFINITIONS

2. In these Regulations unless the context otherwise requires:—

(*a*) " The Act " means the Education Act, 1944, as amended by any later enactment.

" The Minister " means the Minister of Education.

" Authority " means Local Education Authority.

" Approved " means approved by the Minister for the purposes to which the context relates.

" Assisted school " means school which is assisted by an Authority and is subject to the conditions prescribed by Part III of the Primary and Secondary Schools (Grant Conditions) Regulations, 1945(b).

" Average number on the registers " means the average number, as ascertained for the specified educational year for the purpose of any return required by the Minister, of full-time pupils on the registers of the maintained and assisted schools in the area of the Authority in question.

" Direct-grant " means grant payable by the Minister under Section 100 (1) (*b*) of the Act.

" Direct-grant Grammar School " has the meaning assigned to that expression by the Primary and Secondary Schools (Grant Conditions) Regulations, 1945.

" Educational year " has the meaning assigned to that expression by the Regulations referred to in the last preceding definition as amended by any subsequent Regulations.

" Emergency training " means such training of teachers as is provided under arrangements made or approved by the Minister other than for students recognised under the Training of Teachers Grant Regulations, 1947(c), or for students recognised for special training courses.

" Special training " means such training of teachers as is provided in special training courses for Uncertificated and other teachers.

" Maintained school " means school maintained by an Authority under the Act.

(a) 7 & 8 Geo. 6. c. 31. (b) S.R. & O. 1945 (No. 636) I, p. 269.
(c) S.R. & O. 1947 (No. 2187) I, p. 567.

"Net recognisable expenditure" has the meaning assigned to that expression by Regulation 5 (4).

"Product of a rate" means the product of a rate in the area of an Authority as ascertained for any specified year from the product of a penny rate in each rating area, as determined under the Rating and Valuation Act (Product of Rates and Precepts) Rules, 1938(a), as amended by any subsequent Rules, or in London as certified by the District Auditor.

"Recognised" means recognised by the Minister for the purposes of payment of grant.

"Training College" means a training college, not being a college for the giving of emergency training, established for the provision of full-time courses for persons preparing to become teachers and includes a training department in connexion with a University or University College and also includes an Art School in so far as such school provides approved courses in the Principles and Practice of Teaching and School Management for candidates for the Minister's Art Teacher's Diploma.

"Year" means the financial year.

(*b*) Other expressions which have meanings assigned to them by the Act shall have the same respective meanings for the purposes of these Regulations.

INTERPRETATION

3.—(1) The Interpretation Act, 1889(**b**), applies to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(2) If any question arises as to the interpretation of these Regulations, or as to whether any of the requirements thereof are fulfilled, or as to the amount of any grant payable thereunder, the decision of the Minister shall be final.

GRANTS IN RESPECT OF EXPENDITURE OF AUTHORITIES

4. The grant payable by the Minister to Authorities in respect of expenditure incurred by them in the exercise of their functions relating to education shall be payable for each year and shall be subject to the conditions prescribed by these Regulations and by any Regulations amending these Regulations.

ASCERTAINMENT OF RECOGNISABLE EXPENDITURE

5.—(1) The expenditure and income of each Authority to be taken into account for the purpose of computing grant for any year shall be ascertained from the Education Revenue Account as prescribed by Regulations of the Minister of Health.

(2) From the expenditure so ascertained there shall be excluded:—

(*a*) expenditure which in the opinion of the Minister is attributable to a service in respect of which payments are made by another Government Department;

(*b*) expenditure of whatever nature in respect of:—

(i) schools or other institutions receiving direct-grant not being expenditure incurred for the removal of any air raid shelter or other works constructed for the purpose of air raid precautions, or for the removal of any temporary defence works as hereinafter defined, or of reinstating premises so far as such reinstatement is rendered necessary by such removal, or taken into account for the purpose of calculating School Milk and Meals Grant; or

(ii) facilities provided by voluntary organisations or by local authorities in respect of which the Minister pays grants under the Physical Training and Recreation Act, 1937(**c**):

(a) S.R. & O. 1938 (No. 265) II, p. 2929.

(b) 52 & 53 Vict. c. 63. (c) 1 Edw. 8 & 1 Geo. 6. c. 46.

Provided that where expenditure or any part thereof which would, but for this proviso, be excluded in accordance with this sub-paragraph is taken into account by the Minister in assessing grant to the school or institution or to the voluntary organisation or local authority, as the case may be, the Minister may, if he thinks fit, treat that expenditure or part as if it were not so excluded;

(*c*) contributions to another Authority which are calculated by reference to the net cost falling to be met from the rates;

(*d*) in Wales and Monmouthshire the annual payment made by the Authority under Section 101 (4) (*c*) of the Act to the Central Welsh Board for Intermediate Education;

(*e*) expenditure on tuition fees, boarding fees or other boarding charges of students pursuing courses at Training Colleges which are recognised under the Training of Teachers Grant Regulations, 1947, or courses of emergency training or special training other than fourth year or post-graduate courses of holders of Major Awards; and

(*f*) any other expenditure not recognised by the Minister as expenditure in aid of which grants should be made to the Authority.

(3) The expenditure thus reduced shall then be classified according to the classification required for calculating such grants as are based on particular classes of expenditure and from each class of expenditure shall be deducted all income relating thereto except grants from the Minister and contributions from other Authorities which are calculated by reference to the net cost falling to be met from rates.

(4) The net expenditure thus ascertained for any class shall be the expenditure eligible for recognition and in these Regulations the expression " net recognisable expenditure " means either the total net expenditure which is recognisable or the net expenditure of any class which is recognisable as the context requires.

Grant for any Year

6. The grant payable for any year shall comprise the following:—

(*a*) Main Grant;

(*b*) School Milk and Meals Grant;

(*c*) Training College Grant;

(*d*) Emergency or Special Training of Teachers Grant;

(*e*) Air Raid Shelter (Removal) Grant;

(*f*) Temporary Defence Works (Removal) Grant.

Main Grant

7.—(1) The net recognisable expenditure of an Authority for the purpose of calculating Main Grant shall be ascertained by excluding from their total net recognisable expenditure the classes of such expenditure ascertained for the calculation of grant prescribed by paragraphs (*b*) to (*f*) of the last preceding Regulation.

(2) The Main Grant payable to an Authority for any year shall be at the rate of 120 shillings for each unit of the average number of pupils on the registers in the area of that Authority for the appropriate educational year, increased by 60 per cent. of the net recognisable expenditure and reduced by the product of a rate of 30 pence for the year for which the Main Grant is payable.

School Milk and Meals Grant

8. School Milk and Meals Grant shall be payable in respect of net recognisable expenditure incurred by an Authority in providing, in accordance with the provisions of Schedule I to these Regulations, milk, meals or other refreshment for day pupils in attendance at schools.

Training College Grant

9. In respect of any Training College, or hostel for such a College, maintained by an Authority, including any such College or hostel maintained by more than one Authority acting through a Joint Education Committee, Training College Grant shall be payable to any such Authority at the rate of 100 per cent. of the net recognisable expenditure incurred by that Authority in respect of the establishment, equipment or maintenance of any such College or hostel.

10.—(1) Every Authority, including each of the Authorities to whom Training College Grant is payable under the last foregoing Regulation, shall contribute a share of the aggregate amount of the Training College Grants so payable.

(2) The share to be so contributed as aforesaid by any Authority shall be ascertained as follows:—

(*a*) there shall be allocated to that Authority a part of the aggregate amount of the Training College Grants bearing the same ratio to that aggregate amount as the average number on the registers in the area of that Authority, for the appropriate educational year, bears to the aggregate of the average numbers on the registers in the areas of all Authorities for that year;

(*b*) **the share to be contributed as aforesaid by that Authority shall be 40 per cent. of the sum so allocated under sub-paragraph (*a*) of this paragraph.**

(3) The share so contributed as aforesaid by any Authority shall be recouped to the Minister by way of deduction from the total grant payable to that Authority under these Regulations.

Emergency or Special Training of Teachers Grant

11. Emergency or Special Training of Teachers Grant shall be payable at the rate of 100 per cent. of the net recognisable expenditure of Authorities in respect of arrangements for the emergency training or special training of teachers.

Air Raid Shelter (Removal) Grant

12. Air Raid Shelter (Removal) Grant shall be payable at the rate of 100 per cent. in respect of any net recognisable expenditure incurred for the removal of any air raid shelter or other works constructed for the purpose of air raid precautions and for the reinstatement of premises so far as such reinstatement is rendered necessary by such removal.

Temporary Defence Works (Removal) Grant

13.—(1) Temporary Defence Works (Removal) Grant shall be payable at the rate of 100 per cent. in respect of any net recognisable expenditure incurred for the removal of any temporary defence works as hereinafter defined and for the reinstatement of premises so far as such reinstatement is rendered necessary by such removal.

(2) For the purpose of this Regulation, the expression " temporary defence works " means works, other than those to which the last foregoing Regulation applies, constructed for defence purposes on the premises of any school or

other institution in respect of which the Minister pays grant, being works done by or on behalf of a Service Department, the Home Office or the Ministry of Home Security, whether in pursuance of powers conferred by Regulation 50 or Regulation 51 of the Defence (General) Regulations, 1939, or by agreement with the authorities of the school or other institution.

Average Number on the Registers

14. In ascertaining the average number on the registers for the purpose of these Regulations:—

(*a*) a school maintained or assisted by an Authority in the area of some other Authority shall be deemed to be in the area of the Authority who maintain or assist that school and not in the area of that other Authority;

(*b*) a school maintained or assisted jointly by more than one Authority shall be deemed to be in the area of each such Authority as respects such proportion of the average number of pupils on the register of that school as shall be determined by agreement between the Authorities concerned or, failing such agreement, by the Minister; and

(*c*) any reference in these Regulations to "the appropriate educational year" shall relate to the educational year which is current when the year for which grant is payable to an Authority begins.

Conditions of Grant

15. The payment of grant is conditional upon the Minister being satisfied that the Authority:—

(*a*) have complied with the requirements imposed on them by or under the Act; and

(*b*) have supplied punctually such information and returns as the Minister may require.

If the Minister is not satisfied on any of the matters aforesaid he may withhold or make a deduction from the grant.

Provisions as to Payment

16.—(1) A sum estimated to amount to 90 per cent. of the grant payable for the year will, subject to the provision by Parliament of the necessary moneys, be payable by monthly instalments on account during the year.

(2) After the end of the year such further instalments as the Minister may think fit based on returns required by him for the purpose may be paid before final adjustment.

(3) The inclusion by the Minister of expenditure for the purpose of calculating any instalments of the grant will not commit the Minister to the recognition of such expenditure for the purposes of these Regulations.

(4) The balance of the grant shall be paid after the audited accounts for the year and any other returns required by the Minister for the purpose have been received and examined.

(5) The grant shall be calculated to the nearest pound, a fraction of a pound, in the final result, being ignored or reckoned as a pound according as it is, or is not, less than 10s.

Date of Coming into Effect of Regulations

17. These Regulations shall have effect, as from the 1st April, 1948, in substitution for the Regulations mentioned in Schedule II to these Regulations but shall not affect the operation of those Regulations in relation to periods before that date.

SCHEDULE I

(Regulation 8)

DETAILED PROVISIONS FOR SCHOOL MILK AND MEALS GRANT

INTRODUCTORY

1.—(1) This Schedule prescribes the conditions for payment and the amount of School Milk and Meals Grant comprising—

(*a*) Milk Grant;

(*b*) Premises Grant; and

(*c*) Dinner Grant.

(2) Grant for meals and refreshments other than dinners shall be payable as part of the Main Grant and not as part of the School Milk and Meals Grant.

(3) In this Schedule, unless the context otherwise requires—

" dinners " means school dinners for day pupils;

" other meals " means meals and refreshment other than dinners;

" running expenditure " means the recognisable expenditure incurred by an Authority ranking for Dinner Grant or Grant for other meals;

" overhead costs " means the costs of providing dinners or other meals exclusive of the cost of providing the food therefor and the cost of establishing or equipping premises and transport facilities.

MILK GRANT.

2. Milk Grant shall be payable in respect of the net recognisable expenditure incurred by an Authority in providing milk for day pupils attending maintained, assisted and direct-grant schools, other than direct-grant grammar schools, and shall be at the rate of 100 per cent. of such expenditure.

PREMISES GRANT.

3.—(1) In the case of maintained, assisted and direct-grant schools other than direct-grant grammar schools, Premises Grant will be at the rate of 100 per cent. of the approved net expenditure of an Authority on—

(*a*) establishing and equipping premises and transport facilities for the provision of meals;

(*b*) establishing for some purpose other than provision of meals alternative premises to replace premises diverted for the provision of meals, exclusive of any net expenditure on payment of rent of premises; and

(*c*) discharging any liability relating to the reinstatement of premises which arises when the Authority cease the temporary use of such premises for the provision of meals.

(2) In the case of direct-grant grammar schools, and independent schools, approved net expenditure on transport facilities will rank for Premises Grant but such grant will only be available for the other purposes mentioned in sub-paragraph (1) insofar as the schools share in facilities mainly provided for the benefit of the schools mentioned in sub-paragraph (1).

DINNER GRANT.

4.—(1) In the case of maintained schools there shall be ascertained:—

(*a*) the running expenditure on food for dinners; and

(*b*) the running expenditure on overhead costs for dinners.

(2) The running expenditure on food for dinners shall be ascertained by deducting from the total running expenditure on food for all meals and refreshment provided under section 49 of the Act and the Regulations thereunder the sum computed under paragraph 7 (1) of this Schedule as the running expenditure on food for other meals.

(3) The running expenditure on overhead costs for dinners shall be ascertained by deducting from the total running expenditure on overhead costs for all meals and refreshment as aforesaid the sum computed under the said paragraph as the running expenditure on overhead costs for other meals.

(4) Dinner Grant as respects maintained schools shall be equal to the sum of—

(*a*) the running expenditure on food for dinners as ascertained as aforesaid, or the product of the number of dinners served in the year and the unit cost for food fixed by the Minister as hereinafter provided, whichever is the less; and

(*b*) the running expenditure on overhead costs for dinners as ascertained as aforesaid, or the product of the number of dinners served in the year and the unit cost for overhead costs fixed by the Minister as hereinafter provided, whichever is the less:

reduced by the income resulting from parents payments and any other income relating to dinners.

5. Where an Authority incur running expenditure—

(*a*) under section 78 (2) (*a*) of the Act in securing the provision of dinners for pupils of assisted and direct-grant schools other than direct-grant grammar schools; or

(*b*) under section 81 of the Act and the Regulations thereunder in defraying the expenses for dinners of pupils at the said schools and at direct-grant grammar schools

the approved net expenditure so incurred will be eligible for Dinner Grant at the rate of 100 per cent.

6. Where an Authority incur approved running expenditure either under section 78 (2) (*a*) of the Act in securing the provision of dinners for pupils of independent schools, or under section 81 of the Act and the Regulations thereunder in defraying the expenses for dinners of such pupils, the approved net expenditure so incurred will be eligible for Dinner Grant at the rate of 100 per cent.: provided that no net expenditure under section 78 (2) (*a*) on the provision of food for such dinners will be eligible for grant.

GRANT FOR OTHER MEALS.

7.—(1) In the case of maintained schools, the Minister after consulting the Authority will determine the method of computing—

(*a*) the sum which shall be treated as the running expenditure on food for other meals; and

(*b*) the sum which shall be treated as the running expenditure on overhead costs for other meals.

(2) The sums computed as provided in sub-paragraph (1) of this paragraph shall be reduced by the income resulting from parents' payments and any other income relating to other meals for maintained schools and the resulting sum shall be the net expenditure in respect of such schools.

(3) In the case of assisted and direct-grant schools including direct-grant grammar schools, the sum which shall be treated as the running expenditure eligible for grant under this paragraph shall be the net expenditure of the Authority on other meals under section 78 (2) (*a*) of the Act or section 81 of the Act and the Regulations thereunder.

(4) In the case of independent schools, the sum which shall be treated as running expenditure eligible for grant under this paragraph shall be the approved net expenditure of the Authority on other meals under section 78 (2) (*a*) of the Act or section 81 of the Act and the Regulations thereunder: provided that no net expenditure under section 78 (2) (*a*) on the provision of food for other meals will be eligible for grant.

(5) The net expenditure ascertained in accordance with sub-paragraphs (2), (3) and (4) of this paragraph shall be treated as part of the net recognisable expenditure for the purpose of calculating Main Grant.

UNIT COSTS.

8.—(1) The unit costs for food and overhead costs, as respects both dinners and other meals, will be fixed for each Authority by the Minister on or after 1st October in the year to which they relate.

(2) Before fixing such unit costs the Minister will take into consideration any relevant information submitted by the Authority not later than 30th September in that year.

(3) The Minister shall not vary the unit costs so fixed except insofar as, in his opinion, such variation may be necessitated by contingencies of an exceptional nature outside the control of the Authority and directly affecting the cost of providing school meals.

NUMBER OF MEALS SERVED.

9. Whenever it is necessary for the purpose of computing the School Milk and Meals Grant or Main Grant to calculate the number of dinners or other meals, that number shall be calculated in such manner as may be settled in the case of each Authority from time to time by the Minister.

SCHEDULE II

(Regulation 17)

REGULATIONS REPLACED

Grant Regulations reference	Stationery Office reference	Short Title
Grant Regulations No. 1	S.R. & O. 1946 No. 1215(a).	The Education (Local Education Authorities) Grant Regulations, 1946.
Grant Regulations No. 1 (Amendment No. 1, 1947)	S.R. & O. 1947 No. 2188 (b).	The Local Education Authorities Grant Amending Regulations No. 1, 1947.

Given under the Official Seal of the Minister of Education this 23rd day of February, 1948.

(L.S.)

Geo. Tomlinson,
Minister of Education.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations will replace, as from 1st April, 1948, the existing Local Education Authorities Grant Regulations (as amended). The principal change is contained in Regulation 7 (2), which embodies the recently announced new settlement of the formula for the payment of Main Grant to Local Education Authorities. It provides for a grant of 120s. per unit of the average number of pupils on the registers in Primary and Secondary Schools maintained or assisted by the Local Education Authority (including Special Schools, and Nursery Schools and Nursery Classes maintained by the Authority), *plus* a grant of 60 per cent. of the net recognisable expenditure of the Authority, *less* the product of a 30d. rate in the area.

There is a number of other changes which are of a minor character and are mainly consequential upon the revision of the Main Grant formula.

The changes in the regulations are shown in heavier type.

(a) Vol. I, p. 396. (b) Vol. I, p. 550.