EXPLANATORY NOTE

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

This Order prescribes for the years 1959–60 and 1960–61—

(*a*) the aggregate amount of the general grants payable under Part I of the Local Government Act, 1958, to the councils of counties and county boroughs in England and Wales and the Council of the Isles of Scilly;

(*b*) matters which are to be, or may be, prescribed under Part III of the First Schedule to that Act, which determines the amount of the general grant payable to any such authority, subject to (*c*); and

(*c*) that the amount last described shall be reduced by the product of a rate of ninepence in the pound.

1958 No. 1939

The General Grant (Calculation) Regulations, 1958

Made - - - -	20*th November*, 1958
Laid before Parliament	25*th November*, 1958
Coming into Operation	1*st December*, 1958

The Minister of Housing and Local Government, in exercise of his powers under section 15 of the Local Government Act, 1948(a), as extended by section 16 of the Local Government Act, 1958(b), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation, commencement and interpretation

1. These regulations may be cited as the General Grant (Calculation) Regulations, 1958, and shall come into operation on the 1st day of December, 1958.

2.—(1) The Interpretation Act, 1889(c), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

(2) In this order—

"the Minister" means the Minister of Housing and Local Government;

"year" means a period of twelve months beginning with the 1st day of April;

"estimated" means estimated by the Registrar General for England and Wales; and

"transfer" includes an alteration whereby an area is included in a new county or county borough or ceases to form part of a county or county borough which is abolished.

Estimates and conclusive calculations

3.—(1) The Minister shall, before the beginning of each year, estimate, upon the best information available, and notify to the council of each county and county borough in England and Wales and to the Council of the Isles of Scilly the amount of the general grant which will become payable for that year to the council, and may make and notify to the council such further estimates of the said grant, taking into account information not previously available, as he may think fit.

(a) 11 & 12 Geo. 6. c. 26. (b) 6 & 7 Eliz. 2. c. 55. (c) 52 & 53 Vict. c. 63.

(2) As soon as practicable after he has received what appears to him to be sufficient information for the purpose the Minister shall make a conclusive calculation of the said grant and notify the result thereof to the council.

Area and population

4. Subject to changes in areas, the area of each county and county borough in England and Wales and of the Isles of Scilly shall be taken according to the last published census for the time being.

5. For the purposes of the last preceding regulation and of any estimate of population made for the purpose of the general grant, any area forming part of an administrative county but lying within the extent of a county borough shall, unless the Minister otherwise directs, be treated as forming part of the county borough.

Calculation of decline of population

6. For the purposes of paragraph 7 of Part III of the First Schedule to the Local Government Act, 1958, (which provides for a supplementary grant if the estimated population of the area of an authority has declined over a prescribed period)—

(*a*) if the said area was in existence at the commencement of these regulations—

(i) the population of the area at the end of the period prescribed for the purposes of the general grant for any year as estimated in the manner prescribed for such purposes shall be taken;

(ii) there shall be added thereto the estimated population, at the date of transfer, of any areas transferred from the area within the said period and subtracted therefrom the estimated population, at the date of transfer, of any areas transferred to the area within such period; and

(iii) the resulting figure shall be compared with the estimated population of the area at the commencement of the said period;

(*b*) if the said area was not in existence at the commencement of these regulations the questions whether there has been any, and if so what, decline of population shall be determined in such manner as may be provided in the Act or order constituting the area.

Excess payments

7. Where it appears from any estimate or calculation under regulation 3 that sums in excess of the amount of the estimate or calculation have already been paid on account of the general grant payable for the year, the amount of the excess shall be recoverable by the Minister by deductions from the general grants payable for any subsequent years.

Given under the official seal of the Minister of Housing and Local Government this twentieth day of November, nineteen hundred and fifty-eight.

(L.S.) *Henry Brooke,*
Minister of Housing and Local Government.

EXPLANATORY NOTE

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

These Regulations provide for estimates and conclusive calculations of the amounts of the general grants payable under Part I of the Local Government Act, 1958, to the councils of counties and county boroughs in England and Wales and the Council of the Isle of Scilly. The regulations also provide that the area of the areas in question shall be taken according to the last published census for the time being, for the taking of the area and population of small areas lying within certain county boroughs as part of such boroughs and for the method of calculating decline of population for the purposes of paragraph 7 of Part III of the First Schedule to the Local Government Act, 1958.

1958 No. 2084

The Grants and Rates (Transitional Adjustments) Regulations, 1958

Made - - - - 20*th November,* 1958
Coming into Operation 9*th December,* 1958

The Minister of Housing and Local Government, in exercise of his powers under section 15 of the Local Government Act, 1958(a), and of all other powers enabling him in that behalf, hereby makes the following regulations :—

Citation, commencement and interpretation

1. These regulations may be cited as the Grants and Rates (Transitional Adjustments) Regulations, 1958, and shall come into operation on the day following the day on which they are approved by a resolution of the Commons House of Parliament.

2.—(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) In these regulations—

"the Act" means the Local Government Act, 1958;

"the Minister" means the Minister of Housing and Local Government;

"year" means a period of twelve months beginning with the 1st day of April; and

"hereditaments" does not include any hereditament which a Gas Board or an Electricity Board is, under section 6 of the Rating and Valuation (Miscellaneous Provisions) Act, 1955(c), or section 12 of the Act, to be treated as occupying in a rating area.

Ascertainment of losses and gains

3.—(1) For the purposes of section 15 of the Act (which makes provision for transitional adjustments) the losses and gains accruing to rating authorities from the coming into operation of sections 1 to 7 and 9 to 14 of the Act shall be ascertained in accordance with the following paragraphs of this regulation.

(a) 6 & 7 Eliz. 2. c. 55 (b) 52 & 53 Vict. c. 63. (c) 4 & 5 Eliz. 2. c. 9.