1960 No. 2293

The Grants and Rates (Transitional Adjustments) Regulations, 1960

Made - - - - *25th November*, 1960
Coming into Operation *9th December*, 1960

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, 1960, and the Grants and Rates (Transitional Adjustments) Regulations, 1958(b), and these regulations may be cited together as the Grants and Rates (Transitional Adjustments) Regulations, 1958 and 1960.

2. These regulations shall come into operation on the day following the day on which they are approved by a resolution of the Commons House of Parliament.

3.—(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 these regulations—

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

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

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

Application of section 15 of the Act

4. Section 15 of the Act (which makes provision for contributions to or by rating authorities in respect of the loss or gain accruing from the coming into operation of sections 1 to 7 and 9 to 14 of the Act) shall apply to the years 1961–62 and 1962–63 as well as the years 1959–60 and 1960–61.

Amount of contribution

5. The amount of the contribution to a rating authority for the years 1961–62 and 1962–63 shall be four-fifths and seven-tenths, respectively, of the loss accruing to the authority as ascertained under section 15 of the Act.

(a) 6 & 7 Eliz. 2. c. 55 (b) S.I. 1958/2084 (1958 I, p. 1358). (c) 52 & 53 Vict. c. 63.

Assumptions to be made

6.—(1) In paragraph (2) of regulation 7 of the Grants and Rates (Transitional Adjustments) Regulations, 1958 (which provides that in the provisional estimate under paragraph (1) of regulation 4 of the said regulations and the further provisional estimates under paragraph (2) of the said regulation 4 it shall be assumed in estimating the rates which would have been required to be levied for the year 1957–58 for the areas of rating authorities if sections 1 to 5, 7, 9 and 12 to 14 of the Act had been in force for that year that such a general grant order as is described in the first-mentioned paragraph was in force for the year 1957–58), the words " In the estimate under paragraph (1) of regulation 4 " shall be substituted for the words " In the estimates under paragraphs (1) and (2) of regulation 4 ".

(2) For paragraph (3) of the said regulation 7 (which provides that in the conclusive estimate under paragraph (3) of the said regulation 4 it shall be assumed in estimating the rates aforesaid that such a general grant order as shall be described in further regulations made by the Minister under section 15 of the Act was in force for the year 1957–58) there shall be substituted the following paragraph—

" (3) In estimates under paragraphs (2) and (3) of regulation 4 it shall be assumed, except in so far as further provision is made in further regulations made by the Minister under section 15 of the Act, that a general grant order was in force which prescribed, for the year 1957–58—

(*a*) as the aggregate amount of the general grants payable to recipient authorities, £324,900,000 ; and

(*b*) in respect of the matters which under Part III of the First Schedule to the Act are to be, or may be, prescribed, as follows—

In relation to the basic grant (*Paragraph* 1 *of Part III*)

As the sum to be multiplied by the estimated population of the area of the authority, £4·86 ;

As the sum to be multiplied by the estimated number of children in that population under 15 years of age, £0·44 ;

In relation to the supplementary grant under paragraph 2 *of Part III*

As the sum to be multiplied by the estimated number of persons under 5 years of age in the area of the authority, £0·35 ;

In relation to the supplementary grant under paragraph 3 *of Part III*

As the sum to be multiplied by the estimated number of persons over 65 years of age in the area of the authority, £0·35 ;

In relation to the supplementary grant under paragraph 4 *of Part III*

As the ratio of the persons within the classes set out in the paragraph to the population of the area of the authority to be exceeded as the condition of payment, 110 per 1,000 ;

That the number of pupils at schools recognised as direct grant grammar schools by the Minister of Education for the purposes of any regulations made by him for the payment of grant to such schools the fees for whose education are paid by the local education authority should be taken at 60 per centum of the full number ;

As the sum to be multiplied by the excess per 1,000 and by the estimated population of the area of the authority, £0·049;

That children belonging to the area of one local education authority who are pupils on the register of a school maintained or assisted by the local education authority for another area should be treated as if the school were maintained or assisted by the authority for the first-mentioned area and not by the authority for the other area;

That children belonging to the area of one local health authority who are in attendance at occupation centres provided by the local health authority for another area should be treated as if the centre were provided by the authority for the first-mentioned area and not by the authority for the other area;

In relation to the supplementary grant under paragraph 5 of Part III

As the number of persons per acre in the area of the authority to be exceeded as the condition of payment, 18;

As the percentage by which the excess is to be multiplied, 50 per centum;

In relation to the supplementary grant under paragraph 6 of Part III

As the ratio of the road-mileage of the area of the authority to the estimated population of the area to be exceeded as the condition of payment, 2 per 1,000;

As the percentage to be multiplied by the ratio of the road-mileage per 1,000 of the estimated population, 2¼ per centum;

As the proportion of the basic grant which the supplementary grant is not to exceed, 70 per centum;

In relation to the supplementary grant under paragraph 7 of Part III

As the period over which the decline of population is to be estimated, the 21 years ending the 30th day of June, 1957;

As the percentage of decline to be exceeded as the condition of payment, 5 per centum;

As the fraction or number by which the excess is to be multiplied, ½;

In relation to the supplementary grant under paragraph 8 of Part III

As the percentage of the basic grant at which the supplementary grant is to be fixed, 5 per centum;

Under paragraph 9 of Part III (which makes supplementary provision)

That the population of the area of the authority, the number of children under 15 years of age, the number of children under 5 years of age, and the number of persons over 65 years of age, should be estimated by the Registrar General for England and Wales and certified to the Minister as at 30th June, 1957;

That the number of pupils on the registers of schools maintained or assisted by the local education authority and of pupils

at other schools the fees for whose education are paid by that authority (being classes set out in paragraph 4 of Part III) should be estimated by the Minister of Education and certified to the Minister as in January 1958;

That the number of children in attendance at occupation centres provided for the purposes of paragraph (*cc*) of section 30 of the Mental Deficiency Act, 1913(a) (being a class set out in paragraph 4 of Part III) should be estimated by the Minister of Health and certified to the Minister as at 31st December, 1957; and

(*c*) that the amount of the general grant payable to any recipient authority should be reduced by the product for the area of the authority of a rate of ninepence in the pound."

(3) In paragraph (5) of the said regulation 7 (which provides that in estimating the rates aforesaid certain matters shall be assumed in relation to subsection (4) of section 1 of, and Part IV of the First Schedule to, the Act (which themselves make provision for adjustments of general grants for pooling etc. arrangements)) the proviso (which makes certain exceptions from the provision made by the paragraph) shall not have effect in the further provisional estimates under paragraph (2) of the said regulation 4 as well as in the conclusive estimate under paragraph (3) of that regulation.

Given under the official seal of the Minister of Housing and Local Government this twenty-fifth day of November, nineteen hundred and sixty.

(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 apply section 15 of the Local Government Act, 1958, which provides for contributions to or by rating authorities in respect of the loss or gain accruing from the coming into operation of sections 1 to 7 and 9 to 14 of the Act, to the years 1961–62 and 1962–63 as well as the years 1959–60 and 1960–61, and fix the amount of the contribution to a rating authority for each of the years 1961–62 and 1962–63. The Regulations also provide for certain variations, in the further provisional and conclusive estimates of losses and gains accruing to rating authorities, in the assumptions to be made in estimating the rates which would have been required to be levied in the year 1957–58 if sections 1 to 5, 7, 9, and 12 to 14 of the Act had been in force for that year.

(a) 3 & 4 Geo. 5. c. 28.