STATUTORY INSTRUMENTS

1983 No. 106 (S.6)

HOUSING, SCOTLAND

The Housing Support Grant (Scotland) Order 1983

Laid before the Commons House of Parliament in draft

Made - - - - - 26*th January* 1983

Coming into Operation 1*st April* 1983

In exercise of the powers conferred on me by sections 1 and 2 of the Housing (Financial Provisions) (Scotland) Act 1978**(a)** and of all other powers enabling me in that behalf, and after such consultation with such associations of local authorities as appear to me to be concerned as is required by the said sections 1 and 2, and with the consent of the Treasury, I hereby make the following order, a draft of which has been approved by the Commons House of Parliament:—

Title, commencement and interpretation

1.—(1) This order may be cited as the Housing Support Grant (Scotland) Order 1983 and shall come into operation on 1st April 1983.

(2) In this order:—

"the 1978 Act" means the Housing (Financial Provisions) (Scotland) Act 1978;

"appropriate local authority" means an authority the eligible expenditure and relevant income of which have not been left out of account by virtue of section 1(4A) of the 1978 Act;

"hostel" means a hostel as defined in section 138(4) of the Housing (Scotland) Act 1966**(b)**;

"the number of houses of the authority" means the estimate of the number of houses to which the housing revenue account of the authority at 30th September 1983 relates;

"the population of the authority" means the home population of the authority as estimated by the Registrar of Births, Deaths and Marriages in Scotland in relation to 30th June 1981 adjusted by the addition of the average annual change in his estimates from 30th June 1978 to 30 June 1981; and

(a) 1978 c. 14; sections 1 and 2 were amended by the Local Government (Miscellaneous Provisions) (Scotland) Act 1981 (c. 23), sections 21 and 22, both read with section 23.

(b) 1966 c. 49.

"penny rate product of the authority for 1982–83" means the higher of the estimates made in February 1982 of the actual or standard penny rate product of the authority for 1982–83 (as defined in section 9 of the Local Government (Financial Provisions) Act 1963**(a)**, as read with the Local Government (Rate Product) (Scotland) Regulations 1975**(b)**).

(3) Except where the context otherwise requires:—

(*a*) any reference to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this order; and

(*b*) any reference to an estimate is a reference to an estimate made by the Secretary of State.

Aggregate grant for 1983–84

2. The aggregate amount of the housing support grants for 1983–84 shall be £72,135,479.

Apportionment of housing support grants for 1983–84

3.—(1) The aggregate amount of the housing support grants for the year 1983–84 shall be divided into two portions hereinafter referred to as the "general portion" and the "hostel portion".

(2) The general portion shall amount to £70,650,303 and, subject to the provisions of Article 4, shall be apportioned among appropriate local authorities in proportion to their estimated net expenditures assessed in the manner provided in Schedule 1 subject to any necessary adjustment, in accordance with section 2(3) of the 1978 Act, calculated in the manner provided in Schedule 2.

(3) The hostel portion shall amount to £1,485,176 and, subject to the provisions of Article 4, shall be apportioned among appropriate local authorities in such a way that each such authority will receive a share of that portion which is equal to the sum of their estimated net expenditure for the year 1983–84 on the provision of hostels and lodging-houses and the amount by which their actual net expenditure on such provision for the year 1979–80 exceeded the estimate of such expenditure for that earlier year.

4.—(1) Where in the case of any appropriate local authority, the sum of items 8 to 10 in Schedule 1 exceeds the sum of items 1 to 7 in the said Schedule, the amount of grant apportionable to that authority in accordance with Article 3(2) shall be called "a negative" amount for the purposes of paragraphs (2), (3) and (4) of this Article.

(2) Where for the purposes of this paragraph the amount of grant apportionable to any appropriate local authority in accordance with Article 3(2) is a negative amount, the amount of grant (if any) which, apart from the provisions of this paragraph, would be apportionable to that authority in accordance with Article 3(3) will be reduced by that negative amount.

(a) 1963 c. 12; section 9 was amended by section 9(3) of, and paragraph 18 of Schedule 2 to, the Decimal Currency Act 1969 (c. 19), sections 122 and 273(1) of, paragraph 54 of Schedule 9 to, and Schedule 29 to, the Local Government (Scotland) Act 1973 (c. 65) and section 38(1) of, and paragraph 24 of Part II of Schedule 6 to, the Local Government (Scotland) Act 1975 (c. 30).

(b) S.I. 1975/652, as amended by S.I. 1979/227, 1597 and 1980/2050.

(3) Where the amount of grant apportionable to any appropriate local authority in accordance with Article 3(2) as adjusted by the addition of any amount apportionable to the authority in accordance with Article 3(3) is a negative amount, it shall be adjusted to zero.

(4) Where for the purposes of this paragraph the amount of grant apportionable to any appropriate local authority in accordance with Article 3(2) is a negative amount, and where no grant is apportionable to the authority in accordance with Article 3(3), that negative amount shall be adjusted to zero.

(5) From the amount apportionable in accordance with Article 3(2) to any appropriate authority in respect of which no adjustment is made by virtue of either paragraph (3) or paragraph (4) of this Article there shall be made such a deduction, proportionate in each case to the amount thus apportionable, as will secure that the total of the deductions is equal to the total of the amounts of the adjustments under the said paragraphs (3) and (4).

George Younger,
One of Her Majesty's Principal Secretaries of State.

New St Andrew's House,
Edinburgh.
24th January 1983.

We consent.

J. A. Cope,
Donald Thompson,
Two of the Lords Commissioners of Her Majesty's Treasury.

26th January 1983.

SCHEDULE 1 Article 3(2)

ASSESSMENT OF NET EXPENDITURE FOR APPORTIONMENT OF HOUSING SUPPORT GRANTS AMONG APPROPRIATE LOCAL AUTHORITIES FOR 1983–84

The net expenditure of an appropriate local authority shall be the amount arrived at by addition of the amounts specified in items 1 to 7 below less the amounts specified in items 8 to 10 below.

1. Estimated loan charges due to be debited to the authority's housing revenue account for the year 1983–84 under paragraph 2 of Schedule 4 to the Housing (Financial Provisions) (Scotland) Act 1972(a) (other than loan charges in respect of hostels and lodging-houses) reduced or increased, as appropriate, by the amount of the adjustment (if any) to be taken into account in terms of Schedule 2.

Basic amount for supervision and management (SM)

2. £58·205454 multiplied by the number of houses of the authority.

Additional SM factors for certain houses

3. (a) £23·282182 in the case of an authority with not more than 3,000 houses, or

(b) £11·641091 in the case of an authority with more than 3,000 but not more than 6,000 houses, or

(c) £5·820545 in the case of an authority with more than 6,000 but not more than 9,000 houses,

multiplied in each case by the number of houses of the authority.

Basic amount for repairs and maintenance (RM)

4. £172·971873 multiplied by the number of houses of the authority.

Additional RM factors for certain urban expenditure

5. £268·106402 multiplied by the number of high-rise houses of the authority contained in blocks of flats which are of fifteen or more storeys.

6. £121·080311 multiplied by the number of high-rise houses of the authority contained in blocks of flats which are of more than four but not more than fourteen storeys, with lifts.

7. Estimated other expenditure.

Basic

8. £550·929716 multiplied by the number of houses of the authority.

Income

9. £13·942120 multiplied by the population of the authority.

Amount

10. Estimated other income.

(a) 1972 c. 46; paragraph 2 of Schedule 4 was amended by the Housing Rents and Subsidies (Scotland) Act 1975 (c. 28), section 15 and Schedule 4, and the Housing (Financial Provisions) (Scotland) Act 1978, section 11.

Article 3(2) SCHEDULE 2

CALCULATION OF THE ADJUSTMENTS FOR THE YEAR 1979–80 TO BE TAKEN INTO ACCOUNT IN THE APPORTIONMENT OF THE GENERAL PORTION OF HOUSING SUPPORT GRANT TO APPROPRIATE LOCAL AUTHORITIES FOR THE YEAR 1983–84

1. Where there is a substantial difference in the actual amount of loan charges incurred by an appropriate local authority in the year 1979–80 (other than loan charges incurred in relation to the provision of hostel or lodging-house accommodation) as compared with the estimate of such charges made by the Secretary of State for the purposes of the Housing Support Grant (Scotland) Variation Order 1981, the amount of adjustment to be taken into account in relation to that authority in determining the share of the general portion of housing support grant payable to it for the year 1983–84 shall be calculated in the manner set out in paragraph 2 or 3 below (whichever is appropriate).

2. Where the estimate exceeded the actual loan charges, and the excess was greater than three times the penny rate product of the authority for 1982–83 the adjustment, under item 1 of Schedule 1, shall be a reduction by an amount equal to one-third of the difference between the said excess and three times the penny rate product of the authority for 1982–83.

3. Where the actual loan charges exceeded the estimate, and that excess was greater than three times the penny rate product of the authority for 1982–83, the adjustment, under item 1 of Schedule 1, shall be an increase by an amount equal to one-third of the difference between the said excess and three times the penny rate product of the authority for 1982–83.

4. Where the difference between the actual loan charges and the estimate was less than three times the penny rate product of the authority for 1982–83, no adjustment shall be made under item 1 of Schedule 1.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order in relation to the year 1983–84:—

(i) fixes the estimated aggregate amount of the housing support grants payable under section 1 of the Housing (Financial Provisions) (Scotland) Act 1978 to certain local authorities in Scotland; and

(ii) prescribes the method of apportionment of housing support grants among those authorities.

SI 1983/106
ISBN 0-11-036106-7

