STATUTORY INSTRUMENTS

1984 No. 1355

LOCAL GOVERNMENT, ENGLAND AND WALES

The Industrial and Commercial Ratepayers (Consultation) Regulations 1984

Made - - - -	*22nd August* 1984
Laid before Parliament	*3rd September* 1984
Coming into Operation	*25th September* 1984

The Secretary of State for the Environment, in exercise of his powers under section 13(4) and (5) of the Rates Act 1984**(a)** and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation and Commencement

1. These regulations may be cited as the Industrial and Commercial Ratepayers (Consultation) Regulations 1984 and shall come into operation on 25th September 1984.

Interpretation

2. In these regulations—

"the 1980 Act" means the Local Government, Planning and Land Act 1980**(b)**;

"the 1984 Act" means the Rates Act 1984;

"authority" means an authority to which Part I of the 1984 Act applies;

"the current year" means any year in which consultation of representatives of industrial and commercial ratepayers is, in accordance with section 13 of the 1984 Act, required to take place;

"the next financial year" means the year for which the expenditure which is the subject matter of that consultation is proposed, and

"the preceding year" means the year preceding the current year.

Prescribed Information

3. The following information is hereby prescribed as the information concerning an authority's past and proposed expenditure and financing of expenditure which is to be made available in the current year in accordance with section 13(4) of the 1984 Act:—

(a) 1984 c. 33. **(b)** 1980 c. 65.

(*a*) the statement of accounts prepared by or in relation to the authority in relation to the preceding year in accordance with regulation 7 of the Accounts and Audit Regulations 1983**(a)**;

(*b*) such additional information concerning the authority's past and proposed expenditure and financing of expenditure as may be contained in any periodical report published by the authority in relation to the preceding year;

(*c*) the authority's total expenditure for the current year, as estimated for the purposes of section 2, or, as the case may be, section 11 of the General Rate Act 1967**(b)**, together with a statement of any adjustment made for the current year under section 59(6)(*cc*) of the 1980 Act**(c)** in the amount of block grant payable to the authority, and of the guidance by reference to which the adjustment has been made;

(*d*) such proposals for revenue expenditure by the authority on each of its services in the next financial year (in this regulation referred to as "the budget proposals"), as may be prepared for consideration by the authority or a committee or sub-committee of the authority, together with statements of—

(i) the objectives sought to be achieved by expenditure at the level proposed;

(ii) the implications of the budget proposals for the authority's manpower in relation to each of its services;

(iii) the current revised estimate of the authority's total revenue expenditure for the current year;

(iv) any guidance issued, or communicated to the authority as intended to be issued, in respect of the next financial year for the purposes of section 59(6)(*cc*) of the 1980 Act; and

(v) any expenditure level determined or re-determined in the case of the authority under section 3 of the 1984 Act in respect of the next financial year;

(*e*) a statement of proposals for, and commitments in relation to, capital expenditure by the authority in the next financial year, and the implications of those proposals for revenue expenditure, together with its current revised estimate of its total capital expenditure for the current year;

(*f*) any maximum or interim maximum communicated to the authority as proposed to be prescribed for the authority's rate or precept under section 4 or 5 of the 1984 Act in respect of the next financial year;

(*g*) a statement of the amount per pound of rateable value estimated to be required to be levied by the authority's rate or precept for the next financial year, together with—

(a) S.I. 1983/1761. **(b)** 1967 c. 9.

(c) Section 59(6) was amended by the insertion of paragraph (*cc*) by section 8(1) of the Local Government Finance Act 1982 (c. 32).

(i) an analysis of the implications for that rate or precept of the Rate Support Grant Report approved for that year under section 60 of the 1980 Act;

(ii) an estimate as to the effect of any adjustment under section 59(6)(*cc*) of the 1980 Act in the amount of block grant payable to the authority in the next financial year; and

(iii) an analysis of the effect on the authority's financial reserves of a rate or precept of the estimated amount.

Signed by authority of the Secretary of State

Ian Gow,
Minister for Housing and Construction,
Department of the Environment.

22nd August 1984.

EXPLANATORY NOTE

(*This note is not part of the regulations.*)

Section 13 of the Rates Act 1984 requires major rating and precepting authorities to consult in each financial year persons or bodies appearing to such authorities to be representative of industrial and commercial ratepayers in their areas about their proposals for expenditure and the financing of expenditure in the following financial year.

Such authorities are required by section 13 to make available to the representatives whom they propose to consult such information concerning past and proposed expenditure as may be prescribed by regulations. These regulations set out the information to be provided, which is to include information in relation to the authority's accounts, proposals for expenditure, estimates of the amounts of rates or precepts required by such proposals, estimates of its rate support grant entitlement and any level for expenditure or maximum rate set by the Secretary of State under the Rates Act 1984.

In performing the duty imposed by section 13, such authorities are required to have regard to any guidance issued by the Secretary of State concerning the persons or bodies to be regarded as representative of industrial or commercial ratepayers, and the timing and manner of consultation. Such guidance is to be issued by the Secretary of State under cover of a letter to be sent on 4th September 1984 to English authorities by the Department of the Environment and to Welsh authorities by the Welsh Office.

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