1971 No. 469 (S.66)

LOCAL GOVERNMENT, SCOTLAND

The Rate Support Grant (Scotland) Order 1971

Made - - - -	*4th February* 1971
Laid before the Commons House of Parliament	*12th February* 1971
Coming into Operation	*17th March* 1971

In exercise of the powers conferred on me by section 3(1) of the Local Government (Scotland) Act 1966(**a**), section 9(5) of the Local Government (Financial Provisions) (Scotland) Act 1963(**b**), as amended by the said Act of 1966, and of all other powers enabling me in that behalf and with the consent of the Treasury and after consultation with the associations of local authorities appearing to me to be concerned, I hereby make the following order:—

1. This order may be cited as the Rate Support Grant (Scotland) Order 1971 and shall come into operation on the day following the day on which it is approved by a resolution of the Commons House of Parliament.

2.—(1) The Interpretation Act 1889(**c**) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

(2) In this order—

"the Act" means the Local Government (Scotland) Act 1966;

"each year" means the year 1971-72 and the year 1972-73.

3. For the purposes of rate support grants for the year 1971-72 and the year 1972-73 I hereby fix and prescribe:—

Aggregrate grants

(1) as the aggregate amounts of the rate support grants and the amounts of the needs element, the resources element and the domestic element, the amounts set out in the following table:—

	1971–72	*1972–73*
	£	£
Aggregate amounts of rate support grants	251,200,000	265,730,000
comprising—		
the needs element	176,920,000	186,450,000
the resources element	58,970,000	62,150,000
the domestic element	15,310,000	17,130,000

Domestic rate reduction

(2) under paragraph 1 of Part III of Schedule 1 to the Act and for the purposes of the reduction to be made under section 7(1) of the Act—as

(a) 1966 c. 51. (b) 1963 c. 12. (c) 1889 c. 63.

the amount in the pound which in my opinion corresponds to the amount of the domestic element for that year—

For the year 1971-72, 11p;

For the year 1972-73, 12p;

Apportionment of needs element

(3) under paragraph 3 of Part 1 of Schedule 1 to the Act—
that such part of the needs element (hereinafter referred to as the "roads portion") for each year as is represented by the proportion which eight-ninths of all reckonable expenditure on roads bears to total reckonable expenditure less all specific grants shall be distributed among the classes of local authorities and on the basis set out in Schedule 1 to this order;

(4) under paragraph 1 of Part 1 of Schedule 1 to the Act—
that the needs element for each year as reduced by the roads portion, and under paragraph 4 of the said Part 1, shall first be apportioned to all counties and those burghs which are counties of cities in proportion to their weighted populations determined as provided in Schedule 2 to this order; and the sums so apportioned shall, subject to adjustment in accordance with paragraph 5 of the said Part 1 be further apportioned in accordance with paragraph 2 of the said Part 1.

Weighted population for resources element

(5) for the purposes of Part II of Schedule 1 to the Act and in particular the calculation of the standard penny rate product for an area—

that the weighted population of the area for each year shall be determined as provided in Schedule 3 to this Order;

Notional rent income

(6) (*a*) that the notional rent income of a county or town council for 1971-72 shall be such percentage of the aggregate of the gross annual values of the relevant subjects, as shown in the valuation roll and in the supplementary valuation roll for the immediately preceding year, and that the notional rent income of a county or town council for 1972-73 shall be such percentage of the aggregate of the gross annual values of the relevant subjects, as shown in the valuation roll for the year in question, as is specified in relation to those years in column (1) of Schedule 4 to this order:

Provided that, if I am requested by any council to do so, I shall direct that, in relation to that council in relation to such year as may be specified in the direction, this sub-paragraph shall have effect as if references therein to the council's notional rent income for that year were references to such percentage of the aggregate of the gross annual values of the relevant subjects, as shown in the valuation roll for the year in question, as is specified in column (2) of the said Schedule in relation to that year, less an amount equal to the aggregate of any rent rebates granted in respect of those subjects by the council for that year under any rent rebates scheme approved by me for the purposes of this sub-paragraph;

(*b*) in this paragraph—

(i) references to the relevant subjects, in relation to any council and in relation to any year, are references to any houses, buildings, land or dwellings let by the council and shown in the valuation roll for that year:

(ii) references to the aggregate of the gross annual values of the relevant subjects, in relation to any council, are references to that aggregate exclusive of such part of the gross annual value of any house or dwelling comprised in those subjects as may be certified by the assessor to be attributable to any garage provided otherwise than by the council;

(iii) the expression "rent rebates" means rebates to which section 151(4) and section 195 of the Housing (Scotland) Act 1966(a) refer;

(iv) the expression "rent rebates scheme" includes any scheme for the granting of rent rebates (including so much of any rents scheme made under the said section 195 as relates to rent rebates); and

(v) the expression "valuation roll" does not include "supplementary valuation roll".

Gordon Campbell,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.
3rd February 1971.

We consent.

V. H. Goodhew,
Walter Clegg,
Two of the Lords Commissioners of Her Majesty's Treasury.

4th February 1971.

Article 3(3)

SCHEDULE 1

Distribution of Road Portion of Needs Element

1. The roads portion of the needs element, as determined under article 3(3) of this order, shall be divided into 6 equal parts which shall be apportioned to a county share and a large burgh share as follows:—

(*a*) 5 parts shall be apportioned in proportion to classified road mileage of all county councils and large burghs; and

(*b*) one part shall be apportioned in proportion to the number of thousands in the population of all counties and large burghs.

2. The county share determined in accordance with the preceding paragraph shall be apportioned to individual counties in proportion to their adjusted classified road mileage.

(a) 1966 c. 49.

For the purpose of this paragraph the adjusted classified road mileage shall be the following, that is to say:—

where the proportion that the total population bears to the number of miles of classified roads is as specified in any line in column (1) of the Table annexed to this Schedule, the number which is derived from applying the percentage specified in the same line in column (2) of that Table to the number of miles of classified roads.

3. The amounts apportioned to individual counties in accordance with paragraph 2 of this Schedule shall be further apportioned among the landward area, or in the case of a combined county the landward areas of the county, and the small burghs in the county in accordance with paragraph 2 of Part 1 of Schedule I to the Act.

4. The large burgh share determined in accordance with paragraph 1 of this Schedule shall be divided into 4 equal parts which shall be further apportioned to individual large burghs as follows:—

(*a*) one part shall be apportioned in proportion to classified road mileage;

(*b*) one part shall be apportioned in proportion to principal road mileage; and

(*c*) 2 parts shall be apportioned in proportion to population.

5. For the purpose of this Schedule:—

(*a*) the population of any county or large burgh shall be calculated by reference to estimates of the Registrar General of Births, Deaths and Marriages in Scotland relating to the 30th June in the year immediately preceding the grant year;

(*b*) the mileage of classified roads in any county or large burgh shall be calculated by reference to estimates of the Secretary of State relating to the 16th May in the year immediately preceding the grant year; and

(*c*) the mileage of principal roads in any county or large burgh shall be calculated by reference to estimates of the Secretary of State relating to the 16th May in the year immediately preceding the grant year.

6. In this Schedule:—

(*a*) "county" means a county (or, in relation to counties combined for the purposes mentioned in section 118(1) of the Local Government (Scotland) Act 1947(a), the combined county) inclusive of any small burgh situated therein;

(*b*) "large burgh" has the meaning assigned to it in section 379(1) of the Local Government (Scotland) Act 1947;

(*c*) "grant year" in relation to the roads portion of the needs element of rate support grants means the year for which the grants are payable;

(*d*) "classified roads" means roads classified within the meaning of section 28(2) of the Act; and

(*e*) "principal roads" means roads designated as principal roads within the meaning of section 28(2) of the Act.

TABLE

PROPORTION OF TOTAL POPULATION TO MILES OF CLASSIFIED ROAD

Column (1)	*Percentage Column* (2)
100 to 1 and over	100·00
Under 100 to 1 and not under 85 to 1	110·00
Under 85 to 1 and not under 70 to 1	112·50
Under 70 to 1 and not under 55 to 1	125·00
Under 55 to 1	133·33

(a) 1947 c. 43.

Article 3(4)

SCHEDULE 2

DETERMINATION OF WEIGHTED POPULATION FOR APPORTIONMENT OF NEEDS ELEMENT

1. The weighted population of a county or a burgh (being a county of a city) shall be the sum of the following, calculated by the Secretary of State in relation to the county or burgh, that is to say:—

(*a*) the total population;

(*b*) twice the number of children under 15 in excess of 27 per cent. of the total population;

(*c*) twice the number of persons over 65 years of age in excess of 14 per cent. of the total population;

(*d*) the number of education units which shall be the sum of the following:—

(i) the sum of the products of the number of pupils or students in each of the categories in column (1) of Table 1 annexed to this Schedule and the number specified in the same line in column (2) of that Table; and

(ii) the number formed by multiplying by 6 the number of thousands of midday meals produced by the education authority during the year ending one year before the start of the grant year;

(*e*) twice the number of persons by which the increase or decrease (if any) of the population during the period of 5 years immediately preceding the year in question exceeds one-twentieth of the population in the first year of that period of 5 years;

(*f*) where the proportion which the total population bears to the number of miles of roads is as specified in any line in column (1) of Table 2 annexed to this Schedule, the number which is derived from applying the percentage specified in the same line in column (2) of that Table to the sum of the figures calculated in accordance with sub-paragraphs (*a*) to (*e*) of this paragraph; and

(*g*) in the case of a county, where the proportion which the population of the landward area (or, in the case of a combined county, the landward areas) bears to the total population is as specified in any line in column (1) of Table 3 annexed to this Schedule, the number which is derived from applying the percentage specified in the same line in column (2) of that Table to the sum of the figures calculated in accordance with sub-paragraphs (*a*) to (*f*) of this paragraph.

2. For the purposes of this Schedule:—

(*a*) the total population of any county or burgh, the number of children under 15 years of age and the number of persons over 65 years of age in any such population and the population of the landward area (or areas) of any county shall be calculated by reference to estimates of the Registrar General of Births, Deaths and Marriages in Scotland relating to the 30th June in the year immediately preceding the grant year;

(*b*) the number of primary pupils or secondary pupils shall be the number of pupils who are receiving primary education or secondary education respectively within the meaning of the Education (Scotland) Act 1962(**a**) in public schools or under special arrangements made by the education authority under section 14 of that Act and who are not attending special schools;

(*c*) the number of special school pupils shall be the number of pupils attending special schools under the management of the education authority;

(*d*) the number of part-time evening students shall be the number of students, other than those released by employers during working hours, enrolled in voluntary part-time courses of instruction for persons over school age

(**a**) 1962 c. 47.

provided at educational establishments under the management of the education authority;

(*e*) the number of pupils and students in the various categories shall be calculated by reference to certificates of the education authority relating to the year ending on the 31st July in the year immediately preceding the grant year; and

(*f*) the number of miles of road shall be calculated by reference to estimates of the Secretary of State relating to the 16th May in the year immediately preceding the grant year.

3. In this Schedule:—

(*a*) "county" means a county (or, in relation to counties combined for the purposes mentioned in section 118(1) of the Local Government (Scotland) Act 1947, the combined county) inclusive of any burgh situated therein, other than a burgh which is a county of a city;

(*b*) "grant year" in relation to the needs element of rate support grants means the year for which the grants are payable;

(*c*) "public school" and "special school" have the respective meanings assigned to them in the Education (Scotland) Act 1962; and

(*d*) "roads" means roads maintained and managed by the Secretary of State or by a local authority, and includes any sea route betwen two places in a county which the Secretary of State has determined under section 6(2) of the Act is to be treated as if it were a road in the county.

TABLE 1

Category Column (1)	*Weighting Column* (2)
Primary pupil	6·0
Secondary pupil	
under age 16	13·8
age 16 and over	20·7
Special school pupil	16·5
Part-time evening student	2·2

DETERMINATION OF WEIGHTED POPULATION FOR APPORTIONMENT OF NEEDS ELEMENT

TABLE 2

PROPORTION OF TOTAL POPULATION TO MILES OF ROAD

Column (1)	*Percentage Column* (2)
Under 19 to 1	60·0
Under 24 to 1 and not under 19	52·5
Under 32 to 1 and not under 24	40·0
Under 42 to 1 and not under 32	32·5
Under 44 to 1 and not under 42	25·0
Under 46 to 1 and not under 44	19·0
Under 48 to 1 and not under 46	15·0
Under 50 to 1 and not under 48	13·0
Under 52 to 1 and not under 50	11·5
Under 54 to 1 and not under 52	10·0
Under 56 to 1 and not under 54	8·5
Under 58 to 1 and not under 56	7·0
Under 60 to 1 and not under 58	6·0
Under 62 to 1 and not under 60	5·0
Under 64 to 1 and not under 62	4·0
Under 66 to 1 and not under 64	3·0
Under 68 to 1 and not under 66	2·0
Under 70 to 1 and not under 68	1·0
70 to 1 and over	Nil

TABLE 3

PROPORTION OF POPULATION IN LANDWARD AREA OF COUNTY TO TOTAL POPULATION

Column (1)	*Percentage Column* (2)
90 per cent. and over	70
Under 90 per cent. and not under 82·5 per cent.	50
Under 82·5 per cent. and not under 77·5 per cent.	30
Under 77·5 per cent. and not under 72·5 per cent.	20
Under 72·5 per cent. and not under 55·0 per cent.	10
Under 55·0 per cent. and not under 50·0 per cent.	5
Under 50·0 per cent.	Nil

Article 3(5)

SCHEDULE 3

RESOURCES ELEMENT—WEIGHTED POPULATION FOR DETERMINING STANDARD PENNY RATE PRODUCT

1. The weighted population of an area for each year shall be the population thereof plus (if applicable in accordance with this Schedule) the variation weighting for the area.

Variation Weighting

2. For the purposes of the foregoing paragraph the variation weighting for an area which is a large burgh shall be the number of persons by which the increase or decrease (if any) of the population of the burgh during the period of 5 years immediately preceding the year in question exceeds one-twentieth of the population of the burgh in the first year of that period of 5 years.

3.—(1) For the purposes of paragraph 1 of this Schedule the variation weighting for an area which is a small burgh or the landward area of a county shall be such number as bears to the number ascertained under the following sub-paragraph the same proportion as the population of the area bears to the population of the county.

(2) The number to be ascertained under this sub-paragraph is the number of persons by which the increase or decrease (if any) of the population of the county during the period of 5 years immediately preceding the year in question exceeds one-twentieth of the population of the county in the first year of that period of 5 years.

Population

4.—(1) The population of any area shall be calculated by reference to estimates of the Registrar General of Births, Deaths and Marriages in Scotland relating to the 30th June in the year in respect of which the payment of resources element is made; and, in the case of the variation weighting to estimates of the Registrar General of Births, Deaths and Marriages in Scotland relating to the 30th June next after the first and last days respectively of the period of 5 years in question.

(2) In the computation of the population of any area for the purpose of ascertaining the variation weighting for the area under this Schedule no account shall be taken of any members of the armed forces of the Crown (within the meaning of the Crown Proceedings Act 1947(a)) or of a visiting force (within the meaning of the Visiting Forces Act 1952(b)) who may be located in the area only because of their duty as such.

Supplementary

5. References in this Schedule to a county, in relation to a small burgh or a landward area are references to the county in which the small burgh or, as the case may be, the landward area is situated, excluding any large burgh situated in the county.

(a) 1947 c. 44. (b) 1952 c. 67.

SCHEDULE 4

Year	*Percentage of Gross Annual Value to be taken as Notional Rent*	*Percentage of Gross Annual Value to be taken as Notional Rent*
	Column (1)	Column (2)
	Percentage referred to in Article 3(6)(*a*)	Percentage referred to in the proviso to Article 3(6)(*a*)
1971–72	140 per cent.	145 per cent.
1972–73	85 per cent.	90 per cent.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order, which came into operation on 17th March 1971, prescribes for the years 1971-72 and 1972-73 ;—

(*a*) the aggregate amounts of the rate support grants payable under Part 1 of the Local Government (Scotland) Act 1966 to county and town councils in Scotland, and the division of these amounts between the needs element, the resources element and the domestic element ;

(*b*) the amount by which rating authorities are to reduce the amount in the pound of the county or burgh rate which they would otherwise levy on dwelling-houses in their areas, so as to take account of the amount of the domestic element for these years ; and

(*c*) the formulae for distributing the needs and resources elements of rate support grants among local authorities, so far as not already prescribed in the Act.