STATUTORY INSTRUMENTS

1977 No. 2137 (S. 163)

LOCAL GOVERNMENT, SCOTLAND

The Rate Support Grant (Scotland) Order 1977

Made - - - -	1*st December* 1977
Laid before the Commons House of Parliament - -	1*st December* 1977
Coming into Operation	16*th December* 1977

In exercise of the powers conferred on me by—

(1) section 3 of the Local Government (Scotland) Act 1966(**a**) (rate support grant orders) as amended by section 120(1)(*a*) of the Local Government (Scotland) Act 1973(**b**) and by paragraph 2 of Schedule 2 to the Local Government (Scotland) Act 1975(**c**);

(2) section 2(4) of the said Act of 1966 (needs, resources and domestic elements) as substituted by paragraph 1 of Schedule 2 to the said Act of 1975;

(3) paragraphs 1 and 2 of Part I of Schedule 1 to the said Act of 1966 (apportionment of needs element) as amended by paragraph 69 of Schedule 9 to the said Act of 1973 and by paragraph 5 of Schedule 2 to the said Act of 1975;

(4) paragraph 1 of Part III of Schedule 1 to the said Act of 1966 (domestic rate reduction) as amended by paragraph 7 of Schedule 2 to the said Act of 1975;

(5) section 9(5) of the Local Government (Financial Provisions) (Scotland) Act 1963(**d**) (weighted population and national standard amount per head) as amended by section 13 of the said Act of 1966 and by paragraph 24 of Part II of Schedule 6 to the said Act of 1975; and

(6) section 4 of the said Act of 1966 (variation of orders) as substituted by paragraph 3 of Schedule 2 to the said Act of 1975, since it appears to me that after the time when the amount mentioned in section 2(2)(*a*) of the said Act of 1966 was determined for the years 1976-77 and 1977-78, the relevant expenditure of local authorities for these years has been substantially increased by reason of an increase which has taken place in the level of prices, costs and remuneration, that no account was taken of that increase when the amounts of the rate support grants for the years 1976-77 and 1977-78 were determined or, as the case may be, re-determined, and that provision therefor can be incorporated in this order;

(**a**) 1966 c. 51. (**b**) 1973 c. 65. (**c**) 1975 c. 30. (**d**) 1963 c. 12.

and of all other powers enabling me in that behalf, after consultation with such associations of local authorities as appear to me to be concerned, and with the consent of the Treasury I hereby make the following order:—

Title, Commencement and Interpretation

1.—(1) This order may be cited as the Rate Support Grant (Scotland) Order 1977 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) The Interpretation Act 1889(**a**) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

(3) In this order—

"the Act of 1963" means the Local Government (Financial Provisions) (Scotland) Act 1963;

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

"the Act of 1973" means the Local Government (Scotland) Act 1973;

"the Act of 1975" means the Local Government (Scotland) Act 1975;

"the (No. 2) Order of 1975" means the Rate Support Grant (Scotland) (No. 2) Order 1975(**b**); and

"the Order of 1976" means the Rate Support Grant (Scotland) Order 1976(**c**).

(4) Except where the context otherwise requires, references in this order to any enactment are references to that enactment as amended by any other enactment.

Aggregate Grants for 1978-79

2. The estimated aggregate amount of the rate support grants, the amounts of the needs element and the domestic element and the estimated amount of the resources element of the said grants for the year 1978-79 shall be the amounts set out in the following table:—

	£
Estimated aggregate amount of the rate support grants	960,000,000
Amount of the needs element	757,600,000
Estimated amount of the resources element	189,400,000
Amount of the domestic element	13,000,000

Domestic Rate Reduction for 1978-79

3. The amount of the reduction to be made under section 7(1) of the Act of 1966 shall be 3 pence in the pound being the amount which in my opinion corresponds to the amount of the domestic element for the year 1978-79.

(**a**) 1889 c. 63.
(**b**) S.I. 1975/2215 (1975 III, p. 8329).
(**c**) S.I. 1976/2212 (1976 III, p. 6201).

Apportionment of Needs Element for 1978-79

4.—(1) Under paragraph 2(1) of Part I of Schedule 1 to the Act of 1966, part of the needs element for the year 1978-79 amounting to £9 million (hereinafter referred to as the "extraordinary expenses portion") shall be apportioned among those local authorities incurring extraordinary expenses in connection with developments relating to exploration for or exploitation of off-shore petroleum in the proportions which the net amount of such expenses of each authority (as determined by me in accordance with paragraph 2(2) of the said Part I) bears to the total of the net amount of such expenses incurred by all those authorities.

(2) The needs element for the year 1978-79 as reduced by the extraordinary expenses portion shall be known as the "general portion" and shall be apportioned as follows:—

(i) among regions and islands areas, in proportion to their weighted populations determined in the manner provided in Schedule 1 to this order;

(ii) the sum so apportioned to a region, between the regional council and all district councils within the region in the manner provided in Schedule 2 to this order;

(iii) the sum so apportioned to all district councils within a region, among the district councils within the region in proportion to their weighted populations determined in the manner provided in Schedule 3 to this order; and

(iv) the whole of the sum apportioned to an islands area shall be the islands council's allocation.

Weighted population and national standard amount per head for 1978-79

5. For the purposes of section 9(3) of the Act of 1963 and Part II of Schedule 1 to the Act of 1966 the weighted population of an area for the year 1978-79 shall be the total population of the area as estimated by the Registrar General of Births, Deaths and Marriages in Scotland in relation to 30th June 1977 and the national standard amount per head for the year 1978-79 shall be such as will result as nearly as may be in the distribution of the whole of the actual amount of the resources element for that year.

Aggregate Grants for 1977-78

6. For the estimated aggregate amount of the rate support grants and the amounts of the needs element and the domestic element fixed for the year 1977-78 by Article 2 of the Order of 1976 as indicated in parentheses in the second column of the following table there shall be substituted the amounts set out in the third column thereof; and for the estimated amount of the resources element fixed for that year by Article 2 of the Order of 1976 as indicated in parentheses in the second column of the following table there shall be substituted the actual amount of the resources element set out in the third column thereof, being an amount which, in my estimation, will secure the expected ratio in terms of section 4(5) of the Act of 1966:—

	£	£
Estimated aggregate amount of the rate support grants	(882,800,000)	932,900,000
Amount of the needs element	(666,700,000)	705,900,000
Estimated amount of the resources element	(166,700,000)	—
Actual amount of the resources element	—	177,300,000
Amount of the domestic element ...	(49,400,000)	49,700,000

Actual amount of the resources element for 1977-78

7.—(1) In order that the aggregate of the amounts of resources element payable to each local authority under Part II of Schedule 1 to the Act of 1966 for the year 1977-78 does not exceed the actual amount of resources element specified in Article 6 of this Order for that year, there shall be calculated for each local authority in relation to its area—

(*a*) the amount by which the product of a rate of one penny in the pound is less than the product of the weighted population and such a factor as will result as nearly as may be in the distribution of the whole of the actual amount of resources element specified in Article 6 above;

(*b*) the product of the number of pence in the pound of the local authority's rate and the difference between the products mentioned in sub-paragraph (*a*) above.

(2) The payment calculated for each local authority under the said Part II shall be varied by substituting for that payment the amount calculated for each authority under paragraph 1(*b*) above.

Aggregate Grants for 1976-77

8. For the estimated aggregate amount of the rate support grants and the amount of the domestic element fixed for the year 1976-77 by Article 2 of the (No. 2) Order of 1975, as substituted by Article 6 of the Order of 1976 and as indicated in parentheses in the second column of the following table, there shall be substituted the amounts set out in the third column thereof; and for the actual amount of the resources element, being a substitution by the said Article 6 of the estimated amount of the resources element fixed for the year 1976-77 by the said Article 2, and being the amount indicated in parentheses in the second column of the following table, there shall be substituted the amount set out in the third column thereof:—

	£	£
Estimated aggregate amount of the rate support grants	(875,300,000)	875,600,000
Actual amount of the resources element	(167,400,000)	167,800,000
Amount of the domestic element ...	(42,300,000)	42,200,000

The amount of the needs element fixed for the year 1976-77 by the said Article 2, as substituted by the said Article 6, remains unchanged at £665,600,000.

Bruce Millan,
One of Her Majesty's Principal Secretaries of State.

New St Andrew's House,
Edinburgh.
1st December 1977.

We consent.

J. Dormand,
Donald R. Coleman,
Two of the Lords Commissioners of Her Majesty's Treasury.

30th November 1977.

SCHEDULE 1 *Article 4(2)*

DETERMINATION OF WEIGHTED POPULATION FOR APPORTIONMENT OF THE GENERAL PORTION OF THE NEEDS ELEMENT AMONG REGIONS AND ISLANDS AREAS

1. The weighted population of a region shall be the sum of the following calculated by the Secretary of State in relation to the region, that is to say:—

(*a*) the total population multiplied by 15;

(*b*) where the proportion which the population under 16 years of age bears to the total population is as specified in any line in column (1) of Table 1 annexed to this Schedule, the number derived from multiplying the number specified in the same line in column (2) of that Table by the number of the population under 16 years of age;

(*c*) where the proportion which the population aged 65 years and over bears to the total population is as specified in any line in column (1) of Table 2 annexed to this Schedule, the number derived from multiplying the number specified in the same line in column (2) of that Table by the number of the population aged 65 years and over;

(*d*) where the total population of any district within the region decreased during the period from 30th June 1972 to 30th June 1977, the aggregate of the numbers derived from multiplying by 15 the difference between the total population at 30th June 1977 and the total population at 30th June 1972 of any such district;

(*e*) the aggregate of the numbers calculated in relation to each district within the region as follows:—

where the number obtained by dividing the area of the district expressed in hectares by the total population of the district is as specified in any line in column (1) of Table 3 annexed to this Schedule, the number derived from multiplying the number specified in the same line in column (2) of that Table by the total population of the district; and

(*f*) the aggregate of the numbers calculated in relation to each district within the region as follows:—

where the number obtained by dividing the total population of the district by the area of the district expressed in hectares is as specified in any line in column (1) of Table 4 annexed to this Schedule, the number derived from multiplying the number specified in the same line in column (2) of that Table by the total population of the district.

2. The weighted population of an islands area shall be the sum of the following calculated by the Secretary of State in relation to the islands area, that is to say:—

(*a*) the total population multiplied by 23;

(*b*) where the proportion which the population under 16 years of age bears to the total population is as specified in any line in column (1) of Table 1 annexed to this Schedule, the number derived from multiplying the number specified in the same line in column (2) of that Table by the number of the population under 16 years of age;

(*c*) where the proportion which the population aged 65 years and over bears to the total population is as specified in any line in column (1) of Table 2 annexed to this Schedule, the number derived from multiplying the number specified in the same line in column (2) of that Table by the number of the population aged 65 years and over;

(*d*) where the total population decreased during the period from 30th June 1972 to 30th June 1977, the number derived from multiplying by 15 the difference between the total population at 30th June 1977 and the total population at 30th June 1972;

(*e*) where the number obtained by dividing the area of the islands area expressed in hectares by the total population is as specified in any line in column (1) of Table 3 annexed to this Schedule, the number derived from multiplying the number specified in the same line in column (2) of that Table by the total population; and

(*f*) where the number obtained by dividing the total population by the area of the islands area expressed in hectares is as specified in any line in column (1) of Table 4 annexed to this Schedule, the number derived from multiplying the number specified in the same line in column (2) of that Table by the total population.

3. For the purposes of this Schedule—

(*a*) the total population of any region, district or islands area in relation to the numbers to be calculated according to sub-paragraphs (*a*), (*d*), (*e*) and (*f*) of paragraph 1 and sub-paragraphs (*a*), (*d*), (*e*) and (*f*) of paragraph 2 above shall be as estimated by the Registrar General of Births, Deaths and Marriages in Scotland in relation to 30th June 1977;

(*b*) the total population of any region or islands area in relation to the numbers to be calculated under sub-paragraphs (*b*) and (*c*) of paragraph 1 and sub-paragraphs (*b*) and (*c*) of paragraph 2 above, and the numbers of persons under 16 years of age and aged 65 years and over in any such population shall be as estimated by the Registrar General of Births, Deaths and Marriages in Scotland in relation to 30th June 1976; and

(*c*) the number of hectares comprised in the area of a district or an islands area shall be the number so comprised on 31st December 1977 and certified by the Ordnance Survey.

TABLE 1

PROPORTION OF POPULATION UNDER 16 YEARS OF AGE TO TOTAL POPULATION

Column (1)	*Column (2)*
Not exceeding 0.255	4
Exceeding 0.255 but not exceeding 0.260	6
Exceeding 0.260 but not exceeding 0.265	8
Exceeding 0.265 but not exceeding 0.270	10
Exceeding 0.270 but not exceeding 0.275	12
Exceeding 0.275 but not exceeding 0.280	14
Exceeding 0.280	16

TABLE 2

PROPORTION OF POPULATION AGED 65 YEARS AND OVER TO TOTAL POPULATION

Column (1)	*Column (2)*
Not exceeding 0.145	4
Exceeding 0.145 but not exceeding 0.150	6
Exceeding 0.150 but not exceeding 0.155	8
Exceeding 0.155 but not exceeding 0.160	10
Exceeding 0.160 but not exceeding 0.165	12
Exceeding 0.165 but not exceeding 0.170	14
Exceeding 0.170 but not exceeding 0.175	16
Exceeding 0.175 but not exceeding 0.180	18
Exceeding 0.180	20

TABLE 3

AREA IN HECTARES PER HEAD OF TOTAL POPULATION

Column (1)	*Column (2)*
Exceeding 4.9 but not exceeding 6.5	2
Exceeding 6.5 but not exceeding 8.1	4
Exceeding 8.1 but not exceeding 9.7	6
Exceeding 9.7 but not exceeding 11.3	8
Exceeding 11.3 but not exceeding 12.9	10
Exceeding 12.9 but not exceeding 14.5	12
Exceeding 14.5 but not exceeding 16.1	14
Exceeding 16.1	16

TABLE 4

TOTAL POPULATION PER HECTARE

Column (1)	*Column (2)*
Exceeding 2.5 but not exceeding 10.0	1
Exceeding 10.0 but not exceeding 20.0	2
Exceeding 20.0 but not exceeding 30.0	3
Exceeding 30.0 but not exceeding 40.0	4
Exceeding 40.0	5

Article 4(2)

SCHEDULE 2

DIVISION BETWEEN THE REGIONAL COUNCIL AND ALL DISTRICT COUNCILS WITHIN THE REGION OF THE GENERAL PORTION OF THE NEEDS ELEMENT APPORTIONED TO EACH REGION

1. (*a*) Where the population of the region is 200,000 or less the district councils' allocation of the amount apportioned to the region shall bear the same proportion to that amount as the total population of the region multiplied by 1.16 bears to the weighted population of the region calculated under Schedule 1 to this order, and the regional council's allocation shall be the difference between the district councils' allocation and the amount apportioned to the region.

(*b*) Where the population of the region exceeds 200,000 but does not exceed 1,000,000 the district councils' allocation of the amount apportioned to the region shall bear the same proportion to that amount as the total population of the region multiplied by 1.39 bears to the weighted population of the region calculated under Schedule 1 to this order, and the regional council's allocation shall be the difference between the district councils' allocation and the amount apportioned to the region.

(*c*) Where the population of the region exceeds 1,000,000 the district councils' allocation of the amount apportioned to the region shall bear the same proportion to that amount as the total population of the region multiplied by 1.59 bears to the weighted population of the region calculated under Schedule 1 to this order, and the regional council's allocation shall be the difference between the district councils' allocation and the amount apportioned to the region.

2. For the purposes of this Schedule the total population of any region shall be as estimated by the Registrar General of Births, Deaths and Marriages in Scotland in relation to 30th June 1977.

Article 4(2)

SCHEDULE 3

DETERMINATION OF WEIGHTED POPULATION FOR APPORTIONMENT OF DISTRICT COUNCILS' SHARE IN ANY REGION AMONG THE DISTRICT COUNCILS WITHIN THAT REGION

1. The weighted population of a district shall be the sum of the following calculated by the Secretary of State in relation to the district, that is to say: —

(*a*) the total population;

(*b*) where the population decreased during the period from 30th June 1972 to 30th June 1977, the difference between the population at 30th June 1977 and the population at 30th June 1972;

(*c*) where the number obtained by dividing the area of the district expressed in hectares by the total population is as specified in any line in column (1) of Table 1 annexed to this Schedule, the number derived from multiplying the numbers specified in the same line in column (2) of that Table by the total population;

(*d*) where the number obtained by dividing the total population by the area of the district expressed in hectares is as specified in any line in column (1) of Table 2 annexed to this Schedule, the number derived from multiplying the numbers specified in the same line in column (2) of that Table by the total population; and

(*e*) where the number obtained by dividing the total population by the area of the district expressed in hectares is 2.5 or less and where the proportion of the urban population of the district is one-half or more of the the total population, one quarter of the total population.

2. For the purposes of this Schedule—

(*a*) the total population of any district shall be as estimated by the Registrar General of Births, Deaths and Marriages in Scotland in relation to 30th June 1977;

(*b*) the number of hectares comprised in the area of a district shall be the number so comprised on 31st December 1977 and certified by the Ordnance Survey;

(*c*) in relation to the determination of the proportion of urban population to total population under paragraph 1(*e*) above, the urban population of any district and the total population of which it is part shall be as estimated by the Registrar General of Births, Deaths and Marriages in Scotland in relation to urban areas in which the population is 10,000 or more on the basis of the 1971 census returns and certified by him to the Secretary of State for rate support grant purposes.

TABLE 1

AREA IN HECTARES PER HEAD OF TOTAL POPULATION

Column (1)	*Column (2)*
Exceeding 4.9 but not exceeding 6.5	0.1
Exceeding 6.5 but not exceeding 8.1	0.2
Exceeding 8.1 but not exceeding 9.7	0.3
Exceeding 9.7 but not exceeding 11.3	0.4
Exceeding 11.3	0.5

TABLE 2

TOTAL POPULATION PER HECTARE

Column (1)	*Column (2)*
Exceeding 2.5 but not exceeding 6.0	0.25
Exceeding 6.0 but not exceeding 12.0	0.50
Exceeding 12.0	0.75

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order—

(*a*) In relation to the year 1978–79—

(i) fixes the estimated aggregate amount of the rate support grants payable under Part I of the Local Government (Scotland) Act 1966 to regional, islands and district councils in Scotland, and the division of this amount among the needs element, the estimated resources element and the domestic element;

(ii) prescribes the amount in the pound by which rating authorities are to reduce the rate in the pound which they would otherwise levy on dwelling-houses in their areas so as to take account of the amount of domestic element for the year; and

(iii) prescribes matters relating to the distribution of the needs and resources element of rate support grants among local authorities,

(*b*) In relation to the year 1977–78—

increases the estimated aggregate amount of the rate support grants, the amount of the needs element and the amount of the domestic element and prescribes the actual amount of the resources element payable for that year, and

(*c*) In relation to the year 1976–77—

increases the aggregate amount of the rate support grants and the amount of the resources element and varies the amount of the domestic element payable for that year.

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