STATUTORY INSTRUMENTS

1978 No. 1871 (S.165)

LOCAL GOVERNMENT, SCOTLAND

The Rate Support Grant (Scotland) Order 1978

Made - - - -	*28th November* 1978
Laid before the Commons House of Parliament - -	*1st December* 1978
Coming into Operation	*16th December* 1978

In exercise of the powers conferred on me by the provisions set out in column (1) of Schedule 1 to this order as amended by the enactments set out in column (2) of that Schedule, and since it appears to me that after the time when the amount mentioned in section 2(2)(*a*) of the Local Government (Scotland) Act 1966(**a**) was determined for the year 1978–79 the relevant expenditure of local authorities for that year 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 amount of the rate support grants for the year 1978–79 was determined, and that provision therefor can be incorporated in this order, and in exercise 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 1978 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(**b**) 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(**c**);

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

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

(a) 1966 c. 51. (b) 1889 c. 63. (c) 1963 c. 12. (d) 1973 c. 65.

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

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

"the Order of 1977" means the Rate Support Grant (Scotland) Order 1977**(c)**; and

"new town" means a new town in terms of the New Towns (Scotland) Act 1968**(d)**.

(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 1979–80

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 1979–80 shall be the amounts set out in the following table:—

	£
Estimated aggregate amount of the rate support grants ...	1,090,100,000
Amount of the needs element	861,400,000
Estimated amount of the resources element	215,300,000
Amount of the domestic element	13,400,000

Domestic rate reduction for 1979–80

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 1979–80.

Apportionment of needs element for 1979–80

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 1979–80 amounting to £9,500,000 (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 1979–80 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 2 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 3 to this order;

(a) 1975 c. 30. **(b)** S.I. 1975/2215. **(c)** S.I. 1977/2137. **(d)** 1968 c. 16.

(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 4 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 1979–80

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 1979–80 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 1978 and the national standard amount per head for the year 1979–80 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.

National standard amount per head for 1976–77

6. The national standard amount per head for the year 1976–77 shall be deemed to have been such amount as resulted as nearly as may be in the distribution of the whole of the actual amount of resources element for that year, and article 5 of the (No. 2) Order of 1975 shall be varied accordingly.

Aggregate grants for 1978–79

7. 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 1978–79 by Article 2 of the Order of 1977 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 1977 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	(960,000,000)	1,035,400,000
Amount of the needs element	(757,600,000)	817,800,000
Estimated amount of the resources element	(189,400,000)	—
Actual amount of the resources element	—	204,400,000
Amount of the domestic element ...	(13,000,000)	13,200,000

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

New St Andrew's House
Edinburgh.
27th November 1978.

T. M. Cox
J. Dormand
Two of the Lords Commissioners of Her Majesty's Treasury.

We consent.

28th November 1978.

SCHEDULE 1

PROVISIONS CONFERRING POWERS EXERCISED IN MAKING THIS ORDER

Column (1) *Enactment conferring power*		*Column (2)* *Relevant amending enactment*
Local Government (Financial Provisions) (Scotland) Act 1963**(a)**	section 9(5)	Local Government (Scotland) Act 1966**(b)**, section 13 Local Government (Scotland) Act 1975**(c)**, Schedule 6, Part II, paragraph 24
Local Government (Scotland) Act 1966	section 2(4)	Local Government (Scotland) Act 1975, Schedule 2, paragraph 1
	section 3	Local Government (Scotland) Act 1973**(d)**, section 120(1)(*a*)
		Local Government (Scotland) Act 1975, Schedule 2, paragraph 2
	section 4	Local Government (Scotland) Act 1975, Schedule 2, paragraph 3
	section 45(2)	—
	Schedule 1, Part I, paragraphs 1 and 2	Local Government (Scotland) Act 1973, Schedule 9, paragraph 69
		Local Government (Scotland) Act 1975, Schedule 2, paragraph 5
	Schedule 1, Part III, paragraph 1	Local Government (Scotland) Act 1975, Schedule 2, paragraph 7

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

Article 4(2)

SCHEDULE 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 1973 to 30th June 1978, the aggregate of the numbers derived from multiplying by 15 the difference between the total population at 30th June 1978 and the total population at 30th June 1973 of any such district;

(*e*) where the total population of any district within the region decreased during the period from 30th June 1968 to 30th June 1978 by more than 5 per cent of the total population at 30th June 1968, the aggregate of the numbers derived from multiplying by 9 the difference between the total population at 30th June 1978 and the total population at 30th June 1968 of any such district;

(*f*) 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;

(*g*) 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; and

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

where the total population of any district in which a new town is situated increased during the period from 30th June 1973 to 30th June 1978 by more than 5 per cent of the total population at 30th June 1973, the number derived by multiplying by 15 the difference between the total population at 30th June 1978 and the total population at 30th June 1973.

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 26;

(*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 1973 to 30th June 1978, the number derived from multiplying by 15 the difference between the total population at 30th June 1978 and the total population at 30th June 1973;

(*e*) where the total population decreased during the period from 30th June 1968 to 30th June 1978 by more than 5 per cent of the total population at 30th June 1968, the number derived from multiplying by 9 the difference between the total population at 30th June 1978 and the total population at 30th June 1968;

(*f*) 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

(*g*) 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 paragraphs 1(*a*), (*d*), (*e*), (*f*), (*g*) and (*h*) and 2(*a*), (*d*), (*e*), (*f*) and (*g*) above shall be as estimated by the Registrar General of Births, Deaths and Marriages in Scotland in relation to 30th June 1978;

(*b*) the total population of any region or islands area in relation to the numbers to be calculated under paragraphs 1(*b*) and (*c*) and 2(*b*) and (*c*) 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 1977;

(*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 1978 and certified by the Ordnance Survey; and

(*d*) in relation to the numbers to be calculated according to paragraph 1(*f*) and (*g*) above, no account shall be taken of any alterations to the boundaries of districts within a region where such alterations come into operation on or after the date of coming into operation of this order and the boundaries of the region remain unaltered.

TABLE 1

PROPORTION OF POPULATION UNDER 16 YEARS OF AGE TO TOTAL POPULATION

Column (1)	*Column (2)*
Not exceeding 0.251	4
Exceeding 0.251 but not exceeding 0.256	6
Exceeding 0.256 but not exceeding 0.261	8
Exceeding 0.261 but not exceeding 0.266	10
Exceeding 0.266 but not exceeding 0.271	12
Exceeding 0.271 but not exceeding 0.276	14
Exceeding 0.276	16

TABLE 2

PROPORTION OF POPULATION AGED 65 YEARS AND OVER TO TOTAL POPULATION

Column (1)	*Column (2)*
Not exceeding 0.144	4
Exceeding 0.144 but not exceeding 0.149	6
Exceeding 0.149 but not exceeding 0.154	8
Exceeding 0.154 but not exceeding 0.159	10
Exceeding 0.159 but not exceeding 0.164	12
Exceeding 0.164 but not exceeding 0.169	14
Exceeding 0.169 but not exceeding 0.174	16
Exceeding 0.174 but not exceeding 0.179	18
Exceeding 0.179 but not exceeding 0.184	20
Exceeding 0.184 but not exceeding 0.189	22
Exceeding 0.189 but not exceeding 0.194	24
Exceeding 0.194	26

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 but not exceeding 17.7	16
Exceeding 17.7 but not exceeding 19.3	18
Exceeding 19.3	20

TABLE 4

TOTAL POPULATION PER HECTARE

Column (1)	*Column (2)*
Exceeding 1.5 but not exceeding 18.0	2
Exceeding 18.0 but not exceeding 36.0	4
Exceeding 36.0	6

SCHEDULE 3 *Article 4(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 1.22 bears to the weighted population of the region calculated under Schedule 2 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 1.46 bears to the weighted population of the region calculated under Schedule 2 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 2.02 bears to the weighted population of the region calculated under Schedule 2 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 1978.

Article 4(2)

SCHEDULE 4

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 total population decreased during the period from 30th June 1973 to 30th June 1978, the difference between the total population at 30th June 1978 and the total population at 30th June 1973;

(*c*) where the total population decreased during the period from 30th June 1968 to 30th June 1978 by more than 5 per cent of the total population at 30th June 1968, 60 per cent of the difference between the total population at 30th June 1978 and the total population at 30th June 1968;

(*d*) 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; and

(*e*) 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.

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 1978; and

(*b*) the number of hectares comprised in the area of a district shall be the number so comprised on 31st December 1978 and certified by the Ordnance Survey.

TABLE 1

AREA IN HECTARES PER HEAD OF TOTAL POPULATION

Column (1)	*Column (2)*
Exceeding 9 but not exceeding 19	0.4
Exceeding 19 but not exceeding 29	0.5
Exceeding 29 but not exceeding 39	0.6
Exceeding 39	0.7

TABLE 2

TOTAL POPULATION PER HECTARE

Column (1)	*Column (2)*
Exceeding 6 but not exceeding 10	0.25
Exceeding 10 but not exceeding 15	0.50
Exceeding 15 but not exceeding 20	0.75
Exceeding 20	1.00

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order:—

(*a*) In relation to the year 1979–80—

(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 elements of rate support grants among local authorities,

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

varies a provision relating to the distribution of the actual amount of resources element payable for that year, and

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

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

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