STATUTORY INSTRUMENTS

1977 No. 273 (S. 36)

LOCAL GOVERNMENT, SCOTLAND

The Town Development (Exchequer Contributions) (Scotland) Amendment Regulations 1977

Made - - -	*8th February* 1977
Laid before Parliament	*1st March* 1977
Coming into Operation	*22nd March* 1977

In exercise of the powers conferred on me by section 14 of the Housing and Town Development (Scotland) Act 1957(**a**) as amended by section 98 of the Town and Country Planning (Scotland) Act 1969(**b**), and section 173 of the Housing (Scotland) Act 1950(**c**) and of all other powers enabling me in that behalf I hereby, with the consent of the Treasury, make the following regulations:—

1.—(1) These regulations may be cited as the Town Development (Exchequer Contributions) (Scotland) Amendment Regulations 1977, and these regulations and the Town Development (Exchequer Contributions) (Scotland) Regulations 1959(**d**) may be cited together as the Town Development (Exchequer Contributions) (Scotland) Regulations 1959 and 1977.

(2) These regulations shall come into operation on 22nd March 1977.

(3) The Interpretation Act 1889(**e**) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

2. The Town Development (Exchequer Contributions) (Scotland) Regulations 1959 are hereby amended as follows:—

(*a*) in regulation 2(1)—

(i) for the definition of "financial year" there shall be substituted the following definition—

" "financial year" means the period of twelve months ending with 31st March";

(ii) for the definition of "relevant date" there shall be substituted the following definition—

" "relevant date" means, in relation to an act or event occurring in the financial year ending with 31st March 1977 or any subsequent financial year, the 1st October occurring in the same financial year.";

(*b*) in regulation 4(3) after sub-paragraph (ii) there shall be added the word "or" and the following sub-paragraph—

"(iii) sub-paragraph (*b*) of paragraph (1) of Regulation 10.", and

(*c*) after regulation 8 there shall be added the following new regulations:—

(**a**) 1957 c. 38. (**b**) 1969 c. 30. (**c**) 1950 c. 34.
(**d**) S.I. 1959/1063 (1959 I, p. 1616). (**e**) 1889 c. 63.

PART IV

CONTRIBUTIONS IN RESPECT OF THE PROVISION OF BUILDINGS AND OTHER WORKS FOR SOCIAL, CULTURAL OR RECREATIONAL PURPOSES

Expenditure eligible for contributions under this Part

9.—(1) Contributions shall be payable by the Secretary of State to receiving authorities towards expenditure incurred by them in the execution of a town development scheme, being expenditure in connection with the provision of buildings and other works for social, cultural or recreational purposes.

(2) The expenditure which may be reckoned for the purposes of these regulations as expenditure incurred in connection with the provision of buildings and other works for social, cultural or recreational purposes in the execution of a town development scheme shall be such as may be approved by the Secretary of State after deduction of such contributions, grants, receipts, credits or other items received by or due to the receiving authority in respect of the buildings concerned as the Secretary of State may determine.

Calculation and amount of contributions

10.—(1) Subject to the provisions of Regulation 4 of these regulations, contributions in respect of the expenditure incurred in connection with the provision in the execution of a town development scheme of buildings and other works for social, cultural or recreational purposes shall be payable annually for such period as the Secretary of State may, with the consent of the Treasury, determine (but not exceeding sixty years) and shall in respect of each financial year be 75 per cent. of the sum arrived at by—

(*a*) taking, in respect of any such expenditure which is defrayed out of money borrowed by the receiving authority, the amount of the notional loan charges in relation to the expenditure so defrayed up to the end of the financial year for which the contributions are being calculated and adding to that amount the amount of any such expenditure which is defrayed in that financial year otherwise than as aforesaid;

(*b*) taking the amount of any sums received by the authority which are referable to such buildings or other works and which the Secretary of State may determine are to be taken into account.

(*c*) subtracting from the total amount arrived at under sub-paragraph (*a*) of this paragraph the total amount arrived at under sub-paragraph (*b*) thereof.

(2) In this regulation, "notional loan charges" means, in relation to any expenditure, the amount of the annual payment that would be required to repay that expenditure if it had been borrowed from the Public Works Loan Commissioners on the relevant date in relation to the defrayal of the expenditure and were repayable, together with interest at the rate appropriate to such a borrowing by equal annual instalments of principal and interest combined over such period not exceeding sixty years as the Secretary of State may determine".

New St. Andrew's House,
Edinburgh.

7th February 1977.

Bruce Millan,

One of Her Majesty's Principal Secretaries of State.

We consent

8th February 1977.

T. E. Graham,
T. M. Cox,

Two of the Lords Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

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

These Regulations amend the Town Development (Exchequer Contributions) (Scotland) Regulations 1959 by providing for payment of exchequer contributions to authorities for expenditure incurred by them in a town development scheme in providing buildings and other works for social, cultural or recreational purposes. The definition of "financial year" and "relevant date" are amended to take account of the change in the financial year of local authorities.

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