

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Local Government (Scotland) Act 1966, Part I. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 1

RATE SUPPORT GRANTS]

Textual Amendments

- F1** Sch. 1 repealed (prosp.) by Abolition of Domestic Rates Etc. (Scotland) Act 1987 (c. 47, SIF 81:2), s. 34, Sch. 6
- F1** Schedule 1 as amended by s. 1 of the Rating and Valuation (Amendment) (Scotland) Act 1984 (c. 31, SIF 103:2), was by s. 1(2) of that Act set out in Schedule 1 to that Act

PART I

THE NEEDS ELEMENT

Apportionment

- 1 The amount of the needs element of rate support grants payable for any year, or such part thereof as may be determined by the Secretary of State, shall be apportioned to all regions, islands areas and districts on such basis as may be prescribed.
- 2 (1) Notwithstanding the provisions of paragraph 1 above, the Secretary of State may, as respects any year, make provision for the apportionment of a prescribed part of the needs element among authorities incurring extraordinary expenses, by reference to so much of the estimated extraordinary expenses of each such authority as he may determine to be appropriate to be taken into account for the purposes of this paragraph.
(2) In this paragraph “extraordinary expenses” means expenses of such categories and for such purposes as the Secretary of State, after consultation with such associations of local authorities as appear to him to be concerned, may determine should be supported by an apportionment under this paragraph; and in determining the amount of the estimated extraordinary expenses of an authority to be taken into account for any year, the Secretary of State—
 - (a) shall have regard to the expected income of that authority for that year; and
 - (b) may have regard to the extent by which the extraordinary expenses for a previous year exceeded or fell short of the estimated extraordinary expenses of the authority for that year.

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[^{F1}2A Notwithstanding the provisions of paragraph 1 above, the Secretary of State may, as respects the year 1988–89, make provision for the apportionment of a prescribed part of the needs element to any local authority which, under paragraph (c) of subsection (5) of section 4 of the Local Government (Financial Provisions etc.) (Scotland) Act 1962, reduces or remits rates leviable for that year in respect of the lands and heritages mentioned in the said paragraph (c) or such class as he may determine of such lands and heritages, and such an apportionment shall be by reference to the amount of the reduction or remission granted by the authority as estimated by the Secretary of State or so much of that amount as he may determine to be appropriate to be taken into account for the purposes of this paragraph.]

Textual Amendments

F1 Sch. 1 Pt. I para. 2A inserted by [Abolition of Domestic Rates Etc. \(Scotland\) Act 1987 \(c. 47, SIF 81:2, 103:2\)](#), **s. 27**.

3 Notwithstanding the provisions of paragraph 1 above the Secretary of State may, as respects any year, make provision for the apportionment of the needs element or any part thereof among such classes of local authorities and on such basis as may be prescribed or of a prescribed amount of the needs element to such classes of authorities or to any such authority as may be prescribed.

[^{F2}3A Without prejudice to sections 5 and 5A of this Act or to the generality of paragraphs 1 and 3 above, the Secretary of State may, in prescribing a basis for apportionment under either of those paragraphs or in providing for apportionment under paragraph 3 above, have regard to the extent to which, in his opinion, either or both—
(a) the actual expenditure of an individual authority has conformed (whether or not in the year for which the amount of the needs element is payable);
(b) the estimated expenditure of such an authority conforms, with any guidance issued by him, before the start of the year to which the expenditure relates, as to what that expenditure ought to be.]

Textual Amendments

F2 Sch. 1 Pt. I para. 3A inserted by [Abolition of Domestic Rates Etc. \(Scotland\) Act 1987 \(c. 47, SIF 81:2, 103:2\)](#), **s. 1**.

Adjustment of the needs element payable to local authorities

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5 (1) The needs element for any year shall be subject to adjustment, in accordance with regulations made under this paragraph, in respect of expenditure to which this paragraph applies.

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- (2) The Secretary of State may after consultation with such associations of local authorities as appear to him to be concerned by regulations subject to annulment in pursuance of a resolution of either House of Parliament, provide for ascertaining the aggregate of such expenditure for the year in question of all local authorities, for apportioning the aggregate among such classes of local authority as may be specified in the regulations, and for giving effect to the apportionment by means of increases or decreases in the needs element payable to such authorities as may be so specified of such amounts as may be ascertained in accordance with the regulations.
- (3) This paragraph applies to such expenditure incurred as may be specified in regulations made under this paragraph.

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