



Local Government Act 1985

1985 CHAPTER 51

PART V

THE ARTS, RECREATION AND VOLUNTARY ORGANISATIONS

48 Grants to voluntary organisations.

- (1) A scheme for the making of grants to eligible voluntary organisations may be made for Greater London or a metropolitan county by the constituent councils, that is to say—
 - (a) in relation to Greater London, the London borough councils and the Common Council; and
 - (b) in relation to a metropolitan county, the councils of the metropolitan districts comprised in the county.
 - (2) Any such scheme shall provide—
 - (a) for the grants to be made by one of the constituent councils designated for that purpose by the scheme; and
 - (b) for the other constituent councils to contribute as provided by subsection (3) below to the expenditure incurred by the designated council in making the grants or otherwise in discharging its functions under the scheme.
 - (3) The constituent councils shall be required to contribute to any expenditure of the designated council which has been incurred with the approval of at least two-thirds of the constituent councils; and the amounts of the contributions shall be determined so that the expenditure in respect of which they are payable is borne by the constituent councils in proportion to the populations of their respective areas.
 - (4) For the purposes of subsection (3) above the population of any area shall be taken to be the number estimated by the Registrar General and certified by him to the Secretary of State by reference to such date as the Secretary of State may from time to time determine.
- [^{F1}(4A) The Secretary of State may by order provide that if—
- (a) a scheme requires the total expenditure to be incurred under the scheme in any financial year—

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1985, Section 48. (See end of Document for details)

- (i) in the making of grants; and
 - (ii) in the discharging by the designated council of its functions under the scheme,
- to be approved in accordance with the scheme by some or all of the constituent councils; and
- (b) the total expenditure to be incurred in any financial year is not approved as required by the scheme before such date as may be specified in relation to that financial year in the order,
- the constituent councils shall be deemed, subject to any order which has been or may be made under subsection (5) below, all to have given their approval for that financial year to total expenditure of an amount equal to the amount that was approved or, as the case may be, deemed to have been approved for the preceding financial year.]
- (5) The total expenditure incurred under a scheme by a designated council in Greater London or a metropolitan county in any financial year (including the amounts recoverable under the scheme from other councils) shall not exceed such amount as is for the time being prescribed for that area by an order made by the Secretary of State.
 - (6) A scheme shall not provide for the making of grants before the beginning of the financial year after that in which the scheme is made and shall continue in force until the end of at least two financial years after that in which it is made.
 - (7) A scheme may, in the absence of agreement between all the constituent councils, be made by a majority of those councils so as to be binding on all of them; but a council shall not be designated by a scheme except with its consent.
 - (8) A scheme may contain such supplementary provisions as the councils making the scheme think necessary or expedient and, subject to subsection (6) above, may be revoked by those councils (or, in the absence of agreement between all of them, by a majority of those councils) with effect from the end of any financial year after that in which the decision to revoke the scheme is made.
 - (9) The council designated by a scheme may by giving not less than twelve months notice to the other constituent councils withdraw its consent to act as designated council with effect from the end of any financial year not earlier than the second financial year after that in which the scheme was made; and in that event the scheme shall terminate when the withdrawal takes effect.
 - (10) Each constituent council in Greater London or a metropolitan county shall exercise its functions under this section, and under any scheme made under this section, with due regard to the needs of the whole of Greater London or that county, as the case may be, and each scheme shall provide for those needs to be kept under review.
 - (11) In this section “voluntary organisation” means a body the activities of which are carried on otherwise than for profit but does not include any public or local authority and “eligible voluntary organisation” means, in relation to Greater London or a metropolitan county, a voluntary organisation whose activities will directly or indirectly benefit either the whole of Greater London or that county or any part of it extending beyond the area of any particular constituent council.
 - (12) The powers conferred by this section shall not be regarded as restricting those conferred by section 137 of the principal Act (power to incur expenditure for purposes not authorised by any other enactment) and accordingly the reference to any other enactment in subsection (1) of that section shall not include a reference to this section.

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1985, Section 48. (See end of Document for details)

^{F2}(13)

Textual Amendments

- F1** S. 48(4A) inserted (6.3.1992) by [Local Government Finance Act 1992 \(c. 14\)](#), **s.105** (with s. 118(1)(2) (4))
- F2** S. 48(13) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 10** Group 3

Changes to legislation:

There are currently no known outstanding effects for the Local Government Act 1985, Section 48.