



Rate Support Grants Act 1988

1988 CHAPTER 51

1 Total expenditure: 1985–86 to 1988–89

- (1) Where after the passing of this Act the Secretary of State does for a year for which this section applies any of the acts mentioned in subsection (3) below, and what he does involves a local authority's total expenditure in relation to the year, he shall treat that total expenditure as equal to the relevant amount.
- (2) Where after the passing of this Act he does for such a year any of those acts, and what he does involves the Receiver's total expenditure for the year, the Secretary of State shall treat that total expenditure as equal to the relevant amount.
- (3) The acts are—
 - (a) determining fresh principles for the calculation of grant-related poundages,
 - (b) making an estimate and notification under section 66(1) of the 1980 Act (estimate of grant), and
 - (c) making a calculation and notification under section 66(2) of that Act (conclusive calculation of grant).
- (4) In construing section 58 of the 1980 Act (grant-related poundage) after the passing of this Act in relation to a year for which this section applies—
 - (a) the references to a local authority's total expenditure shall be taken to be references to the relevant amount, and
 - (b) the reference to a local authority's total expenditure per head of the population of its area shall be construed accordingly.
- (5) Schedule 1 below has effect to determine—
 - (a) the relevant amount, in relation to a particular year and as regards a particular authority, for the purposes of subsections (1) and (4) above;
 - (b) the relevant amount, in relation to a particular year and as regards the Receiver, for the purposes of subsection (2) above.
- (6) After the passing of this Act no assumption as to total expenditure for a year for which this section applies may be made under section 65(4) of the 1980 Act (assumptions in absence of sufficient information) in a case where subsection (1), (2) or (4) above applies.

- (7) Where, after the passing of this Act and for a year for which this section applies, the Secretary of State makes under section 126(2) of the Local Government Finance Act 1988 (fresh determination of a multiplier) an assumption as to an amount of total expenditure he may assume it to be equal to the relevant amount (as determined under Schedule 1 below) or to some other amount.
- (8) Subject to subsection (9) below—
- (a) in its application to England this section applies for the years beginning in 1985, 1986, 1987 and 1988, and
 - (b) in its application to Wales this section applies for the years beginning in 1986, 1987 and 1988.
- (9) Subsection (3)(a) above shall not have effect for the years beginning in 1987 and 1988; but where, after the passing of this Act and for either of those years, the Secretary of State makes under section 1 of the Rate Support Grants Act 1987 (determination of principles for calculating grant-related poundages) an assumption as to an amount of total expenditure he may assume it to be equal to the relevant amount (as determined under Schedule 1 below) or to some other amount.
- (10) Part VI of the 1980 Act, Schedule 2 to the Local Government Finance Act 1982 and sections 1 to 5 of the Local Government Finance Act 1987 shall have effect subject to this section.

2 Multipliers: 1985-86

- (1) Subsections (2) and (3) below apply where—
- (a) guidance by reference to total expenditure has been issued, for the year beginning in 1985, for the purposes of section 59(6)(cc) of the 1980 Act (multiplier for adjusting block grant by reference to expenditure guidance), and
 - (b) after the passing of this Act a determination is made under section 8(3)(c) of the Local Government Finance Act 1982 as to whether or the extent to which a local authority has or has not complied (or has or has not taken steps to comply) with the guidance.
- (2) For the purpose of making such a determination a local authority's total expenditure in relation to the year shall be treated as equal to the relevant amount.
- (3) But the Secretary of State may provide in a supplementary report for the year that for the purpose mentioned in subsection (2) above a local authority's total expenditure in relation to the year shall be treated as equal to the relevant amount adjusted by subtracting amounts arrived at in accordance with provisions of the report.
- (4) The relevant amount, in relation to the year beginning in 1985 and as regards a particular authority, is the amount determined under Schedule 1 below.
- (5) Section 126(2) of the Local Government Finance Act 1988 (fresh determination of a multiplier) and section 1(7) above shall have effect subject to subsections (2) and (3) above.
- (6) Section 8(4A) of the Local Government Finance Act 1982 (power to provide for items to be disregarded in calculating total expenditure) shall not have effect, for the year beginning in 1985, as regards a supplementary report to be made after the passing of this Act.

(7) This section applies only in relation to England.

3 Total expenditure: 1989–90

- (1) Where after the passing of this Act the Secretary of State does for the year beginning in 1989 any of the acts mentioned in subsection (3) below, and what he does involves a local authority's total expenditure in relation to the year, he shall treat that total expenditure as equal to the relevant amount.
- (2) Where after the passing of this Act he does for that year any of those acts, and what he does involves the Receiver's total expenditure for the year, the Secretary of State shall treat that total expenditure as equal to the relevant amount.
- (3) The acts are—
 - (a) making a determination or doing any other thing for the purposes of a Rate Support Grant Report,
 - (b) making a determination or doing any other thing for the purposes of a supplementary report,
 - (c) making an estimate and notification under section 66(1) of the 1980 Act (estimate of grant), and
 - (d) making a calculation and notification under section 66(2) of that Act (conclusive calculation of grant).
- (4) Schedule 2 below has effect to determine—
 - (a) the relevant amount, in relation to the year beginning in 1989 and as regards a particular authority, for the purposes of subsection (1) above;
 - (b) the relevant amount, in relation to that year and as regards the Receiver, for the purposes of subsection (2) above.
- (5) Nothing in the preceding provisions of this section affects—
 - (a) the definition of grant-related expenditure in section 56(8) of the 1980 Act (definition by reference to notional total expenditure),
 - (b) the formulation and specification of principles in accordance with which grant-related expenditure is to be determined, or
 - (c) any determination of grant-related expenditure.
- (6) Section 65(4) of the 1980 Act (assumptions in absence of sufficient information) shall not have effect to allow assumptions about total expenditure to be made for the year beginning in 1989.
- (7) Section 1(1) to (4) of the Rate Support Grants Act 1987 (power to determine principles for calculating grant-related poundages on basis of assumptions about total expenditure) shall not have effect for the year beginning in 1989.
- (8) Section 126(2) of the Local Government Finance Act 1988 (fresh determination of a multiplier) shall not have effect to allow assumptions about total expenditure to be made for the year beginning in 1989.
- (9) Section 62 of the 1980 Act (adjustments for matching amount available for block grant) shall have effect for the year beginning in 1989 and section 1(5) of the Rate Support Grants Act 1987 (which disapplies it) shall not; but section 62 shall have effect for that year with the omission of the words “from information as to the expenditure incurred or to be incurred by local authorities during that year”.

Status: This is the original version (as it was originally enacted).

- (10) References in subsection (9) above to section 62 of the 1980 Act are to that section as substituted by paragraph 11 of Schedule 1 to the Rate Support Grants Act 1986.
- (11) Part VI of the 1980 Act, Schedule 2 to the Local Government Finance Act 1982 and sections 1 to 3 of the Local Government Finance Act 1987 shall have effect subject to this section.

4 Consultation

- (1) Subsection (2) below applies as regards the Rate Support Grant Report for England for the year beginning in 1989 and the Rate Support Grant Report for Wales for that year.
- (2) The requirements of section 60(5) of the 1980 Act may be wholly or partly satisfied (as regards such a Report) by consultation before the passing of this Act; and the requirement in section 54(4) of that Act to consult may be wholly or partly satisfied (as regards a determination to be specified in such a Report) by consultation before the passing of this Act.
- (3) Subsection (4) below applies as regards—
 - (a) the first supplementary report proposed to be made after the passing of this Act for England for the year beginning in 1985,
 - (b) the first supplementary report proposed to be so made for England for the year beginning in 1986,
 - (c) the first supplementary report proposed to be so made for Wales for the year beginning in 1986,
 - (d) the first supplementary report proposed to be so made for England for the year beginning in 1987,
 - (e) the first supplementary report proposed to be so made for Wales for the year beginning in 1987,
 - (f) the first supplementary report proposed to be so made for England for the year beginning in 1988, and
 - (g) the first supplementary report proposed to be so made for Wales for the year beginning in 1988.
- (4) The requirements of section 60(5) of the 1980 Act (as applied by section 61(2)) may be wholly or partly satisfied (as regards such a report) by consultation before the passing of this Act; and the requirement in section 54(4) of that Act to consult may be wholly or partly satisfied (as regards a fresh determination to be specified in such a report) by consultation before the passing of this Act.
- (5) Subsection (2) above also applies as regards any Report proposed to be made in substitution (directly or indirectly) for any Report mentioned in subsection (1) above.
- (6) Subsection (4) above also applies as regards any report proposed to be made in substitution (directly or indirectly) for—
 - (a) the first supplementary report made after the passing of this Act for England for the year beginning in 1985,
 - (b) the first supplementary report so made for England for the year beginning in 1986,
 - (c) the first supplementary report so made for Wales for the year beginning in 1986,

- (d) the first supplementary report so made for England for the year beginning in 1987,
- (e) the first supplementary report so made for Wales for the year beginning in 1987,
- (f) the first supplementary report so made for England for the year beginning in 1988, or
- (g) the first supplementary report so made for Wales for the year beginning in 1988.

5 Interpretation

- (1) This section applies for the purposes of this Act.
- (2) “The 1980 Act” means the Local Government, Planning and Land Act 1980.
- (3) “Rate Support Grant Report” and “supplementary report” have the same meanings as in Part VI of the 1980 Act.
- (4) “Local authority” means any body which is a local authority for the purposes of Part VI of the 1980 Act.
- (5) For the purposes of this Act as it applies in relation to the year beginning in 1985—
 - (a) “local authority” also includes the Greater London Council and the Inner London Education Authority within the meaning of section 30 of the London Government Act 1963,
 - (b) references to the Inner London Education Authority in paragraph (c) below and paragraph 1(6) of Schedule 1 below shall be construed as references to the Inner London Education Authority within the meaning of section 30 of that Act,
 - (c) the Greater London Council and the Inner London Education Authority shall be taken to be separate local authorities, and
 - (d) “local authority” does not include a joint authority or the Inner London Education Authority established by section 18 of the Local Government Act 1985.
- (6) “Joint authority” means any authority established by Part IV of the Local Government Act 1985.
- (7) “The Receiver” means the Receiver for the Metropolitan Police District.
- (8) “Year” means a period of 12 months beginning with 1 April.

6 Expenses

There shall be paid out of money provided by Parliament any increase attributable to this Act in the sums payable out of money so provided under any other Act.

7 Citation and extent

- (1) This Act may be cited as the Rate Support Grants Act 1988.
- (2) This Act extends to England and Wales only.