

## STATUTORY INSTRUMENTS

1976 No. 2212 (S. 182)

## LOCAL GOVERNMENT, SCOTLAND

## The Rate Support Grant (Scotland) Order 1976

*Made - - - - 29th November 1976**Laid before the Commons  
House of Parliament 6th December 1976**Coming into Operation 24th December 1976*

In exercise of the powers conferred on me by—

- (1) section 3 of the Local Government (Scotland) Act 1966(a) (rate support grant orders) as amended by section 120(1)(a) of the Local Government (Scotland) Act 1973(b) and by paragraph 2 of Schedule 2 to the Local Government (Scotland) Act 1975(c);
- (2) section 2(4) of the said Act of 1966 (needs, resources and domestic elements) as substituted by paragraph 1 of Schedule 2 to the said Act of 1975;
- (3) paragraphs 1, 2 and 3 of Part I of Schedule 1 to the said Act of 1966 (apportionment of needs element) as amended by paragraph 69 of Schedule 9 to the said Act of 1973 and by paragraph 5 of Schedule 2 to the said Act of 1975;
- (4) paragraph 1 of Part III of Schedule 1 to the said Act of 1966 (domestic rate reduction) as amended by paragraph 7 of Schedule 2 to the said Act of 1975;
- (5) section 9(5) of the Local Government (Financial Provisions) (Scotland) Act 1963(d) (weighted population and national standard amount per head) as amended by section 13 of the said Act of 1966 and by paragraph 24 of Part II of Schedule 6 to the said Act of 1975; and
- (6) section 4 of the said Act of 1966 (variation of orders) as substituted by paragraph 3 of Schedule 2 to the said Act of 1975, since it appears to me that after the time when the amount mentioned in section 2(2)(a) of the said Act of 1966 was determined for the years 1975-76 and 1976-77, the relevant expenditure of local authorities for these years 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 amounts of the rate support grants for the years 1975-76 and 1976-77 were determined or, as the case may be, redetermined, and that provision therefor can be incorporated in this order;

(a) 1966 c. 51.  
(c) 1975 c. 30.

(b) 1973 c. 65.  
(d) 1963 c. 12.

and 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 1976 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(a) 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;

“the Act of 1966” means the Local Government (Scotland) Act 1966;

“the Act of 1973” means the Local Government (Scotland) Act 1973;

“the Act of 1975” means the Local Government (Scotland) Act 1975;

“the Order of 1975” means the Rate Support Grant (Scotland) Order 1975(b);

“the (No. 2) Order of 1975” means the Rate Support Grant (Scotland) (No. 2) Order 1975(c).

(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 1977-78*

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 1977-78 shall be the amounts set out in the following table:—

	£
Estimated aggregate amount of the rate support grants ...	882,800,000
Amount of the needs element ... ..	666,700,000
Estimated amount of the resources element ... ..	166,700,000
Amount of the domestic element ... ..	49,400,000

*Domestic Rate Reduction for 1977-78*

3. The amount of the reduction to be made under section 7(1) of the Act of 1966 shall be 31 pence in the pound being the amount which in my opinion corresponds to the amount of the domestic element for the year 1977-78.

(a) 1889 c. 63.

(c) S.I. 1975/2215 (1975 III, p. 8329).

(b) S.I. 1975/251 (1975 I, p. 631).

*Apportionment of Needs Element for 1977-78*

4.—(1) Under paragraph 3 of Part I of Schedule 1 to the Act of 1966, part of the needs element amounting to £2,200,000 (hereinafter referred to as the “transitional portion”) shall be apportioned for the year 1977-78 as follows:—

	£
Borders Regional Council ... ..	310,000
Tayside Regional Council ... ..	1,890,000

(2) Under paragraph 2(1) of Part I of Schedule 1 to the Act of 1966, part of the needs element for the year 1977-78 amounting to £7,300,000 (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 such expenses incurred by all those authorities.

(3) The needs element for the year 1977-78 as reduced by the transitional portion and 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 1 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 2 to this order;
- (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 3 to this order; and

the needs element apportioned to islands area councils and to regional councils under this paragraph shall be subject to adjustment in accordance with regulations made under paragraph 5 of Part I of Schedule 1 to the Act of 1966.

*Weighted population etc. for resources element*

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 1977-78 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 1976 and the national standard amount per head shall be £0.78.

*Aggregate Grants for 1976-77*

6. For the estimated aggregate amount of the rate support grants and the amounts of the needs element and the domestic element fixed by Article 2 of the (No. 2) Order of 1975 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 by Article 2 of the (No. 2) Order of 1975 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—

	£	£
Estimated aggregate amount of the rate support grants ... ..	(822,700,000)	875,300,000
Amount of the needs element ... ..	(623,700,000)	665,600,000
Estimated amount of the resources element ... ..	(155,900,000)	—
Actual amount of the resources element	—	167,400,000
Amount of the domestic element ...	(43,100,000)	42,300,000

*Aggregate Grants for 1975-76*

7. For the amounts fixed by Article 3(1) of the Order of 1975 as increased by Article 6 of the (No. 2) Order of 1975 and 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—

	£	£
Aggregate amount of rate support grants ... ..	(676,870,000)	683,250,000
Amount of the needs element ... ..	(515,600,000)	520,730,000
Amount of the resources element ...	(128,900,000)	130,180,000
Amount of the domestic element ...	(32,370,000)	32,340,000

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

New St Andrew's House,  
Edinburgh.

29th November 1976.

We consent.

*David Stoddart,*  
*J. Dormand,*  
Two of the Lords Commissioners of  
Her Majesty's Treasury.

29th November 1976.

*Article 4(3)*

## SCHEDULE 1

DETERMINATION OF WEIGHTED POPULATION FOR APPORTIONMENT OF 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 14;
- (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 of age 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 of age and over;
- (d) where the population of any district within the region decreased during the period from 30th June 1971 to 30th June 1976, the aggregate of the numbers derived from multiplying by 15 the difference between the population at 30th June 1976 and the population at 30th June 1971 of any such district;
- (e) 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 acres 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; and
- (f) 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 acres 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.

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 22;

- (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 of age 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 of age and over;
  - (d) where the population decreased during the period from 30th June 1971 to 30th June 1976, the number derived from multiplying by 15 the difference between the population at 30th June 1976 and the population at 30th June 1971;
  - (e) where the number obtained by dividing the area of the islands area expressed in acres 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
  - (f) where the number obtained by dividing the total population by the area of the islands area expressed in acres 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 sub-paragraphs (a), (d), (e) and (f) of paragraph 1 and sub-paragraphs (a), (d), (e) and (f) of paragraph 2 above shall be as estimated by the Registrar General of Births, Deaths and Marriages in Scotland in relation to 30th June 1976;
  - (b) the total population of any region or islands area in relation to the numbers to be calculated under sub-paragraphs (b) and (c) of paragraph 1 and sub-paragraphs (b) and (c) of paragraph 2 above, and the numbers of persons under 16 years of age and aged 65 years of age 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 1975; and
  - (c) the area of a district or an islands area expressed in acres shall be that certified by the Ordnance Survey.

TABLE 1

PROPORTION OF POPULATION UNDER 16 YEARS OF AGE TO TOTAL  
POPULATION

<i>Column (1)</i>	<i>Column (2)</i>
Not exceeding 0.260	4
Exceeding 0.260 but not exceeding 0.265	6

Exceeding 0.265 but not exceeding 0.270	8
Exceeding 0.270 but not exceeding 0.275	10
Exceeding 0.275 but not exceeding 0.280	12
Exceeding 0.280 but not exceeding 0.285	14
Exceeding 0.285	16

TABLE 2

PROPORTION OF POPULATION AGED 65 YEARS AND OVER TO  
TOTAL POPULATION

<i>Column (1)</i>	<i>Column (2)</i>
Not exceeding 0.145	4
Exceeding 0.145 but not exceeding 0.150	6
Exceeding 0.150 but not exceeding 0.155	8
Exceeding 0.155 but not exceeding 0.160	10
Exceeding 0.160 but not exceeding 0.165	12
Exceeding 0.165 but not exceeding 0.170	14
Exceeding 0.170	16

TABLE 3

AREA IN ACRES PER HEAD OF TOTAL POPULATION

<i>Column (1)</i>	<i>Column (2)</i>
Exceeding 12 but not exceeding 16	2
Exceeding 16 but not exceeding 20	4
Exceeding 20 but not exceeding 24	6
Exceeding 24 but not exceeding 28	8
Exceeding 28 but not exceeding 32	10
Exceeding 32 but not exceeding 36	12
Exceeding 36 but not exceeding 40	14
Exceeding 40	16

TABLE 4

TOTAL POPULATION PER ACRE

<i>Column (1)</i>	<i>Column (2)</i>
Exceeding 1 per acre but not exceeding 4 per acre	1
Exceeding 4 per acre but not exceeding 8 per acre	2
Exceeding 8 per acre but not exceeding 12 per acre	3
Exceeding 12 per acre but not exceeding 16 per acre	4
Exceeding 16 per acre	5

*Article 4(3)*

## SCHEDULE 2

DIVISION BETWEEN THE REGIONAL COUNCIL AND ALL DISTRICT COUNCILS  
WITHIN THE REGION OF 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 1·1 bears to the weighted population of the region calculated under Schedule 1 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 1·2 bears to the weighted population of the region calculated under Schedule 1 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 1·37 bears to the weighted population of the region calculated under Schedule 1 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 Marriage in Scotland in relation to 30th June 1976.



*Article 4(3)*

## SCHEDULE 3

## 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 population decreased during the period from 30th June 1971 to 30th June 1976, the difference between the population at 30th June 1976 and the population at 30th June 1971;
- (c) where the number obtained by dividing the area of the district expressed in acres 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
- (d) where the number obtained by dividing the total population by the area of the district expressed in acres 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 1976; and
- (b) the area of a district expressed in acres shall be that certified by the Ordnance Survey.

TABLE 1

## AREA IN ACRES PER HEAD OF TOTAL POPULATION

<i>Column (1)</i>	<i>Column (2)</i>
Exceeding 12 but not exceeding 16	0.1
Exceeding 16 but not exceeding 20	0.2
Exceeding 20 but not exceeding 24	0.3
Exceeding 24 but not exceeding 28	0.4
Exceeding 28	0.5

TABLE 2

## TOTAL POPULATION PER ACRE

<i>Column (1)</i>	<i>Column (2)</i>
Exceeding 1 but not exceeding 2.5	0.25
Exceeding 2.5 but not exceeding 5.0	0.50
Exceeding 5.0	0.75

## EXPLANATORY NOTE

*(This note is not part of the Order.)*

This Order—

(a) In relation to the year 1977-78—

- (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 element of rate support grants among local authorities, and

(b) In relation to the year 1976-77—

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

(c) In relation to the year 1975-76—

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

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