

## SCHEDULES

### SCHEDULE 4

Section 11.

#### AMENDMENTS

##### *Local Government, Planning and Land Act 1980*

- 1 (1) Section 54 of the 1980 Act shall be amended as mentioned in sub-paragraphs (2) and (3) below.
- (2) In subsection (1) for “in respect of their” there shall be substituted “and the Receiver in respect of”, subsections (5) and (6) shall be omitted, and in subsection (7) the words “for the Metropolitan Police District” and the words from “and to the extent that” to the end shall be omitted.
- (3) At the end there shall be inserted—
- “*(9)* In this section “relevant expenditure” in relation to any year means—
- (a) the aggregate of all local authorities' relevant expenditure in relation to the year, plus
- (b) the Receiver's total expenditure for the year (within the meaning of Schedule 2 to the Local Government Finance Act 1982).
- (10)* But to the extent that, in any year, any expenditure of the Receiver or of a combined police authority is met by any grants mentioned in subsection (7) (a) or (b) above, that expenditure shall be treated for the purposes of this section as relevant expenditure in relation to that year.
- (11)* In this section “the Receiver” means the Receiver for the Metropolitan Police District.”
- 2 (1) Section 56 of the 1980 Act shall be amended as mentioned in sub-paragraphs (2) and (3) below.
- (2) In subsections (6) and (7) for “the total expenditure to be incurred by them during” there shall be substituted “their total expenditure in relation to”.
- (3) In subsection (8), in the definition of grant-related expenditure, after “notional” there shall be inserted “total”.
- 3 In section 58(5) of the 1980 Act after “in their” there shall be inserted “total”.
- 4 The following shall be substituted for section 65 of the 1980 Act—
- “65 Information.**
- (1) Each local authority shall submit to the Secretary of State in respect of each year, in such form and by such date as he may specify, such of the information mentioned in subsection (2) below as he may from time to time require for the purposes of this Part of this Act, section 8 of the Local

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Government Finance Act 1982, section 2 of the Rate Support Grants Act 1986 and sections 1 and 2 of the Local Government Finance Act 1987.

- (2) The information is information as to the following matters—
- (a) the expenditure incurred, or to be incurred, by the authority during the year,
  - (b) their relevant expenditure in relation to the year,
  - (c) their total expenditure in relation to the year, and
  - (d) their accounts for the year.
- (3) The information required under subsection (1) above may include any of the following—
- (a) what the authority calculate as the amount of expenditure incurred, or likely to be incurred, by them during the year,
  - (b) what the authority calculate as the amount, or likely amount, of their relevant expenditure in relation to the year,
  - (c) what the authority calculate as the amount, or likely amount, of their total expenditure in relation to the year,
  - (d) what the authority calculate as the amount of any addition or subtraction to be made in relation to the year by virtue of any specification under section 3(1) or (7) of the Local Government Finance Act 1987, and
  - (e) information about the items of account which are likely to be (as well as those which have been) debited or credited to the authority's accounts for the year.
- (4) Where no or no sufficient information as to the matters mentioned in subsection (2) above has been submitted to the Secretary of State in respect of a year, whether under subsection (1) above or otherwise, he may for the purpose of making a supplementary report, an adjustment under section 62 above or an estimate under section 66(1) below make such assumptions as to those matters as he thinks appropriate.
- (5) Where any information as to any of the matters mentioned in subsection (2) above is submitted to the Secretary of State under subsection (1) above after the date specified by him, or otherwise than under that subsection, he may for any of the purposes mentioned in subsection (4) above disregard it if he considers that it is not reasonably practicable to take it into account for that purpose.”

*Social Security and Housing Benefits Act 1982*

- 5 In section 34(2) of the Social Security and Housing Benefits Act 1982 for the words from “count” to the end there shall be substituted “be treated for the purposes of Part VI of the Local Government, Planning and Land Act 1980 (rate support grant) as relevant expenditure of the authority in relation to the year concerned.”

*Local Government Finance Act 1982*

- 6 (1) Section 3 of the Local Government Finance Act 1982 (substituted rates and precepts) shall be amended as mentioned in sub-paragraphs (2) and (3) below.

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- (2) In subsection (4) for “any authority” there shall be substituted “or section 8 of the Local Government Finance Act 1987, any authority to which the duty in section 8(1) of that Act does not apply and”.
- (3) In subsections (5) and (7) after “this section” there shall be inserted “or section 8 of the Local Government Finance Act 1987”.
- 7 In section 8 of the Local Government Finance Act 1982 (adjustments of distribution of block grant) the following shall be inserted after subsection (4)—
- “(4A) If guidance issued for the purposes of section 59(6)(cc) of the said Act of 1980 is guidance by reference to total expenditure, and if representations in the following behalf are made to the Secretary of State by any association of local authorities or by any local authority, he may—
- (a) in the Rate Support Grant Report made for any year under section 60 of that Act, or
- (b) in a supplementary report made for any year under section 61 of that Act,
- provide that items of any description or amount shall be disregarded in calculating total expenditure for the purposes of the said section 59(6)(cc) and of determining under subsection (3)(c) above whether or the extent to which local authorities have or have not complied (or have or have not taken steps to comply) with the guidance.”

*Rates Act 1984*

- 8 (1) Section 7 of the 1984 Act (certificates of compliance) shall be amended as mentioned in sub-paragraphs (2) and (3) below.
- (2) In subsection (1) for “this Part of this Act” there shall be substituted “section 8(4) of the Local Government Finance Act 1987”.
- (3) In subsections (2) and (3) for “this Part of this Act” there shall be substituted “section 8(5) of the Local Government Finance Act 1987”.
- (4) In section 7(2) of this Act the words “but not to the provisions of Part I of the 1984 Act” shall have effect subject to this paragraph.
- 9 In section 19(2) of the 1984 Act for “ , “Rate Support Grant Report” and “total expenditure”” there shall be substituted “and “Rate Support Grant Report””, and after section 19(2) of that Act there shall be inserted—
- “(2A) For the purposes of this Act the total expenditure of a local authority in relation to any financial year is the expenditure which is its total expenditure in relation to the year for the purposes of Part VI of the Local Government, Planning and Land Act 1980 by virtue of section 3 of the Local Government Finance Act 1987.”

*Local Government Act 1985*

- 10 In paragraph 2(1)(b) of Schedule 15 to the Local Government Act 1985 for “section 54(5)” there shall be substituted “Part VI”.

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*Social Security Act 1986*

- 11 In section 30(10) of the Social Security Act 1986 for the words from “count” to the end there shall be substituted “be treated for the purposes of Part VI of the Local Government, Planning and Land Act 1980 (rate support grant) as relevant expenditure of the authority in relation to the year.”

*General*

- 12 (1) The amendments in paragraphs 6 and 8 above shall have effect only in relation to rates for, and precepts in respect of, the financial year beginning in 1987.
- (2) The amendments in paragraph 9 above shall have effect in relation to the financial year beginning in 1988 and subsequent financial years.
- (3) The other amendments in this Schedule—
- (a) shall have effect in relation to each of the future years, and
  - (b) shall have effect in relation to each of the intermediate years as regards anything falling to be done after (but not as regards anything done before) the passing of this Act,
- to the extent that the provisions amended have effect (apart from this Act) in relation to the future year or intermediate year concerned.