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Local Government Finance Act 1988

1988 CHAPTER 41

PART V

GRANTS

[^{F1}CHAPTER 2

REVENUE SUPPORT GRANT: ENGLAND]

Textual Amendments

- F1** Pt. 5 Ch. 2 formed from ss. 78-84C (27.11.2003) by [Local Government Act 2003 \(c. 26\)](#), s. 128(4)(f), [Sch. 7 para. 13](#) (with [Sch. 7 para. 9\(2\)](#)); S.I. 2003/3034, art. 2, Sch. 1 Pt. I

[^{F2}Introductory

Textual Amendments

- F2** S. 77A and cross heading inserted (27.11.2003) by [Local Government Act 2003 \(c. 26\)](#), s. 128(4)(f), [Sch. 7 para. 14](#) (with [Sch. 7 para. 9\(2\)](#)); S.I. 2003/3034, art. 2, Sch. 1 Pt. I

77A Application of Chapter 2

This Chapter applies only in relation to England.]

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Revenue support grant

78 Revenue support grant.

- (1) For each chargeable financial year the Secretary of State shall pay a grant (to be called revenue support grant) to receiving authorities and specified bodies in accordance with this [^{F3}Chapter].
- (2) For each chargeable financial year the Secretary of State shall make a determination under this section.
- (3) A determination shall state—
 - (a) the amount of the grant for the year,
 - (b) what amount of the grant he proposes to pay to receiving authorities, and
 - (c) what amount of the grant he proposes to pay to each specified body.
- (4) Different amounts may be stated under subsection (3)(c) above in relation to different specified bodies.
- (5) Before making a determination the Secretary of State shall—
 - (a) consult such representatives of local government as appear to him to be appropriate, and
 - (b) obtain the Treasury’s consent.

^{F4}(6)

^{F4}(7)

Textual Amendments

F3 Word in s. 78(1) substituted (27.11.2003) by [Local Government Act 2003 \(c. 26\)](#), s. 128(4)(f), [Sch. 7 para. 15](#) (with [Sch. 7 para. 9\(2\)](#)); S.I. 2003/3034, art. 2, Sch. 1 Pt. I

F4 S. 78(6)(7) repealed (6.3.1992) by [1992 c. 14](#), ss. 104, 117(2), Sch. 10 Pt. II para. 9, [Sch.14](#) (with s. 118(1)(2)(4))

[^{F5}78A Local government finance reports.

- (1) A determination under section 78 above shall be specified in a report (to be called a local government finance report).
- (2) A local government finance report shall also specify the basis (the basis of distribution) on which the Secretary of State proposes to distribute among receiving authorities the amount of revenue support grant which under this [^{F6}Chapter] falls to be paid to such authorities for the financial year to which the report relates (the financial year concerned).
- (3) Before making the report the Secretary of State shall notify to such representatives of local government as appear to him to be appropriate the general nature of the basis of distribution.
- (4) The report shall be laid before the House of Commons.
- (5) As soon as is reasonably practicable after the report is laid before the House of Commons, the Secretary of State shall send a copy of it to each receiving authority.]

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Textual Amendments

- F5** S. 78A inserted (6.3.1992) by 1992 c. 14, s. 104, **Sch. 10 Pt. II para.10** (with s. 118(1)(2)(4))
F6 Word in s. 78A(2) substituted (27.11.2003) by Local Government Act 2003 (c. 26), s. 128(4)(f), **Sch. 7 para. 15** (with **Sch. 7 para. 9(2)**); S.I. 2003/3034, art. 2, Sch. 1 Pt. I

Modifications etc. (not altering text)

- C1** s. 78A modified (12.1.2000) (*temp*) by S.I. 1999/3435, **art. 2**

79 Effect of report's approval.

- (1) This section applies where in accordance with [^{F7}sections 78 and 78A] above a determination as regards revenue support grant has been made for a financial year and specified in a report which has been laid before the House of Commons.
- (2) If the report is approved by resolution of the House of Commons the Secretary of State shall pay the amount stated in the determination as the amount of the revenue support grant for the year.
- (3) The Secretary of State shall pay to receiving authorities the amount stated in the determination under section 78(3)(b) above, and shall pay to specified bodies the aggregate of the amounts stated in the determination under section 78(3)(c) above.
- (4) The amount falling to be paid to receiving authorities shall be distributed among and paid to them in accordance with [^{F8}sections 82 and 83 below].
- (5) The amount to be paid to a particular specified body shall be the amount stated in relation to it under section 78(3)(c) above.
- (6) Where a sum falls to be paid to a specified body by way of revenue support grant it shall be paid at such time, or in instalments of such amounts and at such times, as the Secretary of State determines with the Treasury's consent; and any such time may fall within or after the financial year concerned.

Textual Amendments

- F7** Words in s. 79(1) substituted (6.3.1992) by 1992 c. 14, s. 104, **Sch. 10 Pt. II para. 11(1)** (with s. 118(1)(2)(4))
F8 Words in s. 79(4) substituted (6.3.1992) by 1992 c. 14, s. 104, **Sch. 10 Pt. II para. 11(2)** (with s. 118(1)(2)(4))

Modifications etc. (not altering text)

- C2** S. 79(2)(3) modified by S.I. 1990/493, **reg. 8(1)** and by S.I. 1990/609, **reg. 5(1)**
S. 79(2)(3) modified (1.4.1993) by S.I. 1992/2996, **reg. 4(1)**
S. 79(2)(3) restricted (1.4.1993) by S.I. 1993/613, **reg. 5(1)**

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Textual Amendments

F9 S. 80 repealed (6.3.1992) by 1992 c. 14, ss. 104, 117(2), Sch. 10 Pt. II para. 12, **Sch.14** (with s. 118(1)(2)(4))

F10 **81**

Textual Amendments

F10 S. 81 repealed (6.3.1992) by 1992 c. 14, ss. 104, 117(2), Sch. 10 Pt. II para. 12, **Sch.14** (with s. 118(1)(2)(4))

[F11 **82** **Calculation of sums payable.**

- (1) As soon as is reasonably practicable after a local government finance report for a financial year has been approved by resolution of the House of Commons, the Secretary of State shall calculate what sum, if any, falls to be paid to each receiving authority by way of revenue support grant for the year in accordance with the basis of distribution specified in the report as so approved.
- (2) Subject to subsection (3) below, after making a calculation under subsection (1) above the Secretary of State may, at any time before the end of the financial year following the financial year concerned, make one further calculation of what sum, if any, falls to be paid to each receiving authority by way of revenue support grant for the year in accordance with the basis of distribution so specified.
- (3) The power to make a calculation under subsection (2) above shall not be exercisable after the approval by resolution of the House of Commons of any amending report made under section 84A below in relation to the local government finance report.
- (4) If the Secretary of State decides that he will leave out of account information received by him after a particular date in making a calculation under subsection (1) or (2) above the calculation shall be made accordingly, and he may decide different dates for different kinds of information.
- (5) Subsection (4) above applies only if the Secretary of State informs each receiving authority in writing of his decision and of the date (or the dates and kinds of information) concerned; but he may do this at any time before the calculation is made under this section (whether before or after a determination is made for the year under section 78 above).
- (6) As soon as is reasonably practicable after making a calculation under subsection (1) or (2) above the Secretary of State shall, subject to subsection (7) below, inform each receiving authority of the sum he calculates falls to be paid to it by way of revenue support grant for the year.
- (7) If the Secretary of State calculates in the case of a particular receiving authority that no sum falls to be paid to it as mentioned in subsection (6) above, he shall inform the receiving authority of that fact.]

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Textual Amendments

F11 S. 82 substituted (6.3.1992) by 1992 c. 14, s. 104, **Sch. 10 Pt. II para.13** (with s. 118(1)(2)(4))

Modifications etc. (not altering text)

C3 S. 82 modified (12.1.2000) (*temp*) by S.I. 1999/3435, **art. 2**

83 Payment of sums.

- (1) Where a calculation is made under section 82(1) above the Secretary of State shall pay to each receiving authority any sum calculated as falling to be paid to it.
- (2) The sum shall be paid in instalments of such amounts, and at such times in the financial year concerned, as the Secretary of State determines with the Treasury's consent.
- (3) Where a calculation is made under section 82(2) above and the sum it shows as falling to be paid to a receiving authority exceeds that shown as falling to be paid to it by the calculation for the financial year concerned under section 82(1) above, the Secretary of State shall pay to the authority a sum equal to the difference.
- (4) The sum shall be paid at such time, or in instalments of such amounts and at such times, as the Secretary of State determines with the Treasury's consent; but any such time must fall after the end of the financial year concerned.
- (5) Where a calculation is made under section 82(2) above and the sum it shows as falling to be paid to a receiving authority is less than that shown as falling to be paid to it by the calculation for the financial year concerned under section 82(1) above, a sum equal to the difference shall be paid by the authority to the Secretary of State on such day after the end of the financial year concerned as he may specify; and if it is not paid on or before that day it shall be recoverable in a court of competent jurisdiction.

Modifications etc. (not altering text)

C4 S. 83 modified by S.I. 1990/493, **reg. 8(1)** and by S.I. 1990/609, **reg. 5(1)**

S. 83(1)-(5) modified (1.4.1993) by S.I. 1992/2996, **reg. 4(1)**

C5 S. 83 restricted (1.4.1993) by S.I. 1993/613, **reg. 5(1)**

S. 83 modified (12.1.2000) (*temp*) by S.I. 1999/3435, **art. 2**

F1284

Textual Amendments

F12 S. 84 repealed (6.3.1992) by 1992 c. 14, ss. 104, 117(2), Sch. 10 Pt. II para. 14, **Sch.14** (with s. 118(1)(2)(4))

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[^{F13}Revenue support grant: amending reports

Textual Amendments

F13 Ss. 84A-84C and cross heading inserted (6.3.1992) by 1992 c. 14, s. 104, **Sch. 10 Pt. II para.15** (with s. 118(1)(2)(4))

84A Amending reports.

- (1) Subject to subsection (6) below, after a local government finance report has been made the Secretary of State may, at any time before the end of the financial year following the financial year concerned, make in relation to the report one or more amending reports under this section.
- (2) An amending report under this section shall contain amendments to the basis of distribution specified in the local government finance report.
- (3) Before making the report the Secretary of State shall notify to such representatives of local government as appear to him to be appropriate the general nature of the amendments which he proposes to make.
- (4) The report shall be laid before the House of Commons.
- (5) As soon as is reasonably practicable after the report is laid before the House of Commons, the Secretary of State shall send a copy of it to each receiving authority.
- (6) Where an amending report under this section has been approved by resolution of the House of Commons, the Secretary of State may not make a subsequent amending report under this section in relation to the same local government finance report.

84B Calculation of sums payable under amending reports.

- (1) As soon as is reasonably practicable after an amending report made under section 84A above has been approved by resolution of the House of Commons, the Secretary of State shall calculate what sum, if any, falls to be paid to each receiving authority by way of revenue support grant for the financial year concerned in accordance with the basis of distribution specified in the local government finance report as amended by the amending report.
- (2) Subject to subsection (3) below, after making a calculation under subsection (1) above the Secretary of State may make one further calculation of what sum, if any, falls to be paid to each receiving authority by way of revenue support grant for the year in accordance with that basis of distribution.
- (3) A calculation may not be made under subsection (2) above after whichever is the later of—
 - (a) the end of the financial year following the financial year concerned, and
 - (b) the end of the period of 3 months beginning with the day on which the amending report is approved by resolution of the House of Commons.
- (4) Subsections (4) to (7) of section 82 above apply in relation to calculations made under subsections (1) and (2) above as they apply in relation to calculations made under subsections (1) and (2) of that section.

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84C Payment of sums under amending reports.

- (1) This section applies where a calculation (the relevant calculation) is made under section 84B(1) or (2) above in relation to an amending report.
- (2) Where the sum shown by the relevant calculation as falling to be paid to a receiving authority for the financial year concerned exceeds that shown as falling to be paid to it by the relevant previous calculation, the Secretary of State shall pay to the authority a sum equal to the difference.
- (3) The sum shall be paid at such times, or in instalments of such amounts and at such times, as the Secretary of State determines with the Treasury’s consent; but any such time must fall after the end of the financial year in which the amending report was made.
- (4) Where the sum shown by the relevant calculation as falling to be paid to a receiving authority for the financial year concerned is less than that shown as falling to be paid to it by the relevant previous calculation, a sum equal to the difference shall be paid by the authority to the Secretary of State.
- (5) The sum shall be paid on such day after the end of the financial year in which the amending report was made as the Secretary of State may specify; and if it is not paid on or before that day it shall be recoverable in a court of competent jurisdiction.
- (6) In this section “the relevant previous calculation” means—
 - (a) in relation to a calculation made under section 84B(1) above, the calculation under section 82(1) above or, where a further calculation has been made under section 82(2) above, that further calculation;
 - (b) in relation to a calculation made under section 84B(2) above, the calculation made under section 84B(1) above.]

Modifications etc. (not altering text)

- C6** S. 84C modified (1.4.1993) by [S.I. 1992/2996, reg. 4\(1\)](#)
S. 84C restricted (1.4.1993) by [S.I. 1993/613, reg. 5\(1\)](#)

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