

Status: Point in time view as at 23/11/1995.

Changes to legislation: Local Government and Housing Act 1989, Part I is up to date with all changes known to be in force on or before 06 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 3

PROVISIONS SUPPLEMENTING PART IV

Modifications etc. (not altering text)

- C1** Sch. 3 applied (*temp.*) (with modifications) (4.5.1995) by S.I. 1995/1041, art. 2, Sch. para. 5
Sch. 3 applied (with modifications) (23.11.1995) by S.I. 1995/2803, art. 19(2), Sch. 7 Pt. II para. 5

PART I

EFFECT OF OVERSPEND IN 1989-90 ON CREDIT APPROVALS

- 1 (1) If Part VIII of the ^{M1}Local Government, Planning and Land Act 1980 (in this Part of this Schedule referred to as “the 1980 Act”) applied to the prescribed expenditure of a local authority for the financial year 1989-90, it shall be determined whether—
- (a) the total of the payment, made (or treated as made) in respect of that prescribed expenditure exceeded
 - (b) the aggregate of the amounts which, in relation to that authority, fell within paragraphs (a) to (e) of subsection (3) of section 72 of the 1980 Act for that financial year.
- (2) If for any local authority there is such an excess as is referred to in sub-paragraph (1) above, it is in the following provisions of this Part of this Schedule referred to as the “1989-90 overspend” of the authority.

Marginal Citations

- M1** 1980 c. 65.

- 2 (1) Where a local authority have a 1989-90 overspend, their basic credit approval for the financial year 1990-91 shall be taken to be reduced or, as the case may be, extinguished by deducting from the approval an amount equal to the overspend.
- (2) Any reduction or extinguishment of an authority’s basic credit approval under this paragraph shall be regarded as taking place immediately after the approval is received by the authority.
- 3 (1) If a local authority’s 1989-90 overspend exceeds their basic credit approval for the financial year 1990-91 (so that that approval is extinguished) the excess shall be applied in reduction (or extinguishment) of other basic credit approvals issued to the authority in the order in which they are received by the authority until the whole of the excess is so applied.

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- (2) Any reduction or extinguishment of an authority's basic credit approval under this paragraph shall be regarded as taking place immediately after the approval is received by the authority.
- 4 Not later than 30th September 1990, each local authority to the prescribed expenditure of which Part VIII of the 1980 Act applied for the financial year 1989-90 shall determine the amount of their 1989-90 overspend (if any).
- 5 In this Part of this Schedule—
- (a) “prescribed expenditure” has the same meaning as in Part VIII of the 1980 Act; and
 - (b) “the financial year 1989-90” means the financial year beginning on 1st April 1989 and “the financial year 1990-91” means that beginning on 1st April 1990.

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