



# Local Government Act 2003

## 2003 CHAPTER 26

### PART 3

#### GRANTS ETC

#### CHAPTER 1

##### EXPENDITURE GRANT

### **31 Power to pay grant**

- (1) A Minister of the Crown may pay a grant to a local authority in England towards expenditure incurred or to be incurred by it.
- (2) A Minister of the Crown, or the National Assembly for Wales, may pay a grant to a local authority in Wales towards expenditure incurred or to be incurred by it.
- (3) The amount of a grant under this section and the manner of its payment are to be such as the person paying it may determine.
- (4) A grant under this section may be paid on such conditions as the person paying it may determine.
- (5) Conditions under subsection (4) may, in particular, include—
  - (a) provision as to the use of the grant;
  - (b) provision as to circumstances in which the whole or part of the grant must be repaid.
- (6) In the case of a grant to a local authority in England, the powers under this section are exercisable with the consent of the Treasury.

*Status: Point in time view as at 01/04/2023.*

*Changes to legislation: Local Government Act 2003, Chapter 1 is up to date with all changes known to be in force on or before 30 June 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)*

**Modifications etc. (not altering text)**

- C1** S. 31 modified (9.2.2017) by [The West of England Combined Authority Order 2017 \(S.I. 2017/126\)](#), arts. 1(3), **7(6)**
- C2** S. 31 modified (8.5.2017) by [The West Midlands Combined Authority \(Functions and Amendment\) Order 2017 \(S.I. 2017/510\)](#), arts. 1(2), **3(6)**
- C3** S. 31 modified (8.5.2017) by [The Tees Valley Combined Authority \(Functions and Amendment\) Order 2017 \(S.I. 2017/431\)](#), arts. 1(2), **3(6)**
- C4** S. 31 modified (8.5.2017) by [The Greater Manchester Combined Authority \(Functions and Amendment\) Order 2017 \(S.I. 2017/612\)](#), arts. 1(3), **8(6)**
- C5** S. 31 functions made exercisable concurrently for specified purpose (8.5.2017) by [The Cambridgeshire and Peterborough Combined Authority Order 2017 \(S.I. 2017/251\)](#), arts. 1(3), **7**
- C6** S. 31 functions made exercisable concurrently (8.5.2017) by [The Tees Valley Combined Authority \(Functions and Amendment\) Order 2017 \(S.I. 2017/431\)](#), arts. 1(2), **3(1)**, (2)
- C7** S. 31 functions made exercisable (8.5.2017) by [The Liverpool City Region Combined Authority \(Functions and Amendment\) Order 2017 \(S.I. 2017/430\)](#), arts. 1(3), **14(1)**
- C8** S. 31 functions made exercisable concurrently (28.7.2020) by [The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority \(Functions and Amendment\) Order 2020 \(S.I. 2020/806\)](#), arts. 1, **4**
- C9** S. 31: functions made exercisable concurrently (30.1.2021) by [The West Yorkshire Combined Authority \(Election of Mayor and Functions\) Order 2021 \(S.I. 2021/112\)](#), arts. 1(2), **17**
- C10** S. 31(2)-(5) applied (1.4.2023 for specified purposes) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 33, 34, 208(1)**; S.I. 2023/227, reg. 3(2)(d) (with reg. 4)

**32 Application to Greater London Authority**

- (1) For the purposes of section 31, expenditure of a functional body shall be treated as expenditure of the Greater London Authority.
- (2) The conditions on which grant under section 31 may be paid include, in the case of a grant to the Greater London Authority, a condition requiring the Mayor to transfer the grant to a functional body.
- (3) A decision to pay a grant under section 31 subject to such a condition as is mentioned in subsection (2) above shall be notified to the functional body concerned as well as to the Greater London Authority.
- (4) Where a grant paid under section 31 to the Greater London Authority is paid subject to such a condition as is mentioned in subsection (2) above, the Mayor must transfer the grant to the functional body concerned forthwith.
- (5) Where a grant paid under section 31 to the Greater London Authority is not paid subject to such a condition as is mentioned in subsection (2) above, the Mayor may transfer the grant to a functional body.
- (6) Where grant under section 31 is transferred under this section to a functional body, any conditions to which the grant is subject shall apply to the transferee instead of the transferor.
- (7) In this section, “Mayor” means Mayor of London.

*Status: Point in time view as at 01/04/2023.*

*Changes to legislation: Local Government Act 2003, Chapter 1 is up to date with all changes known to be in force on or before 30 June 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)*

#### **Modifications etc. (not altering text)**

- C11** S. 32 applied (with modifications) (3.3.2017) by [The Tees Valley Combined Authority \(Functions\) Order 2017 \(S.I. 2017/250\)](#), arts. 1(2), **8**
- C12** S. 32 applied (with modifications) (8.5.2017) by [The Liverpool City Region Combined Authority \(Functions and Amendment\) Order 2017 \(S.I. 2017/430\)](#), arts. 1(3), **13**
- C13** S. 32 applied (with modifications) (8.5.2017) by [The Greater Manchester Combined Authority \(Functions and Amendment\) Order 2017 \(S.I. 2017/612\)](#), arts. 1(3), **7**
- C14** S. 32 applied (with modifications) (8.5.2017) by [The West of England Combined Authority Order 2017 \(S.I. 2017/126\)](#), arts. 1(4), **17**
- C15** S. 32 modified (8.5.2017) by [The West Midlands Combined Authority \(Functions and Amendment\) Order 2017 \(S.I. 2017/510\)](#), arts. 1(2), **16**
- C16** S. 32 applied (with modifications) (8.5.2017) by [The West Midlands Combined Authority \(Functions and Amendment\) Order 2017 \(S.I. 2017/510\)](#), arts. 1(2), **16**
- C17** S. 32 applied (with modifications) (2.11.2018) by [The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority \(Establishment and Functions\) Order 2018 \(S.I. 2018/1133\)](#), arts. 1, **17(3)** (with art. 28)
- C18** S. 32 applied (with modifications) (28.7.2020) by [The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority \(Functions and Amendment\) Order 2020 \(S.I. 2020/806\)](#), arts. 1, **13(3)**
- C19** S. 32 applied (with modifications) (30.1.2021) by [The West Yorkshire Combined Authority \(Election of Mayor and Functions\) Order 2021 \(S.I. 2021/112\)](#), arts. 1(2), **16(3)**

### **33 Interpretation of Chapter 1**

- (1) The following are local authorities for the purposes of this Chapter—
- (a) a county council;
  - (b) a county borough council;
  - (c) a district council;
  - (d) the Greater London Authority;
  - (e) a London borough council;
  - (f) the Common Council of the City of London, in its capacity as a local authority, police authority or port health authority;
  - (g) the Council of the Isles of Scilly;
  - <sup>F1</sup>(h) .....
  - (i) an authority established under section 10 of the Local Government Act 1985 (c. 51) (waste disposal authorities);
  - (j) a joint authority established by Part 4 of that Act [<sup>F2</sup>(fire and rescue services and transport)];
  - <sup>F3</sup>(ja) .....
  - <sup>F4</sup>(jb) an economic prosperity board established under section 88 of the Local Democracy, Economic Development and Construction Act 2009;
  - (jc) a combined authority established under section 103 of that Act;
  - (k) a joint planning board constituted for an area in Wales outside a National Park by an order under section 2(1B) of the Town and Country Planning Act 1990 (c. 8);
  - <sup>F5</sup>(l) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies;
  - <sup>F6</sup>(la) a fire and rescue authority created by an order under section 4A of that Act;

*Status: Point in time view as at 01/04/2023.*

*Changes to legislation: Local Government Act 2003, Chapter 1 is up to date with all changes known to be in force on or before 30 June 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)*

[<sup>F7</sup>(m) a police and crime commissioner.]

(2) In this Chapter—

“functional body” has the same meaning as in the Greater London Authority Act 1999 (c. 29);

“Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975 (c. 26).

#### Textual Amendments

- F1** S. 33(1)(h) omitted (1.4.2005) by virtue of [Courts Act 2003 \(Consequential Provisions\) Order 2005 \(S.I. 2005/886\)](#), art. 1, **Sch. para. 96**
- F2** Words in s. 33(1)(j) substituted (1.4.2005) by [Civil Contingencies Act 2004 \(c. 36\)](#), s. 34(1), **Sch. 2 para. 10(3)(e)**; S.I. 2005/772, art. 2(b)
- F3** S. 33(1)(ja) omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), s. 115(7), **Sch. 13 para. 6(32)(b)**; S.I. 2015/994, art. 6(g)
- F4** S. 33(1)(jb)(jc) inserted (17.12.2009) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), s. 148(6), **Sch. 6 para. 117(3)**; S.I. 2009/3318, art. 2(c)
- F5** S. 33(1)(l) substituted (1.10.2004 except in relation to W. otherwise 10.11.2004) by [Fire and Rescue Services Act 2004 \(c. 21\)](#), s. 61, **Sch. 1 para. 101**; S.I. 2004/2304, art. 2; S.I. 2004/2917, art. 2
- F6** S. 33(1)(la) inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), s. 183(1)(5)(e), **Sch. 1 para. 83(3)**; S.I. 2017/399, reg. 2, Sch. para. 38
- F7** S. 33(1)(m) substituted (22.11.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), ss. 27(4), 157(1), **Sch. 16 para. 319**; S.I. 2012/2892, art. 2(a)(i)

**Status:**

Point in time view as at 01/04/2023.

**Changes to legislation:**

Local Government Act 2003, Chapter 1 is up to date with all changes known to be in force on or before 30 June 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.