
EXPLANATORY NOTE

(This note is not part of the Regulations)

Sections 32 and 43 of the Local Government Finance Act 1992 (“the 1992 Act”) set out respectively how a billing authority and a major precepting authority (other than the Greater London Authority (“GLA”)) are to calculate their budget requirements for a financial year. Sections 33 and 44 of that Act set out respectively how a billing authority and such a major precepting authority are to calculate the basic amount of their council tax. The GLA’s budget requirement is calculated under section 85 of the Greater London Authority Act 1999 (“the 1999 Act”), the basic amount of council tax (for services funded by the GLA other than the Metropolitan Police Authority) is calculated under section 88 of that Act and the additional amount of council tax in respect of the Metropolitan Police Authority is calculated under section 89 of that Act.

Regulations 3(a) and 4 to 11 of these Regulations omit references to “relevant special grants” from sections 32, 33, 43 and 44 of the 1992 Act, and from sections 85, 88, 89, 99 and 102 of the 1999 Act, for the financial year beginning on 1st April 2011 since no special grants are being defined as relevant special grants for that financial year.

Regulation 3(b) of these Regulations alters for authorities in England the definition in section 32 of the 1992 Act of “police grant” for the financial year beginning on 1st April 2011. The altered definition applies to that section, and also to sections 33, 43 and 44 of the 1992 Act. The same definition of police grant applies to the corresponding sections of the 1999 Act (by virtue of section 99 of that Act). Regulation 3(c) inserts for authorities in England definitions of sums payable in respect of redistributed non-domestic rates and revenue support grant in section 32 of the 1992 Act for the financial year beginning on the 1st April 2011 to ensure that the amounts of redistributed non-domestic rates and revenue support grant excluded from the budget requirement calculation in that section relate only to such amounts payable under the Local Government Finance Report (England) 2011/2012. The same definitions also apply to sections 33, 43 and 44 of the 1992 Act.

Regulations 7(b) and 11(b) include for the GLA definitions of sums payable or received in respect of redistributed non-domestic rates and revenue support grant in sections 85 and 102 of the 1999 Act for the financial year beginning on 1st April 2011. These definitions ensure that the amounts of redistributed non-domestic rates and revenue support grant:

- (a) excluded from the budget requirement calculation in section 85; and
- (b) taken into account in calculating the aggregate of sums received by the GLA to be distributed amongst the functional bodies;

relate only to such amounts payable under the Local Government Finance Report (England) 2011/2012.

A copy of the Police Grant Report (England and Wales) 2011/12 approved on 9th February 2011 ISBN 978-0-10-297096-8, price £5.75, referred to in regulation 3 may be obtained from the Stationery Office.

A copy of the Local Government Finance Report (England) 2011/2012 approved on 9th February 2011 ISBN 978-0-10-297092-0, price £22.50, referred to in these Regulations may be obtained from the Stationery Office.

A full impact assessment has not been produced for these Regulations as no impact on the private or voluntary sectors is foreseen.