

2022 No.

LOCAL GOVERNMENT, ENGLAND

**The Local Authorities (Capital Finance and Accounting)
(England) (Amendment) Regulations 2022**

Made - - - - ***
Laid before Parliament ***
Coming into force ***

The Secretary of State makes the following Regulations in exercise of the power conferred by section 21(1) of the Local Government Act 2003(a).

Citation, commencement, extent and application

- 1.—(1) These Regulations may be cited as the Local Authorities (Capital Finance and Accounting) (England) (Amendment) Regulations 2022.
- (2) These Regulations come into force on ***.
- (3) These Regulations extend to England and Wales.
- (4) These Regulations apply in relation to local authorities in England only.

Amendment of the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003

- 2.—(1) Regulation 28 of the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003(b) is amended as follows.
- (2) The existing text becomes paragraph (1).
- (3) After paragraph (1) insert—
- “(2) An authority must not reduce its determination of what would otherwise be a prudent amount by the value of any capital receipts used or to be used by the authority in accordance with regulation 23 in the financial year to which the determination relates.
- (3) In determining a prudent amount an authority must not exclude any financing of capital expenditure incurred by the authority, except where the charge in respect of such financing may be delayed in accordance with proper practices.”.

Signed by authority of the Secretary of State for Levelling Up, Housing and Communities

Name

(a) 2003 c. 26.
(b) S.I. 2003/3146; a relevant amendment was made by S.I. 2008/414

Date

Minister of State
Department for Levelling Up, Housing and Communities

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 (“the 2003 Regulations”) make provision about the accounting practices to be followed by local authorities, including with respect to the charging of expenditure to a revenue account.

These Regulations amend regulation 28 of the 2003 Regulations. This amendment makes further provision in respect of a local authority’s determination of a prudent amount to be charged to a revenue account in respect of the authority’s financing of capital expenditure (see regulation 27 of the 2003 Regulations).

A full regulatory impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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