STATUTORY INSTRUMENTS

2015 No. 341

LOCAL GOVERNMENT, ENGLAND AND WALES

The Local Authorities (Capital Finance and Accounting) (England) (Amendment) Regulations 2015

Made - - - -	*17th February 2015*
Laid before Parliament	*25th February 2015*
Coming into force - -	*1st April 2015*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 11, 21, and 123 of the Local Government Act 2003(**1**):

Citation and commencement

1. These Regulations may be cited as the Local Authorities (Capital Finance and Accounting) (England) (Amendment) Regulations 2015 and come into force on 1st April 2015.

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

2.—(1) The Local Authorities (Capital Finance and Accounting) (England) Regulations 2003(**2**) are amended as follows.

(2) In regulation 1 (citation, commencement, application and interpretation)—

(a) for paragraph (2) substitute—

"(2) Regulations 2 to 26, 27(2), 32 to 34 and the Schedule apply only in relation to local authorities in England."

(b) after paragraph (3) insert—

"(3A) Regulations 27(1), 28 and 29 shall not apply to any person or body which is a local authority for the purposes of section 21 by virtue of subsection (6)(b), (d), (e), (g), (h), (k) or (l) of that section.".

(3) In regulation 30 (retirement benefits)—

(**1**) 2003 c. 26; section 11 was amended by section 174 of the Localism Act 2011 (c.20). Section 21 was amended by section 238(2) of the Local Government and Public Involvement in Health Act 2007 (c. 28), section 73(a) and (b) of the Localism Act 2011 (c. 20) and section 45 of and paragraphs 49 and 50 of Schedule 12 to, the Local Audit and Accountability Act 2014 (c. 2).

(**2**) S.I. 2003/3146. Relevant amending instruments are S.I. 2004/534, 2004/3055, 2006/521, 2007/573, 2008/414, 2009/321, 2010/454, 2012/265, 2012/711, 2012/1324, 2012/2269, 2013/476, 2013/1751and 2014/1375.

(a) at the start of regulation 30 insert "(1)";

(b) after paragraph (1) insert—

"(2) In relation to any person or body which is a local authority for the purposes of section 21 by virtue of subsection (6)(b), (e), (g), (h), (k) or (l) of that section, this regulation has effect as if the reference in paragraph (1) to 1st April 2004 were a reference to 1st April 2015.".

(4) In regulation 30B (early repayment of loans – premiums and discounts at 31st March 2007) after paragraph (2) insert—

"(2A) This regulation does not apply to any person or body which is a local authority for the purposes of section 21 by virtue of subsection (6)(b), (e), (g), (h), (k) or (l) of that section.".

(5) In regulation 30C (early repayment of loans – premiums and discounts after 31st March 2007) after paragraph (5) insert—

"(5A) In relation to any person or body which is a local authority for the purposes of section 21 by virtue of subsection (6)(b), (e), (g), (h), (k) or (l) of that section, this regulation has effect as if the references in paragraph (1)(a) and (c) to 1st April 2007 were references to 1st April 2015.".

(6) In regulation 30D (interest on loans given by local authorities) after paragraph (3) insert—

"(4) In relation to any person or body which is a local authority for the purposes of section 21 by virtue of subsection (6)(b), (e), (g), (h), (k) or (l) of that section, this regulation has effect as if—

(a) the references in paragraphs (1)(a), (2)(a) and (b) and (3)(a) to "1st April 2007" were references to "1st April 2015"; and

(b) the references in paragraphs (2)(c) and (3)(a) to "2007 financial year" were references to "2015 financial year".".

(7) In regulation 30E (interest on stepped interest rate loans taken out by local authorities) after paragraph (3) insert—

"(4) In relation to any person or body which is a local authority for the purposes of section 21 by virtue of subsection (6)(b), (e), (g), (h), (k) or (l) of that section, this regulation has effect as if the reference in paragraph (2) to 31st March 2008 were a reference to 31st March 2016.".

(8) In regulation 30F (financial guarantees given by local authorities) after paragraph (2) insert—

"(3) In relation to any person or body which is a local authority for the purposes of section 21 by virtue of subsection (6)(b), (e), (g), (h), (k) or (l) of that section, this regulation has effect as if the reference in paragraph (2) to 31st March 2008 were a reference to 31st March 2016 and as if the reference in sub-paragraph (2)(a) to 1st April 2006 were a reference to 1st April 2015.".

(9) In regulation 30H (short-term accumulating compensated absences)—

(a) at the start of regulation 30H insert "(1)";

(b) after paragraph (1) insert—

"(2) In relation to any person or body which is a local authority for the purposes of section 21 by virtue of subsection (6)(b), (e), (g), (h), (k) or (l) of that section, this regulation only applies to an amount in respect of a liability for short-term accumulating compensated absences recorded on a balance sheet for a financial year beginning on or after 1st April 2015.".

(10) In regulation 31 (proper practices)—

(a) omit the "and" at the end of paragraph (b);

(b) for paragraph (c) substitute—

"(c) in relation only to those authorities which are Category 2 authorities within the meaning of regulation 2(1) of the Accounts and Audit Regulations 2015(**3**), and which are not internal drainage boards, "Governance and Accountability for Local Councils: A Practitioners' Guide (England) March 2014" published jointly by the National Association of Local Councils and the Society for Local Council Clerks, as amended or reissued from time to time(**4**); and

(d) in relation only to internal drainage boards, "Governance and Accountability in Internal Drainage Boards in England: a Practitioners' Guide 2006" published by the Association of Drainage Authorities and the Department for Environment, Food and Rural Affairs, as amended or reissued from time to time(**5**).".

(11) In the Schedule—

(a) in paragraph 2—

(i) in the definition of "assumed debt" for the words "column A of the table in this Schedule ("the Table")" substitute "Table A in this Schedule";

(ii) in the definition of "local authority share cap" for the words "Column B of the Table" substitute "Table B in this Schedule";

(b) for paragraph 9 substitute—

"**9.** L** means—

(a) 2.398347729 in the financial year 2012 to 2013;

(b) 2.360771759 in the financial year 2013 to 2014;

(c) 2.311525846 in the financial year 2014 to 2015;

(d) 2.534152780 in the financial year 2015 to 2016, except in relation to—

(i) Cambridge City Council, where it means 2.663711167; and

(ii) Winchester City Council, where it means 5.434916035;

(e) 2.488865254 in the financial year 2016 to 2017, except in relation to—

(i) Cambridge City Council, where it means 2.464489035;

(ii) the London Borough Council of Hammersmith and Fulham, where it means 5.951547426; and

(iii) Winchester City Council, where it means 2.464489035."; and

(c) for the Table substitute Table A and Table B as set out in the Schedule to these Regulations.

(**3**) S.I. 2015/234

(**4**) The current issue of this guide was published in 2014. Digital versions and hard copies are available from the Society of Local Council Clerks online bookshop at http://www.slcc.co.uk/bookstore/category/slcc-publications/1/

(**5**) The current issue of this guide was published in 2007. A copy of it can be accessed at http://www.ada.org.uk/downloads/other/downloads_page/aud_com/IDBGovernanceandAccountabilityDraftPractitionersGuide2006.pdf

Signed by authority of the Secretary of State for Communities and Local Government

Kris Hopkins
Parliamentary Under Secretary of State
Department for Communities and Local Government

17th February 2015

SCHEDULE Regulation 2(11)(c)

Tables to be substituted in the Schedule to the 2003 Regulations

"**Table A—**

Assumed debt for each quarter in a year

Authority	*2012-13*	*2013-14*	*2014-15*	*2015-16*	*2016-17*
Adur	20,897.13	24,452.52	27,421.85	28,613.13	28,900.24
Arun	26,635.43	31,167.11	34,951.81	36,470.22	36,836.16
Ashfield	38,454.73	44,997.32	50,461.45	52,653.64	53,181.98
Ashford	38,994.02	45,628.36	51,169.13	53,392.06	53,927.80
Babergh	31,593.73	36,969.01	41,458.24	43,259.30	43,693.37
Barking and Dagenham	75,238.98	88,039.96	98,730.86	103,020.01	104,053.72
Barnet	69,838.39	81,720.53	91,644.04	95,625.32	96,584.84
Barnsley	158,381.56	185,328.21	207,833.06	216,861.91	219,037.93
Barrow	37,241.65	43,577.86	48,869.62	50,992.65	51,504.32
Basildon	76,575.66	89,604.05	100,484.89	104,850.24	105,902.32
Bassetlaw	50,738.34	59,370.84	66,580.38	69,472.82	70,169.92
Birmingham	546,499.59	639,479.69	717,133.25	748,287.54	755,795.96
Blackpool	37,533.72	43,919.62	49,252.89	51,392.57	51,908.25
Bolsover	55,367.40	64,787.48	72,654.77	75,811.10	76,571.80
Bournemouth	20,485.91	23,971.33	26,882.23	28,050.06	28,331.52
Brent	56,224.06	65,789.88	73,778.91	76,984.07	77,756.54
Brentwood	22,942.40	26,845.77	30,105.71	31,413.59	31,728.80
Brighton and Hove	50,783.60	59,423.80	66,639.77	69,534.79	70,232.52
Bristol	80,034.24	93,651.07	105,023.35	109,585.86	110,685.46
Broxtowe	39,863.31	46,645.55	52,309.83	54,582.32	55,130.01
Bury	140,488.96	164,391.41	184,353.85	192,362.70	194,292.89
Cambridge	76,222.13	89,190.38	100,020.98	104,366.18	105,413.40
Camden	135,367.59	158,398.70	177,633.43	185,350.33	187,210.16
Cannock Chase	45,036.17	52,698.51	59,097.82	61,665.20	62,283.95
Canterbury	36,749.65	43,002.15	48,224.00	50,318.99	50,823.90
Castle Point	12,718.60	14,882.51	16,689.73	17,414.78	17,589.52
Central Bedfordshire	53,786.65	62,937.78	70,580.47	73,646.68	74,385.66