
EXPLANATORY NOTE

(This note is not part of the Regulations)

The Regulations amend the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 (“the 2003 Regulations”).

Regulation 3 requires local authorities to calculate the notifiable amount and the 2011-2012 buy back reduction on 31st March in accordance with the requirements of the 2003 Regulations before those regulations are amended by regulations 4 to 9 of these Regulations. These amounts are used in the 2003 Regulations as amended by these Regulations to calculate the poolable amount.

Regulation 4 amends regulation 1(5) of the 2003 Regulations by inserting the definitions of terms inserted by these Regulations.

Regulation 7 omits regulations 12 to 21 of the 2003 Regulations and inserts regulations 12 to 19.

Inserted regulations 12 to 19 provide for the calculation and payment of the poolable amount on specified dates (inserted regulation 12) and the payment of interest on late payment (inserted regulation 13).

Inserted regulations 14 to 19 provide for the calculation of the specified amount, which forms part of the poolable amount.

Regulation 9 inserts a schedule and table which provide for the calculation of the sub-liability, which forms part of the poolable amount.

Paragraph 1 of the Schedule describes the dwellings to which the Schedule applies. Paragraph 2 defines the terms used in the Schedule. Paragraphs 4 to 9 set out the calculation of the sub-liability. Paragraph 10 contains a transitional provision to enable the calculation of the buy back allowance for the first quarter after the Schedule comes into force.

The table sets out details of the assumed debt and the share cap for each authority in order to calculate the sub-liability.