
EXPLANATORY NOTE

(This note is not part of the Regulations)

The Community Infrastructure Levy Regulations 2010 (“the 2010 Regulations”) provide for the imposition of a charge known as the Community Infrastructure Levy (“CIL”).

Regulation 59(2) of the 2010 Regulations provides that CIL collected by or on behalf of the Mayor of London must be spent on funding the provision, improvement, replacement, operation or maintenance of roads or other transport facilities, including, in particular, funding for the purposes of, or in connection with, scheduled works under the Crossrail Act 2008. Where the Greater London Authority or Transport for London (“the GLA”) borrows to pay for infrastructure, regulation 60(3) of the 2010 Regulations provides that the Mayor may only spend CIL on repaying such borrowing if conditions in paragraphs (4) and (5) of that regulation are both met. Those conditions require there to be at least one full financial year’s collection of CIL receipts and that the total amount of CIL spent does not exceed a percentage set by the Secretary of State in a direction given under paragraph (6).

In order to facilitate the GLA borrowing to fund the Crossrail project, regulation 3 inserts a new paragraph (7A) into regulation 60 allowing the Mayor to spend CIL received on repaying the GLA’s Crossrail borrowing as well as accrued interest, but omitting the conditions contained in paragraphs (4) and (5). This arrangement will cease to have effect on 31st March 2033.

An impact assessment was prepared for the 2010 Regulations and laid in Parliament on 10th February 2010. No formal impact assessment was produced for these Regulations as one is not required for a financial instrument.

An explanatory memorandum is published alongside this instrument on www.legislation.gov.uk.