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STATUTORY INSTRUMENTS

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**1997 No. 319**

**The Local Authorities (Capital Finance) Regulations 1997**

**PART VIII**

**CAPITAL RECEIPTS TO BE TREATED AS REDUCED**

*Capital receipts in respect of which repayments fall to be made to a public body*

**Improvement of land out of moneys provided by Parliament**

**94.**—(1) Capital receipts of a description specified in paragraph (2) shall be treated for the purposes only of section 59 as reduced by an amount determined in accordance with paragraph (3).

(2) For the purposes of paragraph (1), capital receipts derived from a disposal of an interest in land are specified where the authority—

- (a) have incurred expenditure on the reclamation, enhancement or laying out of the land; and
- (b) have met that expenditure wholly or partly out of moneys provided by Parliament on terms which require, or enable a Minister of the Crown to require, the payment of any sum to such a Minister on or by reference to the disposal.

(3) For the purposes of paragraph (1), in relation to any capital receipts of a description specified in paragraph (2), the amount of the reduction is the sum which appears to the authority to be payable to a Minister of the Crown in respect of those receipts.

**Improvement of land out of moneys provided by the Urban Regeneration Agency or the Welsh Development Agency**

**95.**—(1) In this regulation, “the Agency” means—

- (a) the Urban Regeneration Agency established by section 158 of the Leasehold Reform, Housing and Urban Development Act 1993<sup>(1)</sup> (“the 1993 Act”); or
- (b) the Welsh Development Agency established by section 1 of the Welsh Development Agency Act 1975<sup>(2)</sup> (“the 1975 Act”).

(2) Capital receipts of a description specified in paragraph (3) shall be treated for the purposes only of section 59 as reduced by an amount determined in accordance with paragraph (4).

(3) For the purposes of paragraph (2), capital receipts derived from a disposal of an interest in land are specified where the authority—

- (a) have, in respect of the land, incurred expenditure to which paragraph (4) applies; and
- (b) have met that expenditure wholly or partly out of moneys provided by the Agency on terms which require, or enable the Agency to require, the repayment or the recovery of any sum on or by reference to the disposal.

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(1) 1993 c. 28.  
(2) 1975 c. 70.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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- (4) This paragraph applies to expenditure which—
- (a) is incurred by a local authority in England, and is qualifying expenditure (within the meaning given to that expression in section 164(2) of the 1993 Act); or
  - (b) is incurred by a local authority in Wales, and is relevant expenditure (within the meaning given to that expression in section 16(4) of the 1975 Act<sup>(3)</sup>).
- (5) For the purposes of paragraph (2), in relation to any capital receipts of a description specified in paragraph (3), the amount of the reduction is the sum which appears to the authority to be payable to the Agency in respect of those receipts.

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<sup>(3)</sup> Section 16 was substituted by the [Derelict Land Act \(c. 42\)](#).