
STATUTORY INSTRUMENTS

2011 No. 696

**The Environment Agency (Levies)
(England and Wales) Regulations 2011**

PART 4

Anticipation of levies

Anticipation of levy

11.—(1) A constituent authority may anticipate that the Agency will issue a levy to it for any part of its area for a financial year if—

- (a) the Agency issued a levy to it for that part of its area for the preceding financial year; and
- (b) at the time the constituent authority makes its calculations for a financial year, the Agency has not issued a levy for that part of its area for that financial year.

(2) When making its calculations, a constituent authority must estimate the amount of any levy it anticipates.

(3) If a constituent authority makes any substitute calculations for the financial year, the amount of any levy it anticipates must be its previous estimate under paragraph (2).

(4) References in this regulation to a constituent authority's calculations are references to calculations made under—

- (a) section 32 (calculation of budget requirement) of the Local Government Finance Act 1992⁽¹⁾, if the constituent authority is a billing authority; or
- (b) section 43 (calculation of budget requirement) of that Act⁽²⁾, if the constituent authority is a precepting authority.

Requirement to notify Agency of relevant council tax base

12. During the period beginning with 1st December and ending on 31st January in a financial year, a billing authority must notify the Agency of its relevant council tax base if—

- (a) before the beginning of that period, the Agency informed the billing authority or, if the billing authority is in the area of a precepting authority, the precepting authority in writing that it will issue a levy to the billing authority or precepting authority for the next financial year; or

(1) 1992 c. 14. Section 32 was amended by: the [Local Government \(Wales\) Act 1994](#) (1994, c. 19), s. 38(11) and Schedule 12, paragraph 4(2); the [Police Act 1997](#) (1997 c. 50), s. 134(1) and Schedule 9, paragraph 67; the [Criminal Justice and Police Act 2001](#) (2001 c. 16), s. 137 and Schedule 7, Pt 5(1); the [Local Government Act 2003](#) (2003 c. 26), s. 127(2) and Schedule 8, Pt 1; [S.I. 1994/246](#); [S.I. 1995/234](#); [S.I. 1996/56](#); [S.I. 2002/328](#); [S.I. 2005/190](#); [S.I. 2010/219](#) and [S.I. 2010/317](#).

(2) 1992 c. 14. Section 43 was amended by: the [Police Act 1997](#) (1997 c. 50), s. 134(1) and Schedule 9, paragraph 68(2) and (3); the [Criminal Justice and Police Act 2001](#) (2001 c. 16), s. 137 and Schedule 7, Pt 5(1); [Local Government Act 2003](#) (2003 c. 26), s. 127(2) and Schedule 8, Pt 1; the [Serious Organised Crime and Police Act 2005](#) (2005 c. 15), s. 174(2) and Schedule 17, Pt 2; [S.I. 1994/246](#); [S.I. 1995/234](#); [S.I. 1996/296](#); [S.I. 2000/717](#); [S.I. 2010/219](#) and [S.I. 2010/317](#).

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- (b) the billing authority or, if the billing authority is in the area of a precepting authority, the precepting authority anticipates that the Agency will issue a levy to it for the next financial year.