

2002 No. 158

RATING AND VALUATION

The Electricity Lands and Generators (Rateable Values) (Scotland) Variation Order 2002

Made 22nd March 2002

Coming into force 31st March 2002

The Scottish Ministers, in exercise of the powers conferred by sections 6, 35 and 37(1) of the Local Government (Scotland) Act 1975(a) and of all other powers enabling them in that behalf, and after consultation with such associations of local authorities, and of persons carrying on undertakings, as appeared to them to be concerned, and with such local authorities, persons, or associations of persons with whom consultation appeared to them to be desirable, all in accordance with section 6(4) of the said Act, hereby make the following Order, a draft of which has, in accordance with section 6(7) of the said Act, been laid before and has been approved by resolution of the Scottish Parliament:

Citation, commencement and date of effect

1. This Order may be cited as the Electricity Lands and Generators (Rateable Values) (Scotland) Variation Order 2002 and shall come into force on 31st March 2002 but shall have effect as from 1st April 2001(b).

Variation of Electricity Lands (Rateable Values) (Scotland) Order 2000

2. The Electricity Lands (Rateable Values) (Scotland) Order 2000(c) is varied in accordance with articles 3 to 16.

3. In article 2(1)–

(a) in the definition of “a Company”–

(i) the word “or” at the end of sub-paragraph (ii) and the word “and” at the end of sub-paragraph (iii) shall be omitted;

(ii) after sub-paragraph (a)(iii), there shall be inserted–

“(iv) Scottish Power Generation Limited; or

(v) SSE Generation Limited;” and

(iii) for sub paragraph (b) there shall be substituted–

“(b) for the purposes of article 3(1)(b) and Part III of this Order means–

(i) Scottish Power UK plc;

(a) 1975 c.30; section 6(1) to (7) was substituted by the Local Government (Scotland) Act 1978 (c.4), section 1, and section 6(1) was subsequently substituted by the Local Government Finance Act 1988 (c.41), Schedule 12, paragraph 11 and amended by the Local Government Finance Act 1992 (c.14), Schedule 13, paragraph 42. Section 6(1A) was repealed by the Local Government etc. (Scotland) Act 1994 (c.39), Schedule 14. Section 6(5A) and (8) was inserted by the Local Government etc (Scotland) Act 1994 (c.39), sections 160 and 157; section 37(1) contains a definition of “prescribed” which is relevant to the exercise of the powers under which this Order is made and which was amended by the Local Government Finance Act 1992, Schedule 13, paragraph 43(c). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) In terms of section 6(6) of the 1975 Act, an Order under that section may provide that the Order shall have effect as from the beginning of the financial year in which it is made.

(c) S.S.I. 2000/88 as amended by S.S.I. 2000/284.

- (ii) Scottish and Southern Energy plc;
 - (iii) SP Distribution Limited;
 - (iv) Scottish Hydro-Electric Power Distribution Limited; or
 - (v) SP Power Systems Limited; and
 - (c) for the purposes of article 3(1)(c) and Part IV of this Order means–
 - (i) Scottish Power UK plc;
 - (ii) Scottish and Southern Energy plc;
 - (iii) SP Transmission Limited; or
 - (iv) Scottish Hydro-Electric Transmission Limited;”;
 - (b) after the definition of “generating plant” there shall be inserted–

““predecessor company” for the purposes of articles 5(2), 8(2) and 11(2) means Scottish Power UK plc or Scottish and Southern Energy plc as the case may be;”.
- 4.** In article 4–
- (a) for paragraph (a) there shall be substituted–

“(a) for the financial year 2001-02, is hereby prescribed as £71,987,000;”;
 - (b) in paragraph (b) for “four” there shall be substituted “three”.
- 5.** In article 5–
- (a) in paragraph (1) for sub-paragraphs (a) and (b) there shall be substituted–
 - (a) £ 27,846,000 in respect of generation lands occupied by Scottish Power UK plc or, as the case may be, Scottish Power Generation Limited;
 - (b) £19,131,000 in respect of generation lands occupied by Scottish and Southern Energy plc or, as the case may be, SSE Generation Limited; and;”;
 - (b) in paragraph (2)–
 - (i) for “four financial years following the financial year 2000-01” there shall be substituted “three financial years following the financial year 2001-02”;
 - (ii) in the description of “A” for the purposes of the formula after “that Company” there shall be inserted “or its predecessor company”; and
 - (iii) in the description of “B” for the purposes of the formula after “that Company” there shall be inserted “or its predecessor company”.
- 6.** In article 6–
- (a) for “2000-01 and the four” there shall be substituted “2001-02 and the three”;
 - (b) in paragraph (a), after the words “Scottish Power UK plc” in each place they occur, there shall be inserted “or, as the case may be, Scottish Power Generation Limited”; and
 - (c) in paragraph (b), after the words “Scottish and Southern Energy plc” in each place they occur, there shall be inserted “or, as the case may be, SSE Generation Limited”.
- 7.** In article 7–
- (a) for paragraph (a) there shall be substituted–

“(a) for the financial year 2001-02 is hereby prescribed as £73,173,120;”;
 - (b) in paragraph (b) for “four” there shall be substituted “three”.
- 8.** In article 8–
- (a) in paragraph (1) for sub-paragraphs (a) and (b) there shall be substituted–
 - (a) £53,590,545 in respect of the distribution lands occupied by Scottish Power UK plc or, as the case may be, SP Distribution Limited or SP Power Systems Limited; and
 - (b) £19,582,575 in respect of Scottish and Southern Energy plc or, as the case may be, Scottish Hydro-Electric Power Distribution Limited.”;
 - (b) in paragraph (2)–
 - (i) for “four financial years following the financial year 2000-01” there shall be substituted “three financial years following the financial year 2001-02”;
 - (ii) in the description “A” for the purposes of the formula after “that Company” there shall be inserted “or its predecessor company”; and
 - (iii) in the description “B” for the purposes of the formula after “that Company” there shall be inserted “or its predecessor company”.
- 9.** In article 9–

- (a) for “2000-01 and the four” there shall be substituted “2001-02 and the three”;
 - (b) in paragraph (a), after the words “Scottish Power UK plc” in each place they occur, there shall be inserted “or, as the case may be, SP Distribution Limited or SP Power Systems Limited”; and
 - (c) in paragraph (b), after the words “Scottish and Southern Energy plc” in each place they occur, there shall be inserted “or, as the case may be, Scottish Hydro-Electric Power Distribution Limited”.
- 10.** In article 10–
- (a) for paragraph (a) there shall be substituted–
“(a) for the financial year 2001-02, is hereby prescribed as £33,942,360;”;
 - (b) in paragraph (b) for “four” there shall be substituted “three”.
- 11.** In article 11–
- (a) in paragraph (1), for sub-paragraphs (a) and (b) there shall be substituted–
“(a) £26,911,234 in respect of transmission lands occupied by Scottish Power UK plc or, as the case may be, SP Transmission Limited; and
(b) £7,031,126 in respect of transmission lands occupied by Scottish and Southern Energy Limited or, as the case may be, Scottish Hydro-Electric Transmission Limited.”;
 - (b) in paragraph (2)–
 - (i) for “four financial years following the financial year 2000-01” there shall be substituted “three financial years following the financial year 2001-02”;
 - (ii) in the description of “A” for the purposes of the formula after “that Company” there shall be inserted “or its predecessor company”; and
 - (iii) in the description of “B” for the purposes of the formula after “that Company” there shall be inserted “or its predecessor company”.
- 12.** In article 12–
- (a) for “2000-01 and the four” there shall be substituted “2001-02 and the three”;
 - (b) in paragraph (a), after the words “Scottish Power UK plc” in each place they occur, there shall be inserted “or, as the case may be, SP Transmission Limited”; and
 - (c) in paragraph (b), after the words “Scottish and Southern Energy plc” in each place they occur, there shall be inserted “or, as the case may be, Scottish Hydro-Electric Transmission Limited”.
- 13.** In article 15 paragraph (3) is omitted.
- 14.** In Schedule 1–
- (a) in the heading for “2000-01 to 2004-05” there shall be substituted “2001-02 to 2004-05”;
 - (b) in column 2, after “Scottish Power UK plc”, there shall be inserted “or, as the case may be, Scottish Power Generation Limited”; and
 - (c) in column 3, after “Scottish and Southern Energy plc”, there shall be inserted “or, as the case may be, SSE Generation Limited”.
- 15.** In Schedule 2–
- (a) in the heading for “2000-01 to 2004-05” there shall be substituted “2001-02 to 2004-05”;
 - (b) in column 2, after “Scottish Power UK plc”, there shall be inserted “or, as the case may be, SP Distribution Limited or SP Power Systems Limited”; and
 - (c) in column 3, after “Scottish and Southern Energy plc”, there shall be inserted “or, as the case may be, Scottish Hydro-Electric Power Distribution Limited”.
- 16.** In Schedule 3–
- (a) in the heading for “2000-01 to 2004-05” there shall be substituted “2001-02 to 2004-05”;
 - (b) in column 2, after “Scottish Power UK plc”, there shall be inserted “or, as the case may be, SP Transmission Limited”; and
 - (c) in column 3, after “Scottish and Southern Energy plc”, there shall be inserted “or, as the case may be, Scottish Hydro-Electric Transmission Limited”.

Variation of Electricity Generators (Rateable Values) (Scotland) Order 2000

17. In article 2(1) of the Electricity Generators (Rateable Values) (Scotland) Order 2000(a), in the definition of “Scottish electricity company”, the word “and” at the end of paragraph (c) shall be omitted and after paragraph (c) there shall be inserted—

“or

- (d) Scottish Power Generation Limited; or
- (e) SSE Generation Limited; and”.

Amendment of enactment

18. Section 2(1) of the Local Government (Scotland) Act 1975(b) shall be amended by substituting for paragraph (ff) the following paragraph:—

“(ff) by entering therein, in relation to Scottish Power UK plc, Scottish and Southern Energy plc, British Energy Generation (UK) Limited, SP Generation Limited, SSE Generation Limited, SP Distribution Limited, Scottish Hydro-Electric Power Distribution Limited, SP Transmission Limited, Scottish Hydro-Electric Transmission Limited or Scottish Power Systems Limited as the case may be, any lands and heritages with one of the classes of lands and heritages prescribed in the 2000 Order together with the rateable values determined and apportioned in accordance with that Order;”.

19. The amendment made at article 18 above is in relation to the valuation of the lands and heritages prescribed for the purposes of section 6(1) of the Local Government (Scotland) Act 1975 in article 3 of the Electricity Lands (Rateable Values) (Scotland) Order 2002 for the financial year 2001-2002 and the three following financial years.

ANDREW P KERR

A member of the Scottish Executive

St Andrew’s House,
Edinburgh
22nd March 2002

(a) S.S.I. 2000/86.

(b) Section 2(1)(ff) was inserted by S.S.I. 2000/88, article 15(3).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order varies the Electricity Lands (Rateable Values) (Scotland) Order 2000 and the Electricity Generators (Rateable Values) (Scotland) Order 2000 following upon changes in the electricity industry consequential on the Utilities Act 2000 (c.27). The variations take account of the fact that during the course of the financial year 2001-2002, Scottish Power UK plc and Scottish and Southern Energy plc were required to transfer their generation, distribution and transmission activities to successor companies. In the case of Scottish Power UK plc the successor companies are Scottish Power Generation Limited, SP Distribution Limited, SP Power Systems Limited and SP Transmission Limited. In the case of Scottish and Southern Energy plc the successor companies are SSE Generation Limited, Scottish Hydro-Electric Power Distribution Limited and Scottish Hydro-Electric Transmission Limited. Articles 18 and 19 make a consequential amendment to the Local Government (Scotland) Act 1975.

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