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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No.103**

**RATING AND VALUATION**

**The Non Domestic Rating (Rural Areas and Rateable Value Limits) (Scotland) Order 2005**

<i>Made</i>	- - - -	<i>1st March 2005</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>3rd March 2005</i>
<i>Coming into force</i>	- -	<i>1st April 2005</i>

The Scottish Ministers, in exercise of the powers conferred by section 8(3), and paragraphs 1(3)(c) and (5), 3(2)(b) and 4(2)(b) of Schedule 2 to the Local Government and Rating Act 1997(1) and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Non Domestic Rating (Rural Areas and Rateable Value Limits) (Scotland) Order 2005 and shall come into force on 1st April 2005.

(2) In this Order—

“the Act” means the Local Government and Rating Act 1997;

“the Census Report” means the publication “Scotland’s Census 2001, Key Statistics for Settlements and Localities Scotland”(2) which was published by the General Register Office for Scotland in 2003 and was laid before the Scottish Parliament pursuant to section 4(1) of the Census Act 1920(3).

**Designation of rural areas**

2.—(1) There are designated as rural areas for the purposes of paragraph 1 of Schedule 2 to the Act (rural settlement list) each of the local authority areas specified in column 1 of Schedule 1 to this Order under exclusion of the localities specified in column 2 of that Schedule opposite the name of the local authority area in question.

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(1) 1997 c. 29. 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).  
(2) ISBN Number 1-874451-68-0. Copies of this document may be purchased from Customer Services, General Register Office for Scotland, Ladywell House, Ladywell Road, Edinburgh EH12 7TF.  
(3) 1920 c. 41.

(2) The boundaries of the localities specified in column 2 of Schedule 1 to this Order shall be the boundaries of those localities used for the purposes of the Census Report and as these are delineated on the maps annexed to that publication.

### **Rateable value limits**

**3.—(1)** The amount prescribed for the purposes of paragraph 3(2)(b) of Schedule 2 to the Act (mandatory relief) shall be—

- (a) in the case of any lands and heritages which, in whole or in part, are used as a qualifying general store, qualifying food store<sup>(4)</sup> or qualifying post office, £7,000; and
- (b) in the case of any lands and heritages which satisfy the conditions prescribed for the purposes of paragraph 3(2)(c)(ii) of that Schedule<sup>(5)</sup>, £10,500.

(2) The amount prescribed for the purposes of paragraph 4(2)(b) of Schedule 2 to the Act (discretionary rate relief – maximum rateable value) is £14,000.

### **Revocations**

**4.** The orders specified in Schedule 2 to this Order are hereby revoked.

St Andrew's House, Edinburgh  
1st March 2005

*TOM McCABE*  
A member of the Scottish Executive

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(4) Section 29 of the [Local Government in Scotland Act 2003 \(asp 1\)](#) amends paragraph 3(2)(c)(i) of Schedule 2 to the Local Government and Rating Act 1997 to add qualifying food stores to those lands and heritages qualifying for mandatory relief.

(5) Article 3 of the Non Domestic Rating (Petrol Filling Stations, Public Houses and Hotels) (Scotland) Order 2003 ([S.S.I. 2003/188](#)) prescribes conditions for the purposes of paragraph 3(2)(c)(ii) of Schedule 2 to the Local Government and Rating Act 1997

SCHEDULE 1

Article 2

DESIGNATED RURAL AREAS

<i>Local authority area</i>	<i>Excluded localities</i>
<i>1</i>	<i>2</i>
Aberdeenshire	Banchory Banff Ellon Fraserburgh Huntly Inverurie Kemnay Macduff Peterhead Portlethen Stonehaven Turiff Westhill
Angus	Arbroath Breachin Carnoustie Dundee Forfar Kirriemuir Montrose
Argyll and Bute	Ardrishaig Campbeltown Dunoon Helensburgh Lochgilphead Oban Port Bannatyne Rhu and Shandon Rothesay Sandbank
East Ayrshire	Auchinleck

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

<i>Local authority area</i>	<i>Excluded localities</i>
<i>1</i>	<i>2</i>
	Bellsbank
	Cumnock
	Dalmellington and Burnton
	Darvel
	Galston
	Hurlford and Crookedholm
	Kilmarnock
	Logan
	Mauchline
	New Cumnock
	Newmilns
	Stewarton
North Ayrshire	Ardrossan
	Beith
	Dalry
	Dreghorn
	Irvine
	Kilbirnie
	Kilwinning
	Largs
	Saltcoats
	Springside
	Stevenston
	West Kilbride
South Ayrshire	Ayr
	Girvan
	Maybole
	Prestwick
	Troon
Clackmannanshire	Alloa
	Alva
	Clackmannan
	Tillicoultry
	Tullibody

<i>Local authority area</i>	<i>Excluded localities</i>
<i>1</i>	<i>2</i>
Dumfries and Galloway	Annan Castle Douglas Dalbeattie Dumfries Kirkcudbright Locharbriggs Lockerbie Newton Stewart Stranraer
East Dunbartonshire	Bearsden Bishopbriggs Kirkintilloch Lennoxton Lenzie Milngavie Milton of Campsie
West Dunbartonshire	Alexandria Bonhill Clydebank Dumbarton Duntocher and Hardgate Faifley Milton Old Kilpatrick Renton
Falkirk	Bo'ness Bonnybridge Carron Denny Falkirk Grangemouth Hallglen Polmont Stenhousemuir

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<i>Local authority area</i>	<i>Excluded localities</i>
<i>1</i>	<i>2</i>
Fife	Anstruther Ballingry Buckhaven Burntisland Cardenden Cowdenbeath Crossgates Cupar Dalgety Bay Dunfermline East Wemyss Glenrothes Inverkeithing Kelty Kennoway Kincardine Kirkcaldy Leslie Leuchars Leven Lochgelly Markinch Newport-on-Tay North Queensferry Oakley Pittenweem Rosyth St Andrews St Monans Tayport Thornton Windygates
Highland	Alness Culloden

<i>Local authority area</i>	<i>Excluded localities</i>
<i>1</i>	<i>2</i>
	Dingwall
	Fort William
	Invergordon
	Inverness
	Nairn
	Smithton
	Tain
	Thurso
	Westhill
	Wick
Inverclyde	Gourock
	Greenock
	Kilmacolm
	Port Glasgow
North Lanarkshire	Airdrie
	Bargeddie
	Bellshill
	Blackwood
	Calderbank
	Carfin
	Chapelhall
	Chryston
	Cleland
	Coatbridge
	Croy
	Cumbernauld
	Glenmavis
	Gowkthrapple
	Holytown
	Kilsyth
	Moodiesburn
	Motherwell
	Muirhead
	Newarthill

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<i>Local authority area</i>	<i>Excluded localities</i>
<i>1</i>	<i>2</i>
	Newmains
	New Stevenston
	Overtown
	Plains
	Shotts
	Stepps
	Viewpark
	Wishaw
South Lanarkshire	Ashgill
	Blantyre
	Bothwell
	Carluke
	East Kilbride
	Glasgow
	Hamilton
	Kirkmuirhill and Blackwood
	Lanark
	Larkhall
	Lesmahagow
	Stonehouse
	Strathaven
	Uddingston
East Lothian	Cockenzie
	Dunbar
	Haddington
	Musselburgh
	North Berwick
	Prestonpans
	Tranent
Midlothian	Bilston
	Bonnyrigg
	Dalkeith
	Gorebridge
	Loanhead



<i>Local authority area</i>	<i>Excluded localities</i>
<i>1</i>	<i>2</i>
West Lothian	Mayfield Penicuik Addiebrownhill Armadale Bathgate Blackburn Broxburn East Calder Fauldhouse Linlithgow Livingston Polbeth Stoneyburn West Calder Whitburn
Moray	Buckie Elgin Forres Keith Lossiemouth
Orkney Islands	Kirkwall
Perth and Kinross	Auchterarder Blairgowrie Crieff Kinross New Scone Perth
East Renfrewshire	Barrhead Busby Clarkston Eaglesham Giffnock Neilston Newton Mearns

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<i>Local authority area</i>	<i>Excluded localities</i>
<i>1</i>	<i>2</i>
Renfrewshire	Bishopton Bridge of Weir Elderslie Erskine Houston Inchinnan Johnstone Kilbarchan Linwood Paisley Renfrew
Scottish Borders	Eyemouth Galashiels Hawick Jedburgh Kelso Peebles Selkirk
Shetland Islands	Lerwick
Stirling	Bannockburn Bridge of Allan Dunblane Stirling
Western Isles	Stornoway

## SCHEDULE 2

Article 4

## REVOCATIONS

<i>Orders revoked</i>	<i>References</i>
The Non-Domestic Rating (Rural Areas and Rateable Value Limits) (Scotland) Order 1997	S.I.1997/2827; partially revoked by <a href="#">S.S.I. 2004/91</a> .
The Non-Domestic Rating (Rural Areas and Rateable Value Limits) (Scotland) Amendment Order 2000	<a href="#">S.S.I. 2000/57</a> .

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<i>Orders revoked</i>	<i>References</i>
The Non-Domestic Rating (Rural Areas and Rateable Value Limits) (Scotland) Amendment Order 2003	<a href="#">S.S.I. 2003/141</a> .
The Non-Domestic Rating (Rural Areas and Rateable Value Limits) (Scotland) Amendment Order 2004	<a href="#">S.S.I. 2004/91</a> .

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

Schedule 2 to the Local Government and Rating Act 1997 (as amended) makes provision for mandatory relief from non-domestic rates for qualifying general stores, post offices and food stores. Provision is also made for discretionary relief for property used for purposes beneficial to the local community, in settlements of less than 3,000 people in areas of Scotland designated as rural areas by the Scottish Ministers (and formerly by the Secretary of State). The Non Domestic Rating (Petrol Filling Stations, Public Houses and Hotels) (Scotland) Order 2003 ([S.S.I. 2003/188](#)) prescribes conditions for the purposes of paragraph 3(2)(c)(ii) of the said Schedule 2 which add petrol filling stations, public houses and hotels to the categories of lands and heritages that qualify for mandatory relief.

Article 2 of this Order designates for the purposes of these provisions the local authority areas specified in column 1 of Schedule 1 to the Order, under exclusion of the localities specified in column 2 of that Schedule. The boundaries of the localities specified in column 2 are those used for the purposes of the publication “Scotland’s Census 2001, Key Statistics for Settlements and Localities Scotland”, copies of which may be purchased from Customer Services, General Register Office for Scotland, Ladywell House, Ladywell Road, Edinburgh EH12 7TF.

Article 3 prescribes maxima of rateable value, above which property will not be eligible for the relief. £7,000 (for qualifying general stores, post offices and food stores) and £10,500 (for qualifying petrol filling stations, hotels and public houses) are prescribed in relation to mandatory relief, and £14,000 in relation to discretionary relief.

Article 4 revokes the previous principal order (S.I. [1997/2827](#)) and several amending orders ([S.S.I. 2000/57](#), [S.S.I. 2003/141](#) and [S.S.I. 2004/91](#)).