



Rating (Former Agricultural Premises and Rural Shops) Act 2001

2001 CHAPTER 14

1 **Mandatory rate relief on former agricultural premises**

- (1) Section 43 of the Local Government Finance Act 1988 (c. 41) (occupied hereditaments: liability) is amended as follows.
- (2) In subsection (6A), after “applies,” insert “or, subject to subsection (6I) below, subsection (6F) below applies,”.
- (3) After subsection (6E) insert—
 - “(6F) This subsection applies where—
 - (a) on the day concerned the condition mentioned in subsection (6G) below is fulfilled in respect of the hereditament; and
 - (b) the rateable value of the hereditament shown in the local non-domestic rating list at the beginning of the chargeable financial year is not more than any amount prescribed by the Secretary of State by order.
 - (6G) The condition is that the hereditament—
 - (a) consists wholly or mainly of land or buildings which were, on at least 183 days during the period of one year ending immediately before this subsection comes into effect, agricultural land or agricultural buildings for the purposes of the exemption under paragraph 1 of Schedule 5 to this Act; and
 - (b) includes land or a building which is not agricultural for the purposes of that exemption but was agricultural for those purposes on at least 183 days during the period mentioned in paragraph (a) above.
 - (6H) For the purposes of subsection (6G) above—
 - (a) in relation to any hereditament which includes property which is domestic within the meaning of section 66 below, paragraph (a) has

effect as if that part of the hereditament which does not consist of such property were the entire hereditament; and

- (b) a building which has replaced a building which was an agricultural building for the purposes of the exemption mentioned in that subsection (“the original building”) is to be treated as if it were the original building.

(6I) Subsection (6A) above shall not have effect, in relation to a hereditament to which subsection (6F) above applies, on a chargeable day on which paragraph 2A of Schedule 6 to this Act applies in relation to the hereditament.

(6J) Subject to subsection (6K) below, subsections (6F) to (6I) above shall cease to have effect at the end of the period of five years beginning with the day on which those subsections come into effect.

(6K) The Secretary of State may by order extend or further extend the period mentioned in subsection (6J).

(6L) If the period is so extended or further extended—

- (a) subsection (6F) above cannot apply to a hereditament after the end of the period of five years beginning with the day on which it first applies; and
- (b) where a hereditament to which subsection (6F) above applies (“the original hereditament”) includes land or a building which is subsequently included in a different hereditament, that subsection cannot apply to the different hereditament after the end of the period of five years beginning with the day on which it first applies to the original hereditament.”

(4) After subsection (8) insert—

“(8A) In relation to any hereditament in respect of which both subsection (5) above and subsection (6A) above have effect on the day concerned, the chargeable amount shall be calculated in accordance with subsection (5) above.”.