
STATUTORY INSTRUMENTS

1992 No. 550

**The Council Tax (Situation and Valuation
of Dwellings) Regulations 1992**

PART III

VALUATION OF DWELLINGS

Valuation of dwellings: general

6.—(1) Subject to regulation 7, for the purposes of valuations under section 21 (valuations for purposes of lists) of the Act, the value of any dwelling shall be taken to be the amount which, on the assumptions mentioned in paragraphs (2) and (3) below, the dwelling might reasonably have been expected to realise if it had been sold in the open market by a willing vendor on 1st April 1991.

(2) The assumptions are—

- (a) that the sale was with vacant possession;
- (b) that the interest sold was the freehold or, in the case of a flat, a lease for 99 years at a nominal rent;
- (c) that the dwelling was sold free from any rent charge or other incumbrance;
- (d) except in a case to which paragraph (3) applies, that the size, layout and character of the dwelling, and the physical state of its locality, were the same as at the relevant date;
- (e) that the dwelling was in a state of reasonable repair;
- (f) in the case of a dwelling the owner or occupier of which is entitled to use common parts, that those parts were in a like state of repair and the purchaser would be liable to contribute towards the cost of keeping them in such a state;
- (g) in the case of a dwelling which contains fixtures to which this sub-paragraph applies, that the fixtures were not included in the dwelling;
- (h) that the use of the dwelling would be permanently restricted to use as a private dwelling; and
- (i) that the dwelling had no development value other than value attributable to permitted development.

(3) In the case of a valuation carried out for the purposes of an alteration of the valuation list resulting from a material reduction in the value of the dwelling, it shall be assumed that—

- (a) the physical state of the locality of the dwelling was the same as on the date from which the alteration of the list would have effect; and
- (b) the size, layout and character of the dwelling were the same—
 - (i) in the case of an alteration resulting from a change to the physical condition of the dwelling, as on the date from which the alteration of the list would have effect;
 - (ii) in a case where there has been a previous alteration of the valuation list in relation to the dwelling, as on the date from which that alteration had effect;

- (iii) in a case where in relation to the dwelling, there has been a relevant transaction within the meaning of section 24, not resulting in an alteration of the valuation list, as on the date of that transaction;
 - (iv) in a case to which more than one of sub-paragraphs (i) to (iii) applies, as on whichever is the latest of the dates there mentioned; and
 - (v) in any other case, as on 1st April 1993.
- (4) Sub-paragraph (g) of paragraph (2) applies to any fixtures which—
- (a) are designed to make the dwelling suitable for use by a physically disabled person; and
 - (b) add to the value of the dwelling.
- (5) In paragraph (2)—
- “common parts”, in relation to a dwelling, means any part of a building containing the dwelling and any land or premises which the owner or occupier of the dwelling is entitled to use in common with the owners or occupiers of other premises in the immediate locality;
- “flat” has the same meaning as in Part V of the Housing Act 1985(1);
- “permitted development” means development for which under the Town and Country Planning Act 1990(2) planning permission is not required, or for which no application for planning permission is required;
- “relevant date” means—
- (a) in the case of a valuation carried out for the purposes of an alteration of the valuation list, the day from which that alteration would have affect; or
 - (b) in any other case, the day on which the valuation is made;
- “rentcharge” has the same meaning as in the Rentcharges Act 1977(3).
- (6) In determining what is “reasonable repair” in relation to a dwelling for the purposes of paragraph (2), the age and character of the dwelling and its locality shall be taken into account.

Valuation of dwellings: composite hereditaments

7.—(1) In the case of a dwelling which is a composite hereditament or is part of a single property which is a composite hereditament, the value of the dwelling, for the purposes of valuations under section 21 of the Act, shall be taken to be that portion of the relevant amount which can reasonably be attributed to domestic use of the dwelling.

- (2) In paragraph (1)—
- “domestic use” has the same meaning as in section 24 of the Act; and
- “relevant amount” means the amount which the composite hereditament might reasonably have been expected to realise on the assumptions mentioned in regulation 6, other than paragraph (2) (h) of that regulation, if for the references to the dwelling throughout paragraphs (2) to (6) of that regulation, there were substituted references to the composite hereditament.

Revocation of Regulations

8. The Domestic Property (Valuation) Regulations 1991(4) and the Domestic Property (Valuation) (Amendment) Regulations 1991(5) are hereby revoked.

(1) 1985 c. 68.
(2) 1990 c. 8.
(3) 1977 c. 30.
(4) S.I. 1991/1934.
(5) S.I. 1991/2815.

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