
STATUTORY INSTRUMENTS

1993 No. 3082

RATING AND VALUATION

**The Non-Domestic Rating Contributions
(England) (Amendment) (No. 2) Regulations 1993**

<i>Made</i>	- - - -	<i>9th December 1993</i>
<i>Laid before Parliament</i>		<i>10th December 1993</i>
<i>Coming into force</i>	- -	<i>31st December 1993</i>

The Secretary of State for the Environment, in exercise of the powers conferred on him by sections 140(4) and 143 of, and paragraphs 4(1), (5) and (5A) and 6(2), (2A), (5) and (6) of Schedule 8 to, the Local Government Finance Act 1988(1) and section 4 of the Non-Domestic Rating Act 1993(2), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and Commencement

1. These Regulations may be cited as the Non-Domestic Rating Contributions (England) (Amendment) (No.2) Regulations 1993 and shall come into force on 31st December 1993.

Amendments having effect for 1993/94

2. The Non-Domestic Rating Contributions (England) Regulations 1992(2) shall have effect in relation to any calculation of an authority's non-domestic rating contribution for the financial year beginning on 1st April 1993 made on or after the coming into force of these Regulations with the following amendments—

(a) in paragraph 4A of Part 1 of Schedule 1, there shall be inserted at the end of the formula “+K”, and at the end of the paragraph there shall be added the following definition—

“K is the amount of the reasonable costs, if any, necessarily incurred by the authority in respect of changes to any of their computer programs so as to give effect to the provisions of the 1993 Act, provided that if the amount of such costs exceeds £4,000, K is £4,000.”; and

(1) 1988 c. 41; sections 140 and 143 and paragraphs 4 and 6 of Schedule 8 were amended by the Local Government and Housing Act 1989 (c. 42), Schedule 5, paragraphs 42, 69 and 72 and by the Local Government Finance Act 1992 (c. 14), Schedule 10, paragraph 6 and Schedule 13, paragraphs 78, 80 and.

(2) See section 146(6) of the Local Government Finance Act 1988 for the definition of “prescribed—”.

(2) See section 146(6) of the Local Government Finance Act 1988 for the definition of “prescribed—”.

- (b) in paragraphs 2(3) and 4(3) of Schedule 3, there shall be inserted at the end of the definitions of “T” and “W” respectively the following words “and assuming, in the case of paragraph 4A, that K in the formula in that paragraph will be nil;”.

Amendments having effect as from 1994/95

3. The Non-Domestic Rating Contributions (England) Regulations 1992 shall have effect in relation to financial years beginning on or after 1st April 1994 with the following amendments—

- (a) in Part I of Schedule 1,
- (i) in paragraph 1(4), for “1993” there shall be substituted “1994” and for “£24,588,000” there shall be substituted “£6.5 million—”;
 - (ii) in paragraph 4(1), in the definition of “K” for “80 per cent.” there shall be substituted “78 per cent.” and in the definition of N for “20 per cent.” there shall be substituted “22 per cent.”; and
 - (iii) in paragraph 4(4), for “1993 is £66 million” there shall be substituted “1994 is £69.5 million”;
- (b) for Part II of Schedule 1 there shall be substituted the following Part—

“PART II COST FACTORS

<i>Name or description of authority</i>	<i>Cost factor</i>
The Councils of the districts of Broxbourne, Dartford, Elmbridge, Epping Forest, Epsom and Ewell, Hertsmere, Reigate and Banstead, Slough, South Bucks, Spelthorne, Three Rivers and Watford.	1.1517
The Councils of the districts of Basildon, Bracknell Forest, Brentwood, Chiltern, Crawley, Dacorum, East Hertfordshire, Guildford, Harlow, Mole Valley, Runnymede, St Albans, Sevenoaks, Surrey Heath, Tandridge, Thurrock, Waverley, Welwyn Hatfield, Windsor and Maidenhead and Woking.	1.1165
The Council of a district, other than a district named above, which falls within the county of Bedfordshire, Berkshire, Buckinghamshire, East Sussex, Essex, Hampshire, Hertfordshire, Isle of Wight, Kent, Oxfordshire or West Sussex.	1.0713
The Council of a district other than a district named above or a district falling within the description given above.	1
The Council of an inner London Borough.	1.2348

<i>Name or description of authority</i>	<i>Cost factor</i>
The Council of an outer London Borough.	1.1407
The Common Council of]the City of London.	1.66
The Council of the Isles of Scilly.	1”;

- (c) in Part I of Schedule 2,
- (i) in paragraph 2(12), for “0.94” there shall be substituted “0.91”; and
- (ii) in paragraph 8(1), for “1.55”, “1.4”, “1.6” and “1.05” there shall be substituted respectively “2.1”, “2”, “1.85” and “1.6”;
- (d) for Part II of Schedule 2 there shall be substituted the following Part—

“PART II

PRESCRIBED AMOUNTS IN RESPECT OF ENTERPRISE ZONES

<i>Name of Authority</i>	<i>Name of Enterprise Zone</i>	<i>Prescribed Amount £</i>
Dudley	Dudley (Round Oak)	1,502,000
Glanford	Glanford	57,000
The Wrekin	Telford	3,052,000”;

- (e) in Part I of Schedule 3, in paragraph 2, for sub-paragraph (3) there shall be substituted the following sub-paragraphs—

“(3) The amount which, in calculating a special authority’s non-domestic rating contribution in accordance with paragraph 1(4) of Schedule 1, is to be deducted from the amount calculated under paragraph 1(2) of that Schedule shall be replaced by the amount calculated in accordance with the formula—

$$\frac{T \times U}{V}$$

where

T is the amount of the deduction for the year referred to in paragraph 1(4) of Schedule 1;

U is the number of relevant days preceding the day on which the calculations in accordance with this Schedule are made;

V is the number of days in the year for which the calculations in accordance with this Schedule are made.

(4) The amount described in paragraph 4 of Schedule 1 shall be replaced by the amount calculated in accordance with the formula—

$$\frac{W \times U}{V}$$

where

W is the amount calculated in relation to the authority for the year in accordance with paragraph 4 of Schedule 1;

U and V have the same meaning as in sub-paragraph (3) above.”; and

- (f) in paragraph 4 of Part II of Schedule 3,

(i) for sub-paragraph (3) there shall be substituted the following sub-paragraphs—

“(3) The amount which, in calculating a special authority’s non-domestic rating contribution in accordance with paragraph 1(4) of Schedule 1, is to be deducted from the amount calculated under paragraph 1(2) of that Schedule shall be replaced by the amount calculated in accordance with the formula—

$$\frac{T \times Y}{V}$$

where

T and V have the same meaning as in paragraph 2(3) above;

Y is the number of relevant days on and after the day on which the calculations in accordance with this Schedule are made.

(3A) The amount described in paragraph 4 of Schedule 1 shall be replaced by the amount calculated in accordance with the formula—

$$\frac{W \times Y}{V}$$

where

V and W have the same meaning as in sub-paragraphs (3) and (4) respectively of paragraph 2 above;

Y has the same meaning as in sub-paragraph (3) above.”; and

(ii) at the end there shall be added the following sub-paragraph—

“(6) The assumption prescribed in paragraph 5 of Schedule 2 shall not apply in the case of any reduction or remission which, on or before the day on which the calculations in accordance with this Schedule are made, the authority has decided to grant.”.

Signed by authority of the Secretary of State

Department of the Environment
9th December 1993

David Curry
Minister of State,

EXPLANATORY NOTE

(This note is not part of these Regulations)

Under Part II of Schedule 8 to the Local Government Finance Act 1988, billing authorities are required to pay amounts (called non-domestic rating contributions) to the Secretary of State. Payments in respect of a provisional amount of the contributions are made during the financial year, final calculations and payments being made after the year ends.

These Regulations amend the rules for the calculation of contributions contained in the Non-Domestic Rating Contributions (England) Regulations 1992. Regulation 2 amends the rules for the financial year 1993/94, by providing for an allowance to be made for certain computer costs. Regulation 3 makes various amendments to the rules for financial years beginning with 1994/95, including changes to the allowance for the costs of collection and recovery (regulation 3(a)(iii)), and the distribution of the allowance between authorities (regulation 3(a)(ii) and (b)).

It is possible for regulation 2(a) to have effect in respect of the financial year 1993/94, notwithstanding paragraph 4(6) of Schedule 8 to the 1988 Act, by virtue of section 4 of the Non-Domestic Rating Act 1993.